



HOUSE OF REPRESENTATIVES

H. No. 6867

BY REPRESENTATIVES PRIMICIAS-AGABAS, CLIMACO, PAEZ, ARQUIZA,
RODRIGUEZ (R.) AND ROBES, PER COMMITTEE REPORT NO. 2646

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 of 2013”.

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 social welfare and development 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 and provide appropriate consultative
mechanisms and necessary assistance to them to ensure their compliance with

1 the set standards and cope with the challenges and demands of providing social
2 welfare and development services to the poor, the vulnerable, the marginalized,
3 the disadvantaged and the underprivileged sectors of Philippine society

4 The State shall also promote and strengthen the partnership among
5 social welfare and development agencies, national government agencies, local
6 government units, nongovernment organizations, faith-based organizations,
7 and private sectors to include accessing of resources between and among them
8 for the upliftment of the poor, disadvantaged, marginalized, vulnerable and
9 underprivileged individuals, families, groups and communities in the country.

10 SEC. 3. *Coverage.* -- This Act shall apply to all social welfare and
11 development service providers including individual, public and private groups,
12 associations and organizations that are engaged in or want to engage in social
13 welfare and development activities.

14 SEC. 4. *Definition of Terms.* -- For purposes of this Act, the following
15 terms are hereby defined as:

16 (a) *Accreditation* refers to the process of providing official recognition
17 to the social welfare and development programs and services of registered and
18 licensed social welfare agencies (SWAs), after meeting the minimum standards
19 set by the government.

20 (b) *Beneficiaries* refer to the disadvantaged, marginalized, and
21 vulnerable individuals, groups, families, and communities availing themselves
22 of any of the services offered by the SWDAs which include, among others, the
23 following:

24 (1) Abandoned, neglected, orphaned, voluntarily committed, abused and
25 exploited children and other children in need of special protection, such as
26 children in conflict with the law and children involved in armed conflict;

27 (2) Out-of-school youth and other youth with special needs;

28 (3) Women in especially difficult circumstances;

1 (4) Persons with disabilities;

2 (5) Senior citizens;

3 (6) Marginalized and disadvantaged individuals, families, and
4 communities, which shall include, but not limited to, indigenous people, people
5 living with HIV/AIDS, those in crisis situation and internally displaced due to
6 armed conflict and other developmental projects; and

7 (7) Victims of natural and man-made calamities or disasters.

8 (c) *Department* refers to the Department of Social Welfare and
9 Development.

10 (d) *Dissolution* refers to voluntary or involuntary termination of
11 operation of SWDAs.

12 (e) *Intermediaries* refer to persons, groups, networks of SWDAs, or
13 local government units trained, accredited, and authorized by the Department
14 to perform specific functions in the process of registration, licensing and
15 accreditation.

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

19 (g) *Operation* refers to either direct or indirect implementation of
20 social welfare and development programs and services by a SWDA within a
21 specified geographical coverage or place over a period of time using its own or
22 tapped resources and conduits.

23 (h) *Registered social worker* refers to a worker who is a graduate of
24 Bachelor of Science in Social Work or Master's Degree in Social Work and
25 who has passed the social work licensure examination and with valid
26 registration identification card issued by the Professional Regulation
27 Commission.

1 (i) *Registration* refers to the official recognition of the operation of a
2 SWDA within the purview of social welfare and development through the
3 issuance of a certificate of registration by the Department and inclusion in the
4 directory of SWDAs after having complied with the set requirements of the
5 Department.

6 (j) *Revocation* refers to the cancellation of the registration, license and
7 accreditation certificates of a SWDA for the commission of any of the grounds
8 as provided under this Act.

9 (k) *Social services* refer to those organized activities that are primarily
10 and directly addressed to disadvantaged individuals or groups to maximize
11 their social functioning.

12 (l) *Social welfare and development workers* refer to social workers or
13 other professionals who are engaged in the delivery of social welfare and
14 development programs and services and are accredited by the Department.
15 They may include social workers managing court cases, marriage and
16 pre-marriage counselors, and day care workers among others.

17 (m) *Social welfare* refers to an organized system of programs and
18 services designed to aid individuals, groups and communities to attain
19 improved quality of life and well-being in harmony with the needs of their
20 families and community.

21 (n) *Social Welfare and Development Agency (SWDA)* refers to a
22 corporation, organization or association engaged in providing directly or
23 indirectly social welfare and development programs and services and obtains
24 its finances either totally or in part, foreign or local, from any government
25 agency or instrumentality or from the community by direct or indirect
26 solicitations and other fund-generating activities as authorized by law.

27 (o) *Social work* refers to the profession which helps individuals,
28 families, groups, and communities develop, improve, maintain or restore their

1 capability for coping with the demands of their environment through the use of
2 social work methods and interventions.

3 (p) *Suspension* refers to the temporary cessation of operation as a form
4 of penalty imposed to a SWDA for commission of any of the grounds
5 stipulated under this Act. When a SWDA is under suspension, it shall neither
6 accept nor admit any additional clients and shall be under close supervision
7 and monitoring by the Department.

8 (q) *Unregistered SWDAs* refer to agencies or organizations that
9 provide direct or indirect social welfare and development programs and
10 services without registration and/or license to operate from the Department.

11 ARTICLE II

12 SOCIAL WELFARE AND DEVELOPMENT AGENCIES

13 SEC. 5. *Nature and Purpose.* -- A SWDA shall be a nonstock,
14 nonprofit organization or association organized and operated for social welfare
15 and development programs and services, and no part of the funds or donations
16 in kind generated by the SWDA shall inure to the benefit of any private
17 individual but for the benefit of the beneficiaries and its operating expenses.

18 SEC. 6. *Classifications of SWDAs.* -- The two (2) main classifications
19 of SWDAs and their subclassifications shall be defined as follows:

20 (a) *Social Welfare Agency (SWA).* -- A SWDA which employs social
21 workers, community development workers, and other qualified
22 paraprofessionals who have related trainings and experiences that directly
23 provide restorative, preventive, and developmental programs and services to
24 poor, vulnerable, marginalized, disadvantaged, and underprivileged
25 individuals, families, groups or communities. A SWA may be classified as
26 follows:

27 (1) *Residential-Based Agency.* -- A SWA that provides twenty-four
28 (24)-hour residential care services for abandoned, neglected or voluntarily

1 committed children, women, persons with disabilities, and older persons,
2 among others;

3 (2) Community-Based Agency. – A SWA that implements
4 community-based and street-based programs and services delivered to
5 beneficiaries while in their home or in the community. These programs and
6 services include senior citizens center, day care center, vocational
7 rehabilitation center, a sponsorship or scholarship program, assistance to
8 victims of disaster, and social services to individuals and families, among
9 others; and

10 (3) Child-Placing Agency. – A SWA that receives and processes
11 applications of the prospective foster or adoptive parents and facilitates
12 placement of children eligible for foster care or adoption.

13 (b) Auxiliary SWDA. – A SWDA which provides supportive activities
14 in the delivery of social welfare and development programs and services to the
15 poor, vulnerable, marginalized, disadvantaged and underprivileged sectors. An
16 auxiliary SWDA may be classified as follows:

17 (1) People's Organization. – A SWDA with a *bona fide* association of
18 citizens with identifiable leadership, membership, and structure that has
19 demonstrated its capacity to promote the public interest and engage in social
20 welfare and development activities, such as federation of senior citizens, youth
21 organizations, and associations of women and persons with disabilities, among
22 others;

23 (2) Resource Agency. – A SWDA that provides tangibles such as funds,
24 food, clothing, medicines and shelter; or intangibles such as knowledge and
25 skills to help various SWDAs to achieve their goals in providing social welfare
26 and development services for their beneficiaries; and

27 (3) Social Welfare and Development Network. – A group of SWDAs
28 that organized themselves for a common goal in promoting social protection of

1 the poor, vulnerable, marginalized, disadvantaged and underprivileged groups,
2 such as coalition, alliance or federation.

3 SEC. 7. *Service Delivery Mode.* – The manner by which social welfare
4 and development programs and services are delivered which shall include, but
5 shall not be limited to, the following:

6 (a) *Residential-Based Mode.* – Refers to the programs and services
7 where group care is provided to residents under the guidance of a trained staff
8 and within a structured therapeutic environment with the objective of
9 reintegrating a person with the family or community or, in case of children,
10 until such time when a better alternative parental care is provided. This
11 program may also be provided for those children pursuing formal education
12 away from their family; and

13 (b) *Community-Based Mode.* – Refers to the programs and services
14 rendered when the helping process takes place in the community as the primary
15 client system or when social welfare and development activities are provided
16 to individuals, groups or families while they remain in their homes. It is
17 characterized by interaction between the client and worker in the community in
18 relation to the resolution of identified problems and concerns. These include,
19 but not limited to, senior citizens center, day care center, drop-in center,
20 vocational rehabilitation center, sponsorship or scholarship program,
21 alternative placement service, assistance to victims of disaster, and social
22 services to individuals and families, among others, while in their home or in
23 the community.

24 SEC. 8. *Administration and Management.* – A SWDA shall be
25 managed by individuals whose qualifications meet the criteria set under the
26 rules and regulations to be issued to implement this Act. It may be operated by
27 national government agencies, local government units, government-owned and
28 -controlled corporations, state universities or colleges, private individuals,

1 educational institutions, civic organizations or faith-based organizations as part
2 of their extension services or social welfare activities or projects. For SWDAs
3 operated by private institutions, educational institutions, or faith-based
4 organizations, at least sixty percent (60%) of its board of trustees shall be
5 Filipinos.

6 SEC. 9. *Salaries, Wages and Other Benefits* – The SWDA shall
7 comply with all existing and relevant labor laws and regulations regarding the
8 salaries, wages and benefits of employees provided these are within the
9 minimum standards set by the Civil Service Commission (CSC) and the
10 Department of Labor and Employment (DOLE). The standard salary scale for
11 social workers and other social welfare and development workers of the
12 SWDAs shall be set by the CSC and the DOLE, in consultation with the
13 Department of Budget and Management (DBM).

14 SEC. 10. *Operating Expenses*. – The SWDA shall utilize at least
15 eighty percent (80%) of its funds for direct social welfare and development
16 programs and services and not more than twenty percent (20%) shall be
17 expended for administrative concerns. Funds of the SWDA shall be deposited
18 in the name of the organization in a banking institution regulated by the
19 Bangko Sentral ng Pilipinas. Financial transactions, book of accounts and
20 other reports shall be available to the public, agency staff, and other concerned
21 individuals or agencies for transparency and monitoring purposes.

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

25 SEC. 11. *Submission of Reports*. – All SWDAs shall submit to the
26 Department their annual accomplishment and financial reports duly audited by
27 an external certified public accountant or a representative from the
28 Commission on Audit (COA), as the case may be, and other reports as may be

1 required by the Department. Financial reports of SWDAs whose total income
2 and expenditures are less than Five hundred thousand pesos (P500,000.00)
3 shall be audited by its internal auditor.

4 The annual reports shall be submitted to the Department within one
5 hundred twenty (120) days after the end of every fiscal year.

6 ARTICLE III

7 REGISTRATION, LICENSING AND ACCREDITATION

8 SEC. 12. *Registration.* – All SWDAs as classified under Section 6 of
9 this Act shall first register with the Securities and Exchange Commission
10 (SEC) or Cooperative Development Authority (CDA) for purposes
11 of establishing their juridical personality Within six (6) months from the
12 issuance of the Certificate of Registration from the said government agencies,
13 the concerned SWDA shall apply for registration with the Department. The
14 requirements for registration of a SWDA shall include, but shall not be limited
15 to, the following:

16 (a) Certified true copy of registration with either the SEC or the CDA;

17 (b) Manual of Operation or Handbook of its programs and
18 administrative policies, procedures and strategies to attain its purposes;

19 (c) At least two (2) years approved Work and Financial Plan for the
20 implementation of its programs and services indicating the planned activities
21 and corresponding amount of funds and sources of donations;

22 (d) At least one (1) year audited financial report for a SWDA which is
23 in operation for at least two (2) years upon application;

24 (e) Diagram of physical facilities which shall be designed to promote
25 the safety and security of its beneficiaries and staff, including location map and
26 other documents showing ownership or legal custody of property where the
27 SWDA shall operate from; and

1 (f) The names of qualified technical and administrative staff and a
2 copy of their licenses or certificates of professional eligibilities.

3 SEC. 13. *Licensing.* – All SWAs as classified under Section 6 of this
4 Act shall comply with the requirements for licensing which shall include, but
5 shall not be limited to, the following:

6 (a) Documentation showing that it is engaged in social welfare and
7 development programs and services;

8 (b) Certification showing that it has employ the necessary number of
9 registered social workers, community development workers, and other
10 employees trained on specific programs and services to be implemented and a
11 copy of their respective licenses or certificates of professional eligibilities;
12 and

13 (c) Certification of the record of cases it has or is currently managing
14 and social welfare and development programs and services implemented.

15 The registration and licensing of a SWA can be done simultaneously.
16 Upon approval, a certificate of registration and license to operate shall be
17 issued.

18 SEC. 14. *Exemption from Registration and Licensing.* – All
19 Department residential care facilities, social service units of local government
20 units, public hospitals, courts, and other social welfare facilities of national
21 government agencies and government-owned and -controlled corporations, by
22 virtue of the legal basis of their establishment or charters, are exempted from
23 securing registration and license to operate from the Department. However,
24 they shall be required to apply for accreditation following the same
25 requirements and standards and shall be subjected to regular monitoring by the
26 Department.

27 SEC. 15. *Accreditation.* – All social welfare and development
28 programs and services of registered and licensed SWAs shall be accredited by

1 the Department or its authorized intermediaries within one (1) year after the
2 issuance of a license to operate. The applicant must have complied with the
3 standards set by the Department on administration and organization, program
4 management, case management, helping strategies or interventions, physical
5 structures and safety, and client protection policy, among others.

6 SEC. 16. *Fees and Charges.* – All applications for registration, license,
7 and accreditation shall be charged with corresponding fees to be determined by
8 the Department. The fees and charges shall be deposited with the National
9 Treasury as income of the general fund.

10 SEC. 17. *Validity* – The certificates of registration and license to
11 operate shall be valid for five (5) years. The accreditation certificate shall be
12 valid for three (3) to five (5) years depending on the compliance of the SWDA
13 with accreditation standards.

14 In case of failure by the Department to act on an application for renewal
15 of registration, license and accreditation within one hundred (100) working
16 days upon submission of complete requirements by the SWDA, the existing
17 certificate shall remain valid until the Department has processed its
18 application.

19 ARTICLE IV

20 BENEFITS AND PRIVILEGES

21 OF SOCIAL WELFARE AND DEVELOPMENT AGENCIES

22 SEC. 18. *Benefits and Privileges of Registered SWDAs.* – Registered
23 SWDAs shall be entitled to the following:

24 (a) Inclusion in the Directory of Registered, Licensed and Accredited
25 SWDAs;

26 (b) Technical assistance in the areas of capability building, packaging
27 of project proposal, provision of program materials and skills enhancement to
28 strengthen program and service implementation;

1 (c) Endorsement to other government agencies on the availment of
2 missionary or working visas of foreign board members, employees or
3 volunteers subject to eligibility requirements for securing visas;

4 (d) Endorsement to the Department of Finance (DOF) for duty-free
5 importation of foreign donations subject to compliance with set requirements;
6 and

7 (e) Other benefits and privileges deemed appropriate by the
8 Department.

9 SEC. 19. *Benefits and Privileges of Licensed SWAs.* – In addition to
10 the benefits and privileges of a registered SWDA, a licensed SWA shall be
11 entitled to the following:

12 (a) Endorsement to the DOF for duty- and tax-free importation of
13 foreign donations subject to compliance with set requirements;

14 (b) Resource augmentation for program implementation, subject to
15 compliance with the requirements as may be established by the Department;
16 and

17 (c) Other benefits and privileges deemed appropriate by the
18 Department.

19 SEC. 20. *Benefits and Privileges of Accredited SWAs.* – In addition to
20 the benefits and privileges of registered SWDAs and licensed SWAs,
21 accredited SWAs shall be entitled to the following:

22 (a) Endorsement to the DOF for donee-institution status and other
23 relevant tax incentives as provided by law;

24 (b) Endorsement for resource augmentation or other assistance from
25 any government agencies or private donors subject to compliance to set
26 criteria;

27 (c) Endorsement to the utility service providers for at least fifty percent
28 (50%) discount on the cost of electricity, water consumption and telephone

1 service to the residential care, group homes, and community center-based
2 facilities that are operated exclusively for the beneficiaries subject to the set
3 requirements of the utility service providers;

4 (d) Endorsement to concerned government agencies and private
5 establishments for at least fifty percent (50%) discount for the processing of
6 documents of intended beneficiaries such as birth registration, passport, safety
7 certificates, among others, for residential care and community-based SWA
8 facilities;

9 (e) Assistance in establishing linkages with local, national and
10 international organizations and networks for the generation and sharing of
11 resources;

12 (f) Nomination of board members, employees or volunteer workers to
13 participate as presentors or resource speakers in local or foreign trainings or
14 conferences;

15 (g) Plaque of recognition as a model SWDA;

16 (h) Cash incentive, among others, depending on the availability of
17 funds;

18 (i) Laboratory for trainings and research; and

19 (j) Other benefits and privileges deemed appropriate by the
20 Department.

21 ARTICLE V

22 OTHER REGULATORY POWERS AND FUNCTIONS OF THE DEPARTMENT

23 SEC. 21. *Monitoring and Evaluation of SWDAs.* -- The Department
24 shall conduct monitoring and evaluation of all SWDAs every six (6) months to
25 one (1) year to ensure that their social welfare and development programs and
26 services are implemented as planned. The result of monitoring and evaluation
27 shall be used to address problems and issues and to provide the framework of
28 interventions of the Department.

1 SEC. 22. *Dissolution of SWDAs.* – Any of the following shall be a
2 ground for dissolution or closure of a SWDA:

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

6 The Constitution and Bylaws/Articles of Incorporation of SWDAs shall
7 explicitly state that in case of dissolution, the assets, after payment of all
8 financial liabilities, shall be utilized for social welfare and development
9 activities. In the absence of such provisions in the Constitution and
10 ByLaws/Articles of Incorporation of SWDAs, the Department shall issue
11 recommendatory guidelines in the disposition of assets of the dissolved or
12 closed SWDAs.

13 SEC. 23. *Recommendation to Obtain Donee-Institution Status.* – The
14 Department shall be the only agency to recommend or endorse to the DOF the
15 conferment of a donee-institution status and the grant of other tax benefits to
16 accredited SWDAs.

17 SEC. 24. *Deputation of Intermediaries.* – Authorized intermediaries
18 may be deputized by the Department to conduct assessment of SWDAs and
19 social welfare and development workers for purposes of registration, licensing
20 and accreditation. The Department shall provide those deputized with
21 transportation or subsidy allowance in accordance with the rules and
22 regulations of the COA. Further, the Department shall provide continuous
23 capacity-building activities to the deputized intermediaries.

24 SEC. 25. *Investigation and Resolution of Complaints.* – The
25 Department shall accept complaints, investigate and initiate appropriate
26 proceedings on cases involving SWDAs. Upon lawful cause, the Department
27 shall suspend or revoke the registration, license and accreditation certificates
28 and close the facilities in coordination with the concerned law enforcement

1 agencies without prejudice to filing of criminal or civil case against erring
2 officials and personnel.

3 ARTICLE VI

4 COMPLAINTS AGAINST SOCIAL WELFARE AND DEVELOPMENT AGENCIES

5 SEC. 26. *Sources of Complaints.* – Complaints against a SWDA may
6 come from any of the following sources:

7 (a) Report of an authorized personnel or office of the Department
8 based on the assessment and monitoring of standard compliance and program
9 and service implementation;

10 (b) Report from the SWDA's clients or beneficiaries;

11 (c) Verbal information from a person, group or organization;

12 (d) Signed and unsigned letters, documents or reports;

13 (e) Printed materials or articles in newspapers, magazines and similar
14 publications;

15 (f) Information sent or received through broadcast or electronic media
16 and information and communications technology devices, such as text
17 messages and emails; or

18 (g) Other sources of information, such as minutes of meeting,
19 consultation and fora.

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

26 SEC. 27. *Who May File a Complaint.* – A complaint against a SWDA
27 may be filed with the Department by any of the following complainants:

28 (a) Offended party;

1 (b) Parent or legal guardian of a client;

2 (c) Ascendant or collateral relative of the client, such as child, within
3 the third degree of affinity or consanguinity;

4 (d) Duly authorized officer or social worker of the Department;

5 (e) Officer, social worker or representative of a registered, licensed
6 and accredited SWDA;

7 (f) Barangay chairman or other local government official; or

8 (g) Person who has personal knowledge of the acts complained about
9 or reported for action.

10 SEC. 28. *Review Committee.* – There shall be a Field Office Review
11 Committee and a Central Office Review Committee to handle cases and
12 resolve complaints against unregistered or unlicensed, registered, licensed and
13 accredited SWDAs. If complaints and violations involving SWDA operating
14 in one (1) region or operating in more than one (1) region, the Field Office
15 Review Committee that has jurisdiction over the area/s where the cases
16 happened, shall have exclusive jurisdiction to handle and resolve the said
17 complaints or violations. The decisions, orders or findings of the Field Office
18 Review Committee shall be appealable to the Central Office Review
19 Committee.

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

26 SEC. 29. *Procedures.* – The procedures in handling and resolving of
27 complaints and appeals by the Field Office Review Committee and the Central

1 Office Review Committee shall be made in accordance with the existing rules
2 and procedures of the Department.

3 SEC. 30. *Suspension, Revocation or Closure.* – The certificates of
4 registration, license or accreditation issued to SWDA shall be suspended or
5 revoked if, after due process, the Department finds that the SWDA has failed
6 to perform its functions or has violated existing laws, rules and regulations.

7 In case of revocation, the Department shall, after two (2) consecutive
8 notices, close the SWDA. Likewise, the Department shall close unregistered
9 or unlicensed SWDAs. The suspension, revocation of license or closure of a
10 SWDA shall be without prejudice to the filing of criminal or civil case under
11 existing laws.

12 SEC. 31. *Grounds for Suspension.* – The grounds for suspension of a
13 SWDA shall include, but shall not be limited to, the following:

14 (a) Insolvency or inability to continue support and maintain its
15 operation or to perform the functions for which it was granted registration and
16 license;

17 (b) Noncompliance with social case management standards;

18 (c) Poor sanitation of facilities and surroundings rendering these unfit
19 for clientele;

20 (d) Violation of the SWDA's Constitution and Bylaws;

21 (e) Failure to submit annual accomplishment and audited financial
22 reports for two (2) consecutive years;

23 (f) Failure to apply for accreditation or renewal of accreditation after
24 two (2) consecutive notifications and monitoring visits and technical
25 assistance of every six (6) months by the Department or authorized
26 intermediaries; or

27 (g) Other causes as may be determined by the Department.

1 SEC. 32. *Grounds for Revocation of License.* – The grounds for
2 revocation of license of a SWDA shall include, but shall not be limited to, the
3 following:

4 (a) Use of SWDA for immoral purposes such as, but not limited to,
5 trafficking, gambling, prostitution, money laundering and terrorist financing;

6 (b) Neglect, exploitation and abuse of SWDA clients;

7 (c) Cessation of operation as SWDA;

8 (d) Mismanagement of funds;

9 (e) Falsification of the requirements for registration, licensing and
10 accreditation;

11 (f) Revocation of its registration from juridical personality from the
12 SEC or other regulatory agency;

13 (g) Noncompliance of SWDAs on the agreed action plan during the
14 accreditation assessment for two (2) consecutive monitoring visits with interval
15 of six (6) months by the Department; or

16 (h) Other causes as may be determined by the Department.

17 ARTICLE VII

18 IMPLEMENTATION OF THE LAW AND RULE MAKING AUTHORITY

19 SEC. 33. *Implementing Rules and Regulations.* – The Department
20 shall, in consultation with the DOF, the Department of Justice (DOJ), the
21 Department of the Interior and Local Government (DILG), the DOLE, the
22 DBM, the CSC, the COA, the SEC, the Philippine National Police (PNP), the
23 National Bureau of Investigation (NBI), the Bureau of Immigration (BI) and
24 other concerned government agencies, as well as three (3) representatives from
25 any of the coalition of SWDAs and social welfare and development workers,
26 promulgate the necessary rules and regulations within ninety (90) working
27 days from the effectivity of this Act. Other policies and procedures necessary

1 in carrying out the provisions of this Act shall likewise be issued by the
2 Department.

3 SEC. 34. *Assistance from Law Enforcement Agencies.* – Law
4 enforcement agencies such as the PNP, the NBI and the BI shall provide
5 assistance to the Department in the enforcement of this Act.

6 SEC. 35. *Immunity of Officer or Staff.* – The duly authorized officer
7 or staff of the Department and law enforcement agency involved in the
8 implementation and enforcement of this Act and who acted in accordance with
9 the due process clause of the Constitution shall be exempt from any civil,
10 criminal and administrative liability.

11 ARTICLE VIII

12 FINAL PROVISIONS

13 SEC. 36. *Penalties.* – Any person, group or organization that shall
14 operate as SWDA without registration or license shall be penalized with a fine
15 of not less than One hundred thousand pesos (P100,000.00) but not more than
16 Five hundred thousand pesos (P500,000.00) and/or an imprisonment ranging
17 from one (1) year to three (3) years at the discretion of the court. The
18 penalties shall be without prejudice to the seizure of equipment, instruments
19 and other facilities of the SWDA.

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

22 If the offender is a foreigner, the offender shall be referred immediately
23 to the DOJ for appropriate action.

24 If the offender is an official or employee of the Department or any
25 government agency, the offender be penalized in accordance with the civil
26 service rules and regulations

27 SEC. 37. *Transitory Provision.* – All SWDAs required to be
28 registered and/or to be licensed under this Act but currently operating without

1 registration and/or license from the Department shall have a period of one (1)
2 year from the effectivity of this Act to apply for registration or license to
3 operate with the Department. Likewise, within sixty (60) days from the
4 effectivity of this Act, the Department shall notify all registered and licensed
5 SWDAs on the implementation of this Act. Upon compliance of required
6 documents, new registration and license to operate shall be issued.

7 *SEC. 38. Appropriations.* – The Secretary of the Department of Social
8 Welfare and Development shall include in the Department's programs the
9 implementation of this Act, the initial funding of which shall be charged
10 against the current year's appropriations of the Department. Thereafter, the
11 amount necessary for its continued implementation shall be included in the
12 annual General Appropriations Act.

13 *SEC. 39. Separability Clause.* – Should any provision of this Act be
14 found unconstitutional by a court of law, such provision shall be severed from
15 the remainder of this Act, and such action shall not affect the enforceability of
16 the remaining provisions of this Act.

17 *SEC. 40. Repealing Clause.* – All laws, decrees, letters of instruction,
18 resolutions, orders or parts thereof which are inconsistent with the provisions
19 of this Act are hereby repealed, modified or amended accordingly.

20 *SEC. 41. Effectivity Clause.* – This Act shall take effect fifteen (15)
21 days after its publication in two (2) newspapers of general circulation.

Approved,

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