



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Twentieth Congress
First Regular Session

HOUSE BILL NO. **2235**



Introduced by Representative Charisse Anne C. Hernandez

EXPLANATORY NOTE

Article II, Section 23 of the 1987 Constitution provides that: *“The State shall encourage non-governmental, community-based, or sectoral organizations that promote the welfare of the nation.”*

Furthermore, pursuant to Article XIII, Section 16 states that *“The right of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged. The State shall, by law, facilitate the establishment of adequate consultation mechanisms.”*

Vox populi, vox dei. And what better way to hear the voice of the people than to have a participative governance in order to build a strong partnership between the State and the public. Participatory governance, which is represented by procedures that enable citizens to take part in public decision-making, is becoming more widely recognized as a practical way to address "democracy gaps" and enhance public accountability. It encourages broader participation of the people in productive processes and to directly and effectively address their concerns. Being in a representative democracy, the people have a voice in the making of their laws.

Thus, this bill seeks to create a Local District Representative People's Advisory Council which will create a strong partnership between the representative and the people it represents as to public decision-making, planning, and to effectively cater their needs through legislation.

In view of the foregoing, the approval of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'Charisse' followed by a stylized flourish.

CHARISSE ANNE C. HERNANDEZ

Representative

Lone District, Calamba City



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AN ACT

CREATING A DISTRICT REPRESENTATIVE PEOPLE'S ADVISORY COUNCIL IN EVERY DISTRICT, PRESCRIBING ITS POWERS AND FUNCTIONS AND PROVIDING FOR ITS PARTICIPATION IN NATION BUILDING

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

SECTION 1. Short Title.- This Act shall be known as "District Representative People's Council Act"

SEC. 2. Declaration of Policy.- It is hereby declared a policy of the State to ensure participation of citizens in governance. Likewise, the State acknowledges the value of creating a mechanism where its citizens' views and opinions in different areas may be heard and considered. Furthermore, pursuant to Article II Section 23 of the 1987 Constitution, the State recognizes the value of non-government, community-based, or sectoral organizations in nation building and in creating an avenue to ensure their growth and development. The State also recognizes that the partnership with people's organizations and civil society organizations will spur development, not only at the local level, but most importantly at the national level.

SEC. 3. Definition of Terms.- As used in this Act:

- a. *Civil society organization (CSO)* refers to any organized citizens' group including people's organizations (POs) and non-government organizations (NGOs) such as

community groups, labor unions, indigenous groups, charitable organizations, faith-based organizations, professional associations, and foundations;

- b. Congressional District* refers to the electoral districts or constituencies in which the country is divided for the purpose of electing 243 of the 303 members of the House of Representatives (with the other 60 being elected through a system of party-list proportional representation).
- c. Non-government Organization* refers to an independent private and non-profit organization formed primarily to promote social and economic development with none of its officers or members occupying an elective position;
- d. District Representative People's Advisory Council* refers to a body composed of representatives of registered or accredited CSOs and POs which shall be created in every congressional district as mandated in Section 8 of this Act; and
- e. People's Organization* refers to a *bona fide* cooperative or association of citizens organized for purposes not contrary to law, with demonstrated capacity to promote the public interest and with identifiable leadership, membership, and structure whose officers and members do not occupy any elective government position.

SEC 4. Purpose. - This Act shall create a District Representative People's Advisory Council in pursuit of their collective interests and aspirations and ensure their effective and reasonable participation in a national level of social, political and economic decision making.

SEC. 5. Creation of District Representative People's Advisory Council.- A Local District Representative People's Advisory Council composed of accredited CSOs representing different sectors shall be created in each congressional district. For this purpose, the Office of the District Representative office shall invite and call for a convention for CSOs, NGOs and People's Organization within the district, not later than ninety (90) days from the effectivity of this Act, to facilitate the formal organization of the District Representative People's Advisory Council.

SEC. 6. Structure and Rules of the District Representative People's Advisory Council.- The District Representative shall serve as the Chairman and Presiding Officer of the District Representative People's Advisory Council. Each District Representative People's Advisory Council shall have members from different sectors such as but not limited to CSOs, people's organization, non-government organization, youth organization, children's right and welfare advocates, peace and order groups, labor groups and unions, health workers, Sangguniang Barangay and Sangguniang Kabataan officials, agriculture and fisheries sector, education and

academe groups, environmental groups, informal settlers representative, neighborhood and homeowners associations, sports associations and local government units' representative.

The District Representative Peoples' Advisory Council shall determine its own organizational structure and internal rules, but shall at all times provide for adequate consultation mechanisms for purposes of obtaining the views and suggestions of all political parties or movements, government employees' organizations, other non-accredited but legitimate CSOs, and accredited CSOs which are not members of the District Representative People's Advisory Council: *Provided*, That no provision herein shall be interpreted to prohibit the Council from changing its name or from being organized for purposes other than those indicated in this Act.

SEC. 7. Recognition of the District Representative Advisory Council by the Congressional District Office.- Only one (1) District Representative People's Advisory Council shall be recognized by each District Representative. Each District Representative Office is hereby mandated to issue a certificate of recognition for the District Representative Advisory Council members within thirty (30) days from the selection. The District Representative People's Advisory Council shall pass a resolution embodying the rights and privileges of its members.

SEC. 8. Withdrawal of Recognition of the Local District Representative People's Advisory Council.- A congressional district office can withdraw the recognition granted to a People's Council only upon action of a petitioner, and based on the following grounds:

- a) That the Local District Representative People's Advisory Council allowed itself or any of its member organization to engage primarily in, or to be used primarily for partisan political activities; and
- b) Other grounds to be provided for in the rules and regulations to be issued to implement this Act.

The District Representative shall not recognize internal or inter-organizational conflicts within the District Representative People's Advisory Council.

SEC. 9. Powers and Responsibilities of the District Representative People's Advisory Council.- Upon recognition, the Local District Representative People's Advisory Council may, in accordance with its policies and internal rules, exercise the following powers and responsibilities:

- a) Elect or appoint from among its member organizations, its representatives;

- b) Participate in the conceptualization, implementation and evaluation of government activities related to the Office of the District Representative: *Provided*, That these functions shall be exercised without compensation or remuneration. The Office of the District Representative shall, however, provide for the necessary office spaces, facilities and equipment for the use of the District Representative People's Advisory Council;
- c) Observe, vote, and participate in the deliberation, conceptualization, implementation, and evaluation of projects, activities and programs of the congressional district office, as well as propose legislation that will benefit or affect the constituency.

SEC. 10. *Non-Partisan Nature of the District Representative People's Advisory Council.*- The District Representative People's Advisory Council shall not engage in, or allow itself or its member organizations to be used for purposes of partisan politics and shall adopt such measures to ensure that it is adequately shielded from any political partisanship or influence.

SEC. 11. *Right to Self-Organization.*- Pursuant to Article XIII, Section 15 of the 1987 Constitution, all CSOs are recognized as independent and autonomous self-help organizations. They are encouraged to organized into formal cooperatives, labor unions, interest groups, non-government organizations, sectoral organizations and people's organizations in furtherance of their constitutionally mandated role of enabling the people to pursue and project, within democratic framework, their legitimate and collective interests and aspirations through peaceful and lawful means.

SEC. 12. *Information Boards and Suggestion Boxes.*- Information boards and suggestion boxes shall be provided, maintained and controlled solely by each Office of the District Representative, to be strategically situated which is accessible to people.

SEC. 13. *Sunset Review.*- Five years from the effectivity of this Act, Congress shall review and recommend amendments thereto, after evaluating the problems and issues in its implementation.

SEC. 14. *Implementing Rules and Regulations.*- Within one hundred twenty (120) days from the effectivity of this Act, a special committee to be created by the Office of the President in consultation with the accredited CSOs who have previously engaged in concerned undertakings with local governments, determine effective ways and methods to ensure the success of the objectives of this Act and craft the rules and regulations to implement it.

SEC. 15. *Separability Clause.*- If any provision of this Act is declared invalid or unconstitutional, the other provisions, not affected thereby, shall remain valid and subsisting.

SEC. 16. *Repealing Clause.*- All other laws, presidential decrees, executive orders, proclamations and administrative regulations which are inconsistent with the provisions of this Act are hereby amended, modified, superseded, or repealed accordingly.

SEC. 17. *Effectivity.*- This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.