



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

EIGHTEENTH CONGRESS  
First Regular Session



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**COMMITTEE REPORT NO. 276**

Submitted by the Committees on Social Services, Appropriations and Ways and Means on

MAR 05 2020

Re: House Bill No. 6506

Recommending its approval in substitution of House Bills Numbered 3424 and 4796

Sponsors: Representatives Sandra Y. Eriguel, M.D., Sabiniano S. Canama, Isidro T. Ungab  
and Joey Sarte Salceda

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Mr. Speaker:

The Committees on Social Services, Appropriations, and Ways and Means, to which  
were referred House Bill No. 3424 introduced by Representative Alfred Vargas, entitled:

**AN ACT STRENGTHENING THE REGULATION OF SOCIAL WELFARE  
AND DEVELOPMENT AGENCIES**

and House Bill No. 4796 introduced by Representatives Sandra Y. Eriguel, M.D. and  
Sabiniano S. Canama, entitled:

**AN ACT ESTABLISHING A COMPREHENSIVE SYSTEM FOR  
REGISTRATION AND LICENSING OF SOCIAL WELFARE AND  
DEVELOPMENT AGENCIES AND ACCREDITATION OF  
SOCIAL WELFARE AND DEVELOPMENT PROGRAMS AND  
SERVICES, AND APPROPRIATING FUNDS THEREFOR**

have considered the same and recommend that the attached House Bill No. 6506,  
entitled:


**AN ACT ESTABLISHING A COMPREHENSIVE SYSTEM FOR THE  
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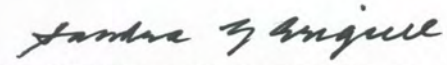
be approved in substitution of House Bills Numbered 3424 and 4796 with Representatives  
Sandra Y. Eriguel, M.D., Sabiniano S. Canama, Alfred Vargas, Paz C. Radaza, Emmarie  
M. Ouano-Dizon, Diego C. Ty, Angelo Marcos-Barba, Ma. Victoria V. Umali, Carmelo  
"Jon" B. Lazatin II, France L. Castro, Hector S. Sanchez, Rommel Rico T. Angara, Jocelyn  
P. Tulfo, Juliet Marie De Leon-Ferrer, Vincent France D. Frasco and Jose Christopher Y.  
Belmonte as authors thereof.

Respectfully submitted,



**HON. ISIDRO T. UNGAB**

Chairperson  
Committee on Appropriations 



**HON. SANDRA Y. ERIGUEL, M.D.**

Chairperson  
Committee on Social Services



**HON. JOEY SARTE SALCEDA**

Chairperson  
Committee on Ways and Means

THE HONORABLE SPEAKER  
HOUSE OF REPRESENTATIVES  
Quezon City



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

EIGHTEENTH CONGRESS  
First Regular Session

**HOUSE BILL NO. 6506**  
(in substitution of House Bills Numbered 3424 and 4796)

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Introduced by Representatives Sandra Y. Eriguel, M.D., Sabiniano S. Canama, Alfred Vargas, Paz C. Radaza, Emmarie M. Ouano-Dizon, Diego C. Ty, Angelo Marcos Barba, Ma. Victoria V. Umali, Carmelo “Jon” B. Lazatin II, France L. Castro, Hector S. Sanchez, Rommel T. Angara, Jocelyn P. Tulfo, Juliet Marie De Leon-Ferrer, Vincent France D. Frasco and Jose Christopher Y. Belmonte

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**AN ACT**  
**ESTABLISHING A COMPREHENSIVE SYSTEM FOR THE REGISTRATION AND**  
**LICENSING OF SOCIAL WELFARE AND DEVELOPMENT AGENCIES AND**  
**ACCREDITATION OF SOCIAL WELFARE AND DEVELOPMENT PROGRAMS AND**  
**SERVICES, AND APPROPRIATING FUNDS THEREFOR**

**ARTICLE I**

**GENERAL PROVISIONS**

**SECTION 1. *Short Title.*** – This Act shall be known as the “Social Welfare and Development Agencies Act.”

**SEC. 2. *Declaration of Policy.*** – The State acknowledges the important role that the private sector plays in the delivery of social welfare and development programs and services to the public. Towards this end, the State shall ensure that social welfare and development programs and services in the public and private sectors comply with national standards and adhere to the principles of human rights. The State shall set standards, register, license, accredit, and monitor social welfare and development agencies, service providers, groups or organizations engaged in social welfare and development activities. It shall also provide appropriate consultative mechanisms to enable mutual beneficial engagements of the private sector and its counterparts in government to set social welfare and development priorities, identify areas where synergies are

possible, and jointly develop standards that meet the challenges and demands of the services they provide to the poor, the vulnerable, the marginalized, the disadvantaged, and the underprivileged sectors of Philippine society.

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

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

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

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

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

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

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

(3) Women;

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

(5) Senior citizens or older persons;

(6) Dysfunctional families;



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

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

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

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

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

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

(g) *Social Welfare and Development Agency (SWDA)* refers to a nonstock, nonprofit, public or private corporation, implementing or intending to implement, mainly or generally, social welfare and development programs and services in the Philippines, either directly or indirectly, and assessed as having the capacity to operate administratively, technically and financially to serve the poor, the vulnerable, the marginalized, the disadvantaged, and the underprivileged beneficiaries as defined in this Act;

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

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



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

## 6 ARTICLE II

### 7 SOCIAL WELFARE AND DEVELOPMENT AGENCIES

8 SEC. 5. *Classification of SWDAs.* – An SWDA may either be a Social Welfare Agency or  
9 an Auxiliary SWDA.

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

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

16 (2) Community-based Agency. – An SWA that implements community-based or street-  
17 based programs and services delivered to beneficiaries while in their home or in the community  
18 such as those in senior citizens centers, day-care centers and vocational rehabilitation centers.  
19 These programs and services include sponsorship or scholarship programs, assistance to victims  
20 of disasters, and social services to individuals and families; or

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

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

29 (1) People's Organization. – An SWDA with a *bona fide* association of citizens with  
30 identifiable leadership, membership, and structure, that has demonstrated its capacity to promote

1 the public interest and engage in social welfare and development activities. They include  
2 federation of senior citizens, youth organizations, and associations of women and PWDs;

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

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

11 SEC. 6. *Service Delivery Modes.* – Social welfare and development programs and services  
12 may be delivered in any of the following modes:

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

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

26 SEC. 7. *Administration and Management.* – An SWDA is managed by individuals whose  
27 qualifications meet the criteria set under the rules and regulations to be issued to implement the  
28 provisions of this Act. It may be operated by:

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



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

3 At least sixty percent (60%) of the seats in the Board of Trustees of SWDAs operated by  
4 nonstock and nonprofit corporations must be held by Filipinos.

5 SEC. 8. *Salaries, Wages and Other Benefits.* – All SWDAs shall comply with existing and  
6 relevant labor laws and regulations regarding the salaries, wages, and benefits of employees,  
7 provided these are within the minimum standards set by the Civil Service Commission (CSC)  
8 and the Department of Labor and Employment (DOLE). In the absence of a standard salary  
9 scale for social workers and other social welfare and development workers of the SWDAs, the  
10 pay scale set by the CSC and the DOLE, in consultation with the Department of Budget and  
11 Management (DBM), shall be followed.

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

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

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

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

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



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

### 3 ARTICLE III

#### 4 REGISTRATION, LICENSING, AND ACCREDITATION

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

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

12 (1) Certified true copy of registration with the SEC or the CDA;

13 (2) At least two (2) years approved work and financial plan for the implementation of its  
14 programs and services indicating the planned activities and corresponding amount of funds and  
15 sources of donations;

16 (3) The names of qualified technical and administrative staff and a copy of their licenses or  
17 certificates of professional eligibilities as well as an agency guide that outlines its operations; and

18 (4) Other documentary requirements, as provided for under existing laws, rules, and  
19 regulations, as may be deemed necessary to ensure the welfare and safety of its beneficiaries and  
20 staff.

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

23 (1) A manual of operation or handbook of its programs and administrative policies,  
24 procedures and strategies to attain its purposes; and

25 (2) Diagram of physical facilities, including location map and other documents showing  
26 ownership or legal custody of property where the SWDA shall operate from.

27 (d) For an SWDA which has been in operation for at least two (2) years at the time of the  
28 application for registration, it shall submit at least one (1) year audited financial report, in  
29 addition to the abovementioned requirements.

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

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

5 (b) Certification showing that it employs the necessary number of registered social  
6 workers, community development workers, and other employees trained on specific programs  
7 and services to be implemented, and a copy of their respective licenses or certificates of  
8 professional eligibilities: *Provided,* That the requirement for social workers and other  
9 professionals shall depend on the nature of the social welfare programs and services; and

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

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

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

20 SEC. 14. *Accreditation.* – All social welfare and development programs and services of  
21 registered and licensed SWAs shall be accredited by the DSWD or its authorized intermediaries  
22 not later than one (1) year after the issuance of a license to operate. A SWA must comply with  
23 the standards on accreditation set by the DSWD on administration and organization, program  
24 management, case management, helping strategies or interventions, physical structures and  
25 safety, and client protection policy prior to the accreditation of its programs and services.

26 SEC. 15. *Fees and Charges.* – All applications for registration, license, and accreditation  
27 shall be charged with corresponding fees to be determined by the DSWD. The fees and charges  
28 shall be deposited with the National Treasury.



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

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

#### 9 ARTICLE IV

#### 10 BENEFITS AND PRIVILEGES OF SOCIAL 11 WELFARE AND DEVELOPMENT AGENCIES

12 SEC. 17. *Benefits and Privileges of Registered SWDAs.* – A registered SWDA is entitled to  
13 the following benefits and privileges:

- 14 (a) Inclusion in the DSWD's directory of registered, licensed, and accredited SWDAs;  
15 (b) Technical assistance in the areas of capability building, packaging of project proposal,  
16 provision of program materials and skills enhancement to strengthen program and service  
17 implementation; and  
18 (c) Other benefits and privileges as may be deemed appropriate by the DSWD.

19 SEC. 18. *Benefits and Privileges of Licensed SWAs.* – In addition to the benefits and  
20 privileges of a registered SWDA, a licensed SWA is entitled to the following benefits and  
21 privileges:

- 22 (a) DSWD's endorsement to the DOF for duty- and tax-free importation of foreign  
23 donations subject to compliance with the prescribed requirements;  
24 (b) Resource augmentation for program implementation, subject to compliance with the  
25 requirements as may be established by the DSWD; and  
26 (c) Other benefits and privileges as may be deemed appropriate by the DSWD.

27 SEC. 19. *Benefits and Privileges of Accredited SWAs.* – In addition to the benefits and  
28 privileges of registered SWDAs and licensed SWAs, an accredited SWA is entitled to the  
29 following benefits and privileges:

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

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

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

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

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

15 (f) Nomination of board members, employees, or volunteer workers to participate as  
16 presentors or resource speakers in local or foreign trainings or conferences;

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

18 (h) Cash incentives;

19 (i) DSWD's endorsement of the SWA as an agency for research and for other learning  
20 opportunities such as *Lakbay Aral*; and

21 (j) Other benefits and privileges as may be deemed appropriate by the DSWD.

22 SEC. 20. *Tax Exemption.* – All grants, bequests, endowments, donations, and contributions  
23 made to the registered, licensed, and accredited SWDA that will be used actually, directly and  
24 exclusively by the said SWDA are exempt from donors' tax and the same shall be considered as  
25 allowable deduction from the gross income of the donor for purposes of computing the donor's  
26 taxable income in accordance with the provisions of the National Internal Revenue Code of  
27 1997, as amended.

28 A foreign donation to a registered, licensed, and accredited SWDA, upon certification by  
29 the DOF, shall be exempted from the payment of taxes and customs duties in accordance with  
30 the provisions of Republic Act No. 10863, otherwise known as the "Customs Modernization and  
31 Tariff Act (CMTA)."



1 ARTICLE V

2 OTHER REGULATORY POWERS AND  
3 FUNCTIONS OF THE DSWD

4 SEC. 21. *Monitoring and Evaluation of SWDAs.* – The DSWD shall conduct monitoring  
5 and evaluation including spot visits to all SWDAs at least once a year or as the need arises to  
6 ensure that their social welfare and development programs and services are implemented as  
7 planned. The result of monitoring and evaluation shall be used to address problems and issues  
8 and to provide the framework for interventions of the DSWD.

9 SEC. 22. *Dissolution of SWDAs.* – Any of the following acts or omissions is a ground for  
10 the voluntary or involuntary termination of operation or dissolution or closure of SWDAs:

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

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

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

21 SEC. 23. *Deputation of Intermediaries.* – Authorized intermediaries may be deputized by  
22 the DSWD to conduct an assessment of the operation of an SWDA and social welfare and  
23 development workers for purposes of registration, licensing, and accreditation. The DSWD shall  
24 provide transportation or subsidy allowance to deputized intermediaries in accordance with the  
25 rules and regulations of the COA. Further, the DSWD shall provide continuous capacity-building  
26 activities to the deputized intermediaries.

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

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

ARTICLE VI  
COMPLAINTS AGAINST SOCIAL WELFARE  
AND DEVELOPMENT AGENCIES

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

- (a) Report of an authorized personnel or office of the DSWD based on the assessment and monitoring of the compliance with program and service standards;
- (b) Report from an SWDA's clients or beneficiaries;
- (c) Verbal information from a person, group, or organization;
- (d) Signed and unsigned letters, documents or reports;
- (e) Printed materials or articles in newspapers, magazines and similar publications;
- (f) Information sent or received through broadcast or electronic media and information and communication devices such as text messages, emails and posts in the social media; or
- (g) Other sources of information such as minutes of meetings, consultations, and fora.

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

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

- (a) Offended party;
- (b) Parent or legal guardian of a client;



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

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

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

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

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

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

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

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

23 SEC. 28. *Procedures.* – The procedures in handling and resolving of complaints and  
24 appeals by the FORC and the CORC shall be made in accordance with the existing rules and  
25 procedures of the DSWD.

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

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

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

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

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

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

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

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

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

15 (b) Noncompliance with social case management standards;

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

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

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

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

23 (g) Other causes as may be determined by the DSWD.

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

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

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

30 (c) Cessation of operation as SWDA;



- 1 (d) Mismanagement of funds;  
2 (e) Falsification of the requirements for registration, licensing, and accreditation;  
3 (f) Revocation of its registration from juridical personality by the SEC or other regulatory  
4 agencies;  
5 (g) Noncompliance of SWDAs on the agreed action plan during the accreditation  
6 assessment for two (2) consecutive monitoring visits with interval of six (6) months by the  
7 DSWD; or  
8 (h) Other causes as may be determined by the DSWD.

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

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

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

## 21 ARTICLE VII

### 22 STRENGTHENING THE STANDARDS BUREAU OF DSWD

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

1        SEC. 35. *Functions of the Standards Bureau.* – The Standards Bureau shall perform the  
2 following duties and functions:

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

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

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

10        (d) License social welfare agencies;

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

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

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

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

20        (i) Identify other benefits and incentives for registered, licensed, and accredited SWDAs;  
21 and

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

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

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

30        (b) Standards Compliance Division (SCD). – The SCD shall process and assess  
31 applications for registration, licensing, and accreditation of SWDAs and service providers,



1 ensure their compliance to the implementation of the social welfare and development programs  
2 and services and determine the benefits that shall accrue to licensed and accredited service  
3 providers and SWDAs. It shall also enforce regulatory policies, including the imposition of the  
4 necessary penalties, on unregistered and unlicensed SWDAs and service providers whose  
5 certificates of registration, accreditation, and licenses have expired.

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

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

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

## 25 ARTICLE VIII

### 26 ENFORCEMENT AND PENALTIES FOR VIOLATIONS

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

29 SEC. 40. *Immunity of Officer or Staff.* – The duly authorized officer or staff of the DSWD  
30 or of any of the law enforcement agencies involved in the implementation and enforcement of



1 this Act who are found to have acted in accordance with the due process clause of the  
2 Constitution shall be exempted from any civil, criminal, and administrative liability.

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

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

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

14 If the offender is a government official or employee of the DSWD or any government  
15 agency, the offender shall be penalized in accordance with civil service rules and regulations.

## 16 ARTICLE IX 17 FINAL PROVISIONS

18 SEC. 42. *Appropriations.* – The Secretary of Social Welfare and Development shall  
19 include in the DSWD's programs the implementation of this Act, the initial funding of which  
20 shall be charged against the current year's appropriations of the DSWD. Thereafter, the amount  
21 necessary for its continued implementation shall be included in the annual General  
22 Appropriations Act.

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

26 The DSWD shall notify all registered and licensed SWDAs in writing about the  
27 implementation of this Act within one hundred twenty (120) days from its effectivity. Upon



1 compliance with the requirements, a new registration or license to operate shall be issued to  
2 them.

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

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

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

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

18 Approved,

## **FACT SHEET**

**House Bill No. \_\_\_\_\_**  
(in substitution of House Bills Numbered 3424 and 4796)

### **“AN ACT ESTABLISHING A COMPREHENSIVE SYSTEM FOR THE REGISTRATION AND LICENSING OF SOCIAL WELFARE AND DEVELOPMENT AGENCIES AND ACCREDITATION OF SOCIAL WELFARE AND DEVELOPMENT PROGRAMS AND SERVICES, AND APPROPRIATING FUNDS THEREFOR”**

*Introduced by: REPS. SANDRA Y. ERIGUEL, M.D., SABINIANO S. CANAMA, ALFRED VARGAS, PAZ C. RADAZA, EMMARIE M. OUANO-DIZON, DIEGO C. TY, ANGELO MARCOS BARBA, MA. VICTORIA V. UMALI, CARMELO “JON” B. LAZATIN II, FRANCE L. CASTRO, HECTOR S. SANCHEZ, ROMMEL RICO T. ANGARA, JOCELYN P. TULFO, JULIET MARIE DE LEON-FERRER, VINCENT FRANCE D. FRASCO AND JOSE CHRISTOPHER Y. BELMONTE*

*Committee Referral: **COMMITTEE ON SOCIAL SERVICES**  
Committee Chairperson: **REP. SANDRA Y. ERIGUEL, M.D.***

#### **OBJECTIVES:**

- To establish a comprehensive system of registration and licensing of social welfare and development agencies and accreditation of social welfare and development programs and services;
- To ensure effectiveness, efficiency, and accountability in the delivery of quality social welfare and development programs and services; and
- To reinforce the regulatory functions of the Department of Social Welfare and Development (DSWD) over agencies and organizations engaged in social welfare and development activities.

#### **KEY PROVISIONS:**

- Defines a Social Welfare and Development Agency (SWDA) as a non-stock, non-profit public or private corporation, implementing or intending to implement, mainly or generally, social welfare and development programs and services in the Philippines, either directly or indirectly, and assessed as having the capacity to operate administratively, technically and financially to serve the poor, the vulnerable, the marginalized, the disadvantaged, and the underprivileged beneficiaries as defined in the Act;
- Excludes from the coverage of the Act those organizations that were established by a treaty or other instruments governed by international law or possessing their own international legal personality;
- Provides for two main classifications of SWDAs: (1) social welfare agency (SWA); and (2) auxiliary SWDA;



- Stipulates the requirements for the registration and licensing of an SWDA as well as for the accreditation of social welfare and development programs and services;
- Mandates the DSWD to register and license SWDAs and accredit social welfare and development programs and services;
- Authorizes the DSWD to collect application fees for registration, licensing, and accreditation;
- Grants benefits and privileges to registered SWDAs and to licensed and accredited SWAs;
- Exempts from the payment of taxes and customs duties, any foreign donation made to registered, licensed and accredited SWDAs;
- Exempts from donor's tax all grants, bequest, endowments, donations and contributions made to registered, licensed and accredited SWDAs if these are used actually, directly and exclusively by the said SWDA;
- Grants other regulatory powers and functions to the DSWD such as monitoring and evaluation of SWDAs and dissolution of SWDAs;
- Prescribes the procedures in handling and resolving of complaints against erring SWDAs;
- Provides for the grounds for suspension, revocation of license, or closure of an SWDA;
- Strengthens the Standards Bureau of the DSWD by expanding its functions and establishing regional counterparts;
- Directs the DSWD to promulgate the implementing rules and regulations, in consultation with concerned government agencies and the coalition of SWDAs;
- Penalizes SWDAs operating without registration or license with a fine of not less than P100,000.00 but not more than P500,000.00 or imprisonment ranging from one (1) to three (3) years at the discretion of the court; and
- Charges against the current year's appropriations of the DSWD the initial funding for the implementation of the Act and provides that the succeeding amount necessary for its continued implementation shall be included in the annual General Appropriations Act of the year following its enactment into law.

#### **RELATED LAWS:**

- Republic Act No. 4373 otherwise known as "An Act to Regulate the Practice of Social Work and the Operation of Social Work Agencies in the Philippines."
- Republic Act No. 5175 otherwise known as "An Act to Amend Republic Act 4373."
- Republic Act No. 10847 entitled "An Act Lowering The Age Requirement For Applicants Taking The Board Examination For Social Workers, Providing For Continuing Social Work Education, And Upgrading The Sundry Provisions Relative To The Practice Of Social Work."