

HOUSE OF REPRESENTATIVES

H. No. 7950

BY REPRESENTATIVES BORDADO, ABAYA, UMALI (A.), ROBES, VERGARA, BALINDONG, CHUNGALAO,
LUSOTAN, CABOCHAN AND VELASCO, PER COMMITTEE REPORT NO. 571

AN ACT
CREATING A SYSTEM OF PARTNERSHIP BETWEEN LOCAL
GOVERNMENTS AND CIVIL SOCIETY ORGANIZATIONS THROUGH THE
ESTABLISHMENT OF A PEOPLE'S COUNCIL IN EVERY LOCAL
GOVERNMENT UNIT, PRESCRIBING ITS POWERS AND FUNCTIONS AND
PROVIDING FOR ITS PARTICIPATION IN THE LOCAL SANGGUNIAN AND
LOCAL BOARDS, COUNCILS, COMMITTEES, TASK FORCES OR SIMILAR
WORK GROUPS

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

1 **Section 1. Short Title.**— This Act shall be known as the “**People**
2 **Empowerment Act**”

3 **Sec. 2. Declaration of Policy.** – It is hereby declared a policy of the State to
4 ensure participation of citizens in all avenues of local governance. Likewise, the State
5 acknowledges the value of creating a mechanism where its citizens’ views and opinions
6 in different areas of governance may be heard and considered. Furthermore, pursuant
7 to Article II Section 23 of the Constitution, the State recognizes the value of non-
8 government, community-based, or sectoral organizations in nation building and in
9 creating an avenue to ensure their growth and development. The State also recognizes
10 that the partnership with people’s organizations (POs) and civil society organizations
11 (CSOs) will spur development in local communities as envisioned by the Local
12 Government Code of 1991.

13 **Sec. 3. Definition of Terms.**— As used in this Act:

14 a) *Civil society organization (CSO)* refers to any organized citizens’ group
15 including people’s organizations (POs) and non-government organizations
16 (NGOs) such as community groups, labor unions, indigenous groups, charitable

1 organizations, faith-based organizations, professional associations, and
2 foundations;

3
4 b) *Local sanggunian* refers to the local legislative body specifically the
5 *Sangguniang Panlungsod* for cities, and the *Sangguniang Bayan* for
6 municipalities;

7
8 c) *Non-government Organization* refers to an independent private and non-
9 profit organization formed primarily to promote social and economic
10 development with none of its officers or members occupying an elective
11 position;

12
13 d) *People's Council* refers to a body composed of representatives of registered or
14 accredited CSOs and POs which shall be created in every city or municipality
15 and provincials levels as mandated in Section 8 of this Act; and

16
17 e) *People's Organization* refers to a *bona fide* cooperative or association of
18 citizens organized for purposes not contrary to law, with demonstrated capacity
19 to promote the public interest and with identifiable leadership, membership,
20 and structure whose officers and members do not occupy any elective
21 government position.

22
23 **Sec. 4. Accreditation of CSOs.**— To be duly recognized and allowed to
24 participate in local governance, a CSO should have actively operated for at least one (1)
25 year in the city or municipality where majority of its members reside, and must apply
26 for accreditation with the local *sanggunian*. An application for accreditation shall be
27 approved by the local *sanggunian*, upon submission of the following requirements:

- 28 a) Proof of existence and operation in the respective city or municipality it is
29 applying in for at least one (1) year prior to the application for registration;
30 b) Proof of activities held in pursuit of developmental objectives or of organizational
31 activities conducted;
32 c) Program of activities planned for the year following the date of application for
33 registration;
34 d) Copies of its Constitution, By-laws and/or Articles of Incorporation;
35 e) Lists of its officers and members of good standing and their respective addresses;
36 f) Financial Statement and Declaration of Assets and Liabilities; and
37 g) Board Resolution manifesting a decision to register and participate under this
38 Act.

39 A CSO whose application for accreditation has been approved shall be issued a
40 certificate containing the terms and conditions for accreditation.

41 A local *sanggunian*, however, may from time to time, and in consultation with the
42 organized People's Council, impose such other requirements and conditions for
43 registration as it may deem appropriate to best adhere to the principles of this Act.

1 Any CSO already accredited by a local government prior to the effectivity of this Act
2 need not register for purposes of this Act, unless its accreditation has in the meantime
3 been withdrawn.

4 **Sec. 5. Accreditation Deemed Inactive.**—An accredited CSO shall
5 submit, by January 31 of every year, a list of accomplishments of the previous year and
6 its plans for the current year. The failure to submit these requirements for two (2)
7 consecutive years shall render the CSO's accreditation inactive and thus disqualifies the
8 CSO from availing of the rights and privileges thus vested upon registration mandated
9 in Section 7 of this Act.

10 A CSO may apply for the reactivation of its accreditation after submitting the required
11 list of accomplishments and plans for the current year.

12 **Sec. 6. Committee for the Accreditation of CSOs.** – There shall be a
13 Committee for Accreditation of CSOs in all provincial, city and municipal *sanggunians*.
14 It shall perform the following functions:

- 15 a) Receive, evaluate and process applications for registration;
- 16 b) Monitor compliance with the conditions for accreditation; and
- 17 c) Initiate legislative measures for the effective performance of its tasks.

18 The People's Council created under Section 8 hereof, once formally organized, shall be
19 entitled to a two (2)-seat representation in the Committee.

20 **Sec. 7. Rights and Privileges of Accredited CSOs.** – An accredited CSO shall
21 enjoy the following rights and privileges:

- 22 a) Enter into joint ventures and other cooperative undertakings with the local
23 government to engage in the delivery of certain basic services, capability-building
24 and livelihood projects;
- 25 b) Develop local enterprises designed to improve productivity and income, diversify
26 agriculture, spur rural industrialization, promote ecological balance, and enhance
27 the economic and social well-being of the people within the framework of
28 equitable and sustainable development;
- 29 c) Receive assistance from the local government for economic, socially-oriented,
30 environmental, good governance, or cultural projects to be implemented within
31 their territorial jurisdiction; and
- 32 d) Automatic membership in the People's Council.

33
34 **Sec. 8. Creation of People's Councils .**— A People's Council composed of
35 accredited CSOs shall be created in each local government unit (LGU). For this purpose,
36 the Committee for the Accreditation of CSOs of each local *sanggunian* shall, not later
37 than ninety (90) days from the effectivity of this Act, call for a convention of all
38 accredited CSOs to facilitate the formal organization of the People's Council.

39 **Sec. 9. Structure and Rules of the People's Council.**— Each People's Council
40 shall determine its own organizational structure and internal rules, but shall at all times
41 provide for adequate consultation mechanisms for purposes of obtaining the views and

1 suggestions of all political parties or movements, government employees' organizations,
2 other non-accredited but legitimate CSOs, and accredited CSOs which are not members
3 of the People's Council: *Provided*, That no political party, government employees'
4 organization or non-registered CSOs may be nominated by the Council for membership
5 in the LGU's special bodies nor granted the rights and privileges of accredited CSOs
6 under this Act: *Provided further*, That no provision herein shall be interpreted to
7 prohibit the Council from changing its name or from being organized for purposes other
8 than those indicated in this Act.

9 **Sec. 10. Recognition of the People's Council by the Local Sanggunian.** –
10 Only one (1) People's Council shall be recognized by each local *sanggunian*. Each local
11 *sanggunian* is hereby mandated to issue a certificate of recognition for the People's
12 Council within thirty (30) days from the filing of a petition for recognition and shall
13 pass a *Sanggunian* Resolution embodying the rights and privileges of the recognized
14 People's Council.

15 **Sec. 11. Withdrawal of Recognition of the People's Council.** – A local
16 *sanggunian* can withdraw the recognition granted to a People's Council only upon
17 action of a petitioner, and based on the following grounds:

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

22 The local *sanggunian* shall not recognize internal or inter-organizational conflicts
23 within the People's Council.

24 **Sec. 12. Powers and Responsibilities of the People's Council.** - Upon
25 recognition, the People's Council may, in accordance with its policies and internal
26 rules, exercise the following powers and responsibilities:

- 27 a) Elect or appoint, from among its member organizations, its representatives to all
28 local government bodies, boards, councils, committees, task forces special
29 government bodies and other similar work groups which the local government or
30 national laws may hereinafter create. Member organizations elected or appointed
31 to represent the people's Council shall have the sole prerogative to choose, from
32 among their bona fide members, the persons who shall represent the People's
33 Council in the respective boards, councils, committees, task forces or special
34 bodies. Unless otherwise provided herein, such representatives shall not exceed
35 twenty-five (25) percent of the membership of the board, council, committee,
36 task force or special body;
- 37 b) Participate in the conceptualization, implementation and evaluation of
38 government activities: *Provided* That these functions shall be exercised without
39 compensation or remuneration. The concerned local government shall, however,
40 provide for the necessary office spaces, facilities and equipment for the use of
41 the People's Council;

1 c) Observe, and participate in the deliberation, conceptualization,
2 implementation and evaluation of projects, activities and programs of the LGU,
3 propose legislation and participate at the committee level of the local
4 *sanggunian*; and

5 d) Elect a representative to the provincial People's Council.

6 **Sec. 13. Creation of a Provincial People's Council (PPC).** - A PPC shall be
7 created and recognized by the *Sangguniang Panlalawigan* and shall be composed of all
8 representatives from the municipal and city People's Councils within a province's
9 jurisdiction.

10 The PPC shall elect, from within its ranks, a representative who shall sit as a member of
11 the *Sanggunian Panlalawigan* and shall exercise the duties and powers of a Provincial
12 Board member.

13 **Sec. 14. Amendment of the Composition of the Sanggunians.**- The
14 existing composition of local *sanggunian* committees, boards, councils, task forces,
15 special bodies of all local government units are hereby amended and modified to
16 accommodate the membership and participation therein of the representative of the
17 People's Council as herein mandated.

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

25 Furthermore, the Department of the Interior and Local Government (DILG) and all
26 LGUs are mandated to assist and support efforts of the people towards self-organization
27 to address their common concerns, and to promote their common welfare and
28 interests.

29 **Sec. 16. Empowerment Fund.**- There is hereby created an empowerment
30 fund that shall be sourced from the existing empowerment fund of the DILG to be
31 used for the capacity building of CSOs. The funds necessary for the maintenance and
32 operational expenses of the people's Council shall, in relation to their participation in
33 local governance, be included in the annual budgets of respective LGUs.

34 **Sec. 17. Information Boards And Suggestion Boxes.** - Information
35 boards and suggestion boxes shall be provided, maintained and controlled solely by each
36 barangay, to be strategically situated in public plazas, government buildings and
37 offices, public markets, schools, and at such public places accessible to the people, which
38 boards and boxes shall be used other than those maintained by the barangays and the
39 national government, for other purposes.

1 Local government units are mandated to respond within fifteen (15) working days to the
2 suggestions filed by citizens in suggestion boxes.

3 **Sec. 18. Sunset Review.**- Five (5) years from the effectivity of this Act,
4 Congress shall review and recommend amendments thereto, after evaluating the
5 problems and issues in its implementation.

6 **Sec. 19. Implementing Rules and Regulations.**- Within one hundred
7 twenty (120) days from the effectivity of this Act, the DILG and LGUs shall, in
8 consultation with accredited CSOs who have previously engaged in concerned
9 undertakings with local governments, determine effective ways and methods to ensure
10 the success of the objectives of this Act and craft the rules and regulations to
11 implement it.

12 **Sec. 20. Separability Clause.** - If any provision of this Act is declared invalid
13 or unconstitutional, the other provisions, not affected thereby, shall remain valid and
14 subsisting.

15 **Sec. 21. Repealing Clause.** - All laws, presidential decrees, executive orders,
16 proclamations and administrative regulations which are inconsistent with the
17 provisions of this Act are hereby amended, modified, superseded, or repealed
18 accordingly.

19 **Sec. 22. Effectivity.** - This Act shall take effect fifteen (15) days after its
20 publication in the Official Gazette or in a newspaper of general circulation.

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22 Approved.