



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 4681



Introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Andrew Julian K. Romualdez and Jude A. Acidre

AN ACT
CREATING THE NATIONAL COUNCIL FOR FAITH-BASED AND
COMMUNITY PARTNERSHIPS, APPROPRIATING FUNDS THEREFOR
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Existing collaboration and partnerships between the State and faith-based organizations have contributed to a more open and closer coordination in creating and implementing lasting solutions to many current social needs and challenges, maximizing the positive impact of government programs, encouraging grassroots participation and improving of the quality of life in several local communities in the country.

While Article II, Section 6 of the Constitution provides for the separation of the Church and the State as distinct societies directed toward different ends, both, however, aim at achieving the common good of the human community and building the social cohesion and unity of the Filipino nation. Thus, the State recognizes the important role of faith-based communities in the alleviation of poverty, the upholding of justice and preservation of peace and order, strengthening individuals and families, ensuring the sustainable development of communities and providing support and services to vulnerable populations.

Article XIII, Section 16 of the Constitution provides 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 and that the State shall, by law, facilitate the establishment of adequate consultation mechanisms.

Faith-based and other community organizations are vital to our nation's ability to address the needs of low-income and other underserved persons and communities. Few institutions are closer to the people than our faith-based and other neighborhood organizations. It is therefore critical that the government strengthen the ability of such organizations and other nonprofit institutions in our neighborhoods to deliver services effectively in partnership with the government and with other private organizations, while preserving our fundamental constitutional commitments guaranteeing the equal protection of the laws and the free exercise of religion and forbidding the establishment of religion.

This bill intends to create the National Council for Faith-Based and Community Partnerships, which will serve as a bridge for the government and faith-based organizations to more effectively serve Filipinos in need. Composed of representatives from various faith-based organizations, it shall be responsible for establishing closer collaboration and implementing partnership programs directed towards vulnerable populations in order to help them survive and thrive.

This proposed legislation recognizes that it is essential for the State to identify, define, establish and institutionalize strategies for increased partnerships in order to improve the capacities of faith-based organizations and afford them the fullest opportunity to better respond to our country's pressing social needs as a partner for change and a complement to government programs, in a manner consistent with our existing laws and values.

Faith-based and other community organizations are indispensable in meeting the needs of poor Filipinos especially those from the marginalized sector. While the government cannot be replaced by such organizations, but it can and should welcome them as partners. The paramount goal is compassionate results, and private and charitable community groups, including faith-based ones, should have the fullest opportunity permitted by law to collaborate more closely, especially in strengthening families and communities, and overcoming the burden of poverty. This delivery of social services must be results oriented and should value the bedrock principles of pluralism, non-discrimination, evenhandedness, and neutrality.

In view of these considerations, approval of this bill is earnestly recommended.



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YEDDA MARIE K. ROMUALDEZ



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JUDE A. ACIDRE



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*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 the “Faith-Based and Community Partnership Act”

Section 2. *Declaration of Policy* – The State recognizes the separation of the Church and the State as distinct societies directed toward different ends, both, however, aim at achieving the common good of the human community and building the social cohesion and unity of the Filipino nation.

Furthermore, the State acknowledges that it is essential to identify, define, establish and institutionalize strategies for increased partnerships with faith-based organization in order to afford them the fullest opportunity to better respond to our country's pressing social needs as a partner for change and a complement to government programs, in a manner consistent with our existing laws and values.

Section 3. *Creation.* - There is hereby created the National Council for Faith-Based and Neighborhood Partnerships, hereinafter referred to as the "Council", which has the lead responsibility to establish policies, priorities, and objectives for the government's comprehensive effort to enlist, equip, enable, empower, and expand the work of faith-based and other similar community organizations to the extent permitted by law, guided by the principles of pluralism, non-discrimination, inclusion, impartiality and neutrality and in line with our constitutional commitments guaranteeing the equal protection of the laws and the free exercise of religion and the prohibiting the establishment of religion.

Section 4. *Faith-Based Organizations* - Faith-based organizations (FBOs) are defined as organizations that derive inspiration and guidance for their activities from the doctrine, teachings and principles of a particular faith or religious institution or from a specific tradition, interpretation or school of thought within that faith or religious institution.

Section 5. *Nature and Composition of the Council.* – The Council shall be independent and autonomous and shall have the same status as that of a national government agency attached to the Office of the President. It shall be composed of

not more than eight (8) members appointed by the President from among individuals with experience and expertise in fields related to the provision of social services by faith-based and other community organizations.

Members of the Council must be members of a faith-based organization at the time of the appointment, of good moral character, not be convicted by final judgment of a crime involving moral turpitude, recommended by a faith-based organization which has been in existence for at least five (5) years, and a member of the said faith-based organization for at least three (3) years.

Members of the Council shall retain their character as private citizens and shall serve without compensation, but shall be allowed travel expenses, including *per diem*, to the extent funds are available and authorized by law.

Section 6. *Term of Office.* - Members of the Council shall serve for terms of two years and may continue to serve after the expiration of their terms until the President appoints a successor. Members shall be eligible for reappointment and serve at the pleasure of the President during their terms.

Section 7. *Chairperson.* - The President shall designate a member of the Council to serve as Chairperson for a term of two years at the pleasure of the President. The Chairperson may continue to serve after the expiration of the Chairperson's term until the President appoints a successor. The Chairperson shall be eligible for reappointment by the President and shall serve at the pleasure of the President.

Section 8. *Functions.* The principal functions of the Council are, to the extent permitted by law:

- (a) Develop, lead, and coordinate the government's policy agenda affecting faith-based and other community programs and initiatives and expand the role of such efforts in partnership with the government, with particular focus on poverty alleviation and social development;
- (b) Integrate the government's policy agenda relevant to faith-based and other community organizations and design and recommend the implementation of appropriate procedures and mechanisms for effective coordination with faith-based organizations;
- (c) Evaluate the need for improvements in the implementation and coordination of public policies relating to faith-based and community partnerships;
- (d) Establish and support partnerships with faith-based non-profit organizations in an effort to respond effectively to pressing social needs and to provide durable development solutions to underserved communities;
- (e) Strengthen the capacities of faith-based organizations to deliver services effectively in partnership with the government and other private organizations;
- (f) Coordinate public education activities designed to mobilize public support for faith-based non-profit initiatives through volunteerism, special projects, demonstration pilots, and public-private partnerships;

- (g) Encourage private charitable giving to support faith-based and community initiatives;
- (h) Bring concerns, ideas, and policy options to the President for assisting, strengthening, and replicating successful faith-based and other community programs;
- (i) Serve as a platform for dialogue on the role of faith-based organizations in national development and make recommendations to the President for changes in policies, programs, and practices that affect the delivery of services by such organizations and the needs of low-income and other underserved households and communities;
- (j) Provide policy and legal education to policymakers and public officials seeking ways to empower faith-based and other community organizations and to improve the opportunities, capacity, and expertise of such groups;
- (k) Showcase and herald innovative grassroots nonprofit organizations and civic initiatives;
- (l) Monitor implementation of the government's agenda affecting faith-based and other community organizations;
- (m) Ensure that the efforts of faith-based and other community organizations meet high standards of excellence and accountability;

- (n) Serve as the lead government agency in determining and ensuring effective coordination, collaboration and engagement with faith communities and faith-based organizations;
- (o) Submit to the President and to Congress an annual report of its accomplishments; and
- (p) Perform such other functions and carry out activities as may be necessary to effectively and efficiently carry out the provisions of this Act.

Section 9. *Secretariat.* The Council shall organize a Secretariat headed by an Executive Director with the rank of Assistant Secretary, to be appointed by the President. The Secretariat shall have the overall responsibility to ensure that the objectives and functions of the Council are realized, propose the specific allocation of resources for projects instated under the approved programs, handle its administrative, operational and technical requirements and activities, submit periodic reports to the Council on the progress and accomplishment of programs and projects, prepare an annual report on all activities of the Council and perform such other functions as the Council may deem necessary.

The staffing pattern and compensation schedule of the Secretariat shall be drawn up in accordance with existing laws, rules and regulations.

Section 10. *Assistance from Government Agencies.* All government agencies are directed to actively cooperate and support the Council to the extent permitted by law. The Council may call upon any agency of the government for assistance, information and cooperation in the discharge of its functions.

Section 11. *Meetings.* The Council shall meet, at least once a month, to consider matters and issues relevant to its mandate and make a review and recommendation of all its activities.

The Council may request and collect information, hold hearings, establish subcommittees, and establish task forces consisting of members of the Council or other individuals who are not officers or employees of the government, as necessary to carry out its mission.

Section 12. *Funding Limitations.* The Council may not use direct government funds to support inherently religious activities such as prayer, worship, religious instruction, or proselytization. The Council or any of its individual members cannot discriminate on the basis of religion when providing programs and services and any inherently religious activity must be offered separately in time or location from programs and services that receive government funds.

Section 13. *Appropriations.* The amount necessary for the initial implementation of this Act shall be sourced from the unexpended contingency funds of the Office of the President and other such funds as may be identified by the Department of Budget and Management and other such appropriate funding sources, subject to existing budgeting, accounting and auditing laws, rules and regulations. Thereafter, the amount needed for the operations of the Council shall be included in the annual General Appropriations Act.

Section 14. *Tax Deduction of Exemption of Donations and Contributions.*

Any donation, contribution, bequest and grant which may be made to the Council shall constitute as allowable deduction from the income of the donor for income tax purposes and shall be exempt from donor's tax, subject to such conditions, as provided under the National Internal Revenue Code, as amended.

Section 15. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional the other provisions not so declared shall remain in force and effect.

Section 16. *Repealing Clause.* - All laws, decrees, orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Section 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,