



Republika ng Pilipinas  
**KAGAWARAN NG REFORMANG PANSAKAHAN**  
(DEPARTMENT OF AGRARIAN REFORM)  
**Tanggapin ng Kalihim**  
**Diliman, Lungsod ng Quezon**  
**D-505**

In reply, please address:

*RB 11/20/72*  
**THE SECRETARY**  
Department of Agrarian Reform  
P.O. Box No. 2993  
Manila

DEPARTMENT MEMORANDUM CIRCULAR NO. 8  
Series of 1972. *RB*

Re: Implementation of Presidential Decree  
No. 46 Re Giving and Receiving of Gifts.

For the information, guidance, and observance of, and/or appropriate implementation by, all officials and employees, we are reproducing herein-below the provisions in toto of the Presidential Decree No. 46:

"MALACANANG  
"Manila

"PRESIDENTIAL DECREE NO. 46

"MAKING IT PUNISHABLE FOR PUBLIC OFFICIALS AND EMPLOYEES  
TO RECEIVE, AND FOR PRIVATE PERSONS TO GIVE, GIFTS  
ON ANY OCCASION, INCLUDING CHRISTMAS.

"WHEREAS, under existing laws and the civil service  
rules, it is prohibited to receive, directly or indirectly,  
any gift, present or any other form of benefit in the  
course of official duties;

"WHEREAS, it is believed necessary to put more teeth  
to existing laws and regulations to wipe out all con-  
ceivable forms of graft and corruption in the public  
service, the members of which should not only be honest  
but above suspicion and reproach; and

"WHEREAS, the stoppage of the practice of gift-  
giving to government men is a concrete step in the  
administration program of reforms for the development  
of new moral values in the social structure of the  
country, one of the main objectives of the New Society;

"NOW, THEREFORE, I, FERDINAND E. MARCOS, President  
of the Philippines, by virtue of the powers vested in  
me by the Constitution as Commander-in-Chief of all the  
Armed Forces of the Philippines, and pursuant to  
Proclamation No. 1081 dated September 21, 1972, and  
General Order No. 1 dated September 22, 1972, do hereby  
make it punishable for any public official or employee,

"Hindi na matatalikuran pa ang pagbabagong-ayos ng pananakahan. Higit kong pangarap na makita  
ang ating mga magsasaka na pag-aari ang lupang kanilang binubungka!" - Pangulong MARCOS



whether of the national or local governments, to receive, directly or indirectly, and for private persons to give, or offer to give, any gift, present or other valuable thing on any occasion, including Christmas, when such gift, present or other valuable thing is given by reason of his official position, regardless of whether or not the same is for past favor or favors or the giver hopes or expects to receive a favor or better treatment in the future from the public official or employee concerned in the discharge of his official functions. Included within the prohibition is the throwing of parties or entertainments in honor of the official or employee or of his immediate relatives.

"For violation of this Decree, the penalty of imprisonment for not less than one (1) year nor more than five (5) years and perpetual disqualification from public office shall be imposed. The official or employee concerned shall likewise be subject to administrative disciplinary action and, if found guilty, shall be meted out the penalty of suspension or removal, depending on the seriousness of the offense.

"Any provision of law, executive order, rule or regulation or circular inconsistent with this Decree is hereby repealed or modified accordingly.

"This Decree shall take effect immediately after its publication.

"Done in the City of Manila, this 10th day of November in the year of Our Lord, nineteen hundred and seventy-two.

(SGD.) "FERDINAND E. MERCOS  
"President  
"Republic of the Philippines"

"By the President:

(SGD.) "ALEJANDRO MELCHOR  
"Executive Secretary

Needless to say that violators hereof shall suffer the inherent consequences.

At Diliman, Quezon City, this 15th day of November, 1972.

  
CONRADO F. ESTRELLA  
Secretary