

In view of the issuance of GCG Memorandum Circular No. 2016-02<sup>1</sup>, as amended by GCG Memorandum Circular No. 2023-03<sup>2</sup>, the Revised Tourism Promotions Board (TPB) Whistleblowing Policy Guidelines is hereby adopted.

## **TOURISM PROMOTIONS BOARD WHISTLEBLOWING POLICY GUIDELINES**

**1. STATEMENT OF POLICY.** - It is the policy of the Tourism Promotions Board's (TPB) that its governance shall be carried out in a transparent, responsible and accountable manner and with the utmost degree of professionalism and effectiveness. Furthermore, the Governing Board, Officers and Employees of TPB must be competent to carry out the TPB's functions, be fully accountable to the State as its fiduciaries, and act in the best interest of the State.

The TPB, acting through their Governing Board and duly authorized Officers and Employees, shall conduct the affairs, operations and business of TPB in full compliance with applicable laws, rules, regulations. As public officers, all TPB's Directors, Officers and Employees must exemplify the behavior and professional demeanor consistent with such laws, rules, regulations, policies and procedures of the highest standard.

**2. BACKGROUND AND PURPOSE.** - The purpose of this Whistleblowing Policy is to enable any concerned individual to report and provide information, anonymously if he/she wishes, and even testify on matters involving the actions or omissions of the Directors, Officers and Employees of TPB that are illegal, unethical, violate good governance principles, are against public policy and morals, promote unsound and unhealthy business practices, are grossly disadvantageous to TPB and/or the Government.

**3. COVERAGE.** - This Policy shall be applicable to all TPB Directors, Officers and Employees, which are covered by the provisions of Republic Act (R.A.) No. 10149 and are subject to the regulatory jurisdiction of the Governance Commission.

**4. REPORTABLE CONDITIONS.** - Whistleblowers may report to TPB such acts or omissions that are illegal, unethical, violate good governance principles, are against public policy and morals, promote unsound and unhealthy business practices, are grossly disadvantageous to TPB and/or the Government, such as, but not limited to:

- a. Abuse of Authority
- b. Bribery
- c. Conflict of Interest
- d. Destruction/Manipulation of Records
- e. Fixing
- f. Inefficiency

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<sup>1</sup> "Revised Whistleblowing Policy for the GOCC Sector"

<sup>2</sup> "Amending GCG Memorandum Circular No. 2016-02 or the Revised Whistleblowing Policy for the GOCC Sector"

- g. Making False Statements
- h. Malversation
- i. Misappropriation of Assets
- j. Misconduct
- k. Money Laundering
- l. Negligence of Duty
- m. Nepotism
- n. Plunder
- o. Receiving a Commission
- p. Solicitation of Gifts
- q. Taking Advantage of Corporate Opportunities
- r. Undue Delay in Rendition of Service
- s. Undue Influence
- t. Violation of Procurement Laws

Whistleblowers may also report such other acts or omissions that otherwise involve violations of the following laws, rules and regulations:

- a. R.A. No. 6713, "Code of Conduct and Ethical Standards for Public Officials and Employees";
- b. R.A. No. 3019, "Anti-Graft and Corrupt Practices Act";
- c. R.A. No. 7080, as amended, "The Plunder Law";
- d. Book II, Title VII, Crimes Committed by Public Officers, The Revised Penal Code;
- e. Executive Order (E.O.) No. 292, s. 1987, "Administrative Code of 1987";
- f. R.A. No. 10149, the "GOCC Governance Act of 2011";
- g. GCG M.C. No. 2012-05, "Fit and Proper Rule";
- h. GCG M.C. No. 2012-06, "Ownership and Operations Manual Governing the GOCC Sector";
- i. GCG M.C. No. 2012-07, "Code of Corporate Governance for GOCCs"
- j. Violations of the TPB Charter;
- k. Sexual harassment contemplated under R.A. No. 7877, otherwise known as the "Anti-Sexual Harassment Act of 1995", R.A. No. 11313, otherwise known as the "Safe Spaces Act", 2017 RACCS, other relevant CSC Circulars, and applicable laws and regulations; and,
- l. Other TPB's Memorandum Circulars and Orders, and applicable laws and regulations;

**5. TPB WHISTLEBLOWING WEB PORTAL.** - TPB has established the website [www.http://tpb.gov.ph](http://tpb.gov.ph) as its primary reporting channel for whistleblowers under this memorandum circular.

This reporting channel is an online-based platform by which whistleblowers may securely submit reports electronically while at the same time ensuring their anonymity and the confidentiality of their reports.

Whistleblowers are encouraged to utilize this online reporting channel.

**6. ALTERNATIVE REPORTING CHANNELS.** - Whistleblowers may also submit whistleblowing reports to Governing Board and Officers of TPB through the following alternative reporting channels:

- a. Face-to-Face Meetings : with the TPB Officers and Employees
- b. E-Mail : complaints@tpb.gov.ph
- c. Mail : Tourism Promotions Board office  
6<sup>th</sup> Floor, Five E-Com Center, Harbor Drive,  
Mall of Asia Complex, Pasay City, Philippines
- d. Telephone : 525-9318 to 27/ 525-9607 to 09/ 526-9622 to 23
- e. Fax : 521-6165 / 525-3314

**7. CONFIDENTIALITY.** - Except when the whistleblower does not invoke anonymity and/or confidentiality when invoking the Whistleblowing Policy, TPB shall ensure confidentiality of all information arising from whistleblowing reports submitted pursuant to this Policy Guidelines. It shall treat all reports, including the identity of the whistleblower and the person/s complained of, in a confidential and sensitive manner. The identity of the whistleblower will be kept confidential, unless compelled by law or the Courts to be revealed, or unless the whistleblower authorized the release of his/her identity.

**8. PROTECTION OF A WHISTLEBLOWER AGAINST RETALIATION.** - Retaliatory acts against whistleblowers who submit whistleblowing reports in good faith shall not be tolerated by TPB which shall extend all possible assistance to the whistleblower under the law and given the circumstances. Such retaliatory acts may include:

- a. Discrimination or harassment in the workplace
- b. Demotion
- c. Reduction in salary or benefits
- d. Termination of contract
- e. Evident bias in performance evaluation
- f. Any acts or threats that adversely affect the rights and interests of the whistleblower

**9. UNTRUE ALLEGATIONS.** - If a Whistleblower makes allegations that are determined to be fabricated or malicious falsehoods, and/or he/she persists in making them, legal action may be taken against him by TPB.

## **10. HANDLING OF WHISTLEBLOWING REPORTS.**

**10.1. Filing of Whistleblowing Reports** - All whistleblowing reports must be submitted to TPB through the website [www. http://tpb.gov.ph](http://tpb.gov.ph) or through any of the Alternative Reporting Channels identified in paragraph 6 of this Policy Guidelines.

**10.2. Investigation by the TPB Legal Department** - All whistle blowing reports will be evaluated and investigated by the Legal Department which reserves the right to disregard reports that are vague, ambiguous, patently without merit, or are simply made with malicious intent to tarnish the name and reputation of the person/s complained of.

## **11. GCG ACTION ON WHISTLEBLOWING REPORTS.**

**11.1.** In cases of whistleblowing reports against TPB, their Directors, officers, and employees, GCG may pursue any of the following actions:

- a. Dismiss the whistleblowing report for want of palpable merit
- b. Forward the whistleblowing report to TPB for corresponding official action
- c. Submit a formal recommendation to TPB's Board of Directors for the discipline of respondent officers/employees
- d. Submit a formal recommendation to TPB's Board of Directors for the suspension of the respondent Appointive Director
- e. Submit a formal recommendation to the President of the Republic of the Philippines for the removal of the respondent Appointive Director
- f. Endorse to the proper Government Agency such as the Office of the Ombudsman. the pursuit of the criminal and/or administrative processes against the respondents
- g. Enjoin the TPB's Board of Directors and Management to comply with applicable laws or jurisprudence and/or to undertake corrective measures to address the matters raised in the complaint; and
- h. Consider the whistleblowing report closed and terminated if the response of the respondent is found to be adequate

**11.2.** In cases of whistleblowing reports against the Directors, the Office of the General Counsel may dismiss the whistleblowing report for want of merit, or submit their recommendations on proposed sanctions against the respondents to the Office of the President.

**11.3.** In cases of whistleblowing reports against other officers and employees of TPB, the Office of the General Counsel may dismiss the whistleblowing reports for want of merit or submit their recommendations on proposed sanctions against the respondents to the Management Committee of TPB.

**12.A. DUTY OF TPB.** – TPB must provide a working environment that promotes whistleblowing and establish such regulations that provide protection to whistleblowers against retaliation actions mentioned in paragraph 8 of this Policy Guidelines.

In the same manner, TPB shall ensure through appropriate regulations that its Board of Directors, officials and employees are amply protected against patently baseless, untrue and malicious complaints and harassment suits.

Full compliance with this paragraph shall be a Good Governance Condition for the grant of Performance-Based Bonus and Performance-Based Incentives starting 2017.

**12.B. OTHER DUTIES OF TPB.** – The TPB shall comply with the following:

- a. **WHISTLEBLOWING PORTAL.** Maintain its own whistleblowing system, including the whistleblowing portal available in its web portal;

- b. **PROCESS.** Adopt a process and include in TPB's Citizens Charter the handling of whistleblowing reports and complaints;
- c. **TURN-AROUND-TIME.** Resolve the whistleblowing reports or complaints within the periods prescribed by relevant issuances or orders and as provided in TPB's Citizens Charter;
- d. **CLIENT SATISFACTION SURVEY.** – Administer a satisfaction survey in accordance with applicable rules and regulations relative to the grant of the Performance-Based Bonus and Performance-Based Incentive.
- e. **REPORTORIAL DUTY.** – Submit to the GCG – Office of the General Counsel, Integrity Division an annual report prepared by the concerned office in TPB and certified by TPB's Governing Board, that contains the following:
  - i. Rules in Handling Whistleblowing Reports or complaints were institutionalized or if processes are already in place, if the same were subjected to modifications;
  - ii. Summary of all whistleblowing reports received by TPB;
  - iii. Summary of the actions taken thereon;
  - iv. Results of the corresponding CSS;
  - v. Percentage of reports resolved within the prescribed period, percentage of reports resolved outside the prescribed period, and percentage of reports that remains unresolved;
  - vi. Copies of the reports and complaints, relevant letters and memoranda, evidence of administration of the CSS, and other pertinent documents.

**13. VALIDATION.** The OGC, Integrity Division may conduct validation of the reports and documents submitted by the TPB in relation to Item 12.B. (e), including on-site validation confirming the reports submitted by the GOCCs. If the reports are substantiated, then the OGC, Integrity Division must issue the following certifications that:

- a. Rules in handling whistleblowing reports and complaints exist, and status of the same if subjected to modifications;
- b. The TPB indicated all the whistleblowing reports and complaints received;
- c. The TPB acted, disposed, if not resolved all the whistleblowing reports and complaints, including the resolution and disposition rates;
- d. CSS was undertaken and the results were submitted.

**14. GOOD GOVERNANCE CONDITION.** – Full compliance with the foregoing requirements shall be a Good Governance Condition for the grant of Performance-Based Bonus and Performance-Based Incentives of the offices handling the whistleblowing reports, complaints or concerns of the stakeholders, and the Governing Board and Management.

**15. REPEALING CLAUSE.** – All TPB’s existing guidelines, orders, circulars, policies and other issuances, which are inconsistent with any provision of the Revised Whistleblowing Policy for the GOCC Sector shall be deemed superseded.

**16. EFFECTIVITY CLAUSE.** – This Policy Guidelines shall take effect immediately upon approval of the Governance Commission for GOCCs and the TPB Board.