

REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC

CITY MAYOR'S OFFICE
RECEIVED
DATE: OCT 24 2014

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
THIRTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL
ORMOC CITY HALL BUILDING
ON OCTOBER 16, 2014



PRESENT:

Hon. Rolando M. Villasencio, (Acting City Vice Mayor & Presiding Officer),
SP Member, Majority Floor Leader
Hon. Mario M. Rodriguez, (Acting Majority Floor Leader),
SP Member, Presiding Officer "Pro-Tempore"
Hon. Ruben R. Capahi, SP Member, Asst. Minority Floor Leader
Hon. Benjamin S. Pongos, Jr., SP Member
Hon. Antonio M. Codilla, SP Member
Hon. Vincent L. Rama, SP Member
Hon. Pedro Godiardo P. Ebcas, SP Member
Hon. Eusebio Gerardo S. Penserga, SP Member
Hon. John Eulalio Nepomuceno O. Aparis II, SP Member
Hon. Mariano Y. Corro, Ex-Officio SP Member
Chapter President, Liga ng mga Barangay ng Ormoc

ON OFFICIAL BUSINESS:

Hon. Tomas R. Serafica, (O.B. - Within Ormoc City), SP Member,
Asst. Majority Floor Leader

ON LEAVE:

Hon. Leo Carmelo L. Locsin, Jr., Vice Mayor & Presiding Officer

PREFATORY STATEMENT

WHEREAS, Article 62 of the Implementing Rules and Regulations (IRR) of Republic Act (RA) 7160, otherwise known as the Local Government Code (LGC) of 1991, states that Local Government Units (LGUs) shall promote the establishment and operation of People's Organizations (POs), Non-Government Organizations (NGOs), and the private sector, to make them active partners in the pursuit of local autonomy. For this purpose, POs, NGOs and the private sector shall be directly involved in the following plans, programs, project or activities of the LGU:

- a. Local Special Bodies;
- b. Delivery of basic services and facilities;
- c. Joint ventures and cooperative programs or undertakings;
- d. Financial and other forms of assistance;
- e. Preferential treatment for organizations and cooperatives of marginal fishermen and farmers.
- f. Preferential treatment for cooperative development; and
- g. Financing, construction, maintenance, operation, and management of infrastructure projects.

WHEREAS, Article 64 of the IRR of the LGC further empowers the local Sanggunian concerned to accredit various NGOs, POs and associations and likewise provide the procedures and guidelines for accreditation thereof;

WHEREAS, in reiteration of the said provisions of the LGC, the Department of the Interior and Local Government (DILG) thru Memorandum Circular (MC) No. 2013-70 dated July 24, 2013, issued clarificatory guidelines relative to the accreditation of Civil Society Organizations (CSOs), and in the selection of representatives to the local special bodies, and to strengthen their participation in local governance and development process;

WHEREAS, Article II, Section 23 of the Philippine Constitution provides that the State shall encourage NGO, community based or sectoral organization that promote the welfare of the nation;

WHEREAS, in line with the aforementioned constitutional provision, Section 34 of the LGC institutionalized the partnership of these organizations and LGUs and Government Organizations (GOs) such as National Government Agencies (NGAs), and Government Owned or Controlled Corporations (GOCCs) to extend funds to the NGOs and/or POs, and in order to provide control and guidance in the granting, utilization, management and recording of such funds, the Commission on Audit (COA) issued Circular Nos. 95-003 and 96-003, 2007-001 dated February 15, 1995, February 27, 1996 and October 25, 2007 respectively;

WHEREAS, with the adoption of the New Government Accounting System (NGAS) in 2002 and the marked increase in the number of NGOs and POs seeking funds, the COA revised the existing guidelines on the matter to ensure conformity to the prescribed NGAS financial accounting procedures for related transactions, put in place the necessary controls in the release and utilization of funds, and promote transparency and accountability, including monitoring of the implementation of projects funded out of the funds granted;

WHEREAS, to eradicate fly by night organizations organized for ulterior or illegal purposes and to identify dormant and idle organizations, it is necessary for the LGU Ormoc to devise a mechanism that can effectively monitor and, whenever possible, properly assist and to strengthen the qualified and accredited CSOs;

WHEREAS, it shall be the prime responsibility of any government to ensure that there is involvement and/or participation of the people in government activities and undertakings for effective and efficient governance;

WHEREFORE, on motion presented by Honorable SP Member Eusebio Gerardo S. Penserga, Chairman, Committee on Accreditation, severally seconded by Honorable SP Members Vincent L. Rama, Antonio M. Codilla and Tomas R. Serafica; be it

RESOLVED, to enact:

ORDINANCE NO. 009

**AN ORDINANCE REGULATING THE ACCREDITATION
OF CIVIL SOCIETY ORGANIZATIONS (CSOs) IN
THE CITY OF ORMOC.**

BE IT ENACTED, by the 13th Sangguniang Panlungsod in session assembled, that:

SECTION 1. TITLE OF THE ORDINANCE. This Ordinance shall be known as the 'Procedure for the Accreditation of Civil Society Organizations (CSOs) in the City of Ormoc.'

SECTION 2. DEFINITION OF TERMS. For purposes of this Ordinance the following terms are defined as follows:

- 2.1 **ACCREDITATION** - The process of granting authorization, within sixty (60) days from the organization of the newly-elected Sangguniang Panlungsod of Ormoc City (SP), to an organization for purposes of representation to a local special body, and additionally, granting privileges as herein provided. An organization may still be accredited after the prescribed sixty (60) day period for purposes other than representation to local special bodies, in accordance with the provisions of this Ordinance.
- 2.2 **ACCREDITED CSO** - is a CSO which has complied with the requirements, met the criteria of this Ordinance and other pertinent laws and regulations, and has been granted accreditation by SP Ormoc.
- 2.3 **CIVIL SOCIETY ORGANIZATION (CSO)** - refers to a non-state and non-profit association that works to improve society and the human condition. Basic types of CSOs are the following:
- 2.3.1 **NON GOVERNMENTAL ORGANIZATION (NGO)** - a non-stock, non-profit organization that works with different sectors and communities, promotes their general welfare and development, provides a wide range of services for people's organizations and tends to operate with a full time staff. Social development organizations, foundations, and independent research institutions fall in this category.
- 2.3.2 **PEOPLE'S ORGANIZATION (PO)** - an association of residents in a barangay, or barangays, established to promote public interest and with an identifiable leadership structure and membership, POs are often formed among the disadvantaged sectors of society such as the farmer-peasants, artisanal fisherfolk, workers in the formal sector and migrant workers, workers in the informal sector, indigenous peoples and cultural communities, women, differently abled persons, senior citizens, victims of calamities and disasters, youth and students, children, and urban poor as defined in Republic Act No. 8425 or the Social Reform and Poverty Alleviation Act of 1997.
- 2.3.3 **INDIGENOUS PEOPLE'S ORGANIZATION (IPO)**- a private, non-profit, voluntary organization of members of indigenous cultural communities (ICCs) or indigenous peoples (IPs), which is accepted as representatives of such ICCs or IPs.
- 2.3.4 **COOPERATIVE** - an autonomous and duly registered association of persons duly registered in accordance with R.A. 6938, otherwise known as the Cooperative Code of the Philippines.
- 2.3.5 **CIVIC ORGANIZATION (CO)**- any local service club, fraternal society or association, volunteer group, or local civic league or association not organized for profit but operated exclusively for educational or charitable purposes, including the promotion of community welfare, and the net earnings of which are devoted exclusively to charitable, educational, recreational or social welfare purposes.
- 2.3.6 **SOCIAL MOVEMENT** - a large informal grouping of individuals or organizations that aims to affect social change through sustained, organized and collective action. Some social movements are not permanent institutions but instead tend to coalesce, pursue their aims, and then dissolve. Religious movements are included in this category.

2.3.7 **PROFESSIONAL GROUP** – a duly incorporated non-stock corporation of registered professionals, established for the benefit and welfare of the professionals of one discipline, for the advancement of the profession itself and for other professional ends.

2.3.8 **BUSINESS GROUP** – a non-stock corporation composed of businesses in the same industry established to pursue the interest of the industry. Chambers of Commerce and Industry Associations fall in this category.

2.4 **RECOGNIZED ORGANIZATION** – an organization allowed by the SP to participate, for purposes of meeting the minimum requirements for membership, in a local special body. An organization may only be recognized if it meets all the criteria except for registration.

2.5 **REGISTERED ORGANIZATION** – an organization that obtains registration from Securities and Exchange Commission, Cooperative Development Authority, Department of Labor and Employment, Department of Agriculture, Department of Agrarian Reform, National Housing Authority, Housing and Land Use Regulatory Board or any national government agency that is empowered by law or policy to accredit or register such organizations, such as the Department of Social Welfare and Development, Department of Health, National Commission on Indigenous Peoples, National Anti-Poverty Commission, Insurance Commission and Philippine Regulatory Commission.

SECTION 3. SCOPE AND COVERAGE. This Ordinance shall cover all CSOs intending to apply for accreditation for any of the following purposes:

1. Seek representation in the local special bodies created by the LGC in LGU Ormoc;
2. Seek representation in the local special bodies created by national laws, local ordinances or executive orders in LGU Ormoc; and,
3. To be given preferential rights and privileges in availing of or receiving funding or other benefits in purely local government programs except when otherwise provided by law.

This Ordinance shall not apply to bilateral or multilateral agreements and arrangements where CSOs have offered to give or provide anything of value by way of sole or exclusive or counterpart funding with LGU Ormoc.

SECTION 4. DECLARATION OF PRINCIPLES. The LGU Ormoc, as a creation of the Sovereign People, shall at all times adhere to the following principles of governance:

- a. The will of the people shall always reign supreme. It shall be the prime responsibility of any government to ensure that such will is at all times manifested and enforced.
- b. The will of the people can best be determined if they organize themselves to address their sectoral or common concerns.
- c. Governance is best effected if its responsibilities are shared by the people. A system of partnership between the governor and the governed shall guarantee that sovereignty effectively resides in the people. To this end, the establishment and operation of POs, NGOs and the private sectors as partners in local and national development is encouraged.

- d. To better enable said POs, NGOs and the private sectors to be effective partners in the pursuit of local autonomy, the SP is empowered to accredit the same and to provide procedures and guidelines relative to the accreditation and selection of their representatives in the local special bodies and for all other legitimate purposes as provided for in this Ordinance.
- e. This Ordinance is likewise a mechanism whereby organizations formed for illegal and immoral purposes are eradicated, and membership to POs, NGOs and the private sector is strengthened.

SECTION 5. FUNCTIONS AND RESPONSIBILITIES OF THE COMMITTEE ON ACCREDITATION. The Committee on Accreditation (Committee) of the SP shall screen and act expeditiously on all applications for accreditation filed by interested CSOs. In pursuance of its mandate, it shall exercise the following functions and responsibilities:

- 5.1 Examine and evaluate all applications for accreditation submitted by the CSOs to the Secretary of SP.
- 5.2 Recommend to the SP a course of action for applications filed before it.
- 5.3 Recommend to the SP the cancellation of existing accreditations of CSOs that shall have been found to have intentionally provided false information in its financial statements, accomplishment reports and such documents submitted to the Committee and/or SP shall have misrepresented in other ways for purposes of acquiring accreditation or renewal of accreditation.
- 5.4 Hold meetings as often as necessary to discuss pertinent matters concerning the validity of CSO documents or for other related purposes.
- 5.5 Endorse validated documents of CSOs to SP for accreditation.
- 5.6 Keep an updated list of recognized and accredited CSOs, as well as that of all applicants whose applications were denied, a copy of said list shall be furnished to and kept by the SP Secretary, and the City Planning and Development Office of LGU Ormoc.

SECTION 6. REQUIREMENTS. Every CSO seeking accreditation shall be required to submit one (1) copy each of the following requirements to the SP:

- 6.1 Application Letter addressed to the SP;
- 6.2 Duly accomplished Accreditation Form.
- 6.3 Board Resolution or any relevant document duly authorizing the representative to apply for the CSO accreditation and signifying intention for accreditation;
- 6.4 Certification of Registration with the Securities and Exchange Commission and/or either the Cooperative Development Authority (CDA), or the Department of Labor and Employment (DOLE), as the case maybe, depending on the nature of service required or to be rendered;
- 6.5 Articles of Incorporation and By- Laws;
- 6.6 List of current officers and members with their mailing addresses;

- 6.7 Annual Accomplishment Report for the immediately preceding year; and
- 6.8 Financial Statement, at the minimum, signed by the executive officers of the organization, also of the immediately preceding year, and indicating therein other information such as the source of funds.

SECTION 7. CRITERIA FOR ACCREDITATION. The SP shall evaluate and accredit the CSOs based on the following criteria:

- 7.1 Registration with the Securities and Exchange Commission, Cooperative Development Authority, Department of Labor and Employment, Department of Agriculture, Department of Agrarian Reform, National Housing Authority, Housing and Land Use Regulatory Board or any national government agency that is empowered by law or policy to accredit or register such organizations, such as the Department of Social Welfare and Development, Department of Health, National Commission on Indigenous Peoples, National Anti-Poverty Commission, Insurance Commission and Philippine Regulatory Board.
- 7.2 Organizational purpose and objectives which include community organization and development, institution-building, local enterprise development, livelihood development capability building or similar development objectives and considerations.
- 7.3 Community-based project development and implementation track record of at least one (1) year.
- 7.4 Reliability as evidenced by the preparation of annual reports and conduct of annual meetings duly certified by the board secretary of the organization.
- 7.5 Such other related information as the SP may deem essential in the evaluation process.

SECTION 8. CERTIFICATE OF ACCREDITATION. If the application is found to be meritorious and in order, a Certificate of Accreditation shall be issued by the SP under the official seal. Further, it shall be conclusive evidence that the CSO therein mentioned is duly accredited unless the accreditation thereof has been revoked or cancelled.

All applications for accreditation that are not acted upon after SIXTY (60) days from the submission of all the required and necessary documents shall be deemed approved, and a corresponding Certificate of Accreditation as defined in the immediately preceding paragraph of this section shall be issued.

SECTION 9. RIGHTS AND PRIVILEGES OF ACCREDITED CSOs. The following rights and privileges shall be enjoyed by a CSO duly accredited in accordance with this Ordinance:

- 9.1 Enter into joint ventures and other cooperative or collaborative undertakings or arrangements with LGU Ormoc for purposes such as engagement in the delivery of certain basic services, capability-building and livelihood projects, development of local enterprises designed to improve productivity and income, diversify agriculture, spur rural industrialization, promotion of ecological balance, and enhancement of the economic and social well-being of the people within the framework of equitable and sustainable development.

- 9.2 Enjoy preference in receiving grants, assistance, financial or the like, from LGU Ormoc for economic, socially oriented, environmental, or cultural projects or programs to be implemented within the territorial jurisdiction of the City, subject to availability of funds and the usual accounting and auditing procedures.
- 9.3 To assert their legitimate role as equal partners in development and have the right to equal access to funding and other resources both local and foreign, without compromising their principle of autonomy.
- 9.4 To have the right to propose and implement alternative development strategies and programs.
- 9.5. To duly represent their sector or industry in local special bodies created in accordance with pertinent laws, ordinances, executive orders, and rules and regulations.

SECTION 10. SUBMISSION OF ANNUAL REPORT AND FINANCIAL STATEMENT. Every accredited CSO shall make and submit to the SP thru the Committee an annual accomplishment report and financial statement of its affairs within SIX (6) months from the closing of its fiscal or calendar year, whichever is applicable, and in accordance with its established accounting practice.

SECTION 11. RENEWAL OF ACCREDITATION. Accreditation issued by the SP shall be valid from the date of issue and until the last day of the term of the SP members during which such accreditation was granted, extended or renewed. Renewals for accreditation will undergo the same process as stated in Sections 6 and 7 of this Ordinance.

SECTION 12. REVOCATION OR CANCELLATION OF ACCREDITATION. Accreditation issued by the SP shall be revoked or cancelled if, after due process of law, the concerned CSO shall commit any of the following:

- a. Engaging in acts or undertakings that are contrary to law, public order, public policy, morals or good customs;
- b. Failure to submit annual accomplishment report and financial statement in accordance with Section 10 hereof;
- c. Intentionally providing false information in its financial statements, accomplishment reports and such documents submitted to the Committee and/or SP, or shall have misrepresented in other ways for purposes of acquiring accreditation or renewal of accreditation; and,
- d. For other analogous cases.

SECTION 13. APPELLATE JURISDICTION. The Secretary of DILG or his duly authorized representative, shall have jurisdiction over appeals from those CSOs which applied but were not accredited by the SP. The appeal shall be filed within fifteen (15) days from receipt of the disapproval. The decision of the DILG Secretary or his duly authorized representative shall be final and executory.

SECTION 14. TRANSITORY PROVISION – All CSOs already extending assistance LGU Ormoc or exercising the privileges granted to accredited CSOs as provided herein on the date of the approval of this Ordinance shall be given SIX (6) months from said date within which to apply for accreditation.

SECTION 15. REPEALING CLAUSE. All ordinances, local rules, orders, and regulations or part thereof contrary or inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 16. SEPARABILITY CLAUSE. If any part or provision of this Ordinance shall be held as unconstitutional or contrary to any existing law or executive order, the other parts or provisions hereof which are not affected thereby shall continue to be in full force and in effect.


SECTION 17. EFFECTIVITY. This Ordinance shall take effect immediately after the compliance of the necessary publication and posting requirements as provided in the LGC.

ENACTED, October 16, 2014.

RESOLVED, FURTHER, that copies of this ordinance be furnished each to the Honorable City Mayor Edward C. Codilla, the City Administrator, the City Legal Officer, the City Planning and Development Office, the City Budget Office, the City Accounting Office, The City Treasurer's Officer, the City Auditor, The City Director-DILG, and others concerned;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.



MARIA ANTONIETA G. CO HAT
(Acting SP Secretary)
Supervising Administrative Officer

ATTESTED:


ROLANDO M. VILLASENCIO
(Acting City Vice Mayor & Presiding Officer)
Majority Floor Leader
SP Member

APPROVED:


EDWARD C. CODILLA
City Mayor


OCT 29 2014
(Date)