

EXECUTIVE ORDER NO. 14*Series of 2020***GUIDELINES ON SOLICITATION AND ACCEPTANCE OF GIFTS AND
DONATIONS****A. POLICY STATEMENTS**

- As public servants promoting high standards of ethics and conduct in public service and good governance, **OFBank** officials and employees are committed to perform their duties and functions without expectation of any favor or reward.
- Gifts to officials and employees of the **Bank** from clients shall be governed by the basic principles of propriety and prudence. Any form of gift-giving that partakes of bribery shall be rejected.
- Pertinent provisions of Republic Act No. 3019 or the Anti-Graft and Corrupt Practices Act and Republic Act No. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees shall apply to this Policy.

B. COVERAGE

- All Bank personnel.

C. DEFINITION

- **Gift** refers to a thing or a right to dispose of gratuitously, or any act or liberality, in favor of another who accepts it. 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 Bank personnel. The term “gift” is used interchangeably with “donation”.

- **Gift of nominal or insignificant value** shall depend on the circumstances of each case taking into account the salary of the Bank personnel, the frequency or infrequency of the giving, the expectation of benefits, and other similar factors.
- **Bank personnel** shall include members of the Board of Directors, Bank officers and rank-and-file employees, whether permanent, temporary, co-terminus or agency / directly – hired contractual.

D. SPECIFIC GUIDELINES

1. As a general rule, direct or indirect solicitation and acceptance of gifts from a person, groups, associations, or juridical entities, whether from public or private sector, at any time, on or off the work premises, is strictly prohibited.
2. Prohibition shall include the following:
 - 2.1 Soliciting or accepting directly or indirectly, any gift, gratuity, favor, entertainment or anything of monetary value in the course of the Bank personnel'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.
 - 2.2 Directly or indirectly, requesting or receiving any gift, present, percentage or benefit for himself/herself or for any person, in connection with any contract or transaction between the Bank and any other party, wherein the Bank personnel in his/her official capacity has to intervene under the existing policies of the Bank.
 - 2.3 Directly or indirectly requesting or receiving any gift, present or other financial or material benefit for himself/herself or any other party, from any person for whom the Bank personnel, in any manner or capacity, has secured or obtained, or will secure or obtain, any Bank product or service, in consideration for the help given or to be given.
 - 2.4 Directly or indirectly requesting or receiving gifts, fees or commission or any other form of remuneration in connection with the approval of a loan from the Bank.
3. 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, frequency or infrequency of the giving, and the motivation of the parties or the expectation of benefits.

4. Any offer or 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 Bank's name 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. Attendance at expensive or exclusive events would be excessive for Bank personnel unless a clear business requirement can be shown.

5. The following shall be exempted in the prohibition on solicitation and acceptance of gifts:

5.1 Unsolicited gifts or presents of small/nominal or insignificant value offered or given as a mere token of gratitude or friendship according to local customs or usage, not given in anticipation of, or in exchange for, a favor from a Bank personnel or given after the transaction is completed, or service is rendered;

5.2 A gift from a member of the family, relative or friends on the occasion of a family celebration, and without any expectation of financial gain or benefit;

5.3 Gifts offered in a public forum where refusal would cause embarrassment;

5.4 Certificates, plaques, cards, or other written forms of souvenir or mark of courtesy, books, publications, and data and other reading materials, which said materials are given by individuals or organizations that have no pending business with the Bank;

5.5 Hospitality associated with the demands of work or offers of entertainment when they are at a reasonable means to establish working relationship or develop and maintain outside contacts relevant to work responsibilities, **e.g.**, working meals or legitimate representation functions to meet and discuss business with clients;

5.6 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;

5.7 Solicitation from organizations where the Bank is a member-institution or the Bank is supporting membership in institutions where membership will redound to the benefit of the Bank;

5.8 Scholarship or fellowship grant, travel grants or expense for travel taking place within or outside of the Philippines of more than nominal value, if such acceptance is appropriate and consistent with the interests of the Bank, and permitted by the President and CEO; and

5.9 Promotional items such as calendars, pens/pencils, cups, bags and all other tokens that Bank personnel may obtain, as member of an organization, at events such as conferences, training events, and seminars that are offered equally to all members and to the general public who are also in attendance at the event.

6. In cases where it is inappropriate or impractical to decline or return a gift, the Bank personnel concerned shall immediately turn over the gift to Administrative Services Unit (ASU). It shall be included as raffle prize in the next immediate Bank function. The ASU shall formally acknowledge the gift.

7. These guidelines shall be shared with external customers via the Bank's website. Notwithstanding, all Bank personnel are required to inform any individual or organization with any actual or potential business with the Bank of these guidelines and request that such individual or organization respect such guidelines.

E. PENALTY

- These guidelines shall serve as a supplement to existing laws, rules or regulations covering gift-giving and receiving, and any violation thereof shall be subject to sanctions in accordance with said laws, rules or regulations and the Bank's Code of Conduct.

F. EFFECTIVITY

This shall take effect upon approval.



LEILA C. MARTIN
President and CEO

Date: June 22, 2020