



Whistleblowing Policy

1. **STATEMENT OF POLICY**

It is hereby declared that the governance of the Philippine Aerospace Development Corporation (the "Corporation") shall be carried out in a transparent, responsible, and accountable manner and with the utmost degree of professionalism and effectiveness. Furthermore, the PADC Board and its leadership and management must be competent to carry out its functions, and be fully accountable to and act in the best interest of the government and its stakeholders.

The Corporation, acting through its Board of Directors and duly authorized Officers and Employees, shall conduct the affairs, operations, and business of the Corporation in full compliance with applicable laws, rules, and regulations. As public officers, all 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 (the "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/Trustees, Officers, and Employees of the Corporation that are illegal, unethical, violate good governance principles, are against public policy and morals, promote unsound and unhealthy business practices, are grossly disadvantageous to the Corporation and/or the government.

3. **COVERAGE**

This Policy shall be applicable to all the Directors, officers and employees of the Corporation, which are covered by the provisions of Republic Act (R.A.) No. 10149 otherwise known as the Governance Commission for Government Owned and Controlled Corporations (GCG).

4. **DEFINITION OF TERMS**

- (a) **GCG or the Commission** - refers to the Governance Commission for GOCCs (GCG).
- (b) **Investigation Committee** - refers to the Committee tasked to handle Whistleblowing Report received by the Corporation.
- (c) **Reportable Conditions** - matters that may be brought to the attention of the Corporation through this Policy as enumerated in Section 5 below.



- (d) **Respondent** - the person who is subject of a report filed with the Corporation pursuant to this Policy.
- (e) **Retaliation Actions** - actions carried out by a Respondent in retaliation against a Whistleblower, such as, but not limited to, discrimination or harassment in the Corporation's workplace carried out by a respondent officer against a whistleblowing employee.
- (f) **Whistleblower** - a person who reports a Reportable Condition to the Corporation through this Policy.
- (g) **Whistleblowing Report (WR)** - refers to a complaint filed by a Whistleblower about a Reportable Condition.

5. **REPORTABLE CONDITIONS**

Whistleblowers may report to the Investigation Committee 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 the Corporation, such as, but not limited to:

- (a) Abuse of Corporation;
- (b) Bribery;
- (c) Conflict of interest;
- (d) Destruction/ Manipulation of records;
- (e) Fixing;
- (f) Inefficiency;
- (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; and,
- (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. 3019, "Anti-Graft and Corrupt Practices Act";



- (c) R.A. 7080, as amended, "The Plunder Law";
- (d) Book II, Title VII, Crimes Committed by Public Officers, The Revised Penal Code;
- (e) Executive Order No. 292, s. 1987, "Administrative Code of 1987";
- (f) R.A. No. 10149, "The GOCC Governance Act of 2011";
- (g) GCG MC No. 2012-05, "Fit and Proper Rule";
- (h) GCG MC No. 2012-06, "Ownership and Operations Manual Governing the GOCC Sector";
- (i) GCG MC No. 2012-07, "Code of Corporate Governance for GOCCs";
- (j) Manual of Corporate Governance of Philippine Aerospace Development Corporation; and,
- (k) Other issuances, orders and applicable laws and regulations.

6. WHISTLEBLOWING WEB PORTAL

The GCG has established a website (www.whistleblowing.gcg.gov.ph) as the primary reporting channel for whistleblowers. 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.

Pending establishment of an online link between the PADC website and the web portal on the GCG website, Whistleblowers are encouraged to utilize this online reporting channel.

7. ALTERNATIVE REPORTING CHANNELS

Whistleblowers may also submit whistleblowing reports to the Corporation through the following alternative reporting channels:

- | | | |
|---------------------------|---|--|
| (a) Face-to-Face Meetings | : | With Concerned Officers and Employees of the Corporation / Investigation Committee |
| (b) Address | : | PADC Hangar 2 General Aviation Area, Domestic Road, Pasay City |
| (c) Email | : | padcpersonnel@gmail.com or op@padc.com.ph |
| (d) Cellular Telephone | : | OP 0927 518 0630 / 0921 584 6498 |
| (e) Telefax | : | 8252 1853 |

8. CONFIDENTIALITY

Except when the whistleblower does not invoke anonymity and/or confidentiality when



invoking this Policy, the Corporation shall ensure confidentiality of all information arising from whistleblowing reports submitted. 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 except in the following conditions:

- (a) When compelled by law or the Courts to be revealed; or
- (b) The whistleblower authorized the release of his/her identity.

9. PROTECTION OF A WHISTLEBLOWER AGAINST RETALIATION

Retaliatory acts against whistleblowers who submit whistleblowing reports in good faith shall not be tolerated by the Corporation 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 benefits;
- (d) Termination of contract;
- (e) Evident bias in performance evaluation; and,
- (f) Any acts or threats that adversely affect the rights and interests of the whistleblower.

10. 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 the Corporation.

11. HANDLING OF WHISTLEBLOWING REPORTS (WR)

11.1. Filing of Whistleblowing Reports (WR)

Any concerned individual or employee of the Corporation who witnesses or becomes aware of any attempted, ongoing, or consummated Reportable Conditions involving any employee of the Corporation may file the WR. The Whistleblower who files a WR anonymously may choose to provide a manner by which he can be contacted without jeopardizing his anonymity.

All whistleblowing reports must be submitted to the GCG whistleblowing portal or through any of the Alternative Reporting Channels identified in Section 7 of this Policy.

11.2. Handling Initial Receipt of Whistleblowing Reports (WR)



The following Officials of the Corporation will handle initial receipt of WRs from the different reporting channels:

Reporting Channel	Concerned Official of the Corporation
(a) Face-to-face meetings	Any Division Chief and Higher
(b) Mail	Investigation Committee
(c) Telephone	Any Division Chief and Higher
(d) WR endorsed by the GCG through web portal	Investigation Committee

It is the responsibility of the concerned Officials of the Corporation in cases of face-to-face meetings, to refer and fully disclose the WR to Investigation Committee. The concerned Officials of the Corporation shall ask the Whistleblower if he is willing to sign the transcript of the discussions between them.

12. ACTION ON WHISTLEBLOWING REPORTS (WR)

12.1 In cases of whistleblowing reports against Corporation, its Directors/Trustees, officers, and employees, the Investigation Committee may pursue any of the following actions:

- (a) Conduct preliminary investigation to determine whether a report/complaint falls within the scope of this Policy particularly Section 5 hereof or the reportable conditions under Paragraph 4 of the GCG MC No. 2016-02;
- (b) Dismiss the whistleblowing report for want of palpable merit;
- (c) Forward the whistleblowing report to the concerned officer for corresponding official action;
- (d) Submit a formal recommendation to the Board for the discipline/suspension of respondent Officer;
- (e) Indorse to the proper Government Agency, such as the Office of the Ombudsman, the pursuit of the criminal and/or administrative processes against the respondents;
- (f) Enjoin the Board and Management to comply with applicable laws or jurisprudence and/or to undertake corrective measures to address the matters raised in the complaint; and,
- (g) Consider the whistleblowing report closed and terminated if the response of the respondent is found to be adequate.



12.2. In cases of whistleblowing reports against the Board of Directors of the Corporation whether appointive or in ex officio or alternate capacity, the complaint shall be endorsed to the Office of the General Counsel of the Governance Commission for GOCCs (GCG), which may dismiss the whistleblowing report for want of merit, or submit its recommendations on proposed sanctions against the respondents to the Commission.

13. REPEALING CLAUSE

All other Board resolutions, corporate orders, and issuances, which are inconsistent with this Policy are hereby repealed or modified accordingly.

14. EFFECTIVITY CLAUSE

In the exigency of the service, this Policy shall take effect immediately.