

Republic of the Philippines
House of Representatives
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2436



Introduced by Hon. Sabiniano S. Canama
COOP-NATCCO PARTYLIST

EXPLANATORY NOTE

Cooperative play an important role in national economic and social development. Cooperatives promote the fullest participation of all people and facilitate a more equitable distribution of the benefits to the community. To answer the clamor, Republic Act 7160 otherwise known as the Local Government Code, slows for the appointment of cooperative officers to take charge of the office for the development of cooperatives among others. However the words of the law were vague and the implementation became optional on the part of the local government units (LGUs) resulting in either LGUs with cooperative officers who serve other functions or no cooperatives officer at all. In the long run, the cooperative sector will be left to suffer by this inverse proportional line towards success.

Regardless of the type, size, geographical location or purpose, cooperatives provide a unique tool for achieving one or more economic goal in an increasingly competitive global economy. The national and local counterpart should not be left to decay. It is for this reason that the mandatory appointment of cooperatives officers by LGUs is hereby earnestly sought


SABINIANO S. CANAMA

COOP NATCCO PARTY-LIST

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AN ACT MAKING THE POSITION OF A COOPERATIVES OFFICER MANDATORY IN THE MUNICIPAL, CITY AND PROVINCIAL LEVELS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991"

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

SECTION 1. Section 443, Book III, Title Two, Chapter 2 of Republic Act No. 7160, is hereby amended to read as follows:

"SEC. 443. *Officials of the Municipal Government.* – (a) There shall be in each municipality a municipal mayor, a municipal vice mayor, sangguniang bayan members, a secretary to the sangguniang bayan, a municipal treasurer, a municipal assessor, a municipal accountant, a municipal budget officer, a municipal planning and development coordinator, a municipal engineer/building official, a municipal health officer [and], a municipal civil registrar, **AND A MUNICIPAL COOPERATIVES OFFICER.**

"(b) x x x

"(c) x x x

"(d) x x x

"(e) x x x."

SEC. 2. Section 454, Book III, Title Three, Chapter 2 of Republic Act No. 7160, is hereby amended to read as follows:

"SEC. 454. *Officials of the City Government.* – (a) There shall be in each city a mayor, a vice mayor, sangguniang panlungsod members, a secretary to the sangguniang panlungsod, a city treasurer, a city assessor, a city accountant, a city budget officer, a city planning and development coordinator, a city engineer, a city health officer, a city civil registrar, a city

administrator, a city legal officer, a city veterinarian, a city social welfare and development officer, a city general services officer, **AND A CITY COOPERATIVES OFFICER.**

“(b) In addition thereto, the city mayor may appoint a city architect, a city information officer, a city agriculturist, a city population officer, **AND** a city environment and natural resources officer[, and a city cooperatives officer].

“x x x

“(c) x x x

“(d) x x x

“(e) x x x.”

SEC. 3. Section 463, Book III, Title Four, Chapter 2 of Republic Act No. 7160, is hereby amended to read as follows:

“SEC. 463. *Officials of the Provincial Government.* – (a) There shall be in each province a governor, a vice governor, members of the sangguniang panlalawigan, a secretary to the sangguniang panlalawigan, a provincial treasurer, a provincial assessor, a provincial accountant, a provincial engineer, a provincial budget officer, a provincial planning and development coordinator, a provincial legal officer, a provincial administrator, a provincial health officer, a provincial social welfare and development officer, a provincial general services officer, a provincial agriculturist, [and] a provincial veterinarian, **AND A PROVINCIAL COOPERATIVES OFFICER.**

“(b) In addition thereto, the governor may appoint a provincial population officer, a provincial natural resources and environment officer, a provincial cooperative officer, a provincial architect, and a provincial information officer.

“x x x

“(c) x x x

“(d) x x x

“(e) x x x.”

SEC. 4. Section 484 of Book III, Title Five, Article Fourteen of Republic Act No. 7160, is hereby amended to read as follows:

[Article Fourteen. – The Environment and Natural Resources Officer

SEC. 484. *Qualifications, Powers and Duties.* – (a) No person shall be appointed environment and natural resources officer unless he is a citizen of the Philippines, a resident of the local government unit concerned, of good moral character, a holder of a college degree preferably in environment, forestry, agriculture or any related course from a recognized college or university, and a first grade civil service eligible or its equivalent. He must have acquired experience in environmental and natural resources management, conservation, and utilization, for at least five (5) years in the case of the provincial or city environment and natural resources officer, and three (3) years in the case of the municipal environment and natural resources officer.

The appointment of the environment and natural resources officer is optional for the provincial, city, and municipal governments.

(b) The environment and natural resources management officer shall take charge of the office on environment and natural resources and shall:

(1) Formulate measures for the consideration of the sanggunian and provide technical assistance and support to the governor or mayor, as the case may be, in carrying out measures to ensure the delivery of basic services and provision of adequate facilities relative to environment and natural resources services as provided for under Section 17 of this Code;

(2) Develop plans and strategies and upon approval thereof by the governor or mayor, as the case may be, implement the same, particularly those which have to do with environment and natural resources programs and

projects which the governor or mayor is empowered to implement and which the sanggunian is empowered to provide for under this Code;

(3) In addition to the foregoing duties and functions, the environment and natural resources officer shall:

(i) Establish, maintain, protect and preserve communal forests, watersheds, tree parks, mangroves, greenbelts, commercial forests and similar forest projects, like industrial tree farms and agro-forestry projects;

(ii) Provide extension services to beneficiaries of forest development projects and technical, financial and infrastructure assistance;

(iii) Manage and maintain seed banks and produce seedlings for forests and tree parks;

(iv) Provide extension services to beneficiaries of forest development projects and render assistance for natural resources-related conservation and utilization activities consistent with ecological balance;

(v) Promote the small-scale mining and utilization of mineral resources, particularly mining of gold;

(vi) Coordinate with government agencies and non-governmental organizations in the implementation of measures to prevent and control land, air and water pollution with the assistance of the Department of Environment and Natural Resources;

(4) Be in the frontline of the delivery of services concerning the environment and natural resources, particularly in the renewal and rehabilitation of the environment during and in the aftermath of man-made and natural disasters and calamities;

(5) Recommend to the sanggunian and advise the governor or mayor, as the case may be, on all matters relative to the protection, conservation, maximum utilization, application of appropriate technology and other matters related to the environment and natural resources; and

(c) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

“ARTICLE FOURTEEN. – THE COOPERATIVES OFFICER

“SEC. 484. *QUALIFICATIONS, POWERS AND DUTIES.* – (A) NO PERSON SHALL BE APPOINTED COOPERATIVES OFFICER UNLESS ONE IS A CITIZEN OF THE PHILIPPINES, A RESIDENT OF THE LOCAL GOVERNMENT UNIT CONCERNED, OF GOOD MORAL CHARACTER, A HOLDER OF A COLLEGE DEGREE PREFERABLY IN BUSINESS ADMINISTRATION WITH SPECIAL TRAINING IN COOPERATIVES OR ANY RELATED COURSE FROM A RECOGNIZED COLLEGE OR UNIVERSITY, AND A FIRST GRADE CIVIL SERVICE ELIGIBLE OR ITS EQUIVALENT. ONE MUST HAVE

EXPERIENCE IN COOPERATIVES ORGANIZATION AND MANAGEMENT FOR AT LEAST FIVE (5) YEARS IN THE CASE OF PROVINCIAL OR CITY COOPERATIVES OFFICER, AND THREE (3) YEARS IN THE CASE OF MUNICIPAL COOPERATIVES OFFICER.

“(B) THE COOPERATIVES OFFICER SHALL TAKE CHARGE OF THE OFFICE FOR THE DEVELOPMENT OF COOPERATIVES AND SHALL:

“(1) FORMULATE MEASURES FOR THE CONSIDERATION OF THE SANGGUNIAN, AND PROVIDE TECHNICAL ASSISTANCE AND SUPPORT TO THE GOVERNOR OR MAYOR, AS THE CASE MAY BE, IN CARRYING OUT MEASURES TO ENSURE THE DELIVERY OF BASIC SERVICES AND PROVISION OF FACILITIES THROUGH THE DEVELOPMENT OF COOPERATIVES, AND IN PROVIDING ACCESS TO SUCH SERVICES AND FACILITIES;

“(2) DEVELOP PLANS AND STRATEGIES AND, UPON APPROVAL THEREOF BY THE GOVERNOR OR MAYOR, AS THE CASE MAY BE, IMPLEMENT THE SAME, PARTICULARLY THOSE WHICH HAVE TO DO WITH THE INTEGRATION OF COOPERATIVES PRINCIPLES AND METHODS IN PROGRAMS AND PROJECTS WHICH THE GOVERNOR OR MAYOR IS EMPOWERED TO IMPLEMENT AND WHICH THE SANGGUNIAN IS EMPOWERED TO PROVIDE FOR UNDER THIS CODE;

“(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE COOPERATIVES OFFICER SHALL:

“(I) ASSIST IN THE ORGANIZATION OF COOPERATIVES;

“(II) PROVIDE TECHNICAL AND OTHER FORMS OF ASSISTANCE TO EXISTING COOPERATIVES TO ENHANCE THEIR VIABILITY AS AN ECONOMIC ENTERPRISE AND SOCIAL ORGANIZATION;

“(III) ASSIST COOPERATIVES IN ESTABLISHING LINKAGES WITH GOVERNMENT AGENCIES AND NONGOVERNMENT ORGANIZATIONS INVOLVED IN THE PROMOTION AND INTEGRATION OF THE CONCEPT OF COOPERATIVES IN THE LIVELIHOOD OF THE PEOPLE AND OTHER COMMUNITY ACTIVITIES;

“(4) BE IN THE FRONTLINE OF COOPERATIVES ORGANIZATION, REHABILITATION OR VIABILITY-ENHANCEMENT, PARTICULARLY DURING AND IN THE AFTERMATH OF MAN-MADE AND NATURAL DISASTERS AND CALAMITIES, TO AID IN THEIR SURVIVAL AND, IF NECESSARY, SUBSEQUENT REHABILITATION;

“(5) RECOMMEND TO THE SANGGUNIAN, AND ADVISE THE GOVERNOR OR MAYOR, AS THE CASE MAY BE, ON ALL MATTERS RELATIVE TO COOPERATIVES DEVELOPMENT AND VIABILITY-ENHANCEMENT WHICH WILL IMPROVE THE LIVELIHOOD AND QUALITY OF LIFE OF THE INHABITANTS; AND

“(C) EXERCISE SUCH OTHER POWERS AND PERFORM SUCH OTHER DUTIES AND FUNCTIONS AS MAY BE PRESCRIBED BY LAW OR ORDINANCE.”

SEC. 5. Section 487 of Book III, Title Five, Article Seventeen of Republic Act No. 7160, is hereby amended to read as follows:

“ARTICLE SEVENTEEN. –THE ENVIRONMENT AND NATURAL RESOURCES OFFICER

“SEC. 487. *QUALIFICATIONS, POWERS AND DUTIES.* – (A) NO PERSON SHALL BE APPOINTED ENVIRONMENT AND NATURAL RESOURCES OFFICER UNLESS ONE IS A CITIZEN OF THE PHILIPPINES, A RESIDENT OF THE LOCAL GOVERNMENT UNIT CONCERNED, OF GOOD MORAL CHARACTER, A HOLDER OF A COLLEGE DEGREE PREFERABLY IN ENVIRONMENT, FORESTRY, AGRICULTURE OR ANY RELATED COURSE FROM A RECOGNIZED COLLEGE OR UNIVERSITY, AND A FIRST GRADE CIVIL SERVICE ELIGIBLE OR ITS EQUIVALENT. ONE MUST HAVE ACQUIRED EXPERIENCE IN ENVIRONMENTAL AND NATURAL RESOURCES MANAGEMENT, CONSERVATION, AND UTILIZATION, FOR AT LEAST FIVE (5) YEARS IN THE CASE OF THE PROVINCIAL OR CITY ENVIRONMENT AND NATURAL RESOURCES OFFICER, AND THREE (3) YEARS IN THE CASE OF THE MUNICIPAL ENVIRONMENT AND NATURAL RESOURCES OFFICER.

“THE APPOINTMENT OF THE ENVIRONMENT AND NATURAL RESOURCES OFFICER IS OPTIONAL FOR PROVINCIAL, CITY, AND MUNICIPAL GOVERNMENTS.

“(B) THE ENVIRONMENT AND NATURAL RESOURCES MANAGEMENT OFFICER SHALL TAKE CHARGE OF THE OFFICE ON ENVIRONMENT AND NATURAL RESOURCES AND SHALL:

“(1) FORMULATE MEASURES FOR THE CONSIDERATION OF THE SANGGUNIAN AND PROVIDE TECHNICAL ASSISTANCE AND SUPPORT TO THE GOVERNOR OR MAYOR, AS THE CASE MAY BE, IN CARRYING OUT MEASURES TO ENSURE THE DELIVERY OF BASIC SERVICES AND PROVISION OF ADEQUATE FACILITIES RELATIVE TO ENVIRONMENT AND NATURAL RESOURCES SERVICES AS PROVIDED FOR UNDER SECTION 17 OF THIS CODE;

“(2) DEVELOP PLANS AND STRATEGIES AND UPON APPROVAL THEREOF BY THE GOVERNOR OR MAYOR, AS THE CASE MAY BE, IMPLEMENT THE SAME, PARTICULARLY THOSE WHICH HAVE TO DO WITH ENVIRONMENT AND NATURAL RESOURCES PROGRAMS AND PROJECTS WHICH THE GOVERNOR OR MAYOR IS EMPOWERED TO IMPLEMENT AND WHICH THE SANGGUNIAN IS EMPOWERED TO PROVIDE FOR UNDER THIS CODE;

“(3) IN ADDITION TO THE FOREGOING DUTIES AND FUNCTIONS, THE ENVIRONMENT AND NATURAL RESOURCES OFFICER SHALL:

“(I) ESTABLISH, MAINTAIN, PROTECT AND PRESERVE COMMUNAL FORESTS, WATERSHEDS, TREE PARKS, MANGROVES, GREENBELTS, COMMERCIAL FORESTS AND SIMILAR FOREST PROJECTS, LIKE INDUSTRIAL TREE FARMS AND AGRO-FORESTRY PROJECTS;

“(II) PROVIDE EXTENSION SERVICES TO BENEFICIARIES OF FOREST DEVELOPMENT PROJECTS AND TECHNICAL, FINANCIAL AND INFRASTRUCTURE ASSISTANCE;

“(III) MANAGE AND MAINTAIN SEED BANKS AND PRODUCE SEEDLINGS FOR FORESTS AND TREE PARKS;

“(IV) PROVIDE EXTENSION SERVICES TO BENEFICIARIES OF FOREST DEVELOPMENT PROJECTS AND RENDER ASSISTANCE FOR NATURAL

RESOURCES-RELATED CONSERVATION AND UTILIZATION ACTIVITIES CONSISTENT WITH ECOLOGICAL BALANCE;

“(V) PROMOTE THE SMALL-SCALE MINING AND UTILIZATION OF MINERAL RESOURCES, PARTICULARLY MINING OF GOLD;

“(VI) COORDINATE WITH GOVERNMENT AGENCIES AND NONGOVERNMENTAL ORGANIZATIONS IN THE IMPLEMENTATION OF MEASURES TO PREVENT AND CONTROL LAND, AIR AND WATER POLLUTION WITH THE ASSISTANCE OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES;

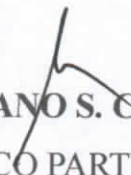
“(4) BE IN THE FRONTLINE OF THE DELIVERY OF SERVICES CONCERNING THE ENVIRONMENT AND NATURAL RESOURCES, PARTICULARLY IN THE RENEWAL AND REHABILITATION OF THE ENVIRONMENT DURING AND IN THE AFTERMATH OF MAN-MADE AND NATURAL DISASTERS AND CALAMITIES;

“(5) RECOMMEND TO THE SANGGUNIAN AND ADVISE THE GOVERNOR OR MAYOR, AS THE CASE MAY BE, ON ALL MATTERS RELATIVE TO THE PROTECTION, CONSERVATION, MAXIMUM UTILIZATION, APPLICATION OF APPROPRIATE TECHNOLOGY AND OTHER MATTERS RELATED TO THE ENVIRONMENT AND NATURAL RESOURCES; AND

“(C) EXERCISE SUCH OTHER POWERS AND PERFORM SUCH OTHER DUTIES AND FUNCTIONS AS MAY BE PRESCRIBED BY LAW OR ORDINANCE.”

SEC. 6. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, issuances or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 7. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.


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