NATIONAL ADMINISTRATIVE REGISTER · OCTOBER 24, 2013

POLICY AND PROCEDURAL GUIDELINES ON THE GSIS "NO GIFT POLICY"

GSIS RESOLUTION NO. 118, October 24, 2013

Read online (full-text search, related cases, audio case brief): https://batas.org/library/a9d83412f29c/

WHEREAS, Section 27, Article II of the Constitution states that "The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption";

WHEREAS, Section 29 of the Code of Corporate Governance for GOCCs mandates all Governing Boards of Government Owned or Controlled Corporations (GOCCs) to adopt a "No Gift Policy" and ensure its strict implementation within the organization;

WHEREAS, the Board consistently emphasized propriety and transparency by issuing Resolution No. 50-2013 which aptly provides that "All GSIS officials and employees must conduct themselves properly at all times in order to avoid conflict of interest, ensuring that official acts are proper and aboveboard x x x";

WHEREAS, the System's corporate governance statement provides that "the GSIS shall be a transparent, independent, accountable and professional institution that is beyond public reproach";

WHEREAS, the adoption of a "No Gift Policy" will integrate the foregoing values and principles and provide GSIS personnel with guidelines on the manner by which they deal with individual clients and entities in the workplace;

RESOLVED, to APPROVE and CONFIRM the Policy and Procedural Guidelines (PPG) on the GSIS "No Gift Policy" as proposed by the Senior Vice President, Corporate Services Group and Corporate Planning Office, in her Memorandum dated 21 October 2013;

A copy of the proposed PPG on the GSIS "No Gift Policy" is made an integral part of this Resolution.

Attachment:

Policy and Procedural Guidelines No. 247-13

GSIS "NO GIFT" POLICY

I. BACKGROUND/RATIONALE

The principle of "Public office is a public trust," as enshrined in Section 1, Article XI of the 1987 Philippine Constitution, is the standard by which government service is measured. Section 2 of the Code of Conduct and Ethical Standards for Public Officials and Employees (RA 6713) further expounds on this principle by providing that public officials and employees shall at all times be accountable to the people by serving them with responsibility, integrity and efficiency while at the same time leading and living modest lives. This principle serves as the bar that defines public service and the demeanor of public servants.

Various laws and administrative issuances are replete with the expected standards that all public servants must live up to.

Turn this case into an audio lecture - facts, issues, ruling and doctrine - at batas.org

Instructively, Section 27, Article II of the Constitution states that "The State shall maintain honesty and integrity in the public service and take positive and effective measures against graft and corruption".

Section 1 of the Anti-Graft and Corrupt Practices Act (RA 3019) provides that:

> "It is the policy of the Philippine Government, in line with the principle that a public office is a public trust, to repress certain acts of public officers and private persons alike which constitute graft or corrupt practices or which may lead thereto."

Conflict of interest and personal gain affect the faithful performance of one's official duty and run contrary to a public servant's commitment to public interest. Public officials and employees shall always uphold the public interest over and above personal interest.[1]

Section 29 of the Code of Corporate Governance for Government Owned or Controlled Corporations (GCG MC No. 2012-07) mandates that:

> "Every Governing Board shall formally adopt a "No Gift" Policy within the GOCC and ensure its full advertisement to the community and its strict implementation by particular set of rules."

The GSIS Board of Trustees (BOT) has consistently emphasized propriety and transparency in the conduct of its operations and has issued Resolution No. 50 on 23 May 2013 which provides that:

> "All GSIS officials and employees must conduct themselves properly at all times in order to avoid conflict of interest, ensuring that official acts are proper and aboveboard x x x."

This was further enshrined in the System's corporate governance statement which provides that:

> "The GSIS shall be a transparent, independent, accountable and professional institution that is beyond public reproach."[2]

The adoption by the GSIS of a "No Gift" Policy further exemplifies the System's conscious and determined thrust to institutionalize and implement all of the above ethical standards and good governance principles.

For the GSIS, the stewardship of the government employees' insurance funds demands no less. It is thus imperative for the GSIS to adopt a policy that will promote a high standard of ethics and, at the same time, strengthen the trust reposed in the institution by its stakeholders and the public.

II. DEFINITION OF TERMS

The following terms shall be defined as:

- Gift – a thing, or a right to dispose of gratuitously, or any act of liberality, in favor of another who accepts it, and shall include a simulated sale or an ostensibly onerous disposition thereof. It shall not include an unsolicited gift of nominal or insignificant value not given in anticipation of, or in exchange for, a favor from a public official or employee.[3]

- Benefit – a right, privilege, entertainment, advantage, exemption or any other similar act of liberality in favor of another.

- Receiving any gift – includes the act of accepting directly or indirectly a gift from a person other than a member of the public officer's immediate family, in behalf of himself or herself or of any member of his or her family, even on the occasion of a family celebration or national festivity like Christmas, if the value of the gift is, under the circumstances, manifestly excessive.[4]

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

- Gift Register – a record of gifts received by GSIS officials and employees.

- Compliance Officer – the executive designated by the BOT to ensure compliance by GSIS with the provisions of RA 10149 (The GOCC Governance Act of 2011), the various issuances by the GCG, including this PPG.

III. OBJECTIVE

To provide GSIS officials and employees with guidelines in the handling of gifts received from individuals and entities in the workplace.

IV. COVERAGE

This policy shall apply to all GSIS officials and employees regardless of status of appointment.

V. POLICIES

A. Prohibited Acts

GSIS officials and employees are prohibited from the following acts that may lead to personal gain and/or conflict of interest:

- Directly or indirectly soliciting gifts, favors or benefits from stakeholders; and

- Directly or indirectly accepting or receiving any gift, favor or benefit from any party which may influence the performance of their official functions or which may be perceived as influencing their past, present and future official functions.

B. Exceptions

- GSIS officials and employees may receive token gifts, plaques, awards, certificates, souvenir Items, and other tokens of courtesy, appreciation or gratitude from individuals and other institutions or agencies provided that:

- the token gifts, plaques, awards, certificates, souvenir items, other tokens of courtesy, appreciation or gratitude are deemed appropriate to the occasion or ceremonies for which they are given or made; and

- the giving and receiving shall not influence the GSIS officials and employees' performance of official functions.

- The following gifts and benefits are likewise not covered by the policy:

- Gifts and benefits including grants and donations received by the GSIS as an institution from other offices or organizations;

- Scholarships, travels and similar benefits granted to GSIS officials and employees by other government agencies, private institutions or by local or international organizations provided that such acceptance is consistent and appropriate with the interests of the government and/or the System;

- Trainings and travels provided to GSIS officials and employees in relation to the effective use of an equipment or a system supplied by a contractor or supplier as part of its contract with GSIS; and

- Gifts or cash awards given by the GSIS to its officials and employees during Christmas and anniversary celebrations.

C. Gift Register

- To further ensure transparency in the way GSIS officials and employees deal with their stakeholders, a Gift

Study hands-free: podcast-style lessons with read-along highlighting - batas.org

Register (Annex "A") shall be maintained in the following GSIS Offices/Units: BOT, Office of the President and General Manager (OPGM), Office of the Corporate Secretary (OCS), Office of the Senior Vice President (OSVP), Office of the Vice President (OVP), Office of the Department Manager, Branch Office (BO), for the purpose of monitoring and recording gifts given to and received by GSIS officials and employees.

- A GSIS official or employee who receives a gift, favor or benefit in the workplace, regardless of value, from individuals or entities shall cause the registration of said gift in the Gift Register and sign the appropriate receipt portion thereof.

- The Gift Register shall likewise require the following information:

- Date of delivery or receipt of gift, grant of favor or benefit;

- Description of the gift, favor or benefit received;

- Estimated value of gift;

- Name of recipient;

- Name, position or office of giver of gift; and

- Action taken on the gift, e.g., Consumed, Donated, Returned or Endorsed to.

D. Responsibilities

- The heads of Offices/Units, through their respective Technical Assistant (TA) or their equivalent, shall be responsible for maintaining a Gift Register, and submitting an annual report on gifts, favors or benefits received by GSIS officials and employees under their Office to the Compliance Officer. The reports of the units shall be consolidated by the Office concerned (i.e., reports of departments or Branch Offices shall be consolidated by the OVP or OSVP, as applicable).

- The Compliance Officer shall submit a report of gifts, favors or benefits given to GSIS officials and employees to the BOT. The report shall include the following:

- instances of possible conflict of interest, if any; and

- propriety of the action taken on the gifts.

- The Corporate Communications Office (CCO) shall prepare information materials to disseminate this PPG.

E. Violations and Penalties

Any violation of this PPG shall be referred to the Prosecution and Quasi- Judicial Cases Department (PQJCD) of the Legal Services Group (LSG) for investigation and disciplinary action in accordance with the specific provisions of RA 6713, RA 3019, the Revised Rules on Administrative Cases in the Civil Service (RRACCS) and other pertinent laws, rules and regulations.

This PPG shall take effect immediately.

(SGD) ROBERT G. VERGARA
President and General Manager
Date Signed: Nov. 13, 2013

---

[1] Section 4 (a), Republic Act No. 6713, Code of Conduct and Ethical Standards for Public Officials and

Employees.

[2] Title B, Section 3, GSIS Manual of Corporate Governance approved per BOT Resolution No. 96 dated 26 September 2013.

[3] Section 3 (c) of R.A. 6713.

[4] Section 2 (c) of R.A. 3019.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at https://batas.org

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.