

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 4244



Introduced by Hon. Francis Gerald Aguinaldo Abaya

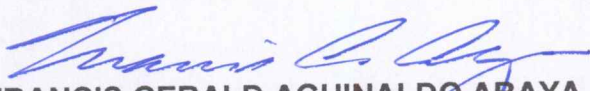
EXPLANATORY NOTE

As enshrined in Article II, Section 1 of the 1987 Constitution, it is a fundamental state principle that the Philippines is a democratic and republican state. The provision further states that sovereignty resides in the people and all government authority emanates from them.

The concept of public participation provides that those who are affected by decisions or policies have a right to be involved in the decision-making process. It helps empower the individual citizen and is aligned with the state principle of democracy.

This bill seeks to provide a means for direct people participation in local government units (LGUs) through the creation of people's councils. By allowing civil society participation in governance and decision-making processes, local government units are better equipped to deal with issues. Civil societies become partners in determining key development programs, serving as firsthand sources in determining which problems need immediate attention. The LGUs also stand to benefit by having access to talent and resources they would not otherwise have.

In view of the foregoing, immediate approval of this bill is earnestly sought.


FRANCIS GERALD AGUINALDO ABAYA
Representative, First District, Cavite

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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.

Be it enacted by the Senate and 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 of 2019"

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

13
14 **SEC. 3. *Definition of Terms.*** - For the purposes of this Act:

15 a) Civil Society Organization (CSO) refers to any organized citizens' group
16 including People's Organizations (POs) and Non-Government Organizations
17 (NGOs) such as community groups, labor unions, indigenous groups,
18 charitable organizations, faith-based organizations, professional associations,
19 and foundations;

20 b) Local Sanggunian refers to the local legislative body either specifically
21 the Sangguniang Panglungsod for cities or the Sangguniang Bayan for
22 municipalities;

23 c) People's Organization refers to a bona fide cooperative or association of
24 citizens organized for purposes not contrary to law with demonstrated capacity

1 to promote the public interest and with identifiable leadership, membership, and
2 structure with none of its officers and members occupying elective government
3 positions.
4

5 **SEC. 4. Registration of CSOs.** - Any CSO in active operation for at least one
6 year may be registered in their respective city or municipality where they conduct their
7 operations and where majority of their members reside. Registration will be approved
8 by the Local Sanggunian, upon submission or compliance of the following
9 requirements:

10 a) Proof of existence and operation in the respective city or municipality they
11 are applying in for at least one year prior to the application for registration;

12 b) Proof of activities held in pursuit of developmental objectives or of
13 organizational activities conducted;

14 c) Program of activities planned for the year following the date of application
15 for registration,

16 d) Copies of its constitution, by-laws and/or articles of incorporation;

17 e) Lists of its officers and members of good standing and their respective
18 addresses;

19 f) Financial statement and declaration of assets and liabilities, and

20 g) Board resolution manifesting a decision to register and participate under
21 this Act.

22 A CSO whose application for registration has been approved shall be issued a
23 certificate of registration containing, among others, the terms and conditions for the
24 maintenance of its registered status.

25 The Local Sanggunian, however, may from time to time, and in consultation
26 with the Local People's Council, impose such other requirements and conditions for
27 registration as it may deem appropriate to best adhere to the principles of this Act.

28 Any CSO already accredited by the Local Government prior to the effectivity of this
29 Act need not register for purposes of this Act, unless its accreditation has in the
30 meantime been withdrawn.
31

32 **SEC. 5. Registration Deemed Inactive.** - A registered CSO is required to
33 submit, by January 31 of every year, a list of accomplishments of the previous year
34 and its plans for the current year. Any CSO who fails to comply for two (2) consecutive
35 years, shall automatically have its registration deemed inactive.

36 Any CSO whose registration has been deemed inactive may not avail of the
37 Rights and Privileges of registered CSOs contained in Section 7 of this Act. CSOs may
38 reactivate their registration upon submission of documents they lack.
39

40 **SEC. 6. Committee on Registration of CSOs.** - There shall be a Committee
41 on Registration of CSOs in each Local Sanggunian of all cities and municipalities. It is
42 mandated to perform the following functions:

43 a) Receive and process applications for registration;

44 b) Monitor compliance with the conditions for registration, and

1
2 c) Initiate legislative measures for the effective performance of its tasks.

3 The Local People's Council, once formally organized, shall be entitled to a two-
4 seat representation in the Committee
5

6 **SEC. 7. Rights and Privileges of Registered CSOs.** - Registered CSOs may
7 enjoy the following rights and privileges:

8 a) Enter into joint ventures and other cooperative undertakings with the
9 Local Government to engage in the delivery of certain basic services, capability-
10 building and livelihood projects;

11 b) Develop local enterprises designed to improve productivity and income,
12 diversify agriculture, spur rural industrialization, promote ecological balance,
13 and enhance the economic and social well-being of the people within the
14 framework of equitable and sustainable development;

15 c) Receive assistance from the Local Government for economic, socially-
16 oriented, environmental, good governance, or cultural projects to be
17 implemented within their territorial jurisdiction;

18 d) Join and become part of the Local People's Council.
19

20 **SEC. 8. Creation of Local People's Councils.** - A Local People's Council,
21 composed of accredited CSOs, shall be created. For this purpose, the Committee on
22 Registration of CSOs of each Local Sanggunian shall, not later than ninety (90) days
23 from the effectivity of this Act, call for a convention of all accredited CSOs to facilitate
24 the formal organization of the Local People's Council. Thereafter, the organized group
25 shall file a petition for recognition to the Local Sanggunian.

26 A Local People's Council shall be formally created upon approval by the Local
27 Sanggunian of the petition for recognition
28

29 **SEC. 9. Structure and Rules of the Local People's Council.** - Each Local
30 People's Council shall determine its own organizational structures and internal rules,
31 but shall at all times provide for adequate consultation mechanisms for purposes of
32 obtaining the views and suggestions of all political parties or movements, government
33 employees' organizations, other non-accredited but legitimate CSOs, and accredited
34 CSOs which are not members of the Council;

35 *Provided*, that no political party, government employees' organization or non-
36 registered CSOs may be nominated by the Council for membership in the LGU's
37 special bodies nor may they be granted the rights and privileges of accredited CSOs
38 under this Act; and,

39 *Provided further*, that no provision herein shall be interpreted to prohibit the
40 Council from changing its name or from being organized for purposes other than those
41 indicated in this Act.
42

43 **SEC. 10. Recognition of the Local People's Council by the Local**
44 **Sanggunian.** - Only one Local People's Council shall be recognized by each Local

1 Sanggunian. The Local Sanggunian is mandated to award recognition to a People's
2 Council within thirty days from the filing of a petition for recognition.

3
4 **SEC. 11. *Withdrawing Recognition of the Local People's Council.*** - The
5 Local Sanggunian can withdraw the recognition granted to the Local People's Council,
6 only upon action of a petitioner, and based on the following grounds:

7 a) That the Local People's Council allowed itself or any of its member
8 organizations to engage primarily in, or to be used primarily for, partisan political
9 activities;

10 b) Other grounds to be provided for in the Implementing Rules and
11 Regulations of this Act.

12 The Local Sanggunian shall not entertain and exercise jurisdiction over internal
13 and/or inter-organizational conflicts within the Local People's Council.

14
15 **SEC. 12. *Powers and Responsibilities of the Local People's Council.*** -
16 Upon recognition, the Local People's Council may, in accordance with its policies and
17 internal rules, exercise the following powers and responsibilities:

18 a) Elect or appoint, from among its member organizations, its
19 representatives to all Local Government bodies, boards, councils, committees,
20 task forces special government bodies and other similar work groups which the
21 Local Government or national laws may hereinafter create. Member
22 organizations elected or appointed to represent the Local People's Council shall
23 have the sole prerogative to choose, from among their bona fide members, the
24 persons who shall sit in the boards, councils, committees, task forces and/or
25 special bodies concerned. Unless otherwise provided herein, such
26 representatives shall not exceed twenty five (25) percent of the membership of
27 the board, council, committee, task force or special body;

28 b) Participation of the Local People's Council or any of its member
29 organization in the conception, implementation and evaluation of government
30 activities and functions shall be without compensation or remuneration. The
31 Local Government, however, shall provide for the necessary office spaces,
32 facilities and/or equipment for said participation of the Council;

33 c) Representatives of the Local People's Council may observe, vote and
34 participate in the deliberation, conceptualization, implementation and
35 evaluation of projects, activities and programs of the Local Government,
36 propose legislations and participate and vote at the committee level of the Local
37 Sanggunian.

38 d) The Local People's Council shall also elect a representative for the
39 provincial level.

40
41 **SEC. 13. *Creation of a Provincial People's Council.*** - A Provincial People's
42 Council shall be created and recognized by the Sangguniang Panlalawigan. The
43 Provincial People's Council shall be composed of all representatives to the provincial
44 level from the Local People's Councils within the Province's jurisdiction.

1
2 The Provincial People's Council shall elect, from within its ranks, a
3 representative who will sit on the Sanggunian Panlalawigan and shall exercise the
4 duties and powers of a Provincial Board member.
5

6 **SEC. 14. *Non-Partisan Nature of the Local and Provincial People's Council***

7 - The Local or Provincial People's Council shall not engage in, or allow itself or its
8 member organizations to be used for purposes of partisan politics and shall adopt such
9 measures to ensure that it is adequately shielded from any political partisanship or
10 influence.

11 For purposes of this Act, partisan politics shall refer to any activity statement or
12 manifestation which solely or primarily serves to campaign for or against any particular
13 political party or any candidate for any elective public office.
14

15 **SEC. 15. *Amendment of the Composition of Local Government Units.* -**

16 The existing compositions of the committees, boards, councils, task forces, special
17 bodies of all Local Governments are hereby amended and modified to accommodate
18 the membership and participation therein of the Local People's Council or its
19 representatives as herein mandated.
20

21 **SEC. 16. *Right to Self-Organization.* -** Pursuant to to Article XIII, Section 15
22 of the Constitution, CSOs are recognized as independent and autonomous self-help
23 organizations. They are encouraged to organize into formal cooperatives, labor union,
24 interest groups, non-government organizations, sectoral organizations and/or people's
25 organizations in furtherance of their constitutionally mandated role of enabling the
26 people to pursue and protect, within the democratic framework, their legitimate and
27 collective interests and aspirations through peaceful and lawful means.

28 Furthermore, the Department of Local and Interior Government (DILG) and LGUs are
29 mandated to assist, and support efforts of the people towards self-organization to
30 address their common concerns, to promote their common welfare, and/or to serve
31 their localities or their communities and interests.
32

33 **SEC. 17. *Funding.* -** The funds needed for the capacity building of CSOs shall
34 be included in the annual budget of the DILG. The funds necessary for the
35 maintenance and operational expenses of Local People's Council, in relation to
36 participation in local governance, shall be included in the annual budgets of respective
37 LGUS.
38

39 **SEC. 18. *Information Boards And Suggestion Boxes.* -** Information boards
40 and suggestion boxes shall be provided, maintained and controlled by the Local
41 Government Unit in each barangay, at the public plazas, city hall compound, public
42 markets, schools, government offices, and at such public places accessible to the
43 people, which boards and boxes shall be other than those maintained by the
44 barangays and the national government, and shall be controlled solely by the Local

1 Government Unit.

2 Local Governments are mandated to respond within 15 working days to the
3 suggestions filed by citizens in suggestion boxes.
4

5 **SEC. 19. *Implementing Rules and Regulations.*** - Within one hundred twenty
6 (120) days from the effectivity of this Act, the DILG, LGUs, in consultation with CSOs
7 that have experience working with Local Governments, shall determine effective ways
8 and methods for the implementation of this Act and craft the Implementing Rules and
9 Regulations.
10

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

15 **SEC. 21. *Repealing Clause.*** - All laws, presidential decrees, executive orders,
16 proclamations and/or administrative regulations, which are inconsistent with the
17 provisions of this Act are hereby amended, modified, superseded or repealed
18 accordingly.
19

20 **SEC. 22. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after
21 its publication in the Official Gazette or at least two newspapers of general circulation.
22

23 Approved.