

**IMPLEMENTING RULES AND REGULATIONS OF
REPUBLIC ACT 8425 OTHERWISE KNOWN AS THE
SOCIAL REFORM AND POVERTY ALLEVIATION ACT**

**RULE I
TITLE**

Section 1. This document shall be known as the Implementing Rules and Regulations of Republic Act 8425 or the Social Reform and Poverty Alleviation Act.

**RULE II
THE PHILIPPINE APPROACH TO SOCIAL
REFORM AND POVERTY ALLEVIATION**

Section 1. As mandated in Sec. 4 of the Act, the National Anti-Poverty Action Agenda shall principally include the core principles and programs of the Social Reform Agenda (SRA).

Section 2. The Multidimensional Approach to Poverty Alleviation. Strategies or programs of Government and the Civil Society shall incorporate the elements that will address each of the four dimensions of the SRA, namely:

- a) **Economic Dimension -- Asset Reforms.** The first and central imperative of the SRA shall be asset reform. Asset reform seeks to address the issue of economic inequity by widening citizen's share of resources, whether natural or manufactures, from which they can earn a living and increase the fruits of their labor. Such reforms necessarily address existing inequities in the ownership, distribution, management, and control over such resources. The government shall give priority to the enactment and strict implementation of laws that widen the share of the basic sectors in the resources of society. The government shall likewise undertake budgetary reform to reflect the primacy of Asset Reform.

- b) Social Dimension** -- Access to Quality Basic Services and Protection of the Security of Life, Person, Livelihood, and Indigenous Culture, and Freedom from Violence. These reforms refer to the equitable control and access to social services and facilities especially education, health, housing, and other basic services. These reforms are necessary enable the citizens to meet their basic human needs to live decent lives, and to ensure that the benefits of asset reform are equally shared by all its rightful beneficiaries. The government shall therefore work to eliminate all forms of discrimination which cause women, youth, and children, the elderly and persons with disability to be further marginalized and excluded even within their own economic sectors.
- c) Ecological Dimension** - Sustainable Development of Productive Resources. These reforms ensure the effective and sustainable utilization of the natural and ecological resource base, thus assuring greater social acceptability and increased participation of the basic sectors in environmental and natural resources conservation, management and development;
- d) Governance Dimension** - Equal Representation and Participation. These reforms address the issue of political equity and ensures equal participation in all venues in society especially in decision-making and management processes that affect their rights, interests and welfare. The government shall ensure that sectoral representation is institutionalized in all levels of government, with particular emphasis on the decision-making structures of the different local government units.

Section 3. The Specific Agenda of the Basic Sectors. Asset Reform requires laws and policies that widen the citizens' share of resources, natural and manufactured, from which they can earn a living or increase the fruits of their labor. Such reforms necessarily address existing inequities in the ownership, distribution, management and

control over such resources. Specifically, Asset Reform seeks to obtain for:

- a) **Farmers and landless rural workers:** ownership, access to and control of tillable lands by the tillers, higher productivity, channels for productivity, and fair prices for produce;
- b) **Fisherfolk:** broader access to and control of aquatic resources, rational and sustainable management of fishery resources, wider availability of fishing and post-harvest facilities;
- c) **Urban Poor:** broader access to and security in basic needs, particularly housing and land, and broader opportunities for increased income;
- d) **Indigenous Cultural Communities:** recognition and protection of their ancestral domain rights, basic services, cultural integrity and full participation in the Philippine body politic;
- e) **Workers in the Formal Sector and Migrant Workers:** recognition and protection of their rights to a living wage, humane conditions of work, security of tenure, self-organization and collective bargaining;
- f) **Workers in the Informal Sector:** protection by labor laws, security in their workplace, protection against harassment and abuse, access to programs and services catering to their special needs, and organization into unions, cooperatives and other forms of associations.
- g) **Disadvantaged groups that cut across all sectors, particularly women, youth and students, children, the elderly, and persons with disabilities:** reforms to correct and transform the structures that discriminate against and cause the further

marginalization of these groups in all spheres of life, including within their own economic sectors.

RULE III

THE NATIONAL ANTI-POVERTY COMMISSION

Section 1. As provided in Sec. 5 of the Act, there shall be a National Anti-Poverty Commission, or NAPC, created under the Office of the President, which shall serve as the coordinating and advisory body for the implementation of the SRA. The Presidential Commission to Fight Poverty (PCFP), the Social Reform Council (SRC), and the Presidential Council for Countryside Development (PCCD) are hereby abolished and the NAPC shall exercise the powers and functions of these agencies. The NAPC shall be the successor-in-interest of the three (3) abolished commissions and councils.

The NAPC shall be composed of representatives from both the government and the basic sectors as provided in Sec. 6 of the Act.

As mandated under Section 7 of the Act, the powers and functions of NAPC are to:

- a) Coordinate with different national and local government agencies and the private sector to assure full implementation of social reform and poverty alleviation programs
- b) Coordinate with local government units in the formulation of social reform and poverty alleviation programs for their respective areas in conformity with the National Anti-Poverty Action Agenda
- c) Recommend policy and other measures to ensure the responsive implementation of the commitments under the SRA

- d) Ensure meaningful representation and active participation of Basic Sectors
- e) Oversee, monitor and recommend measures to ensure the effective formulation, implementation and evaluation of policies, programs and resource allocation and management of social reform and poverty alleviation programs;
- f) Advocate for the mobilization of funds by the national and local governments to finance social reform and poverty alleviation programs and capability building activities of people's organizations;
- g) Provide financial and non-financial incentives to local government units with counterpart resources for the implementation of social reform and poverty alleviation programs, and
- h) Submit an annual report to Congress including, but not limited to all aspects of its operations and programs and project implementation, financial status and other relevant data as reflected by the basic reform indicator.

NAPC shall meet *en banc* at least once every quarter, and may meet in special meetings in between regular meetings as the President sees fit or upon the recommendation of any of the Vice-Chairpersons or the Lead Convenor.

Section 2. Appointment of Other Members to the NAPC. The President may appoint persons representing the basic sectors or agencies not listed in this Act into the NAPC as he/she sees fit in order to promote the best interests of the SRA. The selection and appointment of additional persons representing the basic sectors shall follow the process as provided for in Rule IV of this IRR.

Section 3. Executive Committee. An Executive Committee shall be created to oversee the execution of the powers and functions of the NAPC.

The Executive Committee shall be Chaired by the Lead Convenor and shall be composed of the two Vice-Chairpersons, and two other members from the government and basic sectors.

The Executive Committee shall have the following functions:

- a) Set the agenda for the meetings of the Commission;
- b) Oversee the implementation of the NAPC Resolutions concerning the flagship programs;
- c) Preside over grievances;
- d) Recommend disciplinary action against erring commissioners and other government officers involved in the implementation of flagship programs; and,
- e) Have other functions as maybe delegated by NAPC.

RULE IV

FLAGSHIP PROGRAMS

Section 1. Flagship Programs and Lead Agencies. The NAPC shall formulate flagship programs and designate flagship lead agencies for sectoral and multi-sectoral programs which address the specific and cross-sectoral needs of the basic sectors as provided in this Act.

Section 2. Roles and Functions of the Flagship Lead Agencies. The Flagship Lead Agencies shall have the following functions:

- a) Ensure the effective implementation of flagship programs in coordination with other concerned agencies, as they address the needs of the basic sectors; and rural and urban poor communities;

- b) Identify and facilitate resolution of issues and concerns related to the implementation of flagship programs; and
- c) Undertake regular consultations with their counterpart sectoral councils as provided in Rule V of this IRR.

Section 3. Formation of SRA Flagship Teams. The Flagship Champions shall form SRA Teams within their respective agencies to handle the day-to-day implementation of its programs in coordination with other agencies and basic sectors. They shall designate senior technical action officers (TAO) and alternates as SRA focal persons at the national, regional and local levels.

RULE V SECTORAL COUNCILS

Section 1. Sectoral Councils. The Sectoral Councils shall be the venue wherein the Basic Sectors will establish a consensus among themselves in all matters concerning them, to include, but not limited to the nomination and recall of the Sectoral Commissioners in the NAPC.

The Sectoral Council shall be composed of sectoral leaders elected by the representatives of various sectoral organizations. Every Sectoral Commissioner shall be accountable to their respective Sectoral Councils.

Immediately upon the election of the prospective sectoral councils, the SRA Flagship Agencies and appropriate government departments shall convene, consult and confer with them in order to flesh-out the different program/project component on anti-poverty and geographic areas for implementation.

The Sectoral Councils shall convene at least once every quarter to discuss issues and concerns of the sectors with their respective Sectoral Commissioner.

To provide an effective mechanism by which the basic sectors can hold their Sectoral Commissioners accountable for their undertaking, the Sectoral Council shall have the sole authority to initiate the process of recalling the Sectoral Commissioners of the NAPC. To recall an erring Sectoral Commissioner, the Sectoral Council shall file a Petition for Recall with the Office of the President through the Lead Convenor.

Section 2. Preparatory Committee. For the first term of the NAPC Sectoral Commissioners and within Sixty (60) days from the effectivity of this implementing rules and regulations, the Lead Convenor shall organize a preparatory committee of each sector which will in turn organize their respective Sectoral Assemblies.

The Lead Convenor shall convene the preparatory committee of each sector to be composed of the incumbent sectoral representative to the Social Reform Council (SRC), the two alternates, and not more than seven (7) representatives from sectoral organizations. Each preparatory committee will elect a person who will act as the chairperson of their respective Sectoral Assemblies. Such person shall be disqualified from being nominated for the position of Sectoral Commissioner of the NAPC.

The preparatory committee shall have the authority to determine the organizations that will participate in the Sectoral Assembly, and the number of organizations that will be allowed to participate. *Provided*, however, that the preparatory committee must consider the track record of the organizations and as much as possible, choose delegates who come from sectoral federations. *Provided*, further, that the preparatory committee must also consider regional and gender concerns in their process of selection.

The preparatory committee shall have the authority to draft the proposed ground rules to be observed during the Sectoral Assembly. At the commencement of the Sectoral Assembly, the chairperson shall declare the Assembly convened and shall present the draft ground rules, which among others, shall provide for the procedure for discussion, recognition and voting, and other matters related to the Assembly proceedings. The Assembly delegates shall decide on whether said ground rules will be adopted, rejected or modified.

Section 3. Sectoral Assembly. To ensure that a wide range of interests is represented in the formation and function of the Sectoral Councils, a Sectoral Assembly for each sector shall be called within two (2) months from the effectivity of the implementing rules and regulations. The Sectoral Assemblies will determine the composition and powers of their respective Sectoral Councils. Such determination includes, but is not limited to, the following functions:

- a) Determine how many members their respective Sectoral Councils will have;
- b) Set the qualifications required of each member of the Sectoral Council;
- c) Establish the process of electing the members of the Sectoral Councils;
- d) Elect the actual members of their respective Sectoral Councils;
- e) Set the qualifications required of each nominee to the position of Sectoral Commissioner;
- f) Establish the process of selecting the nominees to the position of Sectoral Commissioner; and
- g) Determine the powers and functions of the sectoral councils to include the responsibility of coming up with a consensus on the flagship program and other issues affecting the sector and to assist the sectoral representative in the monitoring of the implementation of the flagship program at the local level.

The Sectoral Assembly shall have the authority to establish the rules governing the formation and operation of the Sectoral Councils and, in the exercise of their powers, shall ensure transparency. The Sectoral Assembly must complete its task of forming the Sectoral Councils not later than four (4) months from the effectivity of these implementing rules and regulations.

The Sectoral Assembly shall have the authority to establish the rules of organization of the succeeding Sectoral Councils and, in the exercise of their powers, shall ensure transparency. The Sectoral Assembly must complete its task of forming the Sectoral Councils not later than four (4) months from the effectivity of these implementing rules and regulations.

The Sectoral Assembly shall have the authority to establish the rules of organization of the succeeding Sectoral Assemblies. Among others, these rules shall provide for the admission of new delegates and the expulsion of incumbent delegates. *Provided*, however, that the Sectoral Assembly must consider the track record of the new delegates, and as much as possible, choose delegates who come from sectoral federations. *Provided*, further, that the Sectoral Assembly must also consider regional and gender concerns in their process of selection.

Not later than four (4) months prior to the end of the term of the Sectoral Commissioner, the Sectoral Council shall organize a succeeding Sectoral Assembly which will select the members of the succeeding Sectoral Council. The succeeding Sectoral Assembly must complete its task of forming the succeeding Sectoral Council not later than two (2) months prior to the end of the term of the Sectoral Commissioner.

Section 4. National Basic Sector Assembly. The National Basic Sector Assembly (NBSA) shall be institutionalized by the basic sectors to ensure the accountability, transparency, integrity, autonomy and

effective participation of the basic sectors in the NAPC. The NBSA shall be composed of all the Sectoral Commissioners and their two alternates. These alternates refer to the two candidates nominated by the Sectoral Councils for Sectoral Commissioners who were not chosen by the President. Membership in the NBSA shall be compulsory.

The NBSA shall have the following powers and functions:

- a) Serve as a mechanism for consensus-building on cross-sectoral agenda and issues affecting them;
- b) Establish its own mechanisms and processes.

RULE VI SEPARABILITY AND EFFECTIVITY

Section 1. Separability Clause. -- In the event that any part or provision of this implementing rules and regulations is declared unconstitutional or invalid, the remaining provisions not affected thereby shall continue in full force and effect.

Section 2. Effectivity Clause. -- This Implementing rules and regulations shall take effect immediately after its publication in at least two (2) national newspapers of general circulation.

APPROVED, this 27th day of July 1998, in the City of Manila.