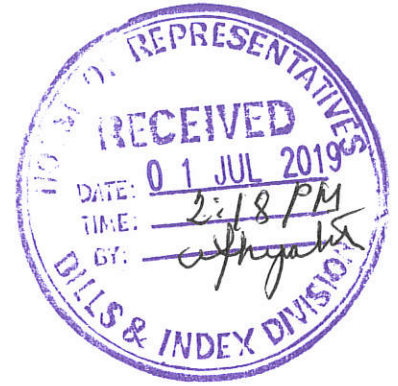


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session



House Bill Number 467

Introduced by: Rep. PRESLEY C. DE JESUS (*PHILRECA Partylist*)

AN ACT MODIFYING THE QUALIFICATIONS FOR AND CREATING A SCREENING COMMITTEE IN THE ELECTION OR APPOINTMENT OF THE DIRECTORS AND OFFICERS OF ELECTRIC COOPERATIVES, AMENDING FOR THE PURPOSE SECTIONS 26-A AND 26-B OF PRESIDENTIAL DECREE NO. 269 AS AMENDED BY REPUBLIC ACT NO. 10531, OTHERWISE KNOWN AS THE NATIONAL ELECTRIFICATION ADMINISTRATION REFORM ACT OF 2013

EXPLANATORY NOTE

To ensure long-term business and economic viability of electric cooperatives, and guarantee strict compliance to the modified minimum qualifications of an electric cooperative director and/or officer as prescribed in Republic Act No. 10531 and its Implementing Rules and Regulations, it is proposed to create a multisectoral committee that will screen the candidacy, election, or appointment of its directors and officers.

This bill intends to create a screening committee with representations from the business community, civil society, and religious community, all within its franchise area. Qualifications and disqualifications parameters currently in effect as framed under Republic Act 10531 are hereby modified and amended.

The passage of the bill is earnestly sought.


Rep. PRESLEY C. DE JESUS
PHILRECA Party-List

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NATIONAL ELECTRIFICATION ADMINISTRATION REFORM ACT OF 2013***

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

SECTION 1. Section 26-A of Presidential Decree No. 269, as amended, otherwise known as the "National Electrification Administration Decree", shall be amended to read as follows and the subparagraphs renumbered accordingly: "SEC. 26-A. Independence of the Board of Directors and Officers of Electric Cooperatives. – To ensure the long-term business and economic viability of electric cooperatives, the management, operations and strategic planning of electric cooperatives shall, as much as practicable, be insulated from local politics. "Towards this end, no person shall be elected or appointed as an officer or be eligible to run as a board member of an electric cooperative if: "(a) [such] THE person [or his or her spouse] holds any [public] ELECTIVE office ABOVE THE POSITION OF BARANGAY CAPTAIN; "(b) [such] THE person or [his or her] THE PERSON'S spouse has been a candidate in

the last preceding local or national elections; "x x x "(g) such person is employed by or financially interested in a competing enterprise or a business selling electric energy or electrical hardware to the cooperative or doing business with the cooperative, including the use or rental of poles."

SEC. 2. Section 26-B of Presidential Decree No. 269, as amended by Republic Act No. 10531, is hereby further amended to read as follows: "SEC. 26-B. Fit and Proper Rule. – To ensure that the management and operations of electric cooperatives are carried out with due regard to its economic viability AND THE INDEPENDENCE OF THE BOARD AND OFFICERS OF ELECTRIC COOPERATIVES IS UPHELD, the NEA shall [prescribe, pass upon and review the qualifications and disqualifications of individuals appointed or elected to electric cooperatives and disqualify those found unfit.] CREATE A SCREENING COMMITTEE IN EACH OF THE ELECTRIC COOPERATIVES DISTRICT WHICH SHALL BE COMPOSED OF THE FOLLOWING:

"(A) REGIONAL DIRECTOR OF THE CDA OR THE DULY AUTHORIZED REPRESENTATIVE OF THE REGIONAL DIRECTORS, AS CHAIRPERSON; "(B) REPRESENTATIVE FROM THE BUSINESS COMMUNITY; "(C) REPRESENTATIVE FROM THE ACADEME; "(D) REPRESENTATIVE FROM THE CIVIL SOCIETY BASED IN THE REGION; AND "(E) REPRESENTATIVE FROM THE RELIGIOUS COMMUNITY. "REPRESENTATIVES FROM THE PRIVATE SECTOR SHALL BE APPOINTED BY THE CHAIRPERSON, UPON NOMINATION BY THEIR RESPECTIVE GOVERNMENT ACCREDITED ORGANIZATIONS. THE CHAIRPERSON SHALL ALSO APPOINT ONE OF THE PRIVATE SECTOR REPRESENTATIVES AS VICE CHAIRPERSON. "[A candidate's] THE SCREENING COMMITTEE SHALL CONSIDER THE integrity, experience, education, competence and probity [shall be considered] in determining whether [he or she] THE CANDIDATE shall be fit and proper to become a director or officer of the electric cooperative. "[For this purpose, the minimum qualifications of a] A director or officer of the electric cooperative shall [be as follows] MEET THE FOLLOWING QUALIFICATIONS: "(a) [He or she is] MUST BE a Filipino citizen; "[b) He or she is a graduate of a four(4)-year course;] "(B) MUST BE ABLE TO READ AND WRITE; "(C) MUST POSSESS A FIVE (5)-YEAR EXPERIENCE IN ANY FIELD OF EXPERTISE

OR PROFESSION; “[c] (D) [He or she is between] MUST BE AT LEAST twenty-one (21) [and seventy (70)] years old[,] on the date of election;

“[d] (E) [He or she is] MUST BE of good moral character; “[e] (F) [He or she is] MUST BE a member of the electric cooperative in good standing [for the last five (5) years immediately] preceding the election or appointment; “[f] (G) [He or she is] MUST BE an actual resident and consumer in the district [that he or she seeks] to BE representED for at least two (2) years immediately preceding the election; and “[g] (H) [He or she has] MUST HAVE attended at least two (2) Annual General Membership Assemblies (AGMA) for the last five (5) years immediately preceding the election or appointment. “The NEA may, after due notice to the board of directors and officers of the electric cooperative, disqualify, suspend or remove any director or officer, who commits any act which renders him unfit for the position.”

SEC. 3. Implementing Rules and Regulations. – Within sixty (60) days from the effectivity of this Act, the NEA shall formulate the necessary rules and regulations to implement this Act.

SEC. 4. Separability Clause. – If any part or section of this Act is declared unconstitutional, such declaration shall not affect in any manner other parts or sections hereof.

SEC. 5. Repealing Clause. – All laws, decrees, proclamations, issuances, or ordinances that are contrary to or inconsistent with the provisions of this Act are hereby amended, repealed or modified accordingly.

SEC. 6. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,