

EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE

Senate Bill No. 692



Senate

Office of the Secretary

'19 JUL 22 P3:55

Introduced by Senator FRANCIS N. PANGILINAN

RECEIVED BY: [Signature]

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

EXPLANATORY NOTE

Republic Act No. 7160, otherwise known as the Local Government Code of 1991 (LGC), fully recognizes the vital role of people's organizations, non-government organizations, and the private sector in the arduous task of nation-building. It is the policy of the state "to conduct periodic consultations with appropriate local government units, nongovernmental and people's organizations, and other concerned sectors of the community before any project or program is implemented."¹

Unfortunately, after more than two decades after the passage of the LGC, the participation of people's organizations, non-government organizations, and the private sector in nation-building has yet to be institutionalized.

This bill, first introduced by former Representative and now Vice President Maria Leonor G. Robredo in the 16th Congress, seeks to institutionalize the participation of people's organizations, non-government organizations, and the private sector.

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

FRANCIS N. PANGILINAN

¹ LGC, sec. 2(c).

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ITS POWERS AND FUNCTIONS

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

1 **SECTION 1. Short Title.** – This Act shall be known as the “*The People Empowerment*
2 *Act.*”

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

12 **SEC. 3. Definition of Terms.** – For purposes of this Act:

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

1 (b) The term *Local Sanggunian* refers to the applicable local legislative body,
2 specifically either the Sangguniang Panglungsod for cities or the Sangguniang Bayan for
3 municipalities;

4 (c) The term *People's Organization* or *PO* refers to a bona fide cooperative or
5 association of citizens organized for purposes not contrary to law with demonstrated
6 capacity to promote the public interest and with identifiable leadership, membership,
7 and structure with none of its officers and members occupying elective government
8 positions.

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

13 (a) Proof of existence and operation in the city or municipality they are
14 applying in for at least one year prior to filing the application for registration;

15 (b) Proof of activities held in pursuit of development objectives or of
16 organizational activities concluded;

17 (c) Program of activities planned for one year following the date of application
18 for registration;

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

20 (e) Lists of its officers and members in good standing and their respective
21 addresses;

22 (f) Financial statements and declaration to register and participate under this
23 Act.

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

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

4 Any CSO already accredited by the LGU prior to the effectivity of this Act need not
5 register for purposes of this Act, unless its accreditation has in the meantime been
6 withdrawn.

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

11 Any CSO whose registration has been deemed inactive may not avail of the rights
12 and privileges of registered CSOs contained in Section 7 of this Act. A CSO may
13 reactivate its registration upon submission of the documents it lacks.

14 **SEC. 6. Committee on Registration of CSOs.** – There shall be a Committee on
15 Registration of CSOs in each Local Sanggunian of all cities and municipalities. It is
16 mandated to perform the following functions:

- 17 (a) Receive and process applications for registration;
- 18 (b) Monitor compliance with the conditions for registration; and
- 19 (c) Initiate legislative measures for the effective performance of its tasks.

20 The Local People's Council, once formally organized, shall be entitled to a two-seat
21 representation in the Committee.

22 **SEC. 7. Rights and Privileges of Registered CSOs.** – Registered CSOs may enjoy the
23 following rights and privileges:

- 24 (a) Enter into joint ventures or other forms of undertaking with Local
25 Sanggunian to engage in the delivery of certain basic services, capacity-building, and
26 livelihood projects;

1 (b) Develop local enterprises designed to improve productivity and income,
2 diversity agriculture, spur rural industrialization, promote ecological balance, and
3 enhance the economic and social well-being of the people within the framework of
4 equitable and sustainable development;

5 (c) Receive assistance from the Local Sanggunian for economic, socially-
6 oriented, environmental, good governance, or cultural projects to be implemented within
7 their territorial jurisdiction;

8 (d) Join and become part of the Local People's Council.

9 **SEC. 8. *Creation of Local People's Councils.*** – A Local People's Council, composed
10 of accredited CSOs, shall be created. For its purpose, the Committee on Registration of
11 each Local Sanggunian shall, not later than ninety (90) days from the effectivity of this
12 Act, call for a convention of all accredited CSOs to facilitate the formal organization of
13 the Local People's Council. Thereafter, such group shall file a petition for recognition
14 with the Local Sanggunian.

15 A Local People's Council shall be formally created upon approval by the Local
16 Sanggunian of the petition for recognition.

17 **SEC. 9. *Structure and Rules of the Local People's Council.*** – Each Local People's
18 Council shall determine its own organizational structures and internal rules, but shall at
19 all times provide for adequate consultation mechanisms for purposes of obtaining the
20 views and suggestions of all political parties or movements, government employees'
21 organizations, other non-accredited but legitimate CSOs, and accredited CSOs which are
22 not members of the Council; *Provided*, that no political party, government employees'
23 organization or non-registered CSOs may be nominated by the Council for membership
24 in the LGU's special bodies nor may they be granted the rights and privileges of
25 accredited CSOs under this Act.

26 **SEC. 10. *Recognition of the Local People's Council by the Local Sanggunian.*** – Only
27 one Local People's Council shall be recognized by each Local Sanggunian. The Local

1 Sanggunian is mandated to award recognition to a People's Council within thirty (30)
2 days from the filing of a petition for recognition.

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

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

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

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

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

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

24 (b) Participation of the Local People's Council or any of its member
25 organization in the conception, implementation and evaluation of government activities
26 and functions shall be without compensation or remuneration. The LGU, however, shall

1 provide for the necessary office spaces, facilities and/or equipment for said participation
2 of the Council;

3 (c) Representatives of the Local People's Council may observe, vote and
4 participate in the deliberation, conceptualization, implementation and evaluation of
5 projects, activities and programs of the LGU, propose legislations and participate and
6 vote at the committee level of the Local Sanggunian;

7 (d) The Local People's Council shall also elect a representative for the
8 provincial level.

9 **SEC. 13. *Creation of a Provincial People's Council.*** – A Provincial People's Council
10 shall be created and recognized by the Sangguniang Panlalawigan. The Provincial
11 People's Council shall be composed of all representatives to the provincial level from the
12 Local People's Councils within the province's jurisdiction.

13 The Provincial People's Council shall elect, from within its ranks, a representative
14 who will sit on the Sanggunian Panlalawigan and shall exercise the duties and powers of
15 a Provincial Board member.

16 **SEC. 14. *Non-Partisan Nature of the Local and Provincial People's Council.*** – The
17 Local or Provincial People's Council shall not engage in, or allow itself or its member
18 organizations to be used for purposes of partisan politics and shall adopt such measures
19 to ensure that it is adequately shielded from any political partisanship or influence.

20 For purposes of this Act, partisan politics shall refer to any activity statement or
21 manifestation which solely or primarily serves to campaign for or against any particular
22 political party or any candidates for any elective public office.

23 **SEC. 15. *Amendment of the Composition of LGUs.*** – The existing composition of
24 the committees, boards, councils, task forces, special bodies of all LGUs are hereby
25 amended and modified to accommodate the membership and participation therein of the
26 Local People's Council or its representatives as herein mandated.

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

8 Furthermore, the Department of Local and Interior Governance (DILG) and LGUs
9 are mandated to assist, and support efforts of the people towards self-organization to
10 address their common concerns, to promote their common welfare, and/or to serve their
11 localities or their communities and interests.

12 **SEC. 17. Funding.** – The funds needed for the capacity building of CSOs shall be
13 included in the annual budget of the DILG. The funds needed for the capacity building
14 of CSOs shall be included in the annual budget of the DILG. The funds necessary for the
15 maintenance and operational expenses of Local People's Council, in relation to
16 participation in local governance, shall be included in the annual budgets of respective
17 LGUs.

18 **SEC. 18. Information Boards And Suggestion Boxes.** – Information boards and
19 suggestion boxes shall be provided, maintained and controlled by the LGU in each
20 barangay, at the public plazas, city hall compound, public markets, schools, government
21 offices, and at such public places accessible to the people, which boards and boxes shall
22 be other than those maintained by the barangays and the national government, and shall
23 be controlled solely by the LGU.

24 LGUs are mandated to respond within fifteen (15) working days to the suggestions
25 filed by citizens in suggestion boxes.

26 **SEC. 19. Implementing Rules and Regulations.** – Within one hundred twenty (120)
27 days from the effectivity of this Act, the DILG, LGUs, in consultation with CSOs that have

1 experience working with LGUs, shall determine effective ways and methods for the
2 implementation of this Act and craft the implementing rules and regulations of this Act.

3 **SEC. 20. *Separability Clause.*** – If any provision of this Act is declared invalid or
4 unconstitutional, the other provisions not affected by such declaration shall remain in full
5 force and effect.

6 **SEC. 21. *Repealing Clause.*** – All laws, executive orders, administrative orders, and
7 rules and regulations inconsistent with this Act are hereby repealed or amended
8 accordingly.

9 **SEC. 22. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after its
10 complete publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,