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### Section 1. Overview

The Light Rail Transit Authority (LRTA) adheres to the corporate values of excellence, honesty, integrity and teamwork. In its commitment to serve the public with utmost honesty and integrity, the LRTA establishes these policies regulating the giving and acceptance of gifts and benefits to and by LRTA officials, employees and even contracted service personnel as they are sometimes given authority to represent LRTA in some of its business/official transactions whenever so required.

### Section 2. Objective

These policies are formulated to provide guidelines on how LRTA officials, employees, contracted service personnel, consultants and special project personnel, shall conduct themselves in accepting and giving gifts and benefits that might affect or influence their functions in the LRTA. These policies aim to prevent partiality, giving of undue advantage, and/or any act of indiscretion on the part of LRTA officials, employees and contracted service personnel in the performance of their duties and functions.

### Section 3. Scope


The policies and guidelines specified herein apply to all officials, employees and contracted service personnel, consultants and special project personnel of the Light Rail Transit Authority.


### Section 4. Definition of Terms

- 4.1. **"Gift"** <sup>1</sup>refers to a thing of valuable consideration, whether real or personal, tangible or intangible, disposed of gratuitously in favour of another, and shall include a simulated sale or a disposition onerous to the giver and/or unduly beneficial to the recipient. <sup>2</sup>It is a thing or a right disposed of gratuitously, or any act of 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 favour from any official or employee of the LRTA as covered under Section 3 hereof.
- 4.2. **"Benefit"** refers to a right, privilege, entertainment, exemption, advantage or any other similar act of liberality in favour of another.
- 4.3. **"Agent"** refers to a person who acts in representation of another.

### Section 5. Policies and Guidelines


- 5.1. LRTA officials, employees, contracted service personnel, consultants and special project personnel shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan or anything of monetary value which in the course of his official duties or in connection with any operation being regulated by, or any transaction which may be affected by the functions of, his office.



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- 5.2. LRTA officials, employees, contracted service personnel, consultants and special project personnel shall not directly or indirectly request or receive any gift, present, share, percentage, or benefit, for himself or for any other person, in connection with any contract or transaction between the Government and any other part, wherein the public officer in his official capacity has to intervene under law.
- 5.3. LRTA officials, employees, contracted service personnel, consultants and special project personnel shall not directly or indirectly request or receive any gift, present or other pecuniary or material benefit, for himself or for another, from any person for whom the public officer, in any manner or capacity, has secured or obtained, or will secure or obtain, any Government permit or license, in consideration for the help given or to be given.
- 5.4. LRTA officials, employees, contracted service personnel, consultants and special project personnel may receive gift from a member of his family or relative on the occasion of a family celebration, and without any expectation of pecuniary gain or benefit.
- 5.5. LRTA officials, employees, contracted service personnel, consultants and special project personnel may receive nominal donations from persons with no regular, pending, or expected transactions with the department, office or agency with which the official or employee is connected, and without any expectations of pecuniary gain or benefit.
- 5.6. LRTA officials, employees, contracted service personnel, consultants and special project personnel may receive donations coming from private organizations whether local or foreign, which are considered and accepted as humanitarian and altruistic in purpose and mission.
- 5.7. LRTA officials, employees, contracted service personnel, consultants and special project personnel may receive donations coming from government to government entities.
- 5.8. There shall be established a Registry of Gifts under the Administrative Department that will be responsible for maintaining a record of all gifts and benefits given to and by LRTA officials, employees and service personnel covered by this policy.
- 5.9. The Administrative and the Legal Department shall, within thirty (30) days from date of the effectivity of this policy, create and implement the rules and guidelines for the establishment of the Registry of Gifts, which shall include among others, the appointment of a duly designated officer to maintain the record and the disposition of gifts.
- 5.10. These rules shall not apply to the following:
- 5.10.1. Gifts and/or benefits received directly by the Authority as an institution from other offices or organizations, including grants and donations.
  - 5.10.2. Gifts or cash awards given by the Authority to its officials, employees and contracted service personnel during Anniversary and Christmas celebrations.

*[Handwritten signature]*

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- 5.10.3. Gifts exchanged on occasions of Christmas celebrations between and among government agencies.
- 5.10.4. Performance-based cash rewards, scholarship grants, and similar benefits granted to LRTA officials, employees and contracted personnel by appropriate government agencies, private institutions, or national or international organizations.

**Section 6. Penalties**

Any violation of these Rules and Regulations shall be a ground for disciplinary action without prejudice to the filing of appropriate criminal charges, if warranted, against the erring official and/or employees in accordance with Rule IV Section 52 C of the Uniform Rules on Administrative Cases (URAC) in the Civil Service.

- 1<sup>st</sup> Offense – Reprimand
- 2<sup>nd</sup> Offense – Suspension for one (1) to thirty (30) days
- 3<sup>rd</sup> Offense – Dismissal


Provided that, in all cases, except when receiving and giving of gifts and benefits is allowed, the propriety and impropriety of the act shall be determined by its monetary value, kinship or relationship between giver and receiver and the motivation. A thing of monetary value is one which is evidently or manifestly excessive by its very nature.

**Section 7. Requirement to Inform**

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

**Section 8. Effectivity**

This policy shall take effect immediately upon approval by the Administrator after fifteen (15) days from the date of publication in the LRTA website. All previous issuances inconsistent with the provisions herein promulgated are hereby superseded.

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