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I. REFERENCE DOCUMENTS

Republic Act 10149 (GOCC Governance Act of 2011)

Republic Act 3109 (Sec. 1, Anti-Grant and Corrupt Practices Act)

GCG Memorandum Circular No. 2012-07 (Sec. 29, Code of Corporate Governance for GOCCs)

GCG Memorandum Circular No. 2012-12 ("No Gift Policy")

II. RATIONALE

1. The Code of Corporate Governance for GOCCs seeks to ensure that "the governance of GOCCs is carried out in a transparent, responsible and accountable manner and with the utmost degree of professionalism and effectiveness" (GCG MC 2012-07, p.1).
2. As an institution mandated to build the capacities of individuals and development stakeholders in government and other sectors of society to perform their respective roles more efficiently and effectively, the DAP is likewise mandated to uphold its institutional integrity by espousing the values of transparency, accountability and professionalism in all its transactions.
3. As an institution categorized as a GOCC under said Code and under Republic Act 10149 or the GOCC Governance Act of 2011, the DAP therefore adopts the provisions stated in this Code and commits to abide by its rules, with specific reference to Section 29 for the purpose of this Memorandum Circular.

III. COVERAGE

This Memorandum Circular shall apply to all regular and non-regular personnel, regardless of the nature of their appointment or engagement, including Members of the Board of Trustees, and all Officers of the Academy.

IV. GUIDELINES

1. No officer or employee of the Academy shall solicit nor accept, directly or indirectly, any gift, gratuity, favour, entertainment, loan or anything of monetary value ("Gift") from any person where such Gift:
 - 1.1 would be illegal or in violation of law;
 - 1.2 is part of an attempt or agreement to do anything in return;

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- 1.3 has any value beyond what is normal and customary in the GOCC's business;
 - 1.4 is being made to influence the action of any member or members of the Board, or Officer; or
 - 1.5 could create the appearance of conflict of interest.
2. It is the duty of each officer and employee of the Academy to ensure that the provision of this Memorandum Circular is implemented at all levels.

V. DUTY TO INFORM

1. The Academy's Management shall ensure that this policy is known and disseminated to all the Academy's officers, staff, clients and stakeholders. For the purpose of informing all clients and other stakeholders, notices to this effect will be posted in conspicuous areas around the Academy premises: in its head office in Pasig, its satellite office in Davao City and in its Conference Center in Tagaytay City.
2. All Academy officers and employees are required to professionally inform any individual or organization with any actual or potential business with the Academy of this policy, the reasons the Academy has adopted such policy, and a request that such policy be respected by all individuals or organizations concerned.

VI. ACKNOWLEDGEMENT AND RETURN OF GIFTS

In the event that the Academy, and/or any of its officers or employees, receives a gift covered by this policy, such gift, if feasible, shall immediately and politely be declined.

If returning the gift is not feasible, or it is inappropriate or impractical (such as in the case of perishable items), the gift shall be donated to an appropriate charitable or social welfare institution. An acknowledgement letter shall be sent to the donor informing him/her of the "No Gift Policy" or that the gift has been returned or donated to a charitable or social welfare institution.

VII. EXCEPTIONS (per Section 6 of GCG Memorandum Circular 2012-12)

Exempted from this "No Gift Policy" are the following:

1. The acceptance and retention of certificates, plaques, cards, thank you notes, or other written forms of souvenir or mark of courtesy;"

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2. The acceptance of seminar bags and contents, and partaking of moderately priced meals and beverages that officers and employees obtain at events, such as conferences and seminars, and which are offered equally to all members of the public attending the event;
3. Acceptance of books, pamphlets, publications, and data and other information of reading materials that are directly useful to the Academy in the performance of its mandates, objectives and, which books and other materials are given by individuals or organizations that no pending business with the Academy as to create an actual or potential conflict of interest.
4. The acceptance by DAP Officers and employees of a scholarship or fellowship grant, travel grants or expense for travel taking place within or outside the Philippines (such as allowances, transportation, food and lodging) or more than nominal value, if such acceptance is appropriate and consistent with the interests of the Academy and permitted by the DAP President;
5. The acceptance or availment by the Academy of grants from local or foreign institutions in the pursuit of the mandates, projects and activities, such as those coming from ADB, World Bank, USAID, etc., provided that the availment thereof shall be strictly in compliance with applicable procurement laws, rules and regulations.

VIII. SANCTIONS

Non-compliance to the provisions of this Memorandum Circular will be subject to the appropriate legal actions provided for by law.

VII. EFFECTIVITY

This Memorandum Circular shall take effect immediately and shall remain in force unless superseded by appropriate law or issuance.


ANTONIO D. KALAW JR.
President