

Republic of the Philippines Department of Social Welfare and Development

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Quezon City
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Administrative Order No: _____14
Series of 2007

SUBJECT: REVISED OMNIBUS RULES AND REGULATIONS ON PUBLIC SOLICITATIONS

I. RATIONALE

The Department of Social Welfare and Development promotes the involvement of persons, corporations, organizations and associations in various activities and projects for the empowerment and development of the life of marginalized and disadvantaged sectors of the society. On the other hand, the Presidential Decree 1564, known as the Solicitation Permit Law allows these entities to raise funds from the public primarily for charitable and public welfare purposes.

Administrative Order No. 79 series of 2003, known as Omnibus Rules and Regulations on Public Solicitations was issued to regulate the practice of solicitation of voluntary contributions in the Philippines at both regional and national levels. However, less than 50% of social welfare and development agencies (SWDAs)/ social work agencies (SWAs) that were issued solicitation permit/authority to conduct fund raising campaign were able to comply with post fund raising requirements while the rest did not. Further, several organizations were observed conducting fund raising activities without the required permit.

This amendment to Administrative Order No. 79 series of 2003 shall also include the incorporation of Administrative Order No. 5 series of 2007, known as Supplemental Guidelines on Public Solicitation (covering government agencies, corporations and state colleges and universities) to ensure compliance with the Solicitation Permit Law by all offices engaging in public solicitation and to provide protection to its beneficiaries, as well as the general public from whom the donations are going to be solicited.

II. OBJECTIVES

- 1. To regulate the solicitation activities conducted by persons, corporations, organizations or associations within the Philippines
- 2. To promote transparency and accountability of persons, corporations, organizations and associations that solicit funds from the public for charitable or public welfare purposes
- 3. To ensure efficient management of funds solicited from the public
- To ensure compliance to rules and regulations by persons, corporations, organizations or associations that were issued solicitation permit/authority to conduct fund raising campaign by the DSWD
- 5. To provide and implement the penalties or sanctions to those who violate the policies and procedures of this guideline

III. LEGAL BASES

This guideline is hereby promulgated by the DSWD based on the following legal mandates:

 Presidential Decree No. 1564 of 1978 (Amending Act. No. 4075 Otherwise known as Solicitation Permit Law) Section 2. "Any person, corporation, organization or association desiring to solicit or receive contributions for charitable and public welfare purposes shall first secure a permit from the Regional Offices of the Department"

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2. Administrative Code of 1987 (Executive Order No. 292)

- > Title XVI Chapter 1 General Provisions, Section 3 Powers and Functions, item 13 "...to accomplish DSWD mandate and objectives, it shall regulate fund drives, public solicitations and donations for charitable or welfare purposes"
- ➤ Title XVI Chapter 9 Fund Drive, Section 20-21 ".. any person, corporation, organization or association desiring to solicit or receive contributions for charitable or public welfare purposes shall first secure a permit from Regional Offices of the Department. Upon filing of a written application for a permit in the form prescribed by the Department, the Regional Director or his/her duly authorized representative may in his/her discretion, issue a permanent or temporary permit or disapprove the application. In the interest of the public, he/she may his/her discretion, renew or revoke any permit issued under Act 4075..."
- 3. Local Government Code of 1991 Book III Title II Ch 3 Art 1 Sec 444 (b) (3) V) Powers and Functions of Municipal Mayor and Book III, Title II Ch 3 Art 1 Sec 455 (b) (3) (v) —Powers and Functions of City Mayor "Issue permits, without need of approval therefore from any national agency, for holding of activities for any charitable or welfare purpose, excluding prohibited games of chance or shows contrary to law, public policy and public morals"
- 4. **Executive Order No. 15, series of 1998 Section 3 (e)** mandating the DSWD to regulate fund drives, public solicitation and donations for charitable or welfare purposes.
- 5. **Memorandum Circular No. 2, series of 1999 Issuance of Solicitation Permit** "... the Local Government Code vests in Municipal and City Mayors the authority to issue solicitation permits to any persons, corporation or organization to hold fund raising activities for any charitable and welfare purposes within their territorial jurisdiction.
- 6. Executive Order No 24, series of 2001 Delegating to the DSWD the Authority to Grant Authorization for the Conduct of National Fund Raising Campaign. "...the DSWD Secretary shall have the final authority to approve or disapprove requests for the conduct of national fund campaigns"
- 7. Administrative Order No. 170, series of 2002 "the DSWD is one of the government offices directed to raise income and remit funds promptly to the National Treasury. Henceforth, all Bureaus, Field Offices and Units shall be directed to charge fees for their goods and services which are not covered for free.

IV. COVERAGE AND APPLICABILITY

- 1. The provisions of this guideline shall apply to all local and national fund campaigns conducted in the Philippines which generally covers any applicant person, corporation, organization, association or any other juridical entity, including but not limited to National Government Agencies (NGAs), Government Owned and Controlled Corporations (GOCCs), state colleges/universities, non-government organizations, civic organizations, employees associations and other government and professional organizations that are desiring to solicit or receive contributions from the public for charitable or public welfare purposes, EXCEPT those whose charter or special laws that provide them an authority to solicit and/or conduct fund drives and those provided under Memorandum Circular 2, series of 1999.
- 2. Foreign corporations operating in the Philippines as non-stock, non-profit corporations desiring to solicit or receive contributions from the public for charitable or public welfare purposes may be granted solicitation permit in the Philippines, provided there is an existing mutual or bilateral agreement between the country of origin and the Philippines.
- 3. The solicitation permit shall only be valid within the jurisdictional limits of the Philippine territory and shall not extend to other countries even if the target beneficiaries and donors are Filipinos.

V. DEFINITION OF TERMS

The following terms are defined as used in this Guideline:

- 1. **Administrative Expenses** refers to the costs incurred in the management/operation relative to the conduct of the solicitation activity
- 2. Applicant refers to all National Government Agencies (NGAs), Government Owned and Controlled Corporations (GOCCs), State Universities/Colleges; and person, corporation, organization or association duly registered with Securities and Exchange Commission (SEC) or with other government agencies which grant legal juridical personality by virtue of registration desiring to undertake charitable or public welfare purposes as well as to solicit or receive contributions from the public for said purposes.
- 3. **Charitable Purposes** refers to the provision of services directly or indirectly to the poor, marginalized and disadvantaged sectors including but not limited to those who are: (1) abandoned, orphaned, exploited or in difficult circumstances; (2) children in conflict with the law, out of school youth and other youth with special needs; (3) persons with disabilities; (4) older person; (5) victims of natural or man-made disasters/calamities; (6) indigenous people; and (7) dysfunctional families and depressed communities.
- 4. **Department** refers to the Department of Social Welfare and Development (DSWD)
- Government Agencies refers to National Government Agencies (NGAs), Government Owned and Controlled Corporations (GOCCs), State Universities/Colleges and other government agencies desiring to solicit donations or receive contributions for charitable or public welfare purposes
- 6. **Local Authority** refers to a permit to solicit issued to the applicant when the area of solicitation covers a region
- 7. Local Fund Campaign refers to a solicitation activity conducted within a region
- 8. **Memorandum of Agreement (MOA)** refers to a notarized written document between the parties who will work together on an agreed project in order to attain common objectives. It is also a legal document that is binding and holds the parties responsible to their commitment.
- National Authority refers to a certificate of authority issued by DSWD-Central Office through the Standards Bureau to the applicant when the area of fund raising activities covers more than one region
- National Fund Campaign refers to a solicitation activity conducted in more than one region
- 11. **Processing Fee** refers to the corresponding fee as determined by the Department for processing of application and assessment purposes of the applicant
- 12. **Program Expenses** refers to all expenses incurred in the direct or indirect provision of the beneficiary's basic needs including expenses of the donee person or agency in the implementation of relevant programs and services
- 13. **Public** refers to the populace, society, masses or people in general. This means the general public comprising the Filipino society
- 14. **Public Solicitation** refers to any activity or project conducted in a particular region or nationwide for a maximum of one year, intended to generate funds from the public primarily for charitable or public welfare purposes
- 15. Public/Social Welfare Purposes refers to any activity or project relative to health, education, peace, welfare, environmental safety, rights, morals, security and safety of citizens and similarly situated circumstances including disaster relief operations and management
- 16. **Respondent** refers to the agency being complained of
- 17. **Social Welfare and Development Agency** refers to a non-profit or for profit entity, either individual or group, public or private that primarily engages in the provision of social welfare programs and services, to disadvantaged or vulnerable groups. These

- agencies may be in the form of Sole Proprietorship, Partnership, Corporation, People's Organization, Resource Agency and SWD network.
- 18. **Soliciting** refers to the act of requesting and/or receiving any money, material or other benefit/assistance from the public to be used for charitable or public welfare purposes
- 19. **Solicitation Permit** refers to a certificate of authority issued by the DSWD to the applicant person, corporation, organization or association to solicit donations or voluntary contributions for charitable or public welfare purposes
- 20. **Verified Complaint** refers to a written complaint containing an oath or attestation of the truthfulness of the facts alleged therein in accordance to the affiant's personal knowledge and belief
- 21. **Voluntary Contribution** refers to an act of giving any material or valuable item a person, corporation, organization or association for public welfare purposes

VI. GENERAL POLICIES

The following policies shall be observed relative to the regulation of fund drives or other forms of solicitation of contributions from the public

1. Applicant

1.1. National Government Agencies (NGAs), Government Owned and Controlled Corporations (GOCCs), State Universities/Colleges; private corporations/ organizations/associations or individuals including those with MOA with the Department desiring to undertake activities for charitable or public welfare intending to solicit contributions in the Philippines, whether through a local or national fund campaign, shall apply for a solicitation permit and submit all requirements to the appropriate unit of the Department

2. Fees and Charges

2.1. An applicant for a local fund drive shall be charged with a processing fee of P500 while national fund drives shall be charged a processing fee of ₽1,000. The amounts collected shall accrue and be deposited to the National Treasury under the General Fund.

3. Exempted and Prohibited Activities

- 3.1. No solicitation from the public shall be conducted without first securing a solicitation permit from the Department except for those organizations covered by a charter or special law that specifically provides them an authority to solicit and/or conduct fund drives. If the solicitation activity will be undertaken only in one city/municipality, the city or municipal local executive is authorized to issue the permit.
- 3.2. In no case shall any applicant be allowed to engage in solicitation activities involving the use of lottery, raffle and other game of chances or hazard where the source of prizes shall be taken from the proceeds generated from the activity and all other means contrary to law, public policy and morals.
- 3.3. The solicitation paraphernalia shall not portray a dehumanizing picture or situation of the intended beneficiary/ies
- 3.4. No individual, organization or institution shall allow its name to be used, advertised, or publicized as the beneficiary of any fund raising project unless a Memorandum of Agreement is executed between the parties stating therein the amount or percentage from the proceeds to be given to the beneficiaries, the date and place where the activity shall be undertaken. The awarding of the proceeds shall be within one month after the fund-raising activity
- 3.5. Business corporations, organizations or associations intending to solicit for charitable and public welfare purposes shall not be allowed to apply for solicitation permit. If these organizations intend to help or assist in public welfare activities, funds to be donated shall come from their own profit/income as part of their

corporate social responsibility. However, the business corporations, organizations or associations' welfare arm, if any, may apply for a solicitation permit but should first have a separate SEC registration as a non-profit and non-stock organization and later apply for registration to the Department. It is only after a favorable endorsement that the solicitation permit shall be granted

- 3.6. Caroling during Christmas season as a form of solicitation shall not require DSWD permit. However, local government units have the right to issue their own ordinances regarding caroling.
- 3.7. Persons or officers in-charge of the solicitation of donations and voluntary contribution shall have absolutely no share in the proceeds to be derived therefrom and the contributions or donations from whatever source are to be acknowledged with receipts and expenditures supported by invoices or vouchers. The book of accounts shall at all times be kept at the principal business address of the person/corporation/ organization/association concerned and be open to the public

4. Fund Proceeds and Allocations

- 4.1. Administrative cost for the fund raising activity shall be no more than fifteen percent (15%) of the total proceeds. The remaining eighty five percent (85%) shall be utilized entirely for the projects/programs for the targeted beneficiaries
- 4.2. Funds collected during the conduct of solicitation activities shall be deposited in a bank in the name of the person, corporation, organization or association to whom the permit was issued
- 4.3. All donations received shall be properly acknowledged by the receiving agency except for solicitation modes involving the sales of tickets, cards or envelops, in which case, the tickets, cards or envelops sold may be used as an acknowledgement receipt.
- 4.4. While for the NGAs, GOCCs, state colleges/universities and other government agencies, the following additional policies shall be observed:
 - a. Proceeds from the fund raising activity "shall be accounted for in the book of account of the recipient agency in accordance with pertinent government accounting and auditing rules and regulations. Such donations, whether cash or in kind shall be utilized for the intended beneficiaries of solicitation or fund raising activities" (General Appropriation Act)
 - b. Such proceeds "shall be remitted to the National Treasury, recorded as a Special Account in the General Fund and shall be available to the implementing agency concerned through a Special Budget pursuant to Section 35, Chapter 5 Book VI of EO 292: Provided, that donations for specific purpose with a term not exceeding one (1) year shall be treated as trust receipts in accordance with Section 7 hereof " (General Appropriations Act)

5. Issuance of Permit

5.1. For Government Agencies

- a. Solicitation activity to be conducted by the government agency's central office or attached agency shall be filed at the DSWD-Standards Bureau while those of their regional offices shall be filed at the concerned DSWD Field Office.
- b. DSWD Secretary shall issue the authority to conduct public solicitation to the government agency's central office or attached agency. For the authority to conduct public solicitation to the government agency's regional offices shall be issued by the concerned DSWD Field Office.

5.2. For Non-Government Organizations/ Agencies and Individuals

a. All applications for public solicitation shall be reviewed and assessed by the concerned DSWD Field Office. All applications that cover more than one region

- shall be endorsed to the Standards Bureau for evaluation of such application before approval of the DSWD Secretary
- b. National authority to conduct public solicitation shall be issued by the DSWD Secretary while local authority to conduct the same shall be issued by the concerned Regional Director.
- 5.3. For Both Government Agencies, Non-Government Organizations/Agencies and Individuals
 - a. The authority to solicit is non-transferable and specifies the period/duration of solicitation, methodology to be used and the area covered. Any change in the office address, period and duration of solicitation, methodologies being used and area of coverage, among others shall be immediately reported in writing to the concerned DSWD Office for assessment, evaluation and appropriate action
 - b. In case of loss of authority/permit, the person/corporation/organization/ association to whom the permit was issued shall immediately submit a written report and affidavit of loss to the concerned DSWD Office where the application was filed. The latter shall assess the merit of the reasons stated for the loss and whether it warrants the issuance of a replacement.
 - c. All solicitation/fund raising paraphernalia e.g. coin bank, poster, tickets etc. shall bear the DSWD authority number, coverage and effectivity date.

6. Information Dissemination

6.1. The Standards Bureau and/or concerned DSWD Field Office/shall inform the public of the names of persons, corporations and organizations or associations that were issued a solicitation permit through print and broadcast media; posting on bulletins in designated areas or DSWD website. Likewise the public will also be informed of those whose permits have been revoked.

VII. REQUIREMENTS

1. General Requirements

To facilitate the application for an authority/solicitation permit of the government agencies, two (2) copies of the following documents shall be submitted to the DSWD Field Office/DSWD Central Office for assessment:

1.1. For Government Agencies

- a. Duly accomplished application form (Annex A) signed by the Head of Agency who may be the Department's Secretary, Regional Director, Executive Director, General Manager, Chief Executive Officer or any similar officers of the agency.
- b. Certified list of agency/units/employees or partner agencies who will be directly involved in the conduct of fund raising activities.
- c. Project proposal approved by the Head of Agency to undertake the fund raising activities.
- d. Work and Financial Plan stating among others the target funds to be generated and its utilization (Annex B). It shall also contain an undertaking that administrative expenses shall not exceed 15% of the total proceeds and not less than 85% shall be used for the intended beneficiaries (Annex C)
- e. Acknowledgement, written agreement or any similar document signifying the intended beneficiary/ies concurrence as recipient of the fund raising activities

1.2. For Non-Government Organizations, Associations and Individuals

a. Duly accomplished application form (Annex A) signed by the Agency Head or his/her duly authorized representative.

- b. Certification of status of operation of the person, corporation, organization or association and updated certification from SEC on the validity of their registration or the certificate of registration including its articles of incorporation and by-laws from other concerned government agencies, which have jurisdiction to regulate the persons, corporations, organizations or associations.
- c. Copy of registration, license or accreditation certificate issued by DSWD or certification/endorsement from Local Social Welfare and Development Office attesting to its existence, operation, credibility and capability of the applicant in the area
- d. List and profile of current governing board members or its equivalent in the corporation, certified by the corporate secretary or any equivalent officer. (Annex D)
- e. Approved and notarized board resolution (for organization) or pledge of commitment (for individual) (Annex E) to conduct a fund-raising campaign which shall state the following:
 - > To limit the administrative expenses from the proceeds to no more than 15% of the total gross income and that 85% will be spent for the proposed project intended for public welfare
 - > No person involved in the fund-raising activity shall have a share in the proceeds derived therefrom
 - > To assume full responsibility for the legal and wise use of the total funds generated
 - ➤ In cases funds are raised solely through voluntary contributions, a pledge to limit all administrative expenses to no more than ten percent (10%) of the total collection
 - In case of raffles, ballots, cards or other similar mode of solicitation, no proceeds generated from the sale of raffle tickets, ballots, cards or other similar modes shall be used for purchase of prizes
- f. Work and Financial Plan stating among others the target funds to be generated and its utilization for program and administrative cost (Annex B)
- g. Endorsement or certification from appropriate agency allowing the applicant to undertake solicitation in the agency's jurisdiction such as Department of Education, Department of Health and Local Government Unit among others
- h. Fund utilization report (Annex F) of its proceeds and expenditures for the previous fund campaign, if applicable, duly audited by a certified public accountant

2. Additional Specific Requirements for Each Methodology to be Used

2.1. Tickets, Ballots, Cards and Similar Forms

- a. Sample tickets, ballots or cards bearing the series numbers, price/amount to be given by the donor. It shall clearly indicate the cause supported by the donation, beneficiary of the proceeds, serial number of the permit issued by the DSWD, the duration of and area covered by the fund raising activity.
- b. In case of raffles and similar mode of solicitation, it must clearly state in the accomplished application form the source of the prizes to be awarded and that absolutely no proceeds/donations generated from the sale of raffle tickets, ballots, or cards should be used for the purchase of prizes.
- c. Total number of tickets, ballots, cards of similar forms to be used and corresponding series numbers to be issued as well as the expected value of all tickets, ballots, cards and similar forms sold. Additional tickets, ballots, cards or similar forms to be used shall need written request from the applicant and approval from the DSWD-Field Office.

d. List of authorized agents/units/partner agencies who will be directly involved in the distribution and collection of tickets, ballots, cards and similar forms certified by the Chairman/President of the Board.

2.2. Coin Banks and Other Similar Modes

- List of establishments/areas/places, contact persons and addresses where the coin banks will be located
- b. List of authorized agents/units/partner agencies who will be directly involved in the distribution and collections of coin banks.
- c. Sample printed materials/labels to be pasted on the coin banks indicating that the amount given by the donor is a donation for a cause; beneficiary of the proceeds; the corresponding permit number, the area coverage of the solicitation and period covered by the permit
- d. Estimated total number of coin banks to be distributed and the corresponding serial numbers to be issued as well as the expected value of amounts to be solicited
- e. Opening of the coin banks must be witnessed by a DSWD representative/s

2.3. Fashion Shows, Concerts and Similar Activities

- a. List of locations/places where the fashion show/s and concert/s shall be conducted
- b. Sample tickets bearing the series numbers and price of the tickets. It shall clearly indicate the cause supported by the donation, beneficiaries of the proceeds, the corresponding permit number issued by the DSWD, the period and area covered by the solicitation permit and the name of the organization or duly authorized persons conducting the solicitation activity.
- c. Total number of tickets to be used and corresponding series numbers to be issued as well as expected value of all tickets sold.
- d. MOA or endorsement from the concerned agencies/establishments authorizing the applicants to use their facilities

2.4. Photo/Painting Exhibits and Similar Activities

- a. List of locations/places where the photo exhibits shall be conducted
- b. Sample paraphernalia/signs indicating the purpose of the activity, the name of the beneficiary, the corresponding permit number, the period and area covered by the solicitation permit and the name of the organization or duly authorized persons conducting the solicitation activity.
- c. Expected value of amounts to be solicited
- d. MOA or endorsement from the concerned agencies/establishments authorizing the applicants to use their facilities

2.5. Letter of Appeal, Greeting Cards and Similar Forms

- a. Sample of letter of appeal or greeting cards indicating that the amount to be solicited from the donor is for a cause, beneficiary of the proceeds, number of the permit issued by the DSWD and the duration of the fund raising activity.
- b. Total number of letters of appeal or greeting cards to be distributed and expected amount to be collected
- c. List of authorized agents/units/partner agencies who will be directly involved in the distribution and collection of letter of appeal greeting cards certified by the Chairman/President of the Board.

2.6. Text Messages and Other Types of Solicitation Using Electronic Devices Such as E-mail

- a. List of telecommunication companies/corporations to be used
- b. MOA or endorsement from the telecommunications companies/corporations authorizing the applicants to use their facilities
- c. Sample text or email messages to be passed to telecommunication companies/corporations indicating the donation is for a cause; beneficiary of the proceeds; the corresponding permit number, the area coverage of the solicitation, and the period covered by the permit.
- d. Cost per text/email messages to be solicited from the public.
- e. Expected total amount to be solicited through text/email messages.

2.7. Mass Media Campaign either through Radio, Television, Cinema, Magazines, Newspapers, Billboard Ads and Other Forms of Entertainment

- a. List of radio stations, television channels, cinemas, newspapers, to be used for advertisement of the solicitation activity.
- b. MOA or endorsement from the mass media companies authorizing the applicants to use their facilities
- c. Sample paraphernalia/materials to be used in the mass media campaign indicating that the donation is for a cause; beneficiary of the proceeds; the corresponding permit number, the area coverage of the solicitation, the period covered by the permit.
- d. List of banks, address and account numbers where the funds are to be deposited by the public

2.8. Rummage/Garage Sale and Other Similar Activities

- a. List of locations/places where the rummage/garage sales shall be conducted
- b. List of authorized agents/partner agencies who will be directly involved in the rummage/garage sale
- c. Sample signs indicating the purpose of the activity, the name of the beneficiary, the corresponding permit number, the period and area covered by the solicitation permit and the name of the organization or duly authorized persons conducting the solicitation activity.
- d. Expected value of amounts to be solicited
- e. MOA or endorsement from the concerned individuals/agencies/establishments authorizing the applicants to use their facilities

VIII. PROCEDURES

1. For Government Agencies

- 1.1. Application letter with the application form and requirements shall be filed in two (2) copies by the Agency Head at the DSWD-Standards Bureau if the applicant is a government agency's central office/ attached agency or at the respective DSWD-Field Office if the applicant is a regional office. Likewise, the applicant shall pay the required processing fee at the concerned DSWD Finance Service Unit that will then issue an official receipt.
- 1.2. Within ten (10) working days upon receipt of the application and requirements, the designated staff from the Standards Bureau or Field Office Standards Unit in the concerned DSWD-Field Office shall assess the eligibility of the applicant and evaluate the validity of the documents submitted.

1.3. Accomplished application form together with the assessment report and recommendation of designated staff, shall be forwarded to the Bureau/Regional Director or his/her authorized representative for approval or disapproval

a. If approved

- ➤ The designated staff of Standards Bureau or Field Office shall issue the signed certificate (Annex G) to the applicant and provide orientation conforming to the standard operating procedures in the inventory, monitoring and utilization of solicited funds (Annex H).
- > Endorse a copy of the permit to the concerned agencies that have jurisdiction over the applicant's fund drive activities for their information and reference.

b. If disapproved

Application shall be returned to the applicant. The Standards Bureau or Field Office-Standards Unit shall then discuss with the applicant the reasons for the disapproval and provide necessary technical assistance to the latter to qualify for the issuance of the permit to conduct local/national fund raising activity

2. For Non-Government Organizations, Associations and Individuals

2.1. National Fund Campaigns

- a. Application letter together with the application form and requirements shall be filed in two (2) copies by the concerned individual, head of the organization or its duly authorized representative at the respective DSWD-Field Office where the principal office or residence of the applicant is located. Likewise, the applicant shall pay the required processing fee at the DSWD-Field Office Finance Service Unit that will then issue an official receipt.
- b. Within ten (10) working days upon receipt of the application and requirements, the designated staff of the concerned DSWD-Field Office through Standards Unit shall assess the eligibility of the applicant and evaluate the validity of the documents submitted.
- c. Should the assessment be favorable, the DSWD Field Office shall forward the accomplished application form of qualified applicant with the assessment report and recommendation to the Standards Bureau in the Central Office. Should there be deficiencies, the DSWD Field Office shall return the application to the applicant and provide necessary technical assistance to correct such deficiencies.
- d. Within five (5) working days upon receipt of the validation and assessment of the DSWD-Field Office, the Standards Bureau shall conduct final review and evaluation and act on the application. It shall request the other DSWD-Field Offices covered by the fund raising activity to validate and assess the application, if necessary.

> If approved

- The application is endorsed with the corresponding Certificate of Authority to Conduct National Fund Campaign to the DSWD Secretary or his/her authorized representative for approval. Said certificate shall indicate the mode of solicitation as approved.
- Signed certificate (Annex G) shall be transmitted to the concerned DSWD Field Office for issuance to the applicant.
- A copy of the permit is endorsed to the concerned agency and DSWD Field Office that have jurisdiction over the applicants' fund drive activities for their information and reference.

 The Field Office shall provide an orientation on conforming to the standard operating procedures in the inventory, monitoring and utilization of solicited funds (Annex H).

> If disapproved

Applications shall be returned to the concerned DSWD Field Office with a transmittal letter citing specific reasons for the disapproval. The Field Office-Standards Unit shall then discuss the results of the application and provide necessary technical assistance to the applicant to qualify for the issuance of the permit to conduct national fund campaign.

2.2. For Local Fund Campaign (involving two or more LGUs within a region)

- a. Application letter with the application form and requirements shall be filed in two (2) copies by the concerned individual, head of the organization or its duly authorized representative at the respective DSWD-Field Office covering the region where the solicitation activity will be implemented. Likewise, the applicant shall pay the required processing fee at the DSWD-Field Office Finance Service Unit that will then issue an official receipt.
- b. Within ten (10) working days upon receipt of the application and requirements, the designated staff from the Standards Unit in the concerned DSWD-Field Office shall assess the eligibility of the applicant and evaluate the validity of the documents submitted.
- c. The accomplished application form together with the assessment report and recommendation of designated staff, shall be forwarded to the Regional Director or his/her authorized representative for approval or disapproval

> If approved

- The designated staff of Standards Unit shall issue the signed certificate (Annex G) to the applicant and provide orientation conforming to the standard operating procedures in the inventory, monitoring and utilization of solicited funds (Annex H).
- Endorse a copy of the permit to the concerned agency that has jurisdiction over the applicant's fund drive activities for their information and reference.

> If disapproved

 Application shall be returned to the applicant. The Field Office-Standards Unit shall then discuss with the applicant the reasons for the disapproval and provide necessary technical assistance to the latter to qualify for the issuance of the permit to conduct local fund raising activity

IX. VALIDITY OF THE PERMIT

The permit for both local and national coverage shall only be valid in the approved specific region/s/ area/s within the Philippines for a definite period which in no case shall exceed six (6) months for local fund drives or one (1) year for national fund drives.

X. POST FACILITATION PROCESSES

- 1. At least one month before the expiry date of the permit, the person, corporation, organization or association to whom the solicitation permit was issued, shall inform the concerned DSWD Office on the schedule of inventory/accounting of solicited funds
- 2. The inventory/accounting of collected funds shall be witnessed by the concerned DSWD Office through its Standards Unit. The latter shall submit a report to the Standards Bureau on or before every 10th working day after the end of each quarter.
- 3. The total solicited funds shall be utilized and distributed to the intended beneficiaries in accordance with the approved work and financial plan.

- 4. Within sixty (60) days after the expiry date of permit, whether used or unused, the person, corporation, organization or association to whom the permit was issued shall submit the following to the DSWD-Central Office or the DSWD Field Office:
 - 4.1. Fund utilization report certified by the Agency's Auditor from the Commission on Audit (COA), if government agency
 - 4.2. An audited financial report of its proceeds and expenditures, if non-government organization/agency or individual
 - 4.3. List of donors and their corresponding addresses and contact numbers
 - 4.4. List of beneficiaries and amount or types of assistance extended and their corresponding addresses and contact numbers.
 - 4.5. Expired original certificate authorizing the conduct of local/national fund campaign
 - 4.6. If permit is unused, a justification for not continuing the fund campaign activity
- 5. If the solicited funds are not yet fully distributed or utilized, the person, corporation, organization or association to whom the permit was issued shall submit status report of the funds within the said sixty (60) days. A report shall be submitted monthly thereafter until all the solicited funds are utilized.
- 6. The DSWD shall exercise its regulatory powers in the interest of the public. The DSWD duly authorized representative shall have authority to access documents and premises to verify the authenticity of any report submitted to it by auditing the financial statements or by monitoring the activities of the concerned organization to including its book of accounts, paper, affairs and other activities related to the conduct of fund campaign. Thus, the DSWD Field Office where the application was filed or that endorsed it for approval shall monitor/visit the conduct of fund-raising activities of the person, corporation, organization or association to whom the permit was issued to determine whether these are in accordance with the permit issued. A feedback report shall be submitted to the Standards Bureau within ten (10) working days after the monitoring visit. The latter shall then review and acknowledge the distribution and utilization report.

XI. HANDLING OF COMPLAINTS

- 1. A complaint against the person/corporation/organization/association must be in writing and duly signed by the complainant. Any individual and/or duly authorized officer of the DSWD may file the complaint to the DSWD Office that issued/endorsed the application for a solicitation permit.
- 2. Within five (5) working days upon receipt of the complaint, a fact-finding/investigation shall be conducted and the report shall be completed within five (5) working days. The Field Office shall appoint at least two (2) investigators who shall secure evidences, execute sworn statements, conduct interview with concerned agency officials/personnel/beneficiaries, agency visit and other relevant activities that may expedite the investigation.
- 3. The investigators shall submit a report with supporting documents to the Assistant Regional Director specifying the recommendation relative to the merit of the complaint within three (3) working days after completion of the investigation. If the recommendation is to dismiss the case, a resolution shall be prepared within five (5) working days to be signed by the Assistant Regional Director copy furnished the complainant, respondent and other relevant parties. In case the fact finding report recommends filing of charges, the Assistant Regional Director shall sign and forward the report to the Regional Director for further action.
- The Regional Director shall convene the Field Office Review Committee under Administrative Order No. 6 series of 2003, within three (3) working days from receipt of the report.

- 5. The respondent shall be notified in writing within five (5) working days after convening the FO Review Committee informing them that the case is being deliberated upon. The committee shall finish deliberation on the issues within five (5) working days
- 6. The respondent shall be given the right to be heard, present his/her side and opportunity to answer the charges filed against him/her, after which the case shall be submitted for resolution.
- 7. The FO Review Committee shall issue a decision and furnish the interested parties of the same within ten (10) working days from the last day of the committee deliberation
- 8. If the decision is favorable, the Regional Director shall immediately dismiss the case. If the decision is adverse to the agency, the Regional Director shall issue a suspension or revocation/blacklist order to the agency/respondent and meet the agency/respondent for the formulation of action plan for the funds collected. The Regional Director shall appoint the Standards Unit to closely monitor the implementation of the order.
- 9. The respondent may file an appeal directly with the Office of the Secretary within fifteen (15) days upon receipt of the decision from the Field Office Director copy furnished the latter for them to hold in abeyance the implementation of the order.
- 10. The appeal shall be immediately forwarded by the Office of the Secretary to the Central Office Review Committee (CRC) under Administrative Order No. 6 series of 2003 for review
- 11. The Chairperson of the CRC shall meet the members and finish deliberation on the merits of the case within ten (10) working days after receipt of the appeal
- 12. After deliberation of the case, the CRC shall submit a report to the Secretary including specific recommendations within ten (10) working days from the last day of the deliberation.
- 13. Once the resolution is signed by the Department Secretary or his/her duly authorized representative, the CRC shall furnish a copy of the resolution to the respondent within five (5) working days and oversee the implementation of the adverse decision in close coordination with the concerned Field Office
- 14. When deemed necessary, a criminal complaint shall be filed by the DSWD Regional Director to be assisted by the Retainer Lawyer of the Field Office
- 15. The filing of a complaint, as provided in this guideline shall not bar the filing of an administrative complaint for the purpose of revoking or suspending the registration or license issued by the Department or other government agencies.

XII. HANDLING OF OFFENDERS

The DSWD shall cause and assist in the prosecution of any person violating PD 1564 or its implementing rules and regulations. The DSWD-Standards Bureau and/or concerned Field Office shall establish close coordination with the Philippine National Police (PNP) in the implementation of this guideline. The following shall be the roles of DSWD and the Philippine National Police.

1. DSWD

- 1.1. Disapprove any subsequent application for solicitation permit by those who, after their permit had been issued, did not comply with the requirements under these guidelines.
- 1.2. Assist the PNP in the provision of pertinent information on cases of illegal solicitors.
- 1.3. File appropriate charges against those involved in illegal solicitation in accordance with the Rules of Court.

1.4. Keep a registry updated monthly of blacklisted persons/corporations/organizations/ associations. The registry should be provided to the PNP to guide them in their actions.

2. Philippine National Police

- 2.1. Assist the Department in enforcing the law on public solicitation
- 2.2. Arrest violators caught in the act of soliciting with expired permit, without permit or with permit but beyond the allowed area of coverage, and those violating the mode of solicitation as indicated in the approved permit.
- 2.3. Inform DSWD on complaints/tips received
- 2.4. Assist DSWD in the filing of case against those involved in illegal solicitation in accordance with the Rules of Court.
- 2.5. Account and be responsible for the custody of the persons arrested for soliciting illegally
- 2.6. Confiscate, account and place under its custody the paraphernalia used in illegal solicitation and solicited money for eventual turn over to the Local Social Welfare and Development Office (LSWDO), the community based social workers of the Regional DSWD Office or to inform DSWD-Standards Bureau for appropriate action

XIII. PENALTY CLAUSE

- 1. The following are grounds for Suspension, Revocation, Non-Renewal and Blacklisting:
 - 1.1. Dissolution of corporation/organization/association of its operation
 - 1.2. Revocation of SEC registration or registration from other government agencies that have jurisdiction over its operation
 - 1.3. Failure to adhere to the conditions stipulated in the solicitation permit
 - 1.4. Failure to provide measures to remedy the cause of suspension despite of three (3) notices
 - 1.5. Any violation of the provision of PD 1564, other relevant laws applicable or their implementing rules/regulations
 - 1.6. Falsification of submitted documents
 - 1.7. A verified complaint by an aggrieved party arising from damages or injury directly attributable to the execution of the activity for which the permit was issued
 - 1.8. Non-compliance with the requirements provided under this guideline
 - 1.9. Non-submission of the post facilitation reports
- 2. Any person found violating the provision of PD 1564 or this guideline shall, upon conviction, suffer the penalty of imprisonment of not more than one year, or a fine of not more than One Thousand Pesos (₽1,000.00), or both such imprisonment and fine at the discretion of the Court. Provided, however, that if the offended party is a corporation, organization, association, the penalty shall be imposed upon the guilty officer/s and if such guilty officer/s is an/are alien/s, he/she/they shall be deported after serving sentence without further proceedings.

XIV. REPEALING CLAUSE

Administrative Order No 79 series of 2003, Administrative Order No. 5 series of 2007 and all other issuances inconsistent with the provisions of this Order are hereby revoked.

XV. SEPARABILITY CLAUSE

In the event that any provision of this guideline is held invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting

1.4. Keep a registry updated monthly of blacklisted persons/corporations/organizations/ associations. The registry should be provided to the PNP to guide them in their actions.

2. Philippine National Police

- 2.1. Assist the Department in enforcing the law on public solicitation
- 2.2. Arrest violators caught in the act of soliciting with expired permit, without permit or with permit but beyond the allowed area of coverage, and those violating the mode of solicitation as indicated in the approved permit.
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In the event that any provision of this guideline is held invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting

XVI. EFFECTIVITY:

This Administrative Order shall take effect after fifteen (15) days following its publication in the Official Gazette or one newspaper of general circulation.

ESPERANZA I. CABRAL Secretary

Ann	lication	Form	No.
ΔDD	neation	I OI III	INU.

Republic of the Philippines Department of Social Welfare and Development

APPLICATION FOR AUTHORITY TO CONDUCT FUND CAMPAIGN

			Date:
Type: (Please check the appropriate box) □ New Application □ Renewal	Applicant: ☐ Government Agency ☐ Central Office/ Attached Agency ☐ Regional Office ☐ NGO ☐ Person/Individual		□ Local y
I. Identifying Information: Name of In Organization/Associa	dividual/Corporation/	2.	Business Address:
3. Agency Head		4.	Position Title/Designation
5. Telephone/Cell phone	/Fax Numbers	6.	E-mail Address
7. Registration/Permit N 71. SEC No:	o:	8.	Date of Issuance of Registration/Permit 8.1 SEC Issued
7.2. DSWD Registrati	on/License No.		8.2. DSWD Registration/License Issued
II. Objectives in the Condu 1. General Objectives:	ct of Public Solicitatio	ns	
Specific Objectives			

III. Project Description

Project Title	Methodologies to be Used	Brief Description	Target Date/Duration	Area Coverage of Solicitation Activities	Projected Amount to be Raised
	☐ Selling of Tickets, Ballots, Cards and other similar modes		T.		
	☐ Distribution and Collection of Coin Banks and other similar modes				
	☐ Conduct of Fashion Shows, Concerts and Similar Activities				
	☐ Posting and selling Photo Exhibits and Similar Activities				-
	☐ Distribution of Letter of Appeal, Greeting Cards and Similar Forms				
	☐ Sending Text Messages and Other Types of Solicitation Using Electronic Devices such as E- mail				
	☐ Advertising and/or Mass Media Campaign either through Radio, Television, Cinema, Magazines, Newspaper, Billboard Ads and Other Forms of Entertainment				
	☐ Conduct of Rummage/Garage Sale and Other Similar Activities				

	Sale and Other Similar Activities
IV.	Intended Beneficiary/ies
	I hereby certify that the information on this application form is true and complete.
	(Signature Over Printed Name of the Agency Head or Authorized Representative)

WORK AND FINANCIAL PLAN ON PUBLIC SOLICITATION

_					
B	usiness Address				
So	olicitation Fund-Raising Act	ivity (Title):			
	(Purpose)	:			
M	lethodologies to be Used:				
	rojected Amount to be Raise				
	. 1 4				
D	epository Bank :				
	tilization Plan (pls. use separa				
a.	Administrative Expenses in the management/operation				the cost incurred
	Activities	Target Beneficiaries	Amount to be Incurred	Time Frame	Responsible Person/s
		TOTAL			
b.	Program Expenses (The 8 the direct or indirect provisi the implementation of releva	85% of the total funds to be on of the beneficiary's bas	sic needs including thos		
b.	the direct or indirect provisi	85% of the total funds to be on of the beneficiary's bas	sic needs including thos		
b.	the direct or indirect provisi	25% of the total funds to be on of the beneficiary's base and programs and services of Target	sic needs including those of the donee or agency) Amount to be	Time	Responsible
b.	the direct or indirect provisi	25% of the total funds to be on of the beneficiary's bas ant programs and services of Target Beneficiaries	sic needs including those of the donee or agency) Amount to be	Time	Responsible
b.	the direct or indirect provisi the implementation of releva Activities	25% of the total funds to be on of the beneficiary's base and programs and services of Target	sic needs including those of the donee or agency) Amount to be	Time	Responsible
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b.	Activities Prepared by: (Signature ove	75% of the total funds to be on of the beneficiary's basent programs and services of Target Beneficiaries TOTAL TOTAL	Amount to be Incurred Title/Designation)	Time Frame	Responsible Person/s
b.	the direct or indirect provisi the implementation of releval Activities Prepared by:	75% of the total funds to be on of the beneficiary's basent programs and services of Target Beneficiaries TOTAL TOTAL	Amount to be Incurred Title/Designation)	Time Frame	Responsible Person/s
b.	Activities Prepared by: (Signature ove	75% of the total funds to be on of the beneficiary's basent programs and services of Target Beneficiaries TOTAL TOTAL	Amount to be Incurred Title/Designation)	Time Frame Date	Responsible Person/s

UNDERTAKING

Ι,	
(Name of Agency Hea	ad/Authorized Representative and Designation)
representing	
	(Name of Agency)
located at	
undertaken by this Department/Agency	expenses of the solicitation or fund-raising activity to to not more than 15% of the total collection/proceed for the programs, projects and/or assistance for the intended
Signed this day of	
SUBSCRIBE AND SWORN	Signature to before me the undersigned Notary Public for and
	, this day of
	by
	issu
	on
	NOTARY PUBLIC
Doc. No	
Page No.	
Book No	
Series of	

Republic of the Philippines Department of Social Welfare and Development Standards Bureau

LIST AND PROFILE OF MEMBERS OF THE GOVERNING BOARD

		Name	of Agency		
Name of Member	Position/Title	Business Address	Home Address	Experience and/or training on Social Welfare and Development (Pls. indicate place and date of training/experience)	Nationality (if foreign, pls. indicate BID clearance/working visa number and validity period)
Attested by:		Certified	true and correct:	Noted by	·:
Chairma	n of the Board	Se	cretary of the Board	Head of the	Agency
	Date	-	Date	Date	

BOARD RESOLUTION

	WHEREAS,				
			(Name of Co	orporation/Organization/Ass	ociation)
resolve	to raise funds for	the			
			(State	objectives/purposes)	
drive to	contributions and a o no more than fi riated for the said	funds received. That fteen percent (15%)	we will limit the of the gross income ds are raised sole	e administrative expenses in ome and/or the balance of	dge to assume full responsibility cident in the holding of the fund eighty-five percent (85%) to be butions, administrative expenses
proceed					e of solicitation as approved, no l be used for purchase of prizes;
derived				the fund raising shall get and during the fund drive.	ny share from the proceeds to be
	RESOLVED fin	nally, to authorize			as the sole
				(Name of Authorized Repres	sentative/s)
represe		organization to			essary application with the
			(Field	Office and Address)	
conduc	t the solicitation/for Authorized Solic Partner A	citors/Agents/			Citizenship (if foreign, pls. indicate BID
	Full Name	Signature			clearance/working visa number and date)
	UNANIMOUS	LY APPROVED:			
	GOVERNING	BOARD		Citizenship	
	OFFICERS/MI	EMBERS	Position	(if foreign, pls. indicate B clearance/working visa numb	
		EMBERS Signature	Position		
	OFFICERS/MI Full Name		Position	clearance/working visa numb and date)	per Residential Address
Approv	OFFICERS/MI Full Name	Signature	Position	clearance/working visa numb	per Residential Address
Approv	OFFICERS/MI Full Name ved by: irman/President of	Signature f the Board		clearance/working visa numband date) Certified of Co	Correct rporate Secretary
Approv Cha	OFFICERS/MI Full Name ved by: irman/President of SUBSCRIBE A	f the Board ND SWORN to befo	re me the unders	Certified of Congred Notary Public for and	Correct

NOTARY PUBLIC

PLEDGE OF COMMITMENT

I/We		of	legal		with, that		address consideration	at on of
my/our application to soli the Solicitation Permit Lav				fare purpo	oses pu	rsuant to tl	he provision	is of
THAT I/We shall administrative expenses in gross income and the ball funds are raised solely the (10%) of the total collection	ance of eighty-five rough voluntary co	ing of the fund e percent (85%	d drive to b) will be	no more appropria	than fi	fteen perce the said p	ent (15%) o project. In	f the case
THAT in case of generated from the sale o prizes;	raffles, ballots, ca f raffle tickets, bal							
THAT no person therefrom and that only la	involved in the twiful means shall be					he proceed	s to be der	rived
	THE ABOVE, the	following pe				rized agen	nts who wil	l be
Authorized Solicito Partner Agei			Address	S			izenship pls. indicate I	BID visa
Full Name	Signature					number and		VISA
Certified Correct								
(Signature Over l or Authorized Rep	Printed Name of the presentative)	e Agency Head	i			Dat	re .	
SUBSCRIBE A	ND SWORN to	before me	the u	ndersigne	d Note	ary Publi	c for and	l in
,	this day	of		at _				_ by
						ā		
	issued	d at			on			<u> </u>

NOTARY PUBLIC

FUND UTILIZATION REPORT

Business Address				
Solicitation Fund-Raising A	ctivity (Title):			
Total Funds Generated				
Special Account No.				
a. Administrative Expense management/operation rela	(The 15% of the total fative to the conduct of the se			
Activities	Beneficiaries	Utilized	Spent	Responsible Person/s
		Cinza	Spent	1 CISOM'S
	TOTAL			
or indirect provision of	e 85% of the total funds gen the beneficiary's basic i	needs including t	hose expenses directly	
or indirect provision of	e 85% of the total funds gen	needs including t	hose expenses directly	y involved in
or indirect provision of implementation of relevant	2 85% of the total funds gen the beneficiary's basic 1 t programs and services of t	he donee or agency Amount	hose expenses directly Date	Responsible
or indirect provision of implementation of relevant	2 85% of the total funds gen the beneficiary's basic 1 t programs and services of t	he donee or agency Amount	hose expenses directly Date	Responsibl
or indirect provision of implementation of relevant Activities Prepared by:	the beneficiary's basic of the programs and services of the Beneficiaries	heeds including the donee or agency Amount Utilized	hose expenses directly Date	Responsible
or indirect provision of implementation of relevant Activities Prepared by: (Signature ove	the beneficiary's basic of the programs and services of the Beneficiaries TOTAL	Amount Utilized	Date Released/Spent	Responsib Person/s
or indirect provision of implementation of relevant Activities Prepared by: (Signature ove	**Read the Beneficiary's basic of the beneficiary's basic of the programs and services of the Beneficiaries **TOTAL** *	Amount Utilized	Date Released/Spent	Responsib Person/s Date



Republic of the Philippines **DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT**

Central/Field Office	
(CO/FO Address)

AUTHORITY TO CONDUCT FUND CAMPAIGN

(Non-Transferable)

The Department of Social Welfare and Development (DSWD) authorizes
(Name of Organization / Agency / Person) with principal office
(Office Address of the Organization / Agency / Person) to conduct
fund raising campaign for a period of (maximum duration of fund raising activity)
(purpose of fund raising activity) . Solicitation shall be
done through (methodologies to be used) .
This authorization/solicitation permit takes effect on (date issued) and expires on (date of expiration). This authority/solicitation permit is valid only in (approved area/s of coverage).
(Signature Over Printed Name)

DSWD Authority/Solicitation Permit No.: (DSWD-SB/FO-SP-00001-2007)

CONFORME LETTER

Dear _	
campa	The wish to inform you that we have favorably approved your application for local/national fund drive a sign with authority number and valid from to based on a llowing standards operating procedures:
1.	That all the standard conditions and requirements set by the Department are met;
2.	
3.	The authority to solicit is non-transferable and can only be used on the approved period/duration, methodology to be used and within the area covered by the application. Any changes in the current office address, methodologies being used and area of coverage, among others shall be immediately reported in writing to the concerned DSWD Office who issued the permit otherwise they will be apprehended by the law enforcers. To avoid such, the necessary requirements shall be submitted to the concerned DSWD-Field Office for assessment, evaluation and appropriate action.
4.	That at least one month before the expiry date of permit, the concerned DSWD-Field Office shall be informed on the schedule of inventory/accounting of solicited funds. The latter shall witness the inventory and accounting of collected funds (applicable to coin banks and similar modes)
5.	The total solicited funds shall be utilized and distributed to the intended beneficiaries in accordance with the approved work and financial plan.
6.	 Within sixty days after the expiry date of permit, the following shall be submitted to the concerned DSWD-Field Office: 6.1. Fund utilization report certified by the Agency's Auditor from the Commission on Audit (COA), if government agency 6.2. An audited financial report of its proceeds and expenditures, if non-government organization/agency or individual
	 6.3. List of donors and their corresponding addresses and contact numbers 6.4. List of beneficiaries and amount or types of assistance extended and their corresponding addresses and contact numbers. 6.5. Expired certificate authorizing the conduct of local/national fund campaign 6.6. If permit is unused, a notarized justification for not continuing the fund campaign activity
7.	If the solicited funds are not yet fully distributed or utilized, a status report of the funds shall be submitted to concerned DSWD-Field Office within the said sixty days and monthly thereafter until all the solicited funds are utilized, as the case may be.
8.	That the distribution shall be in close coordination with the concerned DSWD Field Office and the latter shall monitor the conduct of fund-raising activities to determine whether these are in accordance with the permit issued.
9.	For renewal of permit, the applying individual/corporation/organization/association shall file an application and shall go through the usual procedures stated in their administrative order.
W	We look forward to your compliance with the above to maximize the use of solicited donations.
	Very truly yours,
	Standards Bureau/Field Office Director

Conforme: