

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

TWENTIETH CONGRESS  
First Regular Session

HOUSE BILL NO. 2759



---

Introduced by Representative Julius Cesar "Jay" V. Vergara

---

EXPLANATORY NOTE

The Department of Social Welfare and Development (DSWD) is mandated under Administrative Order No. 16, series of 2011 to develop, administer and implement comprehensive social welfare programs designed to uplift the living conditions and empower the disadvantaged children, youth, women, older persons, person with disabilities, families in crisis or at-risk and communities needing assistance. In line with this, the DSWD is also mandated to monitor and provide technical assistance to Social Welfare Development providers and duty-holders nationwide through its Field Offices.

Consistent with Sections 9 and 20, Article II of the Constitution, whereby the State has the duty to provide adequate social services to the people and recognizing the vital role of the private sector in nation building, the proposed legislation aims to provide a comprehensive system of registration and licensing of social welfare and development agencies as well as accreditation of social welfare and development programs and services in order to promote the general welfare.

Thus, the passage of this bill is earnestly sought.

JULIUS CESAR "JAY" V. VERGARA  
Third District of Nueva Ecija

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**TWENTIETH CONGRESS**  
First Regular Session

HOUSE BILL NO. 2759

---

Introduced by Representative Julius Cesar "Jay" V. Vergara

---

1  
2  
3 **AN ACT**  
4 **ESTABLISHING A COMPREHENSIVE SYSTEM FOR THE REGISTRATION**  
5 **AND LICENSING OF SOCIAL WELFARE AND DEVELOPMENT AGENCIES**  
6 **AND ACCREDITATION OF SOCIAL WELFARE AND DEVELOPMENT**  
7 **PROGRAMS AND SERVICES, AND APPROPRIATING FUNDS THEREFOR**  
8

9 **ARTICLE I**

10  
11 **GENERAL PROVISIONS**

12  
13 **SECTION 1. *Short Title.*** – This Act shall be known as the "Social Welfare and  
14 Development Agencies Act."

15 **SECTION 2. *Declaration of Policy.*** – The State acknowledges the important role  
16 that the private sector plays in the delivery of social welfare and development  
17 programs and services to the public. Towards this end, the State shall ensure that  
18 social welfare and development programs and services in the public and private  
19 sectors comply with national standards and adhere to the principles of human rights.  
20 The State shall set standards, register, license, accredit, and monitor social welfare and  
21 development agencies, service providers, groups or organizations engaged in social  
22 welfare and development activities. It shall also provide appropriate consultative  
23 mechanisms to enable mutual beneficial engagements of the private sector and its  
24 counterparts in government to set social welfare and development priorities, identify  
25 areas where synergies are possible, and jointly develop standards that meet the  
26 challenges and demands of the services they provide to the poor, the vulnerable, the

1 marginalized, the disadvantaged, and the underprivileged sectors of Philippine  
2 society.

3 The State shall further promote and strengthen the partnership among social  
4 welfare and development agencies (SWDAs), national government agencies (NGAs),  
5 local government units (LGUs), nongovernment organizations (NGOs), faith-based  
6 organizations, and the private sector to include easy access of resources between and  
7 among them for the upliftment of the poor, the vulnerable, the marginalized, the  
8 disadvantaged, and the underprivileged individuals, families, groups, and  
9 communities in the country.

10 SECTION 3. *Coverage.* – This Act applies to all non-stock, non-profit corporations  
11 operating in the Philippines, both public or private, with the primary purpose of  
12 implementing or intending to implement social welfare and development programs  
13 and services for the poor, vulnerable, marginalized, disadvantaged, and  
14 underprivileged beneficiaries. Organizations established by a treaty or other  
15 instruments governed by international law or possessing its own international legal  
16 personality are not covered by this Act.

17 SECTION 4. *Definition of Terms.* – As used in this Act:

18 (a) *Accreditation* refers to the process of providing official recognition  
19 to the social welfare and development programs and services of registered  
20 and licensed social welfare agencies (SWAs), after meeting the minimum  
21 standards set by the government;

22 (b) *Beneficiaries* refer to the poor, the vulnerable, the marginalized,  
23 the disadvantaged, and the underprivileged individuals, families, groups,  
24 and communities availing themselves of any service offered by the SWDAs,  
25 including the following:

26 (1) Abandoned, neglected, orphaned, voluntarily committed,  
27 abused and exploited children, and other children in need of special  
28 protection;

29 (2) Out-of-school youth and other youth with special needs;

30 (3) Women;

1 (4) Persons with disabilities (PWDs) or differently abled persons;

2 (5) Senior citizens or older persons;

3 (6) Dysfunctional families;

4 (7) Internally displaced individuals and communities such as victims  
5 or survivors of natural or human-induced calamities or disasters or armed  
6 conflict; and

7 (8) Poor, vulnerable, marginalized, disadvantaged, and  
8 underprivileged individuals, families, groups, and communities,  
9 including indigenous groups and those in crisis situation;

10 (c) *Operation* refers to the implementation of social welfare and  
11 development programs and services by an SWDA, either directly or  
12 indirectly, within a specified geographical area or place over a period of time  
13 using its own resources or the resources of other partners and conduits;

14 (d) *Registered social worker* refers to a person who possesses a degree  
15 in Bachelor of Science in Social Work or a Master's Degree in Social Work, has  
16 passed the Social Worker Licensure Examination, and is a holder of a valid  
17 registration or identification card issued by the Professional Regulation  
18 Commission (PRC);

19 (e) *Service providers* refer to social welfare and development workers  
20 including social workers managing court cases and pre-marriage counselors  
21 accredited by the DSWD and who have satisfactorily complied with the set  
22 requirements and standards;

23 (f) *Social Welfare and Development Programs and Services* refer to an  
24 organized system of programs and services designed to aid beneficiaries to  
25 attain an improved quality of life and well-being in harmony with the needs  
26 of their family and community;

27 (g) *Social Welfare and Development Agency (SWDA)* refers to a  
28 nonstock, nonprofit, public or private corporation, implementing or  
29 intending to implement, mainly or generally, social welfare and development  
30 programs and services in the Philippines, either directly or indirectly, and  
31 assessed as having the capacity to operate administratively, technically and

1 financially to serve the poor, the vulnerable, the marginalized, the  
2 disadvantaged, and the underprivileged beneficiaries as defined in this Act;

3 (h) *Social Welfare and Development Worker* refers to a social worker or  
4 any professional who is engaged in the delivery of social welfare and  
5 development programs and services of an SWDA;

6 (i) *Social work* refers to the profession which helps individuals,  
7 families, groups, and communities develop, improve, maintain, or restore  
8 their capability for coping with the demands of their environment through  
9 the use of social work methods and interventions; and

10 (j) *Unregistered or unlicensed SWDAs* refer to those agencies or  
11 organizations that continue to provide social welfare and development  
12 programs and services, either directly or indirectly, without license to operate  
13 from the DSWD, or whose certificates of registration or licenses to operate are  
14 expired or revoked.

## 16 ARTICLE II

### 17 SOCIAL WELFARE AND DEVELOPMENT AGENCIES

18 SECTION 5. *Classification of SWDAs.* - An SWDA may either be a Social Welfare  
19 Agency or an Auxiliary SWDA.

20 (a) A Social Welfare Agency (SWA) provides restorative, preventive,  
21 and developmental programs and services to the poor, the vulnerable, the  
22 marginalized, the disadvantaged, and the underprivileged individuals,  
23 families, groups, or communities. They may be classified as:

24 (1) Residential-based Agency. - An SWA that provides twenty-four  
25 (24)-hour residential care services for the marginalized sector including  
26 the abandoned, neglected, or voluntarily committed children, women,  
27 PWDs, and older persons;

28 (2) Community-based Agency. - An SWA that implements  
29 community-based or street-based programs and services delivered to  
30 beneficiaries while in their home or in the community such as those in

1 senior citizens centers, day-care centers and vocational rehabilitation  
2 centers. These programs and services include sponsorship or scholarship  
3 programs, assistance to victims of disasters, and social services to  
4 individuals and families; or

5 (3) Child-placing Agency. – An SWA that receives and processes  
6 applications of the prospective foster or adoptive parents and facilitates  
7 placement of children eligible for foster care or adoption.

8 (b) An Auxiliary SWDA provides supportive activities in the  
9 delivery of social welfare and development programs and services to the  
10 poor, the vulnerable, the marginalized, the disadvantaged, and the  
11 underprivileged sectors such as the grant of funds, the conduct of trainings,  
12 and other resources to help in the efficient operations of SWAs. The following  
13 are the different types of auxiliary SWDA:

14 (1) People's Organization. – An SWDA with a *bona fide* association of  
15 citizens with identifiable leadership, membership, and structure, that has  
16 demonstrated its capacity to promote the public interest and engage in  
17 social welfare and development activities. They include federation of  
18 senior citizens, youth organizations, and associations of women and  
19 PWDs;

20 (2) Resource Agency. – An SWDA that provides tangibles such as  
21 funds, food, clothing, medicines, and shelter; or intangibles such as  
22 knowledge and skills to help various SWDAs achieve their goals in  
23 providing social welfare and development services for their beneficiaries;  
24 or

25 (3) Social Welfare and Development Network. – A group of SWDAs  
26 such as a coalition, alliance or federation that organized themselves for a  
27 common goal in promoting social protection of the poor, the vulnerable,  
28 the marginalized, the disadvantaged, and the underprivileged groups.

29  
30 SECTION 6. *Service Delivery Modes*. – Social welfare and development programs  
31 and services may be delivered in any of the following modes:

1 (a) Residence-based mode where group care is provided to residents  
2 under the guidance of a trained staff and within a structured therapeutic  
3 environment with the objective of reintegrating a person with the family or  
4 community or, in case of children, until such time when a better alternative  
5 parental care is provided. This program may also be provided for those  
6 children pursuing formal education away from their family; or

7 (b) Community-based mode where the helping process takes place  
8 in the community as the primary client system or when social welfare and  
9 development activities are provided to individuals, groups, or families while  
10 they remain in their homes. It is characterized by interaction between the  
11 client and worker in the community in relation to the resolution of identified  
12 problems and concerns. These include senior citizens center, day-care center,  
13 drop-in center, vocational rehabilitation center, sponsorship or scholarship  
14 program, alternative placement service, assistance to victims of disaster, and  
15 social services to individuals and families, while in their home or in the  
16 community.

17  
18 SECTION 7. *Administration and Management.* – An SWDA is managed by  
19 individuals whose qualifications meet the criteria set under the rules and regulations  
20 to be issued to implement the provisions of this Act. It may be operated by:

21 (a) Private individuals, educational institutions, civic organizations,  
22 and faith-based organizations; or

23 (b) NGAs, LGUs, government-owned and -controlled corporations  
24 (GOCCs), and state universities and colleges with social welfare and  
25 development programs and projects.

26 At least sixty percent (60%) of the seats in the Board of Trustees of SWDAs  
27 operated by non-stock and non-profit corporations must be held by Filipinos.

28 SECTION 8. *Salaries, Wages and Other Benefits.* – All SWDAs shall comply with  
29 existing and relevant labor laws and regulations regarding the salaries, wages, and  
30 benefits of employees, provided these are within the minimum standards set by the  
31 Civil Service Commission (CSC) and the Department of Labor and Employment

(DOLE). In the absence of a standard salary scale for social workers and other social welfare and development workers of the SWDAs, the pay scale set by the CSC and the DOLE, in consultation with the Department of Budget and Management (DBM), shall be followed.

SECTION 9. *Operating Expenses.* – An SWDA shall utilize at least seventy percent (70%) of its funds for direct social welfare and development programs and services and not more than thirty percent (30%) shall be expended for administrative concerns. Funds of the SWDA shall be deposited in the name of the organization in a banking institution regulated by the *Bangko Sentral ng Pilipinas (BSP)*. Financial transactions, books of accounts and other reports shall be made available to the public, agency staff, and other concerned individuals or agencies for transparency and monitoring purposes, subject to compliance with current Bank Secrecy Laws.

Any donation received by the SWDA, both in kind and in cash, shall inure only to the welfare of the beneficiaries and the operating expenses of the SWDA.

The DSWD, in consultation with public and private SWDAs, shall set standards to determine specific expenditures for program and administrative expenses.

SECTION 10. *Submission of Reports.* – Each SWDA shall submit to the DSWD an annual accomplishment and financial report duly audited by an external certified public accountant or a representative from the Commission on Audit (COA) and other reports as may be required by the DSWD.

The financial reports of SWDAs whose total income and expenditures are less than Five hundred thousand pesos (P500,000.00) shall be audited by its internal auditor.

The annual reports shall be submitted to the DSWD not later than one hundred twenty (120) days after the end of every fiscal year.

### ARTICLE III

### REGISTRATION, LICENSING, AND ACCREDITATION

1       SECTION 11. *Registration.* – (a) An SWDA shall register with the Securities and  
2       Exchange Commission (SEC) for purposes of establishing its juridical personality. To  
3       be officially recognized as an SWDA operating within the purview of social welfare  
4       and development, the SWDA shall also apply for registration with the DSWD not later  
5       than six (6) months from the issuance of the certificate of registration from the  
6       concerned government agency.

7       (b) An applicant for registration as an SWDA shall submit the following  
8       documentary requirements:

- 9               (1)    Certified true copy of registration with the SEC;
- 10              (2)    At least two (2) years approved work and financial plan for the  
11              implementation of its programs and services indicating the planned activities  
12              and corresponding amount of funds and sources of donations;
- 13              (3)    The names of qualified technical and administrative staff and a  
14              copy of their licenses or certificates of professional eligibilities as well as an  
15              agency guide that outlines its operations; and
- 16              (4)    Other documentary requirements, as provided for under existing  
17              laws, rules, and regulations, as may be deemed necessary to ensure the  
18              welfare and safety of its beneficiaries and staff.

19       (c)    For an SWDA that has been in operation for less than two (2)  
20       years prior to the passage of this Act, the following additional requirements  
21       must be submitted:

- 22              (1) A manual of operation or handbook of its programs and  
23              administrative policies, procedures and strategies to attain its purposes;  
24              and
- 25              (2) Diagram of physical facilities, including location map and other  
26              documents showing ownership or legal custody of property where the  
27              SWDA shall operate from.

28       (d)    For an SWDA which has been in operation for at least two (2)  
29       years at the time of the application for registration, it shall submit at least one

1 (1) year audited financial report, in addition to the abovementioned  
2 requirements.

3  
4 SECTION 12. *Licensing.* – An SWA shall be given a permit and a legal authority  
5 to operate, after having met or complied with the following licensing requirements:

6 (a) Documentation showing that it is engaged in social welfare and  
7 development programs and services;

8 (b) Certification showing that it employs the necessary number of  
9 registered social workers, community development workers, and other  
10 employees trained on specific programs and services to be implemented, and  
11 a copy of their respective licenses or certificates of professional eligibilities:

12 *Provided,* That the requirement for social workers and other professionals  
13 shall depend on the nature of the social welfare programs and services; and

14 (c) Certification of the record of cases it managed or is currently  
15 managing and social welfare and development programs and services  
16 implemented.

17 The registration and licensing of an SWA may be done simultaneously, and,  
18 upon approval, a certificate of registration and license to operate shall be issued.

19 SECTION 13. *Exemption from Registration and Licensing.* – All public residential  
20 care facilities of the DSWD, social service units of LGUs, public hospitals, courts, and  
21 other social welfare facilities of NGAs and GOCCs, by virtue of the legal basis of their  
22 establishment or charters, are exempted from the registration requirement and from  
23 securing a license to operate from the DSWD. However, they shall apply for  
24 accreditation following the same requirements and standards and shall be subjected  
25 to regular monitoring by the DSWD.

26 SECTION 14. *Accreditation.* – All social welfare and development programs and  
27 services of registered and licensed SWAs shall be accredited by the DSWD or its  
28 authorized intermediaries not later than one (1) year after the issuance of a license to  
29 operate. A SWA must comply with the standards on accreditation set by the DSWD  
30 on administration and organization, program management, case management,

1 helping strategies or interventions, physical structures and safety, and client  
2 protection policy prior to the accreditation of its programs and services.

3 SECTION 15. *Fees and Charges.* – All applications for registration, license, and  
4 accreditation shall be charged with corresponding fees to be determined by the  
5 DSWD. The fees and charges shall be deposited with the National Treasury.

6 SECTION 16. *Validity.* – The certificate of registration and the license to operate  
7 issued to an SWA by the DSWD shall be valid for five (5) years. The accreditation  
8 certificate, however, may be valid for a period of five (5) to seven (7) years depending  
9 on the level of accreditation standards set by the DSWD.

10 The existing certificate shall remain valid until the DSWD has acted on an  
11 application for renewal which must be filed within one hundred (100) working days  
12 prior to the expiration. The DSWD shall act on the application for renewal of  
13 registration, license, and accreditation not later than one hundred (100) working days  
14 after submission of complete requirements by the SWDA.

#### 15 ARTICLE IV

#### 16 BENEFITS AND PRIVILEGES OF SOCIAL 17 WELFARE AND DEVELOPMENT AGENCIES

18 SECTION 17. *Benefits and Privileges of Registered SWDAs.* – A registered SWDA  
19 is entitled to the following benefits and privileges:

20 (a) Inclusion in the DSWD's directory of registered, licensed, and  
21 accredited SWDAs;

22 (b) Technical assistance in the areas of capability building, packaging  
23 of project proposal, provision of program materials and skills enhancement  
24 to strengthen program and service implementation; and

25 (c) Other benefits and privileges as may be deemed appropriate by  
26 the DSWD.

27 SECTION 18. *Benefits and Privileges of Licensed SWAs.* – In addition to the  
28 benefits and privileges of a registered SWDA, a licensed SWA is entitled to the  
29 following benefits and privileges:

1 (a) DSWD's endorsement to the DOF for duty- and tax-free  
2 importation of foreign donations subject to compliance with the prescribed  
3 requirements;

4 (b) Resource augmentation for program implementation, subject to  
5 compliance with the requirements as may be established by the DSWD; and

6 (c) Other benefits and privileges as may be deemed appropriate by  
7 the DSWD.

8 SECTION 19. *Benefits and Privileges of Accredited SWAs.* – In addition to the  
9 benefits and privileges of registered SWDAs and licensed SWAs, an accredited SWA  
10 is entitled to the following benefits and privileges:

11 (a) DSWD's endorsement to the DOF for donee institution status and  
12 other relevant tax incentives as provided by law;

13 (b) DSWD's endorsement for resource augmentation or other  
14 assistance from any government agency or private donor subject to  
15 compliance to set criteria;

16 (c) DSWD's endorsement to utility service providers for the grant of  
17 discount on the cost of electricity, water consumption, and telephone service  
18 to the residential care, group homes, and community center-based facilities  
19 that are operated exclusively for the beneficiaries subject to the set  
20 requirements of the utility service providers;

21 (d) DSWD's endorsement to appropriate government agencies and  
22 private establishments for discount for the processing of documents of  
23 intended beneficiaries such as birth registration, passport, safety certificates,  
24 among others, for residential care and community-based SWA facilities;

25 (e) Assistance in establishing linkages with local, national, and  
26 international organizations and networks for the generation and sharing of  
27 resources;

28 (f) Nomination of board members, employees, or volunteer workers  
29 to participate as presenters or resource speakers in local or foreign trainings  
30 or conferences;

31 (g) Plaque of recognition as a model SWDA;

- 1 (h) Cash incentives;
- 2 (i) DSWD's endorsement of the SWA as an agency for research and
- 3 for other learning opportunities such as *Lakbay Aral*; and
- 4 (j) Other benefits and privileges as may be deemed appropriate by
- 5 the DSWD.

6 SECTION 20. *Tax Exemption.* – All grants, bequests, endowments, donations,

7 and contributions made to the registered, licensed, and accredited SWDA that will be

8 used actually, directly and exclusively by the said SWDA are exempt from donors' tax

9 and the same shall be considered as allowable deduction from the gross income of the

10 donor for purposes of computing the donor's taxable income in accordance with the

11 provisions of the National Internal Revenue Code of 1997, as amended.

12 A foreign donation to a registered, licensed, and accredited SWDA, upon

13 certification by the DOF, shall be exempted from the payment of taxes and customs

14 duties in accordance with the provisions of Republic Act No. 10863, otherwise known

15 as the "Customs Modernization and Tariff Act (CMTA)."

## 16 ARTICLE V

### 17 OTHER REGULATORY POWERS AND 18 FUNCTIONS OF THE DSWD

19 SECTION 21. *Monitoring and Evaluation of SWDAs.* – The DSWD shall conduct

20 monitoring and evaluation, including spot visits, to all SWDAs at least once a year or

21 as the need arises to ensure that their social welfare and development programs and

22 services are implemented as planned. The result of monitoring and evaluation shall

23 be used to address problems and issues and to provide the framework for

24 interventions of the DSWD.

25 SECTION 22. *Dissolution of SWDAs.* – Any of the following acts or omissions is

26 a ground for the voluntary or involuntary termination of operation or dissolution or

27 closure of SWDAs:

- 28 (a) Inability of SWDA officers to sustain its operation;
- 29 (b) Noncompliance with or violation of any provision of this Act; and
- 30 (c) Other causes as may be determined by the DSWD.

1 The constitution and by-laws or articles of incorporation of an SWDA must  
2 explicitly state that in case of dissolution, the assets shall be utilized for social welfare  
3 and development activities after payment of all financial liabilities.

4 A final and executory judgment by the DSWD finding an SWDA liable for any  
5 of the violations stated in (a), (b) and (c) is a ground for the cancellation and revocation  
6 of the agency's registration or license to operate as an organization or agency, and  
7 shall be endorsed to the SEC for its appropriate action.

8 SECTION 23. *Deputation of Intermediaries.* – Authorized intermediaries may be  
9 deputized by the DSWD to conduct an assessment of the operation of an SWDA and  
10 social welfare and development workers for purposes of registration, licensing, and  
11 accreditation. The DSWD shall provide transportation or subsidy allowance to  
12 deputized intermediaries in accordance with the rules and regulations of the COA.  
13 Further, the DSWD shall provide continuous capacity-building activities to the  
14 deputized intermediaries.

15 For purposes of this Act, intermediaries refer to persons, groups, networks of  
16 SWDAs, or LGUs trained, accredited, and authorized by the DSWD to perform  
17 specific functions in the process of registration, licensing, and accreditation.

18 SECTION 24. *Investigation and Resolution of Complaints.* – The DSWD shall  
19 accept complaints, investigate and initiate appropriate proceedings on cases involving  
20 SWDAs. Upon lawful cause, the DSWD shall suspend the operations of the SWDA or  
21 revoke its registration, license, and accreditation certificates and close its facilities in  
22 coordination with law enforcement agencies, without prejudice to the filing of  
23 criminal or civil case against erring officials and personnel of the SWDA.

## 24 ARTICLE VI

### 25 COMPLAINTS AGAINST SOCIAL WELFARE 26 AND DEVELOPMENT AGENCIES

27 SECTION 25. *Complaints.* – In handling complaints against an SWDA for a  
28 violation of this Act, the DSWD may consider any of the following information to  
29 initiate an inquiry or investigation thereon:

1 (a) Report of an authorized personnel or office of the DSWD based  
2 on the assessment and monitoring of the compliance with program and  
3 service standards;

4 (b) Report from an SWDA's clients or beneficiaries;

5 (c) Verbal information from a person, group, or organization;

6 (d) Signed and unsigned letters, documents or reports;

7 (e) Printed materials or articles in newspapers, magazines and  
8 similar publications;

9 (f) Information sent or received through broadcast or electronic  
10 media and information and communication devices such as text messages,  
11 emails and posts in the social media; or

12 (g) Other sources of information such as minutes of meetings,  
13 consultations, and fora.

14 In the case of a verbal or unsigned letter or complaint or information transmitted  
15 through social media, the DSWD shall validate the alleged violations or actions of the  
16 SWDA being reported. If and when validation is not possible, the personnel or office  
17 of the DSWD that received the complaint shall file a report on the difficulty to validate  
18 the same. Documented information and printed materials must be evaluated in  
19 accordance with the procedures in handling complaints or information.

20 SECTION 26. *Who May File a Complaint.* – A complaint against an SWDA may  
21 be filed with the DSWD by any of the following:

22 (a) Offended party;

23 (b) Parent or legal guardian of a client;

24 (c) Ascendant or collateral relative of the client, such as a child  
25 within the third degree of affinity or consanguinity;

26 (d) Duly authorized officer or social worker of the DSWD;

27 (e) Officer, social worker, or representative of a registered, licensed,  
28 and accredited SWDA;

29 (f) *Punong Barangay* or other local government official; or

30 (g) Person who has personal knowledge of the acts complained  
31 about or reported for action.

1       SECTION 27. *Review Committee.* – There shall be a Field Office Review  
2       Committee (FORC) and a Central Office Review Committee (CORC) to handle cases  
3       and resolve complaints against SWDAs, whether they are registered or unregistered,  
4       licensed or unlicensed, or accredited. For complaints and violations involving any  
5       SWDA operating in one or more regions, the FORC that has jurisdiction over the areas  
6       where the cases happened shall have exclusive jurisdiction in handling and resolving  
7       the said complaints or violations. The decisions, orders or findings of the FORC shall  
8       be appealable to the CORC. The CORC may intervene or assist the FORC in handling  
9       complaints, if necessary.

10       The composition of the FORC and the CORC shall be determined by the DSWD:  
11       *Provided,* That there are two (2) members representing licensed and accredited SWDAs  
12       who are themselves members of the network organized by the DSWD. The  
13       representatives must be provided with an allowance in accordance with the rules and  
14       regulations of the COA.

15       Further, the DSWD shall formulate guidelines on the protocols of handling  
16       complaints against SWDAs, including the terms of reference of the FORC and CORC.

17       SECTION 28. *Procedures.* – The procedures in handling and resolving of  
18       complaints and appeals by the FORC and the CORC shall be made in accordance with  
19       the existing rules and procedures of the DSWD.

20       SECTION 29. *Suspension, Revocation or Closure.* – The certificates of registration,  
21       license to operate or accreditation issued to an SWDA by the DSWD shall be  
22       suspended or revoked if, after due process, the DSWD finds that the SWDA  
23       committed any of the grounds stipulated under Sections 30 and 31 of this Act.

24       A suspended SWDA shall cease its operation. However, the DSWD may allow it  
25       to continue its operation subject to the following conditions:

26               (a)    If the suspension will cause prejudice to the best interest of a  
27               substantial number of beneficiaries;

28               (b)    If there are no other available registered, licensed, or accredited  
29               SWDAs that can accommodate the beneficiaries of the suspended SWDA;

1 (c) If the SWDA agrees to be under the close supervision of the  
2 DSWD; and

3 (d) If the SWDA agrees not to accept any additional beneficiaries.

4 The suspension, revocation of license or closure of an SWDA shall be effected  
5 without prejudice to the filing of criminal or civil case under existing laws.

6 SECTION 30. *Grounds for Suspension.* – The suspension or temporary cessation  
7 of operation as an SWDA may be of any of the following grounds:

8 (a) Insolvency or inability to continue to support and maintain its  
9 operation or to perform the functions for which it was granted registration  
10 and license;

11 (b) Noncompliance with social case management standards;

12 (c) Poor sanitation of facilities and surroundings rendering these  
13 unfit for clientele;

14 (d) Violation of the SWDA's constitution and by-laws;

15 (e) Failure to submit annual accomplishment and audited financial  
16 reports for two (2) consecutive years;

17 (f) Failure to apply for accreditation or renewal of accreditation after  
18 two (2) consecutive notifications and monitoring or spot visits and technical  
19 assistance every six (6) months from the DSWD or authorized intermediaries;

20 ~~or~~

21 (g) Failure to comply with the standards of accreditation; or

22 (h) Other causes as may be determined by the DSWD.

23 SECTION 31. *Grounds for Revocation of License.* – The revocation or cancellation  
24 of the registration, license to operate and accreditation certificates of an SWDA issued  
25 by the DSWD may be of any of the following grounds:

26 (a) Use of SWDA for immoral purposes such as trafficking,  
27 gambling, prostitution, money laundering, and terrorist financing;

28 (b) Neglect, exploitation, and abuse of SWDA clients;

29 (c) Cessation of operation as SWDA;

30 (d) Mismanagement of funds;

1 (e) Falsification of the requirements for registration, licensing, and  
2 accreditation;

3 (f) Revocation of its registration from juridical personality by the  
4 SEC or other regulatory agencies;

5 (g) Noncompliance of SWDAs on the agreed action plan during the  
6 accreditation assessment for two (2) consecutive monitoring visits with  
7 interval of six (6) months by the DSWD; or

8 (h) Other causes as may be determined by the DSWD.

9 SECTION 32. *Delisting of an SWDA.* – An SWDA with expired registration,  
10 license, or accreditation certificate and which failed to reply or send a letter of intent  
11 to renew its registration, license, and accreditation to the DSWD, after receiving three  
12 (3) notices shall be delisted from the DSWD’s roster.

13 An SWDA whose certificate of registration and license to operate have been  
14 revoked shall be delisted from the roster of registered, licensed, and accredited  
15 SWDAs. Likewise, the SWDA that voluntarily ceases its operation shall be delisted.

16 SECTION 33. *Closure of Unregistered or Unlicensed SWDAs.* – After receipt of two  
17 (2) notices from DSWD requiring them to apply and submit requirements for  
18 registration and licensing and to undergo technical assistance, unregistered or  
19 unlicensed SWDAs that continue to engage in social welfare and development  
20 programs and services, either directly or indirectly, shall immediately be closed upon  
21 receipt of an order from the DSWD.

## 22 ARTICLE VII

### 23 STRENGTHENING THE STANDARDS BUREAU OF DSWD

24 SECTION 34. *Strengthening of the Standards Bureau.* – The Standards Bureau  
25 shall, upon approval of the Secretaries of Social Welfare and Development and Budget  
26 and Management, be reorganized and set up to effectively and efficiently implement  
27 the regulatory functions of the DSWD in pursuance with this Act and existing DSWD  
28 rules and regulations. The Bureau shall be headed by a Director and Assistant Director  
29 who shall have the rank of Director IV and Director III, respectively. Both shall be

1 appointed in accordance with existing rules and regulations of the CSC and the  
2 DSWD. They shall report directly to the DSWD Secretary.

3 SECTION 35. *Functions of the Standards Bureau.* – The Standards Bureau shall  
4 perform the following duties and functions:

5 (a) Formulate, develop and revise policies and guidelines pertaining  
6 to social welfare and development standards implementation, registration  
7 and licensing of SWDAs, accreditation of service providers and programs and  
8 services of SWDAs, regulation of regional and national fund campaign and  
9 duty-free entry of foreign donations and handling of complaints;

10 (b) Develop strategies which will promote quality social welfare and  
11 development programs and services for the welfare of the beneficiaries;

12 (c) Register qualified organizations engaged in social welfare and  
13 development programs;

14 (d) License social welfare agencies;

15 (e) Accredite social welfare and development programs and services  
16 of the SWDAs and service providers;

17 (f) Manage complaints and information on cases of violations  
18 against registered, licensed, and accredited SWDAs and service providers;

19 (g) Monitor and provide technical assistance and resource  
20 augmentation to field offices, SWDAs and intermediaries to ensure  
21 sustainability of quality service delivery;

22 (h) Develop and manage information management system relative to  
23 standards development, compliance and monitoring of the registered and  
24 licensed SWDAs and accredited service providers;

25 (i) Identify other benefits and incentives for registered, licensed, and  
26 accredited SWDAs; and

27 (j) Perform such other acts which are necessary or incidental to the  
28 proper exercise of its functions and duties.

29 SECTION 36. *Divisions of the Standards Bureau.* – The Standards Bureau is  
30 composed of three (3) divisions that shall perform the following respective functions:

(a) Standards Development Division (SDD). – The SDD shall set the standards on the implementation of social welfare and development programs and services, and develop strategies which will promote quality social welfare and development programs and services for the welfare of the defined beneficiaries.

(b) Standards Compliance Division (SCD). – The SCD shall process and assess applications for registration, licensing, and accreditation of SWDAs and service providers, ensure their compliance to the implementation of the social welfare and development programs and services and determine the benefits that shall accrue to licensed and accredited service providers and SWDAs. It shall also enforce regulatory policies, including the imposition of the necessary penalties, on unregistered and unlicensed SWDAs and service providers whose certificates of registration, accreditation, and licenses have expired.

(c) Standards Monitoring and Enforcement Division (SMED). – The SMED shall monitor the compliance of registered, licensed, and accredited SWDAs and service providers with the minimum standards of quality for social welfare and development programs for the poor, vulnerable, marginalized, disadvantaged, and underprivileged sectors of the society. The SMED shall also be responsible in the handling of complaints against SWDAs in relation to their programs, services and activities.

SECTION 37. *Regional Counterpart.* – The counterpart units that shall perform compliance monitoring and standards enforcement in all regional offices of the DSWD shall be strengthened to enable them to efficiently monitor and enforce compliance of SWAs and SWDAs with standards set for the delivery of programs and services. The head of these units shall occupy a position not lower than a Social Welfare Officer IV. The regional office shall have at least two (2) of the three (3) offices in the Standards Bureau, namely: the Standards Compliance Section (SCS) and the Standards Monitoring and Enforcement Section (SMES). The appropriate number of staff complement of these two (2) sections shall be created in accordance with the existing rules and regulations of the DBM, the CSC, and the DSWD.

SECTION 38. *Additional Plantilla Positions.* – The number of assigned plantilla positions for the DSWD Standards Bureau and its regional counterparts shall be increased in order to ensure the proper implementation of this Act and the effective performance of the offices organized herein, subject to the evaluation and approval of the DBM.

## ARTICLE VIII

## ENFORCEMENT AND PENALTIES FOR VIOLATIONS

SECTION 39. *Assistance from Law Enforcement Agencies.* – Law enforcement agencies such as the PNP, NBI, and BI shall provide assistance to the DSWD in the enforcement of this Act.

SECTION 40. *Immunity of Officer or Staff.* - The duly authorized officer or staff of the DSWD or of any of the law enforcement agencies involved in the implementation and enforcement of this Act who are found to have acted in accordance with the due process clause of the Constitution shall be exempted from any civil, criminal, and administrative liability.

SECTION 41. *Penalties.* –Any person, group, or organization that operates as a SWDA without the corresponding valid certificate of registration or license to operate issued by the DSWD shall be penalized with a fine of not less than One hundred thousand pesos (P100,000.00) but not more than Five hundred thousand pesos (P500,000.00) or imprisonment ranging from one (1) year but not more than three (3) years at the discretion of the court. The penalties imposed are without prejudice to other penalties such as the seizure of equipment, instruments and other facilities of the SWDA.

If the offender is a corporation, organization, or any similar entity, the officials or employees thereof who have directly participated in the violation shall be held liable therefore.

If the offender is a foreigner, the offender, after serving the sentence, shall be deported immediately without further proceedings.

1 If the offender is a government official or employee of the DSWD or any  
2 government agency, the offender shall be penalized in accordance with civil service  
3 rules and regulations and shall be perpetually disqualified from holding public office

#### 4 ARTICLE IX

#### 5 FINAL PROVISIONS

6 SECTION 42. *Appropriations.* – The Secretary of Social Welfare and Development  
7 shall include in the DSWD's programs the implementation of this Act, the initial  
8 funding of which shall be charged against the current year's appropriations of the  
9 DSWD. Thereafter, the amount necessary for its continued implementation shall be  
10 included in the annual General Appropriations Act.

11 SECTION 43. *Transitory Provision.* – All unregistered or unlicensed SWDAs that  
12 are currently operating shall have a period of one (1) year from the effectivity of this  
13 Act to apply for registration or license to operate with the DSWD.

14 The DSWD shall notify all registered and licensed SWDAs in writing about the  
15 implementation of this Act within one hundred twenty (120) days from its effectivity.  
16 Upon compliance with the requirements, a new registration or license to operate shall  
17 be issued to them.

18 SECTION 44. *Implementing Rules and Regulations.* – Within ninety (90) working  
19 days from its effectivity, the Secretary of the DSWD shall, in consultation with the  
20 DOF, DOJ, Department of the Interior and Local Government, DOLE, DBM, CSC,  
21 COA, SEC, Philippine National Police, National Bureau of Investigation, and other  
22 appropriate government agencies, as well as three (3) representatives from any of the  
23 coalition of SWDAs and social welfare and development workers, shall promulgate  
24 the necessary rules and regulations to carry out the provisions of this Act.

25 SECTION 45. *Separability Clause.* – If any provision or part of this Act is declared  
26 unconstitutional or invalid, the remaining parts or provisions not affected shall  
27 remain in full force and effect.

1       SECTION 46. *Repealing Clause.* – All laws, decrees, letters of instruction, executive  
2   issuances, resolutions, orders or parts thereof which are inconsistent with the  
3   provisions of this Act are hereby repealed, modified or amended accordingly.

4       SECTION 47. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
5   publication in the *Official Gazette* or in a newspaper of general circulation.

6       *Approved,*