

**[ KKPP DEPARTMENT ORDER NO. 07, S. 1995,  
March 24, 1995 ]**

**REVISED RULES ON LICENSING OF SOCIAL WORK/SOCIAL  
WELFARE AND DEVELOPMENT AGENCIES**

**ARTICLE I**

**TITLE**

This Order shall be known and cited as the "Revised Rules on Licensing of Social Work/Social Welfare and Development Agencies".

**ARTICLE II**

**RATIONALE**

The Department of Social Welfare and Development (DSWD) is the primary agency mandated by law to develop and implement comprehensive social welfare services to facilitate the integration of the most disadvantaged and distressed Filipinos into the mainstream of society.

The DSWD recognizes the vital role of Non-Governmental Organizations (NGOs) as partners of government in the promotion of the welfare of the disadvantaged population through continuing complementarity of goals, objectives and methodology.

The common objective likewise, is to ensure that planned targets of the relevant sectors of the disadvantaged population are covered.

In accordance with its mission to protect the clientele and to ensure that the goal of uplifting the well-being of the disadvantaged is achieved, the Department, through its regulatory function provides the standards and guidelines that shall govern this service delivery by the NGOs.

The DSWD may provide for the following benefits and incentives in favor of NGOs licensed under this Order:

- \* Technical assistance on program development and preparation of requirements for accreditation.
- \* Training of NGO selected staff.
- \* Recommendation for exemption from duty tax and such other applicable taxes relative to foreign donations after six (6) months of operation as a licensed agency, consistent with its target clientele and services.

\* Participation in the formulation and development by the DSWD of social welfare plans and policies.

\* Subsidized Power Rate Program (SPRP), for those NGOs operating twenty-four hour live-in residential institutions in areas where such program is available, similar to an existing tie-up being enjoyed by DSWD with MERALCO in Metro Manila.

### **ARTICLE III**

#### **PHILOSOPHY**

The rules and regulations for licensing of NGOs are based on the belief that prior importance or consideration should be given to the clientele by social work/social welfare and development agencies.

Accountability to donors and other supporters is the primary concern since most of the private agencies are funded by public contributions and voluntary donations.

The provision of social work/social welfare and development services and of opportunities for the upliftment the socio-economic conditions of individuals, families and communities is not exclusively a government responsibility but that of the private sector, as well.

In this connection, the private sector, through NGOs engaged in social work/social welfare and development services, are enabled by the Department, in the exercise of their mandate, to commit themselves to a high degree of competence and integrity. Thus, regulations and standards issued by the DSWD are indispensable in order to support such commitment and strengthen public confidence.

Employer-employee relations in the NGO are recognized as a major factor that affects service by the NGO to its clients. In this regard, where conflict arises between employer and employee in the NGO, the methods used in its settlement should not lose sight of the NGO's primary duty to serve.

### **ARTICLE IV**

#### **LEGAL BASIS**

The DSWD draws its authority and responsibility to license social work/welfare and development agencies from the following:

(a) Article II, Section 23 of the Constitution;

(b) Article IV, Sec. 23 and Article V, Sec. 26 of Republic Act (R.A.) No. 4373, as amended by R.A. 5175, Regulating the Practice of Social Work and the Operation of Social Work Agencies in the Philippines;

(c) Article 118 of Presidential Decree No. 603, otherwise known as the Child and Youth Welfare Code; and,

(d) Sec. 12 of Executive Order 123, dated Jan. 30, 1987, reorganizing the Department of Social Welfare and Development.

## **ARTICLE V**

### **DEFINITION OF TERMS**

The following terms are defined for purposes of this Administrative Order:

(a) *Social work/social welfare and development agency* — a person, corporation, or organization, private or governmental that engages mainly, and generally represents itself to engage, in social work/social welfare and development, whether casework, groupwork, or community organization, and obtains its finances, either totally or in part, from any agency or instrumentality of the government and/or from the community by direct or indirect solicitations and/or fund drives and/or private endowments.

(b) *Non-government organization (NGO)* — a private social work/social welfare and development agency.

(c) *License* — is the certificate issued by DSWD to an agency which has complied with the statutory requirements to operate as a social work/social welfare and development agency.

(d) *Licensing* — the process of enabling the NGOs to comply with the statutory requirements to operate as a social work/social welfare and development agency. Registration and licensing shall be considered as one and the same process.

(e) *Applicant* — a non-governmental organization that applies for the issuance of a license to operate as a social work/social welfare and development agency.

## **ARTICLE VI**

### **APPLICATION PROCESS FOR LICENSING**

*SECTION 1. Coverage.* — All NGOs providing continuous social work intervention to promote the well-being of the disadvantaged individuals, families and communities through the provision of preventive, restorative, rehabilitative and developmental programs and services shall apply in writing to the DSWD Field Office where the agency is based, for a license to operate as a social work/social welfare and development agency.

*SECTION 2. Supporting Documents.* — The applicant shall accomplish the prescribed form (Appendix 1<sup>\*</sup>) and submit same to the DSWD Field Office with the following documents:

1. Certified true copy of Certificate of Registration from the Securities and Exchange Commission, including its approved Articles of Incorporation, Constitution and By-Laws;
2. Agency manual using the outline developed by the DSWD (Appendix 2<sup>\*</sup>) in

consultation with the private sector;

3. List of members of the governing board of the agency certified by its Corporate Secretary using the form prescribed in Appendix 3\*.

4. Certified list of employees using the form prescribed in Appendix 4\*.

In case a board member or employee is not a Filipino citizen, he shall be required to submit the pertinent documents enabling him to work in the Philippines, from the Commission on Immigration and Deportation (CID) and from the Department of Labor and Employment (DOLE), whenever applicable.

5. Certification by head of applicant agency of paid employment of a registered social worker who carries out direct service and provides technical advice to management.

6. A two year work and financial plan covering the current and subsequent year to indicate financial viability or stability for said period, to include the following:

(aa) source/s of funds and corresponding amount expected from each source, local as well as foreign, in cash, in kind or in services;

(bb) work plan and corresponding budget for administration and operations to include information on programs/ projects, target number of beneficiaries, clientele categories, and other pertinent information; and,

(cc) resource generation strategy or system to ensure continuity of service.

*SECTION 3. Residential or Center-based NGOs.* — In the case of NGOs operating residential or center-based programs, applicant shall submit proof of compliance with applicable laws or ordinances on building, fire safety, health, sanitation, water, and other requirements.

*SECTION 4. Unlicensed NGO.* — A Non-Government Organization already operating without a license shall submit its annual report for the preceding calendar year. Such report shall include the following:

(aa) programs, services, strategies, interventions, activities, categories and number of the client served and problems encountered;

(bb) geographical area(s) of coverage;

(cc) list of paid personnel and volunteers that served during calendar year;

(dd) a financial report of the preceding year using the form (Appendix 5\*) developed by the Department and NGOs which indicate funds received and sources thereof, itemized expenditures according to purpose and balance of funds at the end of the year covered as verified by an independent auditor.

*SECTION 5. NGOs Operating in More Than One Region.* — In the case of a Non-Government Organization that operates community based social welfare programs

and services in more than one region, the NGO shall apply for a license at the DSWD field office where its head office is located or where the bulk of its operation is conducted. Further information and validation on the NGOs or existing projects or services in other regions shall be solicited from the Assistant Field Director of the region where the license was issued.

*SECTION 6. NGOs With Multiple Offices.* — In case of NGOs that establish a separate office in another area but within the jurisdiction of the same region, such NGO need not apply for a license, provided, such NGO operates community- base programs and services. Such NGO shall apply for accreditation of its programs and services.

*SECTION 7. NGOs With Multiple Clientele.* — A Non-Government Organization that establishes two or more facilities serving different clientele categories in the same region shall apply for a separate license for each facility.

## **ARTICLE VII**

### **ASSESSMENT AND ISSUANCE OF LICENSE**

*SECTION 8. Requirement to Attend Orientation/Dialogue.* — Upon review of the documents submitted by the NGO, there being sufficient indication that the applicant operates a social work/ social welfare and development agency, the Assistant Field Director shall acknowledge the application and require the NGO to attend an orientation/dialogue to be conducted by the Field Office, as a prerequisite to the issuance of the license to operate.

*SECTION 9. Matters for Orientation/Dialogue.* — The Assistant Field Director shall organize a regular orientation/ dialogue with applicants for a license at least once month or as indicated to explain matters such as licensing requirements, programs and services, policies and procedures in licensing, and benefits derived from licensing, among others. These shall not preclude the holding of an orientation with an individual NGO when there are other NGOs with pending applications.

*SECTION 10. Agency Visit.* — The Assistant Field Director or his designated Field Office Technical Staff or Social Welfare Specialist shall conduct agency visit(s) to validate the data contained in the documents submitted by the NGO prior to recommending issuance of license.

*SECTION 11. Department's Seal on the License.* — The seal of the Department shall be affixed to the license to operate certificate. Said license shall be turned over to the NGO in the presence of the Secretary or her designated representative and the Field Director.

## **ARTICLE VIII**

### **FAILURE TO COMPLY WITH REQUIREMENTS**

*SECTION 12. Notice of Non-compliance.* — An applicant which fails to meet the requirement(s) for licensing shall be notified within five working days, stating the areas of non-compliance.

*SECTION 13. Disapproval of Application.* — Despite the provision of technical