

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

House Bill No. 2263



Introduced by the **Honorable ROILO GOLEZ**

EXPLANATORY NOTE

The enactment of Republic Act No. 7160 has institutionalized the participation of non-governmental and people's organizations in local government administration. The thrust toward more participative kind of management has highlighted the crucial role of these organizations. It can be observed that since then, NGOs and POs have increased and have been recognized by local governments. However, we can also cite cases where a number of NGOs/POs are involved in anomalous dealings and got the attention of local officials because of their "fly-by-night" operations. Nevertheless, the representation of accredited NGOs/POs in the local special bodies should always be guaranteed and not be hampered by these few groups.

It is the intention of this bill to provide for specific criteria for NGOs/POs accreditation. Under this bill, NGO or PO should be registered with concerned government agency and have a strong organizational capability as shown by their track record in project development and implementation. The bill also provides that in the case of Pre-qualifications, Bids and Award Committee, the organization or any of its officers must have no conflict of interest in the awarding of infrastructure projects and that no local government official or public officer should interfere in the selection process.

Immediate approval of this measure is earnestly requested.


ROILO GOLEZ

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AN ACT
PROVIDING FOR THE CRITERIA IN THE ACCREDITATION OF NON-
GOVERNMENTAL ORGANIZATIONS, AMENDING FOR THE PURPOSE
SECTION 108 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS
"THE LOCAL GOVERNMENT CODE OF 1991" AND FOR OTHER
PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 108 of Republic Act No. 7160, otherwise known as "The Local Government Code of 1991", is hereby amended to read as follows:

"Sec. 108. Representation of Nongovernmental Organizations. - (A) Within a period of sixty (60) days from the start of organization of the local development councils, the **ACCREDITED** nongovernmental **AND PEOPLE'S** organizations shall choose from among themselves their representatives to said councils **AND OTHER LOCAL SPECIAL BODIES PROVIDED FOR IN THE CODE AND OTHER LAWS**. The local sanggunian concerned shall **IPSO FACTO** accredited nongovernmental **AND PEOPLE'S** organizations **BASED ON** [subject to] **THE** [such] following criteria [as may be provided by law.]:

(1) **REGISTRATION WITH EITHER THE SECURITIES AND EXCHANGE COMMISSION (SEC), COOPERATIVE DEVELOPMENT AUTHORITY (CDA), DEPARTMENT OF LABOR AND EMPLOYMENT (DOLE), DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD), OR ANY NATIONAL GOVERNMENT AGENCY THAT ACCREDITS OR REGISTERS NONGOVERNMENTAL AND PEOPLE'S ORGANIZATIONS;**

(2) **WITH ORGANIZATIONAL PURPOSE AND OBJECTIVES FOCUS ON COMMUNITY ORGANIZATION AND DEVELOPMENT, INSTITUTION-BUILDING, LIVELIHOOD DEVELOPMENT, CAPABILITY BUILDING, TRAINING, RESEARCH AND EDUCATION, AND OTHER SIMILAR DEVELOPMENTAL OBJECTIVES AND CONSIDERATION;**

(3) COMMUNITY-BASED WITH PROJECT DEVELOPMENT AND IMPLEMENTATION TRACK RECORD OF AT LEAST ONE (1) YEAR FROM DATE OF REGISTRATION;

(4) RELIABILITY AS EVIDENCED BY THE PREPARATION OF ANNUAL REPORTS AND CONDUCT OF ANNUAL MEETINGS DULY CERTIFIED BY THE BOARD OF SECRETARY OR EXECUTIVE OFFICER OF THE ORGANIZATION; AND

(5) IN THE CASE OF THE PRE-QUALIFICATIONS, BIDS AND AWARD COMMITTEE, THE ORGANIZATION OR ANY OF ITS OFFICERS SHALL HAVE NO CONFLICT OF INTEREST IN THE AWARDING OF INFRASTRUCTURE PROJECTS: *PROVIDED*, THAT ACCREDITATION SHALL BE A CONTINUING PROCESS: *PROVIDED, FURTHER*, THAT NO LOCAL GOVERNMENT UNIT OR PUBLIC OFFICER SHALL INTERFERE IN THE SELECTION PROCESS.

(B) THE LOCAL CHIEF EXECUTIVE CONCERNED SHALL CONVENE THE LOCAL SPECIAL BODIES WITHIN FIFTEEN (15) DAYS FROM THE COMPLETION OF SELECTION HEREIN STATED DULY NOTIFYING ALL THE MEMBERS THEREOF: *PROVIDED*, THAT NO SPECIAL BODY SHALL TRANSACT BUSINESS OR ADOPT POLICIES AND MEASURES WITHOUT THE PRESENCE OF THE DULY ACCREDITED NONGOVERNMENTAL OR PEOPLE'S ORGANIZATION CONCERNED.

SEC. 2. All laws, decrees, orders, rules and regulations, and all other issuances, or parts thereof, which are inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 3. If any part or provision of this Act is held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 4. This Act shall take effect after fifteen (15) days following its complete publication in at least two (2) national newspapers of general circulation.

Approved,