	LBP LEASING AND FINANCE CORPORATION	DOCUMENT CODE: LLC-CSG-PM-018.01	
	HUMAN RESOURCES MANAGEMENT POLICIES AND PROCEDURES	REVISION NO.: 1	EFFECTIVITY DATE: 01/17/2025
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NO GIFT POLICY - GUIDELINES PROHIBITING SOLICITATION AND ACCEPTANCE OF GIFTS AND DONATIONS

1. OBJECTIVE

The following guidelines on solicitation and acceptance of gifts and donations are issued in line with LBP Leasing and Finance Corporation's (LLFC) commitment to uphold the highest standards of ethics and moral values and as an embodiment of its social duty, as well as to 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 Other Purpose) and R.A. No. 3019 (Anti-Graft and Corrupt Practices Act), as well as GCG Memorandum Circular No. 2012-07 (Code of Corporate Governance for GOCCs).


2. COVERAGE

These guidelines shall cover all LLFC Board Members, Corporate Officers and LLFC employees.

Service company workers and directly hired contractuales shall also be covered by this policy and these shall be so provided in their service agreements with LLFC.

3. DEFINITION OF TERMS


- a. **Gifts** refer to a thing or a right to dispose of gratuitously, or any act of liberality in favour of another who accepts it and shall include a simulated sale or an ostensibly onerous disposition thereof. It shall not include unsolicited gift of nominal or insignificant value not given in anticipation of, or in exchange for, a favour from an employee of LLFC. The term "gift" is used interchangeably with "donation".
- b. **Gift of Monetary Value** refers to a thing which is evidently or manifestly excessive by its very nature.
- c. **Gift of Nominal or Insignificant Value** shall depend on the circumstances of each case taking into account the salary of the LLFC employee, the frequency or infrequency of the giving, the expectation of benefits and other similar factors [Rule X, Sec. 1(f)(1), IRR of R.A. 6713, Code of Conduct and Ethical Standards for Public Officials and Employees].
- d. **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 these 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 is given in anticipation of, or in exchange for a favour.
- e. **LLFC employees** shall refer to all employees whether permanent, temporary or co-terminus.
- f. **Family of LLFC employees** means their spouse and children.
- g. **Relatives** refer to any and all persons related to an employee of LLFC within the fourth civil degree of consanguinity or affinity, including bilas, inso and balae.

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- h. **Person** includes natural and juridical persons unless the context indicates otherwise.
- i. **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 in.
- j. **Pecuniary gain or benefit** means monetary or financial gain/benefit.

4. SPECIFIC GUIDELINES

- a. As a general rule, solicitation and acceptance of gifts and donations is strictly prohibited. The following acts or omissions shall constitute the prohibited acts on solicitation and acceptance of gifts and donations.
 - i. Soliciting or accepting, directly or indirectly any gift, gratuity, favour, entertainment, commodatum or anything of monetary value in the course of the LLFC employee's official duties or in connection with any operation being regulated by or any transaction which may be affected by the functions or his/her office.
 - ii. 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 LLFC and any other party, wherein the LLFC employee, in his/her official capacity, has to intervene under the law or existing policies of LLFC.
 - iii. 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 LLFC employee in any manner or capacity has secured or obtained or will secure or obtain any LLFC product or service, in consideration for the help given or to be given.
- b. The determination of the propriety or impropriety of soliciting or accepting gifts shall consider the value of the gift, kinship or relationship between the given and the receiver, the frequency or infrequency of the giving and the motivation of the parties on the expectation of benefits.
- c. 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 LLFC'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.
- d. The LLFC personnel assigned at the public assistance desk at the LLFC lobby shall be responsible in recording the general description of the gifts as well as the name and group/unit of the recipient.
- e. In cases where it is considered inappropriate or impractical to decline or return gift, the LLFC employee concerned shall immediately turn over the gift to the Office of the President-LLFC for its

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proper disposition. The Office of the President-LLFC or the LLFC employee concerned shall formally acknowledge the gift and inform the giver of the intended disposition.

- f. *Queries relating to the implementation of these guidelines shall be directed to the Corporate Services Group (CSG).*

5. EXCEPTIONS

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

- a. *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 favour from an employee of LLFC or given after the transaction is completed, or service is rendered;*
- b. *A gift from a member of the family, relative or friends on the occasion of family celebration, and without any expectation of pecuniary gain or benefit;*
- c. *Gifts offered in a public forum where refusal would cause embarrassment subject to the provision under item e hereof;*
- d. *Nominal gifts or grants, as defined under Sec. 3.c. hereof, from persons with no regular, pending or expected transactions with the group or unit with which the LLFC employee is connected and without any expectation of pecuniary gain or benefit;*
- e. *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; and*
- f. *Solicitation by LLFC from organizations where LLFC is a member-institution or LLFC is supporting membership in institutions where membership will redound to the benefit of LLFC.*

6. DUTY TO INFORM

LLFC officers and employees are required to professionally inform any individual or organization with any actual or potential business with LLFC of this "No Gift Policy", the reasons the Corporation has adopted this policy, and request that such individual or organization respect such Policy. Notices informing walk-in clients and visitors of the Policy shall likewise be posted in conspicuous areas within LLFC premises.

7. VIOLATION AND SANCTIONS

Any violation of this policy shall be a ground for filling an administrative case in accordance with the applicable laws, rules and regulations.