

Republic of the Philippines
House of Representatives
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

438
HOUSE BILL NO. _____

HOUSE OF REPRESENTATIVES

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**Introduced by Hon. Anthony M. Bravo
and Hon. Sabiniano S. Canama
COOP-NATCCO PARTYLIST**

EXPLANATORY NOTE

The natural disasters that assaulted our beloved country brought us many learnings that will forever mark an imprint in our hearts. With thousands dead and millions homeless and displaced, it has become an urgency for the government to establish the Department of Social and Welfare and Development in such a manner that it will be coordinated, swift and resilient to serve magnitudes of people at a shorter period of time. There is a need to coordinate and strengthen these public and private service providers.

This bill aims to set standards, register, license, accredit, and monitor social welfare and development service providers, agencies, groups or organizations engaged in social welfare and development activities and provide appropriate consultative mechanisms and necessary assistance to them to ensure their compliance with the set standards and cope with the challenges and demands of providing social welfare and development services to the poor, the vulnerable, the marginalized, the disadvantaged and underprivileged sectors of Philippine society.

Although the vulnerability of our country to be exposed to great danger, be it man-made or natural, will never be prevented, but the impact on the lives of the people affected will at least be sustained if we know that there is a holistic approach in standard setting and coordination of social welfare and development activities through the DSWD. It is for this reason that the approval of this bill is immediately sought.


HON. ANTHONY M. BRAVO


HON. SABINIANO S. CANAMA

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

SEVENTEENTH CONGRESS
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House Bill No. **438**

**Introduced by Hon. Anthony M. Bravo
and Hon. Sabiniano S. Canama
COOP-NATCCO PARTYLIST**

**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**

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

**ARTICLE I
GENERAL PROVISIONS**

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

SEC. 2. *Declaration of Policy.* – It is the policy of the State to 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. Towards this end, the State shall set standards, register, license, accredit, and monitor social welfare and development service providers, agencies, groups or organizations engaged in social welfare and development activities. It shall also provide appropriate consultative mechanisms to ensure their compliance with standards and shall assist them so they can cope with 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 accessing of resources between and among them for the upliftment of the poor, the disadvantaged, the marginalized, the vulnerable and the underprivileged individuals, families, groups, and communities in the country.

SEC. 3. Coverage. – This Act shall apply to all social welfare and development service providers including individuals, public and private groups, associations and organizations that are engaged in or want to engage in social welfare and development activities.

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 disadvantaged, the marginalized, the vulnerable 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, such as children in conflict with the law and children involved in armed conflict;
- (2) Out-of-school youth and other youth with special needs;
- (3) Women in especially difficult circumstances;
- (4) Persons with disabilities (PWDs);
- (5) Senior citizens;
- (6) Marginalized and disadvantaged individuals, families, and communities, including indigenous peoples, people living with human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS), those in crisis situation and internally displaced due to armed conflict and other developmental projects; and
- (7) Victims of natural and human-induced calamities or disasters;

(c) *Dissolution* refers to voluntary or involuntary termination of operation of SWDAs as provided under Section 25 of this Act;

(d) *Intermediaries* refer to persons, groups, networks of SWDAs, or LGUs trained, accredited, and authorized by the Department of Social Welfare and Development (DSWD) to perform specific functions in the process of registration, licensing and accreditation;

(e) *Licensing* refers to the provision of a permit and a legal authority to SWDAs to operate as social welfare agency, after having met or complied with the minimum standard requirements provided under this Act;

(f) *Operation* refers to either direct or indirect implementation of social welfare and development programs and services by an SWDA within a specified geographical coverage or place over a period of time using its own or tapped resources and conduits;

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

(h) *Registration* refers to the official recognition of the operation of an SWDA within the purview of social welfare and development through the issuance of a certificate of registration by the DSWD and inclusion in the directory of SWDAs, after having complied with the set requirements of the DSWD;

(i) *Revocation* refers to the cancellation of the registration, license and accreditation certificates of an SWDA for the commission of any of the grounds as provided under Sections 33 and 35 of this Act;

(j) *Social services* refer to organized activities that are primarily and directly addressed to disadvantaged individuals or groups, to maximize their social functioning;

(k) *Social welfare* refers to an organized system of programs and services designed to aid individuals, groups, and communities to attain improved quality of life and well-being in harmony with the needs of their family and community;

(l) *Social welfare and development agency (SWDA)* refers to a nonstock, nonprofit corporation, organization, or association engaged in providing, directly or indirectly, social welfare and development programs and services, and obtains its finances either totally or in part, from any government agency or instrumentality, whether foreign or local, or from the community by direct or indirect solicitations, and other fund-generating activities authorized by law;

(m) *Social welfare and development worker* refers to social workers or other professionals who are engaged in the delivery of social welfare and development programs and services and are accredited by the DSWD, including social workers managing court cases, marriage and pre-marriage counselors, and day care workers;

(n) *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;

(o) *Suspension* refers to the temporary cessation of operation as a form of penalty imposed to an SWDA for commission of any of the grounds stipulated under Sections 33 and 34 of this Act; and

(p) *Unregistered SWDAs* refer to agencies or organizations that provide direct or indirect social welfare and development programs and services without registration and license to operate from the DSWD.

ARTICLE II SOCIAL WELFARE AND DEVELOPMENT AGENCIES

SEC. 5. *Classifications of SWDAs.* – An SWDA shall be classified as a Social Welfare Agency or an auxiliary SWDA.

A Social Welfare Agency (SWA) employs social workers, community development workers, and other qualified paraprofessionals who have related trainings and experiences that directly provide restorative, preventive, and developmental programs and services to the poor, the vulnerable, the marginalized, the disadvantaged, and the underprivileged individuals, families, groups, or communities.

An auxiliary SWDA provides supportive activities in the delivery of social welfare and development programs and services to the poor, the vulnerable, the marginalized, the disadvantaged, and the underprivileged sectors.

SEC. 6. *Classifications of a Social Welfare Agency (SWA).* – An SWA shall be classified as follows:

(a) Residential based agency – An SWA that provides twenty-four (24)-hour residential care services for the marginalized sector including the abandoned, neglected, or voluntarily committed children, women, persons with disabilities (PWDs), and older persons;

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

(c) Child placing agency – An SWA that receives and processes applications of the prospective foster or adoptive parents and facilitates placement of children eligible for foster care or adoption.

SEC. 7. *Classifications of an Auxiliary SWDA.* – An auxiliary SWDA shall be classified as follows:

(a) People's organization – An SWDA with a *bona fide* association of citizens with identifiable leadership, membership, and structure, that has demonstrated its capacity to promote the public interest and engage in social welfare and development activities. They include federation of senior citizens, youth organizations, and associations of women and PWDs;

- (b) Resource agency – An SWDA that provides tangibles such as funds, food, clothing, medicines, and shelter; or intangibles such as knowledge and skills to help various SWDAs achieve their goals in providing social welfare and development services for their beneficiaries; or
- (c) Social welfare and development network – A group of SWDAs such as a coalition, alliance or federation that organized themselves for a common goal in promoting social protection of the poor, the vulnerable, the marginalized, the disadvantaged, and the underprivileged groups.

SEC. 8. *Service Delivery Modes.* – Social welfare and development programs and services shall be delivered in the following modes:

- (a) Residence-based mode refers to the programs and services where group care is provided to residents under the guidance of a trained staff and within a structured therapeutic environment with the objective of reintegrating a person with the family or community or, in case of children, until such time when a better alternative parental care is provided. This program may also be provided for those children pursuing formal education away from their family; and
- (b) Community-based mode refers to programs and services rendered when the helping process takes place in the community as the primary client system or when social welfare and development activities are provided to individuals, groups, or families while they remain in their homes. It is characterized by interaction between the client and worker in the community in relation to the resolution of identified problems and concerns. These include senior citizens center, day care center, drop-in center, vocational rehabilitation center, sponsorship or scholarship program, alternative placement service, assistance to victims of disaster, and social services to individuals and families, while in their home or in the community.

SEC. 9. *Administration and Management.* – An SWDA shall be managed by individuals whose qualifications meet the criteria set under the rules and regulations to be issued to implement this Act. It may be operated by NGAs, LGUs, government-owned and -controlled corporations (GOCCs), state universities or colleges (SUCs), private individuals, educational institutions, civic organizations, or faith-based organizations as part of their extension services or social welfare activities or projects. For SWDAs operated by private institutions, educational institutions, or faith-based organizations, at least sixty percent (60%) of its board of trustees shall be Filipinos.

SEC. 10. *Salaries, Wages and Other Benefits.* – All SWDAs shall comply with existing and relevant labor laws and regulations regarding the salaries, wages, and benefits of employees, provided these are within the minimum standards set by the Civil Service Commission (CSC) and the Department of Labor and Employment (DOLE). The standard salary scale for social

workers and other social welfare and development workers of the SWDAs shall be set by the CSC and the DOLE, in consultation with the Department of Budget and Management (DBM).

SEC. 11. *Operating Expenses.* – An SWDA shall utilize at least eighty percent (80%) of its funds for direct social welfare and development programs and services and not more than twenty percent (20%) shall be expended for administrative concerns. Funds of the SWDA shall be deposited in the name of the organization in a banking institution regulated by the Bangko Sentral ng Pilipinas. Financial transactions, books of accounts and other reports shall be available to the public, agency staff, and other concerned individuals or agencies for transparency and monitoring purposes.

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

SEC. 12. *Limitations on the Use of SWDA Funds.* – Funds or donations in kind generated by the SWDA shall inure only for the benefit of the beneficiaries and the operating expenses of the SWDA.

SEC. 13. *Submission of Reports.* – Each SWDA shall submit to the DSWD an annual accomplishment and financial report duly audited by an external certified public accountant or a representative from the Commission on Audit (COA) and other reports as may be required by the DSWD.

Financial reports of SWDAs whose total income and expenditures are less than five hundred thousand pesos (P500,000.00) shall be audited by its internal auditor.

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

ARTICLE III REGISTRATION, LICENSING, AND ACCREDITATION

SEC. 14. *Registration.* – An SWDA shall first register with the Securities and Exchange Commission (SEC) or Cooperative Development Authority (CDA) for purposes of establishing their juridical personality. The SWDA shall then apply for registration with the DSWD not later than six (6) months from the issuance of the certificate of registration from the said government agencies.

The requirements for registration of an SWDA with the DSWD are the following:

- (a) Certified true copy of registration with the SEC or the CDA;
- (b) Manual of operation or handbook of its programs and administrative policies, procedures and strategies to attain its purposes;

- (c) At least two (2) years approved Work and Financial Plan for the implementation of its programs and services indicating the planned activities and corresponding amount of funds and sources of donations;
- (d) At least one (1) year audited financial report for an SWDA which is in operation for at least two (2) years upon application for registration;
- (e) Diagram of physical facilities which shall be designed to promote the safety and security of its beneficiaries and staff, including location map and other documents showing ownership or legal custody of property where the SWDA shall operate from; and
- (f) The names of qualified technical and administrative staff and a copy of their licenses or certificates of professional eligibilities.

SEC. 15. *Licensing.* – All SWAs shall comply with the following licensing requirements:

- (a) Documentation showing that it is engaged in social welfare and development programs and services;
- (b) Certification showing that it employs the necessary number of registered social workers, community development workers, and other employees trained on specific programs and services to be implemented, and a copy of their respective licenses or certificates of professional eligibilities; and
- (c) Certification of the record of cases it managed or is currently managing and social welfare and development programs and services implemented.

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

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

SEC. 17. *Accreditation.* – All social welfare and development programs and services of registered and licensed SWAs shall be accredited by the DSWD or its authorized intermediaries not later than one (1) year after the issuance of a license to operate. An SWA must have complied with the standards set by the DSWD on administration and organization, program management, case management, helping strategies or interventions, physical structures and safety, and client protection policy prior to the accreditation of its programs and services.

SEC. 18. *Fees and Charges.* – All applications for registration, license, and accreditation shall be charged with corresponding fees to be determined by the DSWD. The fees and charges shall be deposited with the National Treasury.

SEC. 19. *Validity.* – The certificate of registration and license to operate of an SWA shall be valid for five (5) years. The accreditation certificate however, shall be valid for three (3) to five (5) years consistent with the accreditation standards of the DSWD.

The existing certificate shall remain valid until the DSWD has acted on an application for renewal. The DSWD shall act on the application for renewal of registration, license, and accreditation not later than one hundred (100) working days after submission of complete requirements by the SWDA.

ARTICLE IV
BENEFITS AND PRIVILEGES
OF SOCIALWELFARE AND DEVELOPMENT AGENCIES

SEC. 20. *Benefits and Privileges of Registered SWDAs.* – A registered SWDA shall be entitled to the following:

- (a) Inclusion in the directory of registered, licensed, and accredited SWDAs;
- (b) Technical assistance in the areas of capability building, packaging of project proposal, provision of program materials and skills enhancement to strengthen program and service implementation;
- (c) Endorsement to other government agencies on the availment of missionary or working visas of foreign board members, employees, or volunteers subject to eligibility requirements for securing visas;
- (d) Endorsement to the Department of Finance (DOF) for duty-free importation of foreign donations subject to compliance with the set requirements; and
- (e) Other benefits and privileges deemed appropriate by the DSWD.

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

- (a) Endorsement to the DOF for duty and tax-free importation of foreign donations subject to compliance with the set requirements;
- (b) Resource augmentation for program implementation, subject to compliance with the requirements as may be established by the DSWD; and
- (c) Other benefits and privileges deemed appropriate by the DSWD.

SEC. 22. *Benefits and Privileges of Accredited SWAs.* – In addition to the benefits and privileges of registered SWDAs and licensed SWAs, an accredited SWA shall be entitled to the following:

- (a) Endorsement to the DOF for donee institution status and other relevant tax incentives as provided by law;
- (b) Endorsement for resource augmentation or other assistance from any government agency or private donor subject to compliance to set criteria;
- (c) Endorsement to utility service providers for the grant of at least fifty percent (50%) discount on the cost of electricity, water consumption, and telephone service to the residential care, group homes, and community center-based facilities that are operated exclusively for the beneficiaries subject to the set requirements of the utility service providers;
- (d) Endorsement to concerned government agencies and private establishments for at least fifty percent (50%) discount for the processing of documents of intended beneficiaries such as birth registration, passport, safety certificates, among others, for residential care and community-based SWA facilities;
- (e) Assistance in establishing linkages with local, national, and international organizations and networks for the generation and sharing of resources;
- (f) Nomination of board members, employees, or volunteer workers to participate as presentors or resource speakers in local or foreign trainings or conferences;
- (g) Plaque of recognition as a model SWDA;
- (h) Cash incentive depending on the availability of funds;
- (i) Endorsement of the SWA as a model where research on the operations of the SWA and other activities such as trainings and Lakbay Aral programs may be conducted; and
- (j) Other benefits and privileges deemed appropriate by the DSWD.

SEC. 23. *Tax Exemption.* – The importation of foreign donations made to a registered, licensed, and accredited SWDA upon certification by the DOF shall be exempt from customs duties in accordance with the provisions of the Tariff and Customs Code of the Philippines, as amended. All grants, bequests, endowments, donations, and contributions made to the registered, licensed, and accredited SWDA to be used actually, directly and exclusively by the said SWDA shall be exempt from donor's tax and the same shall be considered as allowable deduction from the gross

income of the donor for purposes of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

ARTICLE V OTHER REGULATORY POWERS AND FUNCTIONS OF THE DSWD

SEC. 24. *Monitoring and Evaluation of SWDAs.* – The DSWD shall conduct monitoring and evaluation of all SWDAs every six (6) months to one (1) year to ensure that their social welfare and development programs and services are implemented as planned. The result of monitoring and evaluation shall be used to address problems and issues and to provide the framework for interventions of the DSWD.

SEC. 25. *Dissolution of SWDAs.* – Any of the following shall be a ground for dissolution or closure of an SWDA:

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

The constitution and bylaws or articles of incorporation of SWDAs shall explicitly state that in case of dissolution, the assets, after payment of all financial liabilities, shall be utilized for social welfare and development activities. In the absence of bylaws or articles of incorporation, the DSWD shall issue recommendatory guidelines in the disposition of the assets of the dissolved or closed SWDAs.

SEC. 26. *Recommendation to Obtain Donee Institution Status.* – The DSWD shall be the only agency authorized to recommend or endorse to the DOF the conferment of a donee institution status and the grant of other tax benefits to accredited SWDAs.

SEC. 27. *Deputation of Intermediaries.* – Authorized intermediaries may be deputized by the DSWD to conduct assessment of SWDAs and social welfare and development workers for purposes of registration, licensing, and accreditation. The DSWD shall provide those deputized with transportation or subsidy allowance in accordance with the rules and regulations of the COA.

Further, the DSWD shall provide continuous capacity building activities to the deputized intermediaries.

SEC. 28. *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 or revoke the registration, license, and accreditation certificates and close the facilities in coordination with the concerned law enforcement agencies without prejudice to the filing of criminal or civil case against erring officials and personnel.

ARTICLE VI

COMPLAINTS AGAINST SOCIAL WELFARE AND DEVELOPMENT AGENCIES

SEC. 29. *Complaints.* – In handling complaints against an SWDA for any 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 standard compliance and program and service implementation;
- (b) Report from the 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 communications technology devices such as text messages and email; or
- (g) Other sources of information such as minutes of meeting, consultation, and fora.

In the case of a verbal or unsigned complaint, the DSWD shall conduct a validation on alleged violations or actions of the SWDA being reported. If and when this is not possible, these shall be documented by the receiving personnel or office of the DSWD. Documented information and printed materials shall be dealt with according to the procedures in handling complaints or information.

SEC. 30. *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;
- (c) Ascendant or collateral relative of the client, such as a child within the third degree of affinity or consanguinity;
- (d) Duly authorized officer or social worker of the DSWD;
- (e) Officer, social worker, or representative of a registered, licensed, and accredited SWDA;
- (f) Barangay chairman or other local government official; or
- (g) Person who has personal knowledge of the acts complained about or reported for action.

SEC. 31. *Review Committee.* – There shall be a Field Office Review Committee and a Central Office Review Committee to handle cases and resolve complaints against SWDAs, whether they are registered or unregistered, licensed or unlicensed, or accredited. For complaints and violations involving any SWDA operating in one or more regions, the Field Office Review Committee that has jurisdiction over the areas where the cases happened shall have exclusive jurisdiction in handling and resolving the said complaints or violations. The decisions, orders or

findings of the Field Office Review Committee shall be appealable to the Central Office Review Committee.

The composition of the Field Office Review Committee and the Central Office Review Committee shall be determined by the DSWD: *Provided*, That there shall be two (2) representatives from licensed and accredited SWDAs who are members of the network organized by the DSWD. The representatives shall be provided with subsidy or transportation allowances in accordance with the rules and regulations of the COA.

SEC. 32. *Procedures.* – The procedures in handling and resolving of complaints and appeals by the Field Office Review Committee and the Central Office Review Committee shall be made in accordance with the existing rules and procedures of the DSWD.

SEC. 33. *Suspension, Revocation or Closure.* – The certificates of registration, license, or accreditation issued to an SWDA shall be suspended or revoked if, after due process, the DSWD finds that the SWDA has failed to perform its functions or has violated existing laws, rules and regulations.

In case of revocation, the DSWD shall, after two (2) consecutive notices, close the SWDA. Likewise, the DSWD shall close unregistered or unlicensed SWDAs. The suspension, revocation of license or closure of an SWDA shall be without prejudice to the filing of criminal or civil case under existing laws. When an SWDA is under suspension, it shall neither accept nor admit any additional clients and shall be under close supervision and monitoring by the DSWD.

SEC. 34. *Grounds for Suspension.* – The grounds for suspension of an SWDA shall include the following:

- (a) Insolvency or inability to continue support and maintain its operation or to perform the functions for which it was granted registration and license;
- (b) Noncompliance with social case management standards;
- (c) Poor sanitation of facilities and surroundings rendering these unfit for clientele;
- (d) Violation of the SWDA's constitution and bylaws;
- (e) Failure to submit annual accomplishment and audited financial reports for two (2) consecutive years;
- (f) Failure to apply for accreditation or renewal of accreditation after two (2) consecutive notifications and monitoring visits and technical assistance every six (6) months by the DSWD or authorized intermediaries; or
- (g) Other causes as may be determined by the DSWD.

SEC. 35. *Grounds for Revocation of License.* – The grounds for revocation of license of an SWDA shall include the following:

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

- (b) Neglect, exploitation, and abuse of SWDA clients;
- (c) Cessation of operation as SWDA;
- (d) Mismanagement of funds;
- (e) Falsification of the requirements for registration, licensing, and accreditation;
- (f) Revocation of its registration from juridical personality by the SEC or other regulatory agencies;
- (g) Noncompliance of SWDAs on the agreed action plan during the accreditation assessment for two (2) consecutive monitoring visits with interval of six (6) months by the DSWD; or
- (h) Other causes as may be determined by the DSWD

ARTICLE VII IMPLEMENTATION OF THE LAW AND RULE MAKING AUTHORITY

SEC. 36. *Implementing Rules and Regulations.* – The Secretary of the Social Welfare and Development shall, in consultation with the Secretary of Finance, the Secretary of Justice, the Secretary of the Interior and Local Government, the Secretary of Labor and Employment, the Secretary of Budget and Management, the Chairperson of the CSC, the Chairperson of the COA, the Chairperson of the SEC, the Director-General of the Philippine National Police (PNP), the Director of the National Bureau of Investigation (NBI), the Commissioner of the Bureau of Immigration (BI), and other concerned government agencies, as well as three (3) representatives from any of the coalition of SWDAs or social welfare and development workers, shall promulgate the necessary rules and regulations within ninety (90) working days from the effectivity of this Act. The DSWD shall issue such other policies and procedures necessary to carry out the provisions of this Act.

SEC. 37. *Assistance from Law Enforcement Agencies.* – Law enforcement agencies such as the PNP, the NBI, and the BI shall provide assistance to the DSWD in the enforcement of this Act.

SEC. 38. *Immunity of Officer or Staff.* – The duly authorized officer or staff of the DSWD and law enforcement agency involved in the implementation and enforcement of this Act who acted in accordance with the due process clause of the Constitution shall be exempt from any civil, criminal, and administrative liability.

ARTICLE VIII FINAL PROVISIONS

SEC. 39. *Penalties.* – Any person, group, or organization that shall operate as an SWDA without registration or license shall be penalized with a fine of not less than one hundred thousand pesos (P100,000.00) but not more than five hundred thousand pesos (P500,000.00) or an imprisonment

ranging from one (1) year to three (3) years at the discretion of the court. The penalties shall be without prejudice to the seizure of equipment, instruments and other facilities of the SWDA.

If the offender is a corporation, organization, or any similar entity, the officials or employees thereof directly involved shall be liable therefore.

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

SEC. 40. *Transitory Provision.* – All SWDAs required to be registered or licensed under this Act but currently operating without registration from the DSWD shall have a period of one (1) year from the effectivity of this Act to apply for registration or license to operate with the DSWD. Likewise, within sixty (60) days from the effectivity of this Act, the DSWD shall notify all registered and licensed SWDAs on the implementation of this Act. Upon compliance of required documents, new registration and license to operate shall be issued.

SEC. 41. *Appropriations.* – The Secretary of Social Welfare and Development shall include in the DSWD's programs the implementation of this Act, the initial funding of which shall be charged against the current year's appropriations of the DSWD. Thereafter, the amount necessary for its continued implementation shall be included in the annual General Appropriations Act.

SEC. 42. *Separability Clause.* – If any provision or part of this Act is declared unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 43. *Repealing Clause.* – All laws, decrees, letters of instruction, executive issuances, resolutions, orders or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

SEC. 44. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,