

LBP INSURANCE BROKERAGE, INC. (LIBI)
REVISED GUIDELINES ON "NO GIFT POLICY"

A. Objective

The following guidelines on solicitation and acceptance of gifts and donations are issued in line with LIBI's commitment to uphold the highest standards of ethics and moral values and as an embodiment of its social duty, as well as comply with the specific provisions of Republic Act No. 6713 (*An Act Establishing a Code of Conduct and Ethical Standards for Public Officials and Employees, to Uphold the Time-Honored Principle of Public Office Being a Public Trust, Granting Incentives and Rewards for Exemplary Service, Enumerating Prohibited Acts and Transactions and Providing Penalties for Violations Thereof and for Other Purposes*) and RA No. 3019 (*Anti-Graft and Corrupt Practices Act*).

B. Coverage

These guidelines shall cover all LIBI employees as defined under Item C.5 hereof.

C. Definition of Terms

1. **Gift** refers to a thing or a right to dispose of gratuitously, or any act or 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 an LIBI employee. The term "gift" is used interchangeably with "donation."
2. **Gift of monetary value** refers to a thing which is evidently or manifestly excessive by its very nature.
3. **Gift of nominal or insignificant value** shall depend on the circumstances of each case taking into account the salary of the LIBI employee involved, the frequency or infrequency of the giving, the expectation of benefits, and other similar factors.
4. **Receiving any gift** includes the act of accepting directly or indirectly, a gift from a person other than a member of his/her family or relative as defined in this guidelines, even on the occasion of a family celebration or national festivity like Christmas, if the value of the gift is neither nominal nor insignificant, or the gift if given in anticipation of, or in exchange for, a favor.

5. **LIBI employee** shall refer to the members of the Board of Directors, corporate officers and rank-and-file employees, whether permanent, temporary, co-terminus, project employee or directly hired contractual.
6. **Family of LIBI employees** means their spouses and children.
7. Relatives refer to any and all persons related to LIBI employee within the fourth civil degree of consanguinity or affinity, including *bilas*, *inso* and *balae*.
8. **Person** includes natural and juridical persons unless the context indicates otherwise.
9. **Commodatum** refers to a contract whereby one of the parties delivers to another something not consumable so that the latter may use the same for a certain time and return it.
10. **Pecuniary gain or benefit** means monetary or financial gain/benefit.

D. Specific Guidelines

1. As a general rule, solicitation and acceptance of gifts and donations are strictly prohibited. The following acts or omissions shall constitute prohibited acts of solicitation and acceptance of gifts and donations:
 - 1.1 Soliciting or accepting, directly or indirectly, any gift, gratuity, favor, entertainment, commodatum or anything of monetary value in the course of the LIBI employee's official duties or in connection with any operation being regulated by or any transaction which may be affected by the functions of his/her office.
 - 1.2 Directly or indirectly requesting or receiving any gift, present, share, percentage, or benefit, for himself/herself or for any other person, in connection with any contract or transaction between the LIBI and any other party, wherein the LIBI employee is his/her official capacity has to intervene under the law or existing policies of the LIBI.
 - 1.3 Directly or indirectly requesting or receiving any gift, present or other pecuniary or material benefit, for himself/herself or any other party, from any person for whom the LIBI employee, in any manner or capacity, has secured or obtained, or will secure or obtain, any Company product or service, in consideration for the help given or to be given.

2. The determination of the propriety or impropriety of soliciting or accepting gifts shall consider the value of the gift, kinship or relationship between the giver and the receiver, the frequency or infrequency of the giving, and the motivation of the parties or the expectations of benefits.
3. Any offer of gift or entertainment which might be seen as excessive, or put the recipient under an obligation, or influence a procurement decision, or be in doubtful taste or be liable to bring the name of LIBI into disrepute should be declined or returned to the giver. "Excessive" would include offers of gift or entertainment that are over-frequent; or part of a pattern of invitations that, taken together, appears inappropriate; or disproportionately lavish considering the relationship between or the position of the giver and the recipient.
4. Gifts and all packages shall continue to be scanned by the security guard as part of their security and monitoring functions.
5. In cases where it is considered inappropriate or impractical to decline or return a gift, the LIBI employee concerned shall immediately turn over the gift to the Administrative Division for its proper disposition. The Administrative Division or the LIBI employee concerned shall formally acknowledge the gift and inform the giver of the intended disposition.
6. Queries relating to the implementation of these guidelines shall be directed to the Administrative Division.

E. Exceptions

The following shall be excluded in the prohibition on solicitation and acceptance of gifts/donations:

1. Unsolicited gifts or presents of small/nominal or insignificant value offered or given as a mere ordinary token of gratitude or friendship according to local customs or usage, not given in anticipation of, or in exchange for, a favor from an LIBI employee or given after the transaction is completed, or service is rendered;
2. A gift from a member of the family, relative or friends on the occasion of a family celebration, and without any expectation of pecuniary gain or benefit;
3. Gifts offered in a public forum where refusal would cause embarrassment, subject to the provision under item D.5 hereof;
4. Nominal gifts or grants from persons with no regular, pending, or expected transactions with the department or unit with which the LIBI employee is connected, and without any expectation of pecuniary gain or benefit; and,

5. Gifts or grants coming from government entities or private organizations whether local or foreign, which are considered and accepted as humanitarian and altruistic in purpose and mission.

F. Penalties/Sanction

Any violation of this policy shall be a ground for filing of administrative and/or criminal charges for acts, omission or offenses provided and punishable under Section 9 or R. A. No. 3019, Section 11 of R. A. No. 6713, and Rule XI of the Implementing Rules of R.A. No. 6713 as maybe warranted by the evidence.

G. Publication and Effectivity

These guidelines shall take effect after fifteen (15) days from the actual date of posting of copies thereof in conspicuous areas within the premises of LIBI's offices.

To effectively carry out the purpose of this policy, the Management shall endeavor to professionally inform individuals or organizations with any actual or potential business with LIBI about the issuance and implementation of this policy.


TOMAS T. DE LEON, JR.
Chairman - BOD