

Republic of the Philippines
HOUSE OF REPRESENTATIVES
 Quezon City, Metro Manila



18TH CONGRESS
 First Regular Session

HOUSE BILL NO. 619

Introduced by Representative CARLITO S. MARQUEZ

EXPLANATORY NOTE

This bill seeks to amend pertinent provisions of Republic Act No. 9520, otherwise known as the "Philippine Cooperative Code of 2008" that was enacted on February 17, 2009. It was approved on Third Reading on July 26, 2017 and finished Senate Committee hearings and deliberations but the Committee Report was not lined up for plenary deliberations for lack of material time.

A cooperative is defined as an autonomous association of persons united voluntarily to meet their common economic, social and cultural needs and aspirations through a jointly owned and democratically controlled enterprise. There is one instant in Philippine history where a cooperative was formed ahead of the passage of the cooperative laws—that was the agricultural marketing cooperative which the national hero, Dr. Jose Rizal, had organized in Dapitan while on exile in 1896. Nothing much is recorded about the cooperative. It may be safe to assume that with the execution of Dr. Rizal in the same year, the cooperative must have died with him.

When RA 6938 (Cooperative Code of the Philippines) was ordained on March 10, 1990, the founding fathers aimed to foster the creation and growth of cooperatives as a practical vehicle for promoting self-reliance and harnessing people power towards the attainment of economic development and social justice. The law was patterned after the Raiffeisen experience in Germany. They believed that the creation of cooperatives would eventually encourage the private sector to undertake the actual formation and organization of cooperatives and would create an atmosphere that is conducive to the growth and development of these cooperatives.

We cannot downplay the vital role of cooperatives to nation-building. At the moment, the vision is half-achieved. There are 1,137 cooperatives listed by the Cooperative Development Authority as of December 31, 2013 contributing Php6.3 Billion of the 4.87% Gross Domestic Product of 2012. When the Local Government Code of 1991 was enacted, it bestowed for the provisions for the optional appointment of a cooperatives officer in the province, city or municipality.

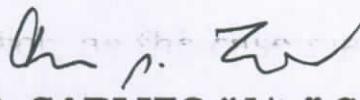
However, if we must consider that State should not just formulate the creation of Cooperative Office in the provincial, city and municipal government as optional but rather be institutionalized as mandatory so that these offices would ensure the provision of technical guidance, financial assistance and other services to enable said cooperatives to develop into viable and responsive economic enterprises in the local government units

concerned and thereby bring about a strong cooperative movement that is free from any conditions that might infringe upon the autonomy or organizational integrity of cooperatives, then the vision will be fully attained.

With the stories of success of provinces and cities with institutionalized cooperatives office, we feel that it is high time to create the office in every LGU (province, city or municipality) a compulsory requirement. By the same token, recognizing the principle of subsidiarity under which the cooperative sector will initiate and regulate within its own ranks the promotion and organization, training and research, audit and support services relating to cooperatives with government assistance where necessary, the cooperatives officer in the LGU concerned could be sanctioned by the governor or mayor, as the case maybe, if he is remiss with these functions.

This proposed measure will fortify the cooperatives format in the countryside, thus, the LGUs would now be at the forefront of fostering creation of a Cooperative Development Office that will substantiate the importance of this idea in conveying sustainable development.

Immediate approval of this bill is earnestly sought.


ENGR. CARLITO "Lito" S. MARQUEZ

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AN ACT

MAKING THE POSITION OF A COOPERATIVE 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 the House of Representatives of the Philippines in Congress assembled:

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

3 “**SECTION 443. Officials of the Municipal Government.** – (a)
 4 *There shall be in each municipality a municipal mayor, a municipal
 5 vice-mayor, sangguniang bayan members, a secretary to the
 6 sangguniang bayan, a municipal treasurer, a municipal assessor, a
 7 municipal accountant, a municipal budget officer, a municipal
 8 planning and development coordinator, a municipal*

1 engineer/building official, a municipal health officer, a municipal
2 civil registrar, **and a municipal cooperatives officer.**

3 (b) x x x

4 (c) x x x

5 (d) x x x

6 (e) x x x"

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

9 "SECTION 454. *Officials of the City Government.* – (a) there
10 shall be in each city a mayor, a vice-mayor, sangguniang
11 panlungsod members, a secretary to the sangguniang panlungsod,
12 a city treasurer, a city assessor, a city accountant, a city budget
13 officer, a city planning and development coordinator, a city engineer,
14 a city health officer, a city civil registrar, a city administrator, a city
15 legal officer, a city veterinarian, a city social welfare and
16 development officer, [and] a city general services officer, and a city
17 cooperatives officer.

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

1 x x x

2 (c) x x x

3 (d) x x x

4 (e) x x x"

5

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

8 *"Section 463. Officials of the Provincial Government. – (a) There*
9 *shall be in each province a governor, a vice-governor, members of*
10 *the sangguniang panlalawigan, a secretary to the sanggunian*
11 *panlalawigan, a provincial treasurer, a provincial assessor, a*
12 *provincial accountant, a provincial engineer, a provincial budget*
13 *officer, a provincial planning and development coordinator, a*
14 *provincial legal officer, a provincial administrator, a provincial*
15 *health officer, a provincial social welfare and development officer, a*
16 *provincial general services officer, a provincial agriculturist, [and] a*
17 *provincial veterinarian, and a provincial cooperatives officer.*

18 *(b) In addition thereto, the governor may appoint a provincial*
19 *population officer, a provincial natural resources and environment*
20 *officer, [a provincial cooperative officer] [,] a provincial architect*
21 *and a provincial information officer.*

1 x x x

2 (c) x x x

3 (d) x x x

4 (e) x x x"

5 **Sec. 4.** Section 484 of Book III, Title Five, Article Fourteen of

6 RA 7160 is hereby amended and shall now read as follows:

7 ["Article Fourteen. The Environment and Natural Resources Officer

8 Section 484. *Qualifications, Powers and Duties.* - (a) No

9 person shall be appointed environment and natural resources

10 officer unless he is a citizen of the Philippines, a resident of the

11 local government unit concerned, of good moral character, a holder

12 of a college degree preferably in environment, forestry, agriculture

13 or any related course from a recognized college or university, and

14 a first grade civil service eligible or its equivalent. He must have

15 acquired experience in environmental and natural resources

16 management, conservation, and utilization, of at least five (5) years

17 in the case of the provincial or city environment and natural

18 resources officer, and three (3) years in the case of the municipal

19 environment and natural resources officer.

20 The appointment of the environment and natural resources

21 officer optional for provincial city and municipal governments.

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

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

10 (2) Develop plans and strategies and upon approval thereof,
11 by the governor or mayor, as the case may be, implement the same,
12 particularly those which have to do with environment and natural
13 resources programs and projects which the governor or mayor is
14 empowered to implement and which the sanggunian is empowered
15 to provide for under this Code;

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

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

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

4 (iii) Manage and maintain seed banks and produce
5 seedlings for forest and tree parks;

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

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

12 (vi) Coordinate with government agencies and non
13 governmental organizations in the implementation of measures to
14 prevent and control land, air and water pollution with the
15 assistance of the Department of Environment and Natural
16 Resources; ~~and render assistance for natural resources~~

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

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

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

8

9 **"ARTICLE FOURTEEN – THE COOPERATIVE OFFICER**

10 **SECTION 484. QUALIFICATIONS, POWERS AND DUTIES. – (A)**

11 **NO PERSON SHALL BE APPOINTED COOPERATIVES OFFICER**

12 **UNLESS ONE IS A CITIZEN OF THE PHILIPPINES, A RESIDENT**

13 **OF THE LOCAL GOVERNMENT UNIT CONCERNED, OF GOOD**

14 **MORAL CHARACTER, A HOLDER OF A COLLEGE DEGREE**

15 **PREFERABLY IN BUSINESS ADMINISTRATION WITH SPECIAL**

16 **TRAINING IN COOPERATIVES OR ANY RELATED COURSE**

17 **FROM A RECOGNIZED COLLEGE OR UNIVERSITY, AND A FIRST**

18 **GRADE CIVIL SERVICE ELIGIBLE OR ITS EQUIVALENT. ONE**

19 **MUST HAVE EXPERIENCE IN COOPERATIVES ORGANIZATIONS**

20 **AND MANAGEMENT OF ATLEAST FIVE (5) YEARS IN THE CASE**

21 **OF PROVINCIAL OR CITY COOPERATIVES OFFICER AND THREE**

1 **(3) YEARS IN THE CASE OF MUNICIPAL COOPERATIVES**
2 **OFFICER.**

3 **(B) THE COOPERATIVES OFFICER SHALL TAKE**
4 **CHARGE OF THE OFFICE FOR THE DEVELOPMENT OF**
5 **COOPERATIVES AND SHALL:**

6 **(1) FORMULATE MEASURES FOR THE**
7 **CONSIDERATION OF THE SANGGUNIAN, AND**
8 **PROVIDE TECHNICAL ASSISTANCE AND SUPPORT**
9 **TO THE GOVERNOR OR MAYOR, AS THE CASE MAY**
10 **BE, IN CARRYING OUT MEASURE TO ENSURE THE**
11 **DELIVERY OF BASIC SERVICES AND PROVISION OF**
12 **FACILITIES THROUGH THE DEVELOPMENT OF**
13 **COOPERATIVES, AND IN PROVIDING ACCESS TO**
14 **SUCH SEVICES AND FACILITIES;**

15 **(2) DEVELOP PLANS AND STRATEGIES AND UPON**
16 **APPROVAL THEREOF BY GOVERNOR OR MAYOR, AS**
17 **THE CASE MAY BE IMPLEMENT THE SAME,**
18 **PARTICULARLY THOSE WHICH HAVE TO DO WITH**
19 **THE INTEGRATION OF COOPERATIVES PRINCIPLES**
20 **AND METHODS IN PROGRAMS AND PROJECTS**
21 **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 NON-GOVERNMENT 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**

1 **THE AFTERMATH OF MAN-MADE AND NATURAL**
2 **CALAMITIES AND DISASTERS, TO AID IN THEIR**
3 **SURVIVAL AND IF NECESSARY SUBSEQUENT**
4 **REHABILITATION;**

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

12 **(C) EXERCISE SUCH OTHER POWERS AND PERFORM**
13 **SUCH OTHER DUTIES AND FUNCTIONS AS MAY BE**
14 **PRESCRIBED BY LAW OR ORDINANCE."**

15 **SEC. 5. Section 487 of Book III, Title Five, Article Seventeen**

16 of RA7160 is hereby amended and shall now read as follows:

17 **"ARTICLE SEVENTEEN. - THE ENVIRONMENT AND NATURAL**
18 **RESOURCES OFFICER.**

19 **DUTIES AND FUNCTIONS AS MAY BE**
20 **PRESCRIBED BY LAW OR ORDINANCE."**

1 **Section 487. QUALIFICATIONS, POWERS AND DUTIES. -**

2 **(A) NO PERSON SHALL BE APPOINTED ENVIRONMENT AND**
3 **NATURAL RESOURCES OFFICER UNLESS ONE IS A CITIZEN OF**
4 **THE PHILIPPINES, A RESIDENT OF THE LOCAL GOVERNMENT**
5 **UNIT CONCERNED, OF GOOD MORAL CHARACTER, A HOLDER**
6 **OF A COLLEGE DEGREE PREFERABLY IN ENVIRONMENT,**
7 **FORESTRY, AGRICULTURE OR ANY RELATED COURSE FROM**
8 **A RECOGNIZED COLLEGE OR UNIVERSITY, AND A FIRST**
9 **GRADE CIVIL SERVICE ELIGIBLE OR ITS EQUIVALENT. ONE**
10 **MUST HAVE ACQUIRED EXPERIENCE IN ENVIRONMENTAL**
11 **AND NATURAL RESOURCES MANAGEMENT, CONSERVATION,**
12 **AND UTILIZATION, OF ATLEAST FIVE (5) YEARS IN THE CASE**
13 **OF THE PROVINCIAL OR CITY ENVIRONMENT AND NATURAL**
14 **RESOURCES OFFICER, AND THREE (3) YEARS IN THE CASE OF**
15 **THE MUNICIPAL ENVIRONMENT AND NATURAL RESOURCES**
16 **OFFICER.**

17 **THE APPOINTMENT OF THE ENVIRONMENT AND**
18 **NATURAL RESOURCES OFFICER IS OPTIONAL FOR**
19 **PROVINCIAL, CITY, AND MUNICIPAL GOVERNMENTS.**

21 **THE APPOINTMENT OF THE ENVIRONMENT AND NATURAL**
22 **RESOURCES OFFICER, AND THREE (3) YEARS IN THE CASE OF**
23 **THE MUNICIPAL ENVIRONMENT AND NATURAL RESOURCES**

1 **(B) THE ENVIRONMENT AND NATURAL RESOURCES**

2 **MANAGEMENT OFFICER SHALL TAKE CHARGE OF THE**

3 **OFFICE ON ENVIRONMENT AND NATURAL RESOURCES AND**

4 **SHALL:**

5

6 **(1) FORMULATE MEASURE FOR THE**

7 **CONSIDERATION OF THE SANGGUNIAN AND**

8 **PROVIDE TECHNICAL ASSISTANCE AND SUPPORT**

9 **TO THE GOVERNOR OR MAYOR, AS THE CASE**

10 **MAY BE, IN CARRYING OUT MEASURES TO**

11 **ENSURE THE DELIVERY OF BASIC SERVICES AND**

12 **PROVISION OF ADEQUATE FACILITIES RELATIVE**

13 **TO ENVIRONMENT AND NATURAL RESOURCES**

14 **SERVICES AS PROVIDED FOR UNDER SECTION 17**

15 **OF THIS CODE;**

16 **CONSIDERATION OF THE SANGGUNIAN AND**

17 **PROVIDE TECHNICAL ASSISTANCE AND SUPPORT**

18 **(2) DEVELOP PLANS AND STRATEGIES AND UPON**

19 **APPROVAL THEREOF, BY THE GOVERNOR OR**

20 **MAYOR, AS THE CASE MAY BE, IMPLEMENT THE**

21 **SAME, PARTICULARLY THOSE WHICH HAVE TO**

22 **DO WITH ENVIRONMENT AND NATURAL**

1 **RESOURCES PROGRAMS AND PROJECTS WHICH**
2 **THE GOVERNOR OR MAYOR IS EMPOWERED TO**
3 **IMPLEMENT AND WHICH THE SANGGUNIAN IS**
4 **EMPOWERED TO PROVIDE FOR UNDER THIS**
5 **CODE;**

6
7 **(3) IN ADDITION TO THE FOREGOING DUTIES AND**
8 **FUNCTIONS, THE ENVIRONMENT AND NATURAL**
9 **RESOURCES OFFICER SHALL:**

10 **(I) ESTABLISH, MAINTAIN, PROTECT AND**
11 **PRESERVE COMMUNAL FORESTS,**
12 **WATERSHEDS, TREEPARKS, MANGROVES,**
13 **GREENBELTS AND SIMILAR FOREST**
14 **PROJECTS AND COMMERCIAL FOREST, LIKE**
15 **INDUSTRIAL TREE FARMS AND AGRO-**
16 **FORESTRY PROJECTS;**

17
18 **(II) PROVIDE EXTENSION SERVICES TO**
19 **BENEFICIARIES OF FOREST DEVELOPMENT**
20 **PROJECTS AND TECHNICAL, FINANCIAL AND**
21 **INFRASTRUCTURE ASSISTANCE;**

22
23 **GREENBELTS AND SIMILAR FOREST**
24 **PROJECTS AND COMMERCIAL FOREST, LIKE**
25 **INDUSTRIAL TREE FARMS AND AGRO-**
26 **FORESTRY PROJECTS;**

27
28 **(III) PROVIDE EXTENSION SERVICES TO**
29 **BENEFICIARIES OF FOREST DEVELOPMENT**

1 **(III) MANAGE AND MAINTAIN SEED BANKS**
2 **AND PRODUCE SEEDLINGS FOR FOREST AND**
3 **TREE PARKS;**

4 **(IV) PROVIDE EXTENSION SERVICES TO**
5 **BENEFICIARIES OF FOREST DEVELOPMENT**
6 **PROJECTS AND RENDER ASSISTANCE FOR**
7 **NATURAL RESOURCES-RELATED**
8 **CONSERVATION AND UTILIZATION ACTIVITIES**
9 **CONSISTENT WITH ECOLOGICAL BALANCE;**

10 **(V) PROMOTE THE SMALL-SCALE MINING AND**
11 **UTILIZATION OF MINERAL RESOURCES,**
12 **PARTICULARLY MINING OF GOLD;**

13 **(VI) COORDINATE WITH GOVERNMENT**
14 **AGENCIES AND NON-GOVERNMENTAL**
15 **ORGANIZATIONS IN THE IMPLEMENTATION OF**
16 **MEASURES TO PREVENT AND CONTROL LAND,**
17 **AIR AND WATER POLLUTION WITH THE**
18 **ASSISTANCE OF THE DEPARTMENT OF**
19 **ENVIRONMENT AND NATURAL RESOURCES;**

20 **(4) BE IN THE FRONTLINE OF THE DELIVERY OF**
21 **SERVICES CONCERNING THE ENVIRONMENT AND**

1 **NATURAL RESOURCES, PARTICULARLY IN THE**
2 **RENEWAL AND REHABILITATION OF THE**
3 **ENVIRONMENT DURING AND IN THE AFTERMATH OF**
4 **MAN-MADE AND NATURAL CALAMITIES AND**
5 **DISASTERS;**

6 **(5) RECOMMEND TO THE SANGGUNIAN AND ADVISE**
7 **THE GOVERNOR OR MAYOR, AS THE CASE MAY BE,**
8 **ON ALL MATTERS RELATIVE TO THE PROTECTION,**
9 **CONSERVATION MAXIMUM UTILIZATION**
10 **APPLICATION OF APPROPRIATE TECHNOLOGY AND**
11 **OTHER MATTERS RELATED TO THE ENVIRONMENT**
12 **AND NATURAL RESOURCES;**

13 **(C) EXERCISE SUCH OTHER POWERS AND PERFORM**
14 **SUCH OTHER DUTIES AND FUNCTIONS AS MAY BE**
15 **PRESCRIBED BY LAW OR ORINANCE."**

16 **Sec. 6. Repealing Clause.** – All laws, decrees, executive orders
17 and regulations, issuances or parts thereof inconsistent with his
18 Act are hereby repealed or amended accordingly.

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

1 Approved,

2