

REPUBLIC OF THE PHILIPPINES)
MAKATI CITY) S.S.

SECRETARY'S CERTIFICATE

I, **ATTY. CESAR E. ROMANO, JR.**, Corporate Secretary of the HOME GUARANTY CORPORATION (HGC), a government-owned and controlled corporation created under Republic Act No. 8763, as amended, with principal office at the 335 Jade Building, Sen. Gil J. Puyat Avenue, Makati City, after having been duly sworn in accordance with law, hereby certify that pursuant to the Meeting of the Board of Directors held on June 27, 2019, the following resolution was adopted:

BOARD RESOLUTION NO. 19-2019

"RESOLVED THAT, THE BOARD APPROVES THE REVISED WHISTLEBLOWING POLICY OF HGC, HERETO ATTACHED AS ANNEX A, PURSUANT TO THE MEMORANDUM FOR THE BOARD OF DIRECTORS DATED JUNE 27, 2019, THROUGH THE OFFICER-IN-CHARGE FROM THE DEPARTMENT MANAGER, CORPORATE PLANNING DEPARTMENT, SUBJECT TO THE AMENDMENTS APPROVED BY THE BOARD AS FOLLOWS:

1. ON SECTION 4: THE WHISTLEBLOWING COMMITTEE
 - TO INCLUDE THE FOLLOWING AS MEMBERS:
 - a. MANAGER OF THE HUMAN RESOURCES DEPARTMENT
 - b. THE HGC EMPLOYEES ASSOCIATION PRESIDENT OR HIS/HER REPRESENTATIVE.
2. ON SECTION 3: SCOPE AND COVERAGE, 2ND PARAGRAPH, LETTER (17)
 - CHANGE "TAKING ADVANTAGE OF CORPORATE OPPORTUNITIES" TO "TAKING UNDUE ADVANTAGE OF CORPORATE OPPORTUNITIES".

RESOLVED FURTHER THAT, THE PRESIDENT/OFFICER-IN-CHARGE BE AUTHORIZED TO PERFORM ANY AND ALL ACTS NECESSARY TO IMPLEMENT THE FOREGOING."

27 June 2019, Makati City.


ATTY. CESAR E. ROMANO, JR.
Corporate Secretary

SUBSCRIBED AND SWORN to before me this 28 JUN 2019 day of _____,
affiant exhibiting to me his HGC Employee ID No. 0004162.

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Book No. XV
Series of 2019.

MA. VICTORIA B. MARCELLANA
Notary Public for Makati City
Commission No. 14-234 (2018-2019)
Jade Bldg., 335 Sen. Gil J. Puyat Ave., Makati City
IBP No. 065082, Jan. 30, 2018, Albay Chapter
PTR No. 7335121, Jan. 30, 2018, Makati City
MCLE Compliance No. VI-00002226, April 15, 2022
Roll No. 40182

The Home Guaranty Corporation's Revised Whistleblowing Policy

Section 1. Purpose

The Home Guaranty Corporation (HGC), acting through its Board of Directors and Employees, shall conduct the affairs, operations and business of the Corporation in full compliance with applicable laws, rules, regulations. As public officers, the Board of Directors and Employees of the Corporation must exemplify the behavior and professional demeanor consistent with such laws, rules, regulations, policies and procedures of the highest standard.

The purpose of the Home Guaranty Corporation's (HGC) Revised Whistleblowing Policy is to enable any Board of Directors and Employees to report and provide information, anonymously if he/she wishes, and even testify on matters involving graft and corrupt practices in the Corporation, while providing for the protection and assistance to the Whistleblower.

Section 2. Definition of Terms

1. Corporation – refers to the Home Guaranty Corporation (HGC);
2. Employee – includes regular, temporary, co-terminous, directly-hired, casual and contractual employees of the Corporation, as well as officers;
3. Board of Directors – refers to the HGC Board of Directors;
4. Illegal Activities – refers to any act or omission, involving unethical/unlawful behavior, graft and corruption, unsound corporate practices, financial improprieties, accounting malpractices, and failure to comply with legal obligations and statutes and that which violates applicable laws, rules and regulations, as well as the Code of Ethics and other policies and procedures of the Corporation on, but not limited to, good governance, transparency, procurement and sound corporate practices, committed in relation to or in connection with HGC operations and transactions and where HGC is the aggrieved party.
5. Whistleblower – refers to any Employee or member of the Board of Directors who has personal knowledge or access to any data, information, fact or event constituting an illegal activity and makes a voluntary disclosure thereof in accordance with the provisions of this Policy; provided that, in cases where such person participated in the reported Illegal Activity, such person is not the most guilty;
6. Third-party – refers to consultants, contractors, suppliers, service providers, vendors or other persons who have business, contractual or other similar dealings or transactions with the HGC, or any other person as may be determined by the

Whistleblowing Committee.

7. Retaliation – refers to any detrimental act, whether direct or indirect, threatened, recommended, or taken against a Whistleblower, Witness or any Person Closely Associated with a Whistleblower or Witness, in relation to a Protected Disclosure under investigation, which may come in the form of, but is not restricted to, threats of physical harm, harassment, discrimination, withholding of benefits, unjustified performance rating, re-assignment affecting prospects of promotion, punitive work assignments and termination from employment.
8. Witness – any Employee or member of the Board of Directors, who provides admissible information or evidence voluntarily and is not the subject of the inquiry. If he/she is the subject of the inquiry, he can still be a Witness upon request of the Committee, provided that, such person is not the most guilty.

Section 3. Scope and Coverage

This policy shall apply to Illegal Activities considered as grave or less grave offenses and/or felonies defined under applicable laws and rules and regulations committed against the Corporation by the following, as defined in Section 2 hereof:

1. Employees;
2. Members of the Board of Directors; and
3. Third-party

Whistleblowers may report to the Whistleblowing Committee actions 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 such as but not limited to:

1. Abuse of Authority;
2. Bribery;
3. Conflict of Interest;
4. Destruction/ Manipulation of Records;
5. Fixing;
6. Inefficiency;
7. Making False Statements;
8. Malversation;
9. Misappropriation of Assets;
10. Misconduct;
11. Money Laundering;
12. Negligence of Duty;
13. Nepotism;
14. Plunder;
15. Receiving Commission;
16. Solicitation of Gifts;

17. Taking Undue Advantage of Corporate Opportunities;
18. Undue Delay in Rendition of Service;
19. Undue Influence;
20. Violation of Procurement Laws;

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

1. R.A. No. 6713, "Code of Conduct and Ethical Standards for Public Officials and Employees";
2. R.A. No. 3019, "Anti-Graft and Corrupt Practices Act";
3. R.A. No. 7080, as amended, "The Plunder Law";
4. Book II, Title VII, Crimes Committed By Public Officers, The Revised Penal Code;
5. Executive Order (E.O.) No. 292, s. 1987, "Administrative Code of 1987"; R.A. No. 10149, the "GOCC Governance Act of 2011";
6. GCG M.C. No. 2012-05, "Fit and Proper Rule";
7. GCG M.C. No. 2012-06, "Ownership and Operations Manual Governing the GOCC Sector";
8. GCG M.C. No. 2012-07, "Code of Corporate Governance for GOCCs";
9. Violations of the Charter of the GOCC; and
10. Other GCG Circulars and Orders, and applicable laws and regulations;

Section 4. The Whistleblowing Committee

The Whistleblowing Committee is hereby created which shall be composed of, but not limited to, the following HGC Officers:

1. The Vice President of the Legal Group as Ex-Officio Chairman;
2. The Vice President of the Corporate Services Group as Member;
3. The Vice President of the Management Services Group as Member;
4. The Department Manager of the Human Resources Department as Member; and
5. The Home Guaranty Corporation Employees' Association (HGCEA) President or His/ Her Representative as Member.

The Whistleblowing Committee has the primary task of implementing the provisions of this Policy and assessing all Whistleblowing Reports submitted thereto, as well as recommending policy issuances on whistleblowing to the Board of Directors.

In cases where a member of the Whistleblowing Committee is the subject of complaint, the President shall designate any of the Vice Presidents from the other Groups of his/her choice as an alternate member to investigate that specific Whistleblowing Report. Meanwhile, if the one complained of is the President or a member of the Board of Directors, the matter shall be endorsed to the Board Governance Committee for investigation, and then to the Full Board for final resolution.

Section 5. Reporting Channels and Whistleblowing Procedure

5.1. Reporting Channels – Whistleblowers may submit their report to the HGC through the following channels:

Face-to-Face Meeting	: With the Chairman of the Whistleblowing Committee
E-Mail	: whistleblow@hgc.gov.ph
Mail	: Chairman of the Whistleblowing Committee and Vice President of the Legal Group Home Guaranty Corporation 2 nd Floor Jade Building, 335 Sen. Gil Puyat Avenue, Makati City
Telephone	: (632) 897-3023

As an alternative reporting channel, Whistleblowers may submit their reports directly to the Governance Commission for GOCCs (GCG) through the whistleblowing portal found at the HGC website or at www.whistleblowing.gcg.gov.ph. Whistleblowers are encouraged to utilize this online reporting channel.

Whistleblowers may also submit their whistleblowing report to the GCG through the following channels:

Face-to-Face Meeting	: With GCG Officers and Employees
E-Mail	: feedback@gcg.gov.ph
Mail	: 3 rd Floor Citibank Center 8741 Paseo De Roxas, Makati City
Telephone/ Fax	: (632) 328-2030 to 33

Whistleblower Reports must state the specific condition/s, action/s and/or omission/s complained of, as well as the corresponding laws, rules or regulations allegedly violated. If possible, documentary and other evidence in support of the Whistleblowing Report shall be submitted to the Whistleblowing Committee.

Reports of the Whistleblower shall be resolved in accordance with the procedure prescribed in the 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS) or any subsequent amendments thereof or rules that may be issued thereafter replacing or repealing the same.

5.2. Action on Whistleblowing Reports – The Whistleblowing Committee may pursue any of the following:

- i. Dismiss the Whistleblowing Report for want of merit. The Whistleblowing Committee 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;

- ii. Conduct and investigate on the allegations in the Whistleblowing Report for corresponding official action;
- iii. Submit a formal recommendation to the President and then, if necessary upon clearance by the President, to the Board of Directors for the discipline of the respondent;
- iv. Indorse to the proper Government Agency, such as the Office of the Ombudsman, for the pursuit of the criminal and/or administrative processes against the respondent/s;
- v. Submit a formal recommendation to the Office of the President regarding measures and reforms designed to prevent recurrence of actions and behaviors which were the subject of previous Whistleblowing Reports; and
- vi. Consider the Whistleblowing Report closed and terminated if the response of the respondent/s is found to be adequate.

Section 6. Duties and Protection of Whistleblowers

Whistleblowers may be entitled to protection under this Policy, provided the following requisites are present:

1. The Whistleblower is an Employee or a Member of the Board of Directors. A Third Party shall not be qualified to avail of the protection under this Policy. The Corporation, upon the recommendation and approval of the Whistleblowing Committee, shall refer the whistleblower to the proper government agency for possible coverage under the Witness Protection Program;
2. The disclosure is:
 - a. Voluntary, in writing and under oath;
 - b. Accurate and based on personal knowledge of the Whistleblower;
 - c. Related to an Illegal Activity or any conduct in violation of applicable laws as defined herein; and
 - d. Not yet the subject of any investigation or court proceedings.
3. The information given by the Whistleblower:
4. Can be corroborated by documentary and/or testimonial evidence;
5. Leads to a successful gathering of evidence to support a cause of action or defense until the termination of the case; and

6. The Whistleblower is not the most guilty in the Illegal Activity subject of disclosure.

7. The Whistleblower:

a. Provides information based on his/her personal knowledge that an Illegal Activity has been committed or is about to be committed;

8. Makes him/herself available during investigation by the Whistleblowing Committee and appear as witness in proceedings conducted by external agencies such as the Office of the Ombudsman or regular courts;

9. Maintains confidentiality of all matters pertaining to the investigation or proceedings in connection with the disclosure.

10. Protection of a Whistleblower

The Corporation, through the Whistleblowing Committee, shall extend protection and security to ensure the safety of Whistleblowers during its review or investigation and until the termination of the case/s filed in relation or as a consequence thereof, such as but not limited to:

a. Legal Assistance; and

b. Other assistance, which the Whistleblowing Committee may deem necessary.

The Corporation, upon recommendation of the Whistleblowing Committee, shall refer the Whistleblower to the proper government agency for possible coverage under the Witness Protection Program.

Whistleblowers shall be given the opportunity to transfer to another department if they feel they will be discriminated against, isolated, ostracized, ridiculed and treated differently by their officers and peers in their offices for making a Whistleblowing Report.

Whistleblowers shall be entitled to protection from Retaliation on account of his/her participation in the investigation of a Whistleblowing Report, as may be approved by the Whistleblowing Committee.

Whistleblowers shall report direct and imminent threat/s against them or members of their immediate family directly to the Whistleblowing Committee. The Whistleblowing Committee shall undertake appropriate measures to protect the Whistleblowers and their families. If necessary, the Committee shall likewise coordinate with local or national enforcement agencies.

Section 7. Protection Against Retaliation

The Corporation shall ensure that Whistleblowers who submits Whistleblowing Reports in good faith shall be protected and that no retaliatory acts against them shall be tolerated. The Corporation 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; or
- f. Any acts or threats that adversely affect the rights and interests of the Whistleblower.

Interference, Retaliation and other forms of retribution against Whistleblowers shall be considered as a grave administrative offense and shall be dealt with accordingly.

Whistleblowers and Witnesses who have been retaliated against or who believe that they are being subjected to Retaliation for disclosing a suspected Illegal Activity or for participating in an investigation of a suspected Illegal Activity shall immediately notify the Whistleblowing Committee through a Retaliation Complaint.

A Retaliation Complaint shall not in any way affect an investigation of a prior allegation of a suspected Illegal Activity.

Upon receipt of a Retaliation Complaint, the Whistleblowing Committee shall docket the same and conduct the necessary fact-finding investigation and evaluation, and make a report thereof for its information and appropriate action.

If after due investigation, the Whistleblowing Committee finds that acts of Retaliation are committed against the Whistleblower or Witness, the person named in the Retaliation Complaint shall be dealt with in accordance with the 2017 Rules on Administrative Cases in the Civil Service (2017 RACCS).

Whistleblowers are given six (6) months from the occurrence of the Interference or Retaliation to file a Retaliation Complaint with the Whistleblowing Committee.

Section 8. 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/her by the HGC.

Section 9. Confidentiality

The Corporation shall ensure confidentiality of all information contained in the Whistleblowing Reports, the identity of the Whistleblower and of the person complained of. The identity of the Whistleblower may be revealed, however, if compelled by law or by the courts or unless the Whistleblower authorizes the disclosure of his/her identity.

Section 10. Repealing Clause

All other Board Resolutions, Policies, and Guidelines, which are inconsistent with this Policy are hereby repealed or modified accordingly.

Section 11. Effectivity

This Policy shall take effect immediately upon approval by the Board of Directors.