

[ADMINISTRATIVE ORDER NO. 21, November 08, 2001]

**REVISED IMPLEMENTING RULES AND REGULATIONS
GOVERNING REPUBLIC ACT NO. 8425 OTHERWISE KNOWN AS
THE SOCIAL REFORM AND POVERTY ALLEVIATION ACT**

WHEREAS, pursuant to Republic Act No. 8425, or the Social Reform and Poverty Alleviation Act, the Office of the President is mandated to formulate the implementing rules and regulations governing the law;

WHEREAS, poverty alleviation, defined as the reduction of absolute and relative poverty, is one of the core thrusts of government;

WHEREAS, several implementing rules and regulations have been issued relating to the Social Reform and Poverty Alleviation Act, to wit: Administrative Order (A.O.) No. 11 series of 1998, A.O. No. 36 series of 1998 and an unnumbered Implementing Rules and Regulations (IRR) signed on December 23, 1998;

WHEREAS, pursuant to the provisions of the Social Reform and Poverty Alleviation Act and its implementing rules and regulations, the National Anti-Poverty Commission was established to replace the Presidential Commission to Fight Poverty, the Social Reform Council and the Presidential Council for Countryside Development;

WHEREAS, the provisions ensuring wide participation, autonomy and transparency in the selection of representation among the basic sectors mandated in A.O. No. 11 series of 1998 were revoked and repealed by A.O. No. 36 series of 1998 and the unnumbered IRR signed on December 23, 1998;

WHEREAS, the Lead Convenor of the National Anti-Poverty Commission has recommended the repeal of A.O. No. 36 series of 1998 and the unnumbered IRR signed on December 23, 1998, and the issuance of revised implementing rules and regulations complying with the provisions of the Social Reform and Poverty Alleviation Act;

WHEREAS, broad participation shall be ensured to create responsive, accountable, and meaningful representation from the basic sectors.

NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby promulgate:

**RULE I
POLICY AND DEFINITION OF TERMS**

SECTION 1. Title. – These Rules shall be known as the Revised Rules and

SECTION 2. Purpose. – These Rules are promulgated to prescribe the procedures and guidelines for the implementation of Title I on the National Anti-Poverty Commission of the Social Reform and Poverty Alleviation Act in order to facilitate compliance therewith and achieve the objectives thereof.

SECTION 3. Declaration of Policy. – It is the policy of the State to:

- (1) Adopt a sustainable, integrated, area-based, sectoral and focused intervention to poverty alleviation wherein every poor Filipino family shall be empowered to meet its minimum basic needs of health, food and nutrition, water and environmental sanitation, income security, shelter and decent housing, peace and order, education and functional literacy, participation in governance and family care and psycho-social integrity;
- (2) Actively pursue asset reform or redistribution of productive economic resources to the basic sectors including the adoption of a system of public spending which is targeted towards the poor;
- (3) Institutionalize and enhance the Social Reform Agenda (SRA), which embodies the results of the series of consultations and summits on poverty alleviation;
- (4) Adopt and operationalize the following principles and strategies as constituting the national framework integrating various structural reforms and anti-poverty initiatives:

- (a) Social reform shall be a continuing process that addresses the basic inequities in Philippine society through a systematic package of social interventions;
- (b) The SRA shall be enhanced by government in equal partnership with the different basic sectors through appropriate and meaningful consultations and participation in governance;
- (c) Policy, programs and resource commitments from both government and the basic sectors shall be clearly defined to ensure accountability and transparency in the implementation of the SRA;
- (d) A policy environment conducive to sustainable social reform shall be pursued;
- (e) The SRA shall address the fight against poverty through a multi-dimensional and cross-sectoral approach which recognizes and respects the core values, cultural integrity and spiritual diversity of target sectors and communities;
- (f) The SRA shall pursue a gender-responsive approach to fight poverty;
- (g) The SRA shall promote ecological balance in the different ecosystems in a way that gives the basic sectors a major stake in the use, management, conservation and protection of productive resources;
- (h) The SRA shall take into account the principle and interrelationship of population and development in the planning and implementation of social reform programs thereby promoting self-help and self-reliance;
- (i) SRA implementation shall be focused on specific target areas and basic sectors; and
- (j) The SRA shall advocate and institutionalize a multi-sectoral approach towards building social consensus to poverty alleviation at the national and local levels thereby mobilizing the different but potentially complementary capacities, resources and perspectives of civil society,

government, and business towards a concerted societal effort at alleviating poverty.

RULE II

THE PHILIPPINE APPROACH TO SOCIAL REFORM AND POVERTY ALLEVIATION

SECTION 1. The Multi-dimensional Approach to Poverty Alleviation.

Strategies or programs of government and civil society shall incorporate the elements that will address each of the four dimensions of the SRA, namely:

a) Economic Dimension – Asset Reform. Asset reform seeks to address the issue of economic inequity by widening the citizens' share of resources, whether natural or manufactured, 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 implement asset reform.

b) Social-Cultural Dimension – Access to Quality Basic Services and Protection of the Security of Life, Person, Livelihood, Indigenous Culture and Freedom, from Violence. These reforms refer to the equitable control and access to social-cultural services and facilities especially education, health, housing and other basic services. These reforms are necessary to 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 Use 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 ensure 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 2. Asset reform. 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 shall be obtained through the following sector-specific flagship programs:

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 and 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 and cultural integrity;

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; and

g) Disadvantaged groups that cut across all sectors, particularly women, youth and students, children, the elderly, persons with disabilities and victims of natural and man made calamities: Comprehensive Integrated Delivery of Social Services (CIDSS) 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.

Additionally, to support the sectoral flagship programs, the following cross-sectoral flagships shall likewise be instituted:

a) Institution-building and effective participation in governance;

b) Sustainable livelihood programs;

c) Expansion of micro-credit/microfinance services and capability building; and

d) Infrastructure buildup and development.

RULE III

THE NATIONAL ANTI-POVERTY COMMISSION

SECTION 1. Principles Governing the National Anti-Poverty Commission (NAPC). The NAPC shall be governed by the following principles:

a) Incorporation of the SRA into the formulation of the development plans at the national, regional, sub-regional and local levels;

b) Efficiency in the implementation of the anti-poverty programs by strengthening or streamlining present poverty alleviation processes and mechanisms and reducing the duplication of functions and activities among various government agencies;

c) Coordination and synchronization of social reform and poverty alleviation programs of national government agencies;

d) Exercise of policy oversight responsibilities to ensure the attainment of social reform and poverty alleviation goals;

e) Strengthening of local government units to more effectively operationalize the SRA in local development efforts;

f) Institutionalization of basic sectoral and non-government organizations' (NGO) participation in effective planning, decision making, implementation, monitoring and evaluation of SRA at all levels;

g) Ensuring adequate, efficient and prompt delivery of basic services to the poor;

- h) Enjoining government financial institutions to open credit and savings windows for the poor and advocating the creation of such windows for the poor among private banking institutions; and
- i) Pursuit of poverty alleviation in harmony with sustainable development as embodied in Philippine Agenda 21 and other policies of government.

SECTION 2. Composition of the NAPC. The President of the Republic of the Philippines shall serve as the Chairperson of the NAPC. The President shall appoint the Lead Convenor of the NAPC, either from the government, civil society or private sector, who shall likewise serve as the head of the NAPC Secretariat and shall have the rank of Cabinet Secretary.

There shall be a Vice-Chairperson for the government sector and a Vice-Chairperson for the basic sectors, the former to be designated by the President and the latter to be elected among the Sectoral Representatives of the NAPC.

The members of the NAPC are as follows:

(1) Heads of the following government bodies:

- (a) Department of Agrarian Reform (DAR);
- (b) Department of Agriculture (DA);
- (c) Department of Labor and Employment (DOLE);
- (d) Department of Budget and Management (DBM);
- (e) Department of Social Welfare and Development (DSWD);
- (f) Department of Health (DOH);
- (g) Department of Education, Culture and Sports (DECS);
- (h) Department of the Interior and Local Government (DILG);
- (i) Department of Environment and Natural Resources (DENR);
- (j) Department of Finance (DOF);
- (k) National Economic and Development Authority (NEDA);
- (l) People's Credit and Finance Corporation (PCFC), subject to Section 17 of the Social Reform and Poverty Alleviation Act; and
- (m) Presidential Commission on Urban Poor (PCUP).

(2) Presidents of the Leagues of Local Government Units:

- (a) League of Provinces;
- (b) League of Cities;
- (c) League of Municipalities; and
- (d) Liga ng mga Barangay.

(3) Representatives from each of the following basic sectors:

- (a) Farmers and landless rural workers;
- (b) Artisanal fisherfolk;
- (c) Urban poor;
- (d) Indigenous cultural communities/indigenous peoples;
- (e) Workers in the formal sector and migrant workers;
- (f) Workers in the informal sector;
- (g) Women;
- (h) Youth and students;