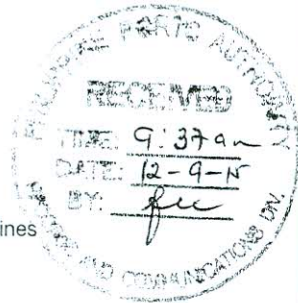




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12 AUGUST 2014

PPA ADMINISTRATIVE ORDER

NO. 09 - 2014

TO : PPA OFFICIALS AND EMPLOYEES
PORT USERS
ALL CONCERNED

SUBJECT : ADOPTION AND IMPLEMENTATION OF A "NO GIFT - POLICY"

I. LEGAL BASES

Pursuant to Board Resolution No. 2340 which was adopted on 29 November 2013 and Board Resolution No. 2372 adopted on June 10, 2014, Section 29 of GCG Memorandum Circular No. 2012-07 entitled the Code of Corporate Governance, and R.A. 6713 or the Code of Conduct and Ethical Standards for Public Officials and Employees, the following policies and rules are established on gifts and benefits that are peculiar to the officials and employees of the Philippine Ports Authority (PPA).

II. SCOPE

These Rules shall apply to all PPA officials and employees, in addition to other prohibitions on soliciting and receiving gifts and benefits imposed by law.

III. POLICIES AND RULES

Section 1. As used herein, the term:

Agent – a person who acts in representation of another.

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

Gift – refers to a thing disposed of gratuitously in favor of another, and shall include a simulated sale or a disposition onerous to the giver and/or unduly beneficial to the recipient.

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VISION

By 2030, customers doing business in our ports shall experience full and sustained productivity, efficiency, comfort, connectivity, safety and security.

MISSION

We commit to provide reliable and responsive services in our ports, sustain development of our port communities and environment and be a model corporate agency of the government.

Section 2. PPA officials and employees shall not solicit, directly or indirectly, gifts and/or benefits, for themselves or for others.

Section 3. PPA officials and employees shall not, directly or indirectly, accept or receive any gift or benefit from any party which may influence their official actions or which might reasonably be perceived as influencing or improperly relating to past, present or future performance of their official functions, from any of the following:

- a) PPA suppliers and contractors, and their agents;
- b) Port users;
- c) Parties, counsel, and their agents; or
- d) Parties transacting business with PPA.

Section 4. In the course of the performance of their official functions, PPA officials and employees shall not ask nor accept any fee beyond what PPA is authorized to collect or levy under the law.

Section 5. PPA officials and employees shall likewise not ask, accept or receive gifts and/or benefits from other persons belonging to the public sector not falling within the enumeration in Section 3.

Section 6. PPA officials and employees may accept gifts and/or benefits from their spouses, children and parents, provided that the latter is not among those enumerated in Section 3.

The gifts and/or benefits allowed in this Section shall not be given and/or accepted within the PPA office and its premises or such other places temporarily occupied by PPA or its officers and employees in the conduct of office -related functions and activities.

Section 7. PPA officials and employees may give and/or receive tokens or gifts of nominal value if appropriate to the occasion in which it is made. A gift shall be considered of nominal value depending on the circumstances of each case taking into account the salary of the official or employee, the frequency or infrequency of the giving, the expectation of reciprocal benefits and other similar factors.

PPA officials and employees may give and/or receive to/from their fellow officials and employees emergency contribution/assistance of reasonable value or amount in cases of death, illness and other similar situations.

Section 8. Officials and employees may receive plaques, awards, certificates, souvenirs or other tokens of appreciation or gratitude and/or benefits as appropriate to the occasion/ceremonies in which it is made; provided that the same might not reasonably be perceived as given with intent to influence the officials/employees in the performance of their official functions.

Section 9. PPA officers and employees shall officially inform any individual or organization with any actual or potential business with PPA of this "No Gift Policy", the reasons for the adoption of this policy, and request that such individual or organization respect said policy. Notices of this Policy shall be likewise posted in conspicuous areas within PPA premises for the information of the walk-in clients and visitors.

Section 10. All prohibited gifts left at PPA office or its premises shall be immediately returned to the giver. In circumstances where it is considered inappropriate or impractical to return the said gifts (e.g., perishable goods), the official or employee concerned shall immediately turn over the same to the Administrative Services Department (ASD), which shall maintain a Record Book for gifts turned over to it; and which shall eventually, dispose of it by donation to charitable institutions, schools, libraries, museums or any other appropriate institutions. Such incident shall be reported by ASD to the Office of the General Manager.

Section 11. These Rules shall not apply to the following:

- a) Gifts and/or benefits received by the PPA as an institution from other offices or organizations, including grants and donations;
- b) Gifts or cash awards given by PPA to its officials and employees during Anniversary and Christmas celebrations;
- c) Performance-based cash rewards, and similar benefits granted to PPA directors, officers and employees by the government; or
- d) Scholarship granted to PPA officials and employees by appropriate institutions, or national or international organizations.

IV. PENALTIES

Any violation of these Rules shall be a ground for disciplinary action without prejudice to the filing of appropriate criminal charge, if warranted, against the erring official and/or employee.

V. EFFECTIVITY

This Administrative Order shall take effect within fifteen (15) days after its publication in a newspaper of general circulation.


JUAN C. STA. ANA
General Manager

Published in the Philippine Star - December 10, 2015

Effectivity Date December 25, 2015

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