



Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
DILG-NAPOLCOM Center, EDSA corner Quezon Avenue, West Triangle, Quezon City
<http://www.dilg.gov.ph>



MEMORANDUM CIRCULAR

NO: 2019-163

TO : ALL PROVINCIAL GOVERNORS, CITY AND MUNICIPAL MAYORS, PUNONG BARANGAYS, DILG REGIONAL/ PROVINCIAL/CITY DIRECTORS, DILG-BARMM MINISTER, CLUSTER LEADERS, C/MLGOOS, AND ALL OTHERS CONCERNED

SUBJECT : REGIONAL CONSULTATIONS ON THE FORMULATION OF THE IMPLEMENTING RULES AND REGULATIONS (IRR) OF REPUBLIC ACT NO. 11291 OTHERWISE KNOWN AS THE "MAGNA CARTA OF THE POOR"

DATE : 30 SEP 2019

1.0. BACKGROUND

- 1.1. Pursuant to Section 15 of R.A. No. 11291, otherwise known as the Magna Carta of the Poor, the National Anti-Poverty Commission (NAPC) is tasked to promulgate the Implementing Rules and Regulations (IRR) of the Act in coordination with concerned National Government Departments and Agencies, involving the participation of the Local Government Units (LGUs) and the basic sectors.
- 1.2. In line with this, the NAPC Secretariat shall be conducting a series of regional consultations to concerned LGUs in order to solicit inputs and comments on the draft IRR prepared by the NAPC.
- 1.3. In view of the foregoing, the Department of the Interior and Local Government (herein after as DILG) expresses its support to the initiative through the issuance of this policy to enjoin the LGUs to support the same.

2.0. PURPOSE

- 2.1. This Memorandum Circular is issued to encourage all Provinces, Cities, Municipalities and Barangays to support the said undertaking spearheaded by the NAPC.

3.0. LEGAL BASES

- 3.1. Republic Act No. 11291 or the Magna Carta of the Poor, specifically on Section 15.

4.0. COVERAGE

4.1. This Memorandum Circular covers all Provincial Governors, City and Municipal Mayors, Punong Barangays, DILG Regional/ Provincial/City Directors, DILG-BARMM Minister, Cluster Leaders, C/MLGOOs, and others concerned.

5.0. POLICY CONTENT

5.1. As stipulated in Section 1.0 of this Memorandum Circular, the NAPC shall be conducting a series of Regional Consultations for the finalization of the draft IRR of the said Act in order to solicit comments and inputs from LGUs and CSOs on the same. Thus, herewith are the respective schedules and proposed areas for the said regional consultations:

DATE	REGION	PROPOSED AREA
Oct 7 – Oct 8, 2019	Region II	Tuguegarao City
Oct 7 – Oct 8, 2019	Region IV-A	Sta. Cruz, Laguna
Oct 7 – Oct 8, 2019	Region MIMAROPA	Oriental Mindoro
Oct 8 – Oct 9, 2019	CAR	Baguio City
Oct 8 – Oct 9, 2019	Region I	San Fernando, La Union
Oct 9 – Oct 10, 2019	Region VII	Cebu City
Oct 9 – Oct 10, 2019	Region XI	Davao City
Oct 10 – Oct 11, 2019	BARMM	Cotabato City
Oct 10 – Oct 11, 2019	Region X	Cagayan de Oro City
Oct 10 – Oct 11, 2019	Region IX	Pagadian City
Oct 11 – Oct 12, 2019	Region V	Albay
Oct 11 – Oct 12, 2019	Region XII	General Santos City
Oct 15 – Oct 16, 2019	CARAGA	Butuan City
Oct 16 – Oct 17, 2019	Region III	San Fernando, Pampanga
Oct 16 – Oct 17, 2019	Region VIII	Tacloban City
Oct 18 – Oct 19, 2019	National Capital Region (NCR)	City of Manila
Oct 18 – Oct 19, 2019	Region VI	Iloilo City

5.2. The conduct of the regional consultations shall be done within 2 days following the above-cited schedule (the first day focusing on the comments and inputs of the respective LGUs, while the second day focusing on the comments and inputs of the CSOs).

5.3. All DILG Regional Offices are hereby directed to coordinate with the respective LGUs assigned as the proposed area for the regional consultation with regards to the identification of the specific venue for the conduct of the same, of which shall be coordinated with the NAPC once finalized. DILG ROs are also requested to extend logistical support to the conduct of the consultation activities.

5.4. All concerned LGUs are requested to extend full support that the NAPC may require in the conduct of the aforementioned consultations. Further, LGUs are also highly encouraged and may opt to formally host these activities upon agreement with NAPC.

5.5. Attached (ANNEX A) to this Memorandum Circular is the draft IRR for the review and reference of concerned units.

5.6. All DILG Regional Directors are hereby directed to cause the widest dissemination of this Circular and extend the necessary assistance.

6.0. Approving Authority


EDUARDO M AÑO
Secretary

 
DILG-OBEC 11062016-08946

7.0. Feedback

For more information, you may contact the following:

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43 and effect. Nothing in the Act and in these Rules and Regulations shall be construed
44 in a manner that will diminish the enjoyment of such rights by the poor, who shall
45 have the right to avail of greater rights offered by existing laws, including those
46 granted under the Act.²

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48 As such, alongside the fundamental rights of the poor to adequate food, decent
49 work, relevant and quality education, adequate housing, and the highest attainable
50 standard of health granted under the Act, these Rules and Regulations recognize
51 other rights of the poor including, but not limited to, the right to water and
52 sanitation; right to social protection; right to a healthy environment; right to peace;
53 and right to participation;³

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55 (b) *Progressive realization of the rights of the poor* – Progressive realization refers to
56 a process of implementation which will be paced according to the availability of
57 funds and which adjusts to the exigencies of the times. This, however, shall not be
58 interpreted as relieving the State of its obligation to take reasonable and appropriate
59 steps, to the maximum of available resources, to ensure the full realization of the
60 rights of the poor. To the extent that resource constraints preclude the immediate
61 full realization of rights, the State shall progressively expand the available resources
62 in accordance with a time-bound plan of action leading to full realization, marked
63 by clear thresholds to be reached on each of the rights of the poor at every stage
64 therein.

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66 Further, while progressive realization allows for a time dimension in the strategy
67 for rights fulfillment and for setting priorities due to resource constraints, it is
68 recognized that no right can be given precedence over others on the grounds of
69 intrinsic merit, because all rights are equally valuable. In cases where a right cannot
70 be immediately realized, the State must begin immediately to take steps to fulfill
71 the right in question as expeditiously as possible;⁴

² The underlined text is from Sec. 5 of the Act, 'Non-Diminution of the Rights of the Poor'. The intervening clause is added to explicitly mention international rights instruments, for instance the International Covenant on Economic, Social, and Cultural Rights ratified by the Philippines in 1986, which codify a wider range of rights than that provided in the Magna Carta and existing laws. Non-diminution is the first governing principle stated here in order to establish at the outset that the rights of the poor shall in no way be diminished only to the five fundamental rights, providing a basis for harnessing other government interventions besides those explicitly stated in the Act.

³ In accordance with the '10 Basic Needs' of Filipinos derived from the calls of the basic sectors at the National Anti-Poverty Sectoral Summit held in October 2016 and presented at the first NAPC En Banc Meeting convened by President Duterte on 30 January 2017.

⁴ The underlined text is the definition of "progressive realization" in Sec. 3 of the Act. It is, however, necessary to elaborate on the concept of progressive realization in line with established international standards, in order to make it more meaningful and pro-poor for the purposes of the Act. The additional text is derived from the "Principles and Guidelines for a Human Rights Approach to Poverty Reduction Strategies" by the Office of the UN High Commissioner for Human Rights (2006).

73 (c) *Interdependence of rights requiring the holistic and convergent delivery of*
74 *programs and services* – Notwithstanding the prioritization allowed for in the
75 preceding principle, the implementation of the Act and these Rules and Regulations
76 shall reflect the *interdependence* of the rights of the poor – to wit, that the exercise
77 of each right is instrumental in securing all of the other rights, and no right can be
78 fully realized in the absence of the others. This means that the full realization of the
79 rights of the poor requires the *holistic and convergent delivery of programs and*
80 *services*, such that their benefits may be availed of in concert with or in succession
81 of one another, with the goal of fulfilling as many of the beneficiary poor’s rights
82 as possible in a given time. This principle however does not preclude that some of
83 these programs and services may further require policy and regulatory reforms,
84 changes in implementation procedures, or budgetary increases to be made more
85 effective;⁵

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87 (d) *Participation of the basic sectors and consideration of sector-specific needs* – The
88 participation of the basic sectors and the consideration of sector-specific needs shall
89 be deemed inherent and essential in all phases of the implementation of the Act and
90 these Rules and Regulations, in accordance with R.A. No. 8425, otherwise known
91 as the Social Reform and Poverty Alleviation Act, and pertinent laws and issuances.

92
93 (e) *Transparency and accountability* – Transparency shall govern all actions in the
94 planning and implementation of all programs, projects, and activities covered under
95 the Act and these Rules and Regulations subject to limitations provided by law and
96 the Constitution. Public officials directly or indirectly involved in the processes
97 under this Act as well as the private parties involved herein, shall, when warranted
98 by circumstances, be investigated and held liable for their actions relative thereto
99 under the relevant laws, rules, regulations, and administrative issuances on
100 accountability.

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102 **RULE II**
103 **DEFINITION OF TERMS**

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105 SECTION 6. *Definition of Terms* – For the purposes of the Act and these Rules and
106 Regulations, the following terms are hereby defined:⁶

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⁵ Perhaps the “heart” of the NAPC’s *Sambayanihan Serbisyong Sambayanan* strategy, which has likewise been recognized in the HDPRC Roadmap, is the ‘beneficiary-level’ convergence of programs and services – that is, that poor households and organizations should be able to benefit from a wide range of programs and services delivered by different government agencies, as well as by the non-government sector, in a synchronized or sequential manner in order for these interventions to complement one another and have a maximum impact on poverty reduction. The interdependence of the rights of the poor, a self-evident principle long established in international rights discourse, is actually the implicit bedrock of this approach.

⁶ All underlined text in this Section are from Sec. 3 of the Act, ‘Definition of Terms’

- 108 (a) “Basic Sectors” shall refer to the disadvantaged sectors of Philippine society
109 including farmer-peasants, fisherfolk, workers in formal sector including migrant
110 workers, workers in the informal sector, indigenous peoples and cultural
111 communities, women, persons with disability, senior citizens, victims of
112 calamities/natural and human-induced disasters, youth and students, children,
113 urban poor, and members of cooperatives;
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- 115 (b) “Development partners” shall refer to NGOs, POs, and private organizations and
116 corporations that are engaged in programs and activities aimed at alleviating the
117 condition of the poor;
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- 119 (c) “Hazardous/Danger Zones” shall refer to areas which, when occupied for
120 residential or business purposes, pose a danger to the life and safety of the
121 occupants or of the general public;
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- 123 (d) “National Poverty Reduction Plan (NPRP)” shall refer to the aggregation and
124 consolidation of sectoral and local plans through a bottom-up approach, from the
125 Local Poverty Reduction Action Plan towards the formulation of the national plan.
126 It shall be a comprehensive and convergent plan formulated by all government
127 agencies to set the thresholds to be achieved by government for each of the
128 recognized rights of the poor, with consideration of the development plans of
129 provinces, cities, and municipalities;⁷
130
- 131 (e) “Nongovernment Organizations (NGOs)” shall refer to duly registered nonstock,
132 nonprofit organizations focusing on the upliftment of the basic sectors of society
133 by providing advocacy, training, community organizing, research, access to
134 resources, protection of the environment and conservation of natural resources, and
135 other similar activities;
136
- 137 (f) “People’s Organizations (POs)” shall refer to self-help groups belonging to the
138 basic sectors composed of members having a common bond of interest who
139 voluntarily join together to achieve a lawful common social or economic end;
140
- 141 (g) “Poor” shall refer to individuals or families whose income falls below the poverty
142 threshold as defined by the National Economic and Development Authority
143 (NEDA) and/or who cannot afford in a sustained manner to provide their minimum
144 basic needs of food, health, education, housing, or other essential amenities of life,
145 as defined under Republic Act No. 8425, otherwise known as the Social Reform
146 and Poverty Alleviation Act. In determining who constitute the poor, the
147 Multidimensional Poverty Index determined by the Philippine Statistics Authority
148 (PSA), the National Household Targeting System for Poverty Reduction (NHTS-

⁷ The underlined text is the definition of the NPRP in Sec. 3 (g) of the Act. The additional text is derived from the description of the NPRP in Sec. 8 of the Act and is appended here for purposes of clarity.

149 PR) administered by the Department of Social Welfare and Development (DSWD),
150 and the Community-Based Monitoring System (CBMS) as established by R.A. No.
151 11315 shall be considered;⁸

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153 (h) “Progressive Realization” shall refer to a process of implementation which will be
154 paced according to the availability of funds and which adjusts to the exigencies of
155 the times, in accordance with a time-bound plan of action leading to full realization
156 marked by clear thresholds to be reached on the rights of the poor at every stage
157 therein;⁹

158
159 (i) *“Provincial Consultative Body”* shall refer to a convergent and consultative
160 mechanism that aims to mainstream, at the provincial level, the participation of the
161 basic sectors in the formulation, implementation, monitoring, and evaluation of
162 anti-poverty strategies, and serve as an avenue for coordination and collaboration
163 between government agencies, LGUs, and communities;

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165 (j) *“Threshold”* shall refer to a minimum level of fulfillment of each of the rights of
166 the poor to be achieved by the government over a definite period of time;

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168 **RULE III**
169 **DUTIES OF THE STATE¹⁰**
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171 Pursuant to the declared policy of the State as provided in Section 4 herein, and in accordance
172 with its obligation as primary duty-bearer to respect, protect, and fulfill the rights of the poor,
173 the duties of the State and its concerned agencies, bodies, and instrumentalities shall be as
174 follows:

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176 SECTION 7. *Duties of National Government Agencies* – It shall be the duty of the
177 concerned national government agencies, bodies, and instrumentalities, including GOCCs, as
178 further prescribed in these Rules and Regulations and without prejudice to their mandates and
179 functions as provided by existing laws, whether singly or in collaboration with one another, to:
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⁸ The underlined text is the definition of ‘poor’ in Sec. 3 (f) of the Act. The other databases are added for consideration in order to allow for a wider scope and greater flexibility in identifying beneficiaries, especially in view of the recently-passed R.A. No. 11315 (‘Community-Based Monitoring System Act’, signed into law on 17 April 2019). We are actually proposing the development of an MPI-based “household poverty index” from data to be generated by the CBMS in Section 18 herein.

⁹ The definition of ‘progressive realization’ is modified in accordance with Sec. 5 (b) herein (see note 4).

¹⁰ While not provided for in the Magna Carta, but in accordance with long-established rights doctrine (as enshrined in, for instance, R.A. No. 9710, the ‘Magna Carta of Women’), the idea behind this Rule is to explicitly register the State’s obligation as primary duty-bearer of the rights of the poor. Section 7 herein restates the items under the clause, “To attain the foregoing policy...” in Sec. 2 of the Act as active duties of national government agencies, and to establish specific elements of an effective anti-poverty strategy. Meanwhile, Section 8 is intended to summarize and emphasize the NAPC’s mandates under the Magna Carta vis-à-vis its powers and functions under R.A. No. 8425.

- 181 (a) Prioritize and expand investments in anti-poverty programs, including but not
182 limited to programs that widen the poor’s share of assets and resources; provide
183 them access to the necessary infrastructure, inputs, financing, insurance, and
184 extension to develop their livelihoods; enable them to engage in sustainable and
185 value-adding enterprises, aided by production and marketing support, to increase
186 their incomes; and spur agro-industrial development for increased job generation.
187 Complemented by increased investments in health, education, housing, social
188 welfare, and social protection, these programs will enable the poor to fully
189 participate in the country’s growth and development;
190
- 191 (b) Provide the poor full access to government services, including by increasing
192 budgetary allocations for these services, if warranted; enhancing the capacities of
193 LGUs to deliver the basic services devolved to them pursuant to the Local
194 Government Code; and simplifying the requirements and procedures necessary for
195 the poor to avail of these services, among other strategies, in line with the principles
196 of progressive realization and holistic and convergent delivery of programs and
197 services described herein;
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- 199 (c) Strengthen interventions to address the genuine concerns of the poor, which may
200 include the review and reform of existing policies, plans, and programs on the basis
201 of their effectiveness in upholding the rights of the poor as defined in the Act and
202 in these Rules and Regulations, and institutionalize long-term strategies and
203 solutions as may be determined therefrom in consultation with the basic sectors;
204
- 205 (d) Enhance and promote the capabilities and competencies of the basic sectors, NGOs,
206 POs, and other development partners for the effective delivery and implementation
207 of anti-poverty programs and basic services, through government strategies and
208 collaboration with development partners.¹¹
209

210 SECTION 8. *Duties of Local Government Units* – It shall be the duty of all LGUs to
211 exercise their powers and functions, pursuant to the Local Government Code and other pertinent
212 laws, in compliance of the State's obligation to respect, protect, and fulfill the rights of the poor,
213 including but not limited to local legislation, generation and application of resources, delivery
214 and maintenance of basic services and facilities, and promotion of the general welfare. They
215 shall perform such actions as may be necessary to carry out and facilitate the exercise of the
216 duties of national government agencies described in the preceding section within their areas of
217 jurisdiction. In particular, they shall align their respective development, investment, and poverty
218 reduction plans with the NPRP and shall be subject to the monitoring of the Department of the
219 Interior and Local Government (DILG) for their compliance to the same.
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¹¹ The NAPC Basic Sectors and others may want to further develop this item to include more specific elements of capability- and competency-building.

221 SECTION 9. *Duties of the National Anti-Poverty Commission (NAPC)* – In line with
222 the principles guiding its operationalization and its powers and functions as provided by R.A.
223 No. 8425, the NAPC shall:

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225 (1) Coordinate with the national government agencies, LGUs, and the private sector on
226 the formulation, implementation, and monitoring and evaluation of the NPRP,
227 including, with the technical assistance of NEDA, the compilation and
228 harmonization of agency plans with consideration to the development plans of
229 provinces, cities, and municipalities;

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231 (2) Coordinate with local government units in the formulation of poverty reduction
232 programs for their respective areas in conformity with the NPRP;

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234 (3) Oversee and monitor compliance by all parties mentioned in Section 3 herein with
235 the provisions of the Act and these Rules and Regulations and submit a compliance
236 report to Congress within six (6) months from the effectivity of the Act and every
237 six (6) months thereafter;

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239 (4) Exercise policy oversight responsibilities and recommend policy and other
240 measures to ensure the progressive realization of the rights of the poor, leading to
241 full realization;

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243 (5) Advocate for the mobilization of funds by national and local governments to finance
244 the programs included in the NPRP; and

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246 (6) Ensure meaningful representation and active participation of the basic sectors in all
247 phases of implementation of the Act and the NPRP.

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RULE IV
THE FUNDAMENTAL RIGHTS OF THE POOR¹²

The government shall establish a system of progressive realization of implementation to provide the requirements, conditions, and opportunities for the full enjoyment or realization of the fundamental rights of the poor, which are essential requirements towards poverty alleviation.¹³

SECTION 10. Right to Adequate Food – The right to adequate food is the right of individuals or families to have physical and economic access to adequate and healthy food, or the means to procure it. The Department of Social Welfare and Development (DSWD), the Department of Agriculture (DA), and other implementing agencies concerned shall:

(1) Undertake necessary actions to mitigate and alleviate hunger especially in times of calamities/natural and human-induced disasters:

- i. The DSWD, in coordination with LGUs, shall ensure that food and non-food assistance are immediately delivered to victims of disasters and calamities (VDCs). The DSWD shall maintain optimum levels of food and non-food items (FNI) stockpiles prepositioned for all LGUs, and the LGUs, through their Local Disaster Risk Reduction and Management Offices (LDRRMO), shall ensure an efficient mechanism for the immediate delivery of food and non-food assistance to VDCs.

¹² As will be noted, the contents of this Rule are far from complete. The NAPC Secretariat only attempted to fill out, for the time being, two of the fundamental rights provided herein – the rights to adequate food and decent work – based on our mapping of government interventions in order to serve as a template for inputs by the Basic Sectors and others under this Rule. The idea here is for us to spell out, as specifically as we can, the terms of “convergence” of the roles and functions of the government agencies, including LGUs, that we think are necessary to fully carry out the strategies identified under each of the rights of the poor in the Magna Carta. We think that, as far as the NAPC and its Basic Sectors are concerned, it is important that we have a clear and specific vision of how we want this to be done; also, this exercise is critical in order to identify the specific programs and projects which shall be included under the Act, for funding purposes (see Sections 22 and 24 herein).

As such, we have requested the inputs of the following Basic Sectors to fill out the roles and functions of government agencies and LGUs, in line with the template provided herein, under the following rights:

- FARMERS AND LANDLESS RURAL WORKERS, ARTISANAL FISHERFOLK, ICC/IP, VDC: Refinements/additions to the government strategies indicated herein under the Right to Adequate Food
- FLMW, WIS, URBAN POOR, COOPERATIVES: Refinements/additions under Right to Decent Work, particularly on specific interventions for ensuring compliance with core labor standards and providing an environment for more inclusive tripartism (FLMW) and promoting livelihood among the poor (WIS, cooperatives)
- YOUTH AND STUDENTS: Right to Quality Education
- URBAN POOR, ARTISANAL FISHERFOLK: Right to Adequate Housing
- WOMEN, CHILDREN: Right to the Highest Attainable Standard of Health
- ICC/IP, VDC, WOMEN, CHILDREN, PWD, SENIOR CITIZENS, NGO: Ensuring that sector-specific needs and concerns are adequately accounted for under each of the rights of the poor.

¹³ All underlined text under this Rule are from Sec. 4 of the Act, ‘Scope of the Fundamental Rights of the Poor,’ unless otherwise indicated.

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- ii. The National Food Authority (NFA) shall likewise ensure that sufficient rice stocks are prepositioned in areas where a calamity or natural/human-induced disaster is imminent, and that the supply and prices of rice in these areas are stabilized within the appropriate period upon its occurrence.
 - iii. The DA and the Department of Trade and Industry (DTI) shall strictly enforce the automatic price freeze on basic necessities in areas declared as a disaster area or under a state of calamity, or price ceilings on any basic necessity or prime commodity that may be imposed by the President, pursuant to R.A. No. 7581 as amended.
 - iv. Following initial relief assistance, the DSWD, Department of Labor and Employment (DOLE), and LGUs shall make opportunities for food-for-work, cash-for-work, or emergency employment available to VDCs, in order to facilitate their sustained access to food during the recovery period. In the case of and as required by VDCs engaged in farming or fisheries, the DA shall provide assistance in the form of seeds and other planting materials, fingerlings and fries, livestock, minor fishing paraphernalia, and minor repairs of small-scale irrigation systems in order to restore their food production activities as quickly as possible.
- (2) Fully implement and maintain supplementary feeding programs in day care centers and schools:
- i. The DSWD and the Department of Education (DepEd) shall fully implement and maintain, respectively, the Supplementary Feeding Program (SFP) and School-Based Feeding Program (SBFP) in accordance with existing guidelines. The DepEd shall further sustain the implementation of *Gulayan sa Paaralan* Program (GPP) as a complementary program to the SBPF. Pursuant to R.A. No. 11037, LGUs shall assist the DSWD and DepEd in the efficient and effective implementation of these programs.
- (3) Ensure the availability, accessibility, and sustainability of food supplies in a quantity and quality sufficient to meet the dietary needs of poor individuals and families:

Where possible, the State shall prioritize and promote own-food production by poor households and communities, preferably through organic agricultural systems, as described in succeeding item. Otherwise, it shall endeavor to maintain at all times the availability of basic food necessities and commodities at reasonable prices in local markets.

- 315 i. The DA, Department of Public Works and Highways (DPWH), and other
316 concerned agencies shall intensify efforts to increase the productivity of the
317 agri-fishery sector and facilitate the steady flow of agricultural produce to local
318 markets through the development and expansion of climate-responsive
319 infrastructure, including irrigation systems, fish landing sites, shared service
320 facilities, and farm-to-market roads, among others. The LGUs, for their part,
321 shall maintain at all times the integrity of these structures as well as other
322 facilities necessary for food distribution, including roads and bridges, trading
323 posts, and public markets.
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- 325 ii. The LGUs, further, in coordination with the concerned agencies, shall
326 regularly monitor local markets and take the necessary measures to ensure the
327 constant availability of basic food necessities and commodities therein,
328 including through assistance and incentives to local food producers and inter-
329 local arrangements, especially when disasters are imminent. The DA and DTI,
330 in particular, shall strictly enforce price monitoring and compliance by traders
331 with standard retail prices of basic food necessities and commodities, and, if
332 warranted, impose price controls in accordance with R.A. No. 7581 as
333 amended.
334
- 335 iii. Notwithstanding the need to ensure the availability of food supplies in a given
336 locality, the DA, DTI, and LGUs shall nonetheless prioritize and promote the
337 distribution in local markets of the produce and products of poor farmers and
338 smaller food producers, over larger firms that may have advantages in
339 productivity but also engage in unsustainable agricultural practices. Nothing
340 herein shall be construed as promoting high-productivity agricultural or
341 fisheries systems at the expense of environmental conservation, consumers'
342 health, and the economic, social, and cultural rights of the poor.
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- 344 iv. The NFA shall maintain at all times a sufficient rice buffer stock sourced solely
345 from local farmers and optimally prepositioned to immediately respond to
346 supply and price fluctuations in local markets.
347
- 348 (4) Proactively engage the poor in activities intended to promote their food self-
349 sufficiency and strengthen their access to resources and means to ensure food
350 security:
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352 Own-food production by poor households and communities shall be prioritized and
353 promoted by the State as a strategy for attaining food security. This shall entail:
354 fast-tracking the distribution of land and other necessary assets to poor households
355 and organizations; production support, including infrastructure, inputs, financing,
356 insurance, and extension for climate-responsive household and/or community food
357 production, preferably through organic agriculture systems; and, as a function of

358 increased productivity therein, product diversification and integration of household
359 and community food producers into value chains in order to increase incomes.

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361 i. The Department of Agrarian Reform (DAR) shall expedite land acquisition
362 and distribution to poor farmer beneficiaries, and, in coordination with LGUs,
363 ensure that they are actually installed in and have full control over awarded
364 lands. The DAR shall encourage and facilitate the formation of farmer
365 beneficiaries into agrarian reform beneficiary organizations (ARBOs), with
366 the express purpose of working the land primarily for own-food production.

367
368 ii. The National Commission on Indigenous Peoples (NCIP) shall likewise
369 expedite the issuance of certificates of ancestral domain title/certificates of
370 ancestral land title (CADT/CALT) and strictly enforce the requirement of free,
371 prior, and informed consent (FPIC) on activities encroaching on ancestral
372 domains, by way of protecting the local food production practices of
373 indigenous peoples/indigenous cultural communities.

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375 iii. For ARBOs and other organizations of poor households, the DA shall provide
376 the necessary inputs, equipment, technical assistance, financing, and
377 incentives for sustainable and climate-responsive household and/or
378 community food production, with preference to organic inputs, methods, and
379 technologies. While local food demand is met and as productivity increases,
380 the DA and DTI shall provide further assistance to these organizations in the
381 form of capacity building, financing, and technical assistance, among others,
382 to engage in product diversification and higher value-adding activities, leading
383 to the development of community enterprises which can support the right to
384 decent work, as detailed in Section 4 (3) herein.

385
386 iv. The LGUs shall provide the necessary agricultural support and extension
387 services, among other services and facilities for which they are responsible
388 pursuant to the Local Government Code, and create the enabling environment
389 for the implementation of the abovementioned strategy within and across their
390 respective jurisdictions.

391
392 SECTION 11. Right to Decent Work – The right to decent work is the right to the
393 opportunity to obtain decent and productive employment, in conditions of freedom, equity,
394 gender equality, security, and human dignity. The DOLE and other implementing agencies
395 concerned shall:

396
397 (1) Ensure that the poor shall have access to information regarding employment
398 openings in private enterprises and in government programs and projects especially
399 regarding available employment opportunities for families displaced by
400 calamities/natural and human-induced disasters or relocated from hazardous/danger
401 zones:

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- i. The DOLE, in coordination with LGUs, shall strengthen the Public Employment Service Offices (PESO) in carrying out its functions pursuant to R.A. No. 10691, particularly on enjoining employers to regularly submit a list of job vacancies in their respective establishments in order to facilitate the exchange of labor market information between job seekers and employers. With the participation of its key stakeholders, the DOLE through PESO shall endeavor to develop and strengthen labor market information (LMI) systems operative at the municipal level.
 - ii. The PESOs shall ensure that information on employment openings, as well as information on their employment facilitation services, are posted and regularly updated in all barangay halls within their areas of jurisdiction.
 - iii. As part of their disaster recovery and rehabilitation activities, LGUs shall proactively deliver information on employment openings, including emergency employment opportunities as may be made available by the DSWD and DOLE pursuant to Section 10 (1) herein, to VDCs within their jurisdiction and assist them to avail of these opportunities as necessary.
 - iv. The LGUs, particularly those whose localities are marked by high unemployment and underemployment, shall provide the necessary funding to strengthen the operations of their PESO.
 - v. As part of its social preparation activities for resettlement of urban communities, and in its capacity building activities for the urban poor organizations in general, the PCUP shall assist in skills matching of unemployed or underemployed individuals with available employment opportunities near their places of residence or in prospective areas for resettlement.
 - vi. The NHA shall ensure that resettlement sites shall be constructed in areas where LMI, as provided by the municipal PESO, indicates a sufficient number of employment opportunities in or near the area; or where a prior study by the DTI or LGU indicates the possibility of developing a sustainable community enterprise that may be linked to existing value chains.
- (2) Ensure the compliance of private contractors and subcontractors doing national and local public work projects, funded by either the national government or any LGU, to fill in thirty percent (30%) of the skilled labor requirements by qualified workers who come from the poor sector and who are residents of the LGUs where these projects are undertaken: *Provided, That where the number of available resources is less than the required percentage provided therein, said requirements shall be based on the maximum number of locally available labor resources and shall be certified*

446 by the municipal, city, provincial or district engineer as sufficient compliance with
447 the labor requirements under this Act.

448
449 (3) Promote livelihood among the poor where implementing agencies shall provide
450 technical and administrative support to help the poor establish their livelihood
451 enterprise:

452
453 i. The DSWD and DTI, in coordination with the LGU, shall provide capital and
454 technical support to the poor necessary in establishing, developing, and
455 expanding micro-, small-, and medium-enterprises which correspond to
456 existing or potential economic activities in the community.

457
458 ii. The DA and DAR shall mobilize livelihood packages for small farmers,
459 ARBOs, or MSMEs engaged in the agriculture, forestry, and fisheries (AFF)
460 sector. In coordination with DTI, it shall endeavor to develop a high-value
461 agribusiness sector by promoting product diversification and providing
462 appropriate machineries and equipment to enhance productivity and efficiency
463 from production up to post-harvest.

464
465 iii. The DPWH, in coordination with the LGU and, if necessary, to the NCIP, shall
466 fast-track the construction of FMRS, bridges, tramlines, railways, and fish
467 ports to connect small farmers and fisherfolk to the agricultural value chain.

468
469 iv. The Cooperative Development Authority (CDA) shall assist group
470 beneficiaries of livelihood assistance, particularly workers in AFF sector, in
471 organizing, maintaining, and upgrading cooperatives, so as to integrate them
472 into larger agribusiness enterprises.

473
474 v. The DTI, in its programs, shall incorporate basic financial products and
475 services such as savings, payments, credit, and investments for MSMEs and
476 cooperatives. Likewise, the DA, through the Agricultural Credit Policy
477 Council (ACPC) and Philippine Crop Insurance Corporation (PCIP), shall
478 assist MSMEs and cooperatives in availing of credit and insurance necessary
479 in expanding their production.

480
481 vi. The DOLE shall provide emergency and community-based employment to
482 displaced, underemployed, or unemployed poor individuals, including farm
483 workers during off-season, who shall be assisted during or upon the emergency
484 employment period to transition to regular and full employment through
485 employment facilitation services.

486
487 (4) Ensure compliance with core labor standards, address the job and skills mismatch,
488 and enhance human capital through education and training:

489

490 i. The DOLE and LGUs shall exhaust avenues to assist and strengthen the
491 employability of workers entering the labor market, especially first-timers,
492 senior high school graduates, persons with disabilities, and women returning
493 to the workforce.

494
495 ii. The TESDA shall endeavor to establish and maintain technical and vocational
496 education and training (TVET) centers in the poorest provinces in the country.
497 In coordination with the LGUs and concerned agencies, it shall promote and
498 enhance community-based training for special groups, including informal
499 workers, indigenous peoples, farmers, fisherfolk, drug dependents, rebel
500 returnees, women victims of abuse and human trafficking, returning and
501 repatriated OFWs, and PWDs, through identifying and supplying the specific
502 skills requirements of different barangays. Moreover, it shall closely
503 coordinate with the PESO to ensure that skills match available local job
504 opportunities.

505
506 (5) Provide an environment for more inclusive tripartism to achieve more broad-based
507 representation of interests and make decision-making highly participatory through
508 social dialogue at the firm and industry levels.

509
510 SECTION 12. Right to Relevant and Quality Education – The right to relevant and
511 quality education is the right to attain the full development of the human person. The
512 Department of Education (DepEd), the Commission on Higher Education (CHED) and the
513 Technical Education and Skills Development Authority (TESDA), in coordination with
514 development partners concerned, shall:

515
516 (1) Maintain a system of free public education in the kindergarten, elementary and high
517 school levels:

518
519 (2) Make higher education accessible to all poor individuals and families. They shall
520 expand the programs of providing free or socialized education to the poor, including
521 student loans or study-now-pay-later plans, in state/local universities and colleges,
522 which may be made subject to reasonable academic requirements:

523
524 (3) Ensure access to quality technical-vocational education and training through
525 scholarships, subsidies and financial assistance to ensure success to decent and
526 productive employment, subject to compliance to requirements:

527
528 SECTION 13. Right to Adequate Housing - The right to adequate housing is the right
529 to have a decent, affordable, safe, and culturally appropriate place to live in, with dignity,
530 security of tenure, in peace, and with access to basic services, facilities, and livelihood. The
531 Housing and Urban Development Coordinating Council (HUDCC) and other implementing
532 agencies concerned shall:

533

- 534 (1) Prioritize the implementation of the socialized housing program with identified
535 appropriate subsidies:
536
- 537 (2) Immediately construct and provide housing facilities for families living in identified
538 hazardous/danger zones, and in areas affected by disasters/calamities where the
539 housing needs of the poor are urgent:
540
- 541 (3) Create an enabling environment that will assist the poor gain access to security of
542 tenure with the least financial burden:
543
- 544 (4) Provide a system consisting of simple requirements and procedures, and
545 expeditious processing and approval especially for community-based socialized
546 housing/people's proposals:
547

548 SECTION 14. Right to the Highest Attainable Standard of Health – The right to the
549 highest attainable standard of health is the right to have equitable access to a variety of
550 facilities, goods, services, and conditions necessary for the realization of the highest attainable
551 standard of health. The Department of Health (DOH) and other implementing agencies
552 concerned shall:
553

- 554 (1) Ensure equitable access to a system of good quality healthcare and protection that
555 is also available and accessible to the poor, in keeping with reasonable standards:
556
- 557 (2) Provide for comprehensive, universal, culture-sensitive non-discriminatory and
558 gender-responsive health services programs, which include: (i) maternal and child
559 health care and nutrition; (ii) access to ethical, legal, medically safe and effective
560 reproductive health services and supplies; (3) promotion of breastfeeding; (iv)
561 prevention and management of reproductive tract infections; sexually transmitted
562 diseases, including Human Immunodeficiency Virus (HIV) and Acquired Immune
563 Deficiency Syndrome (AIDS); (v) provision of immunization against major
564 infectious diseases occurring in the community; and (vi) prevention treatment and
565 control of epidemic and endemic diseases:
566
- 567 (3) Reduce the financial burden of health care and protection of the poor through a
568 socialized health insurance program with the end view of totally eliminating out-
569 of-pocket expenses:
570
- 571 (4) Provide health related education and information to the community.
572

573 SECTION 15. Other Rights of the Poor –The concerned government agencies and
574 LGUs shall also endeavor to provide the requirements, conditions, and opportunities for the
575 full realization or enjoyment of other rights of the poor, including, but not limited to:
576

- 577 (a) *Right to Water and Sanitation* – The right to water and sanitation is the right to have
578 access to sufficient, safe, acceptable, physically accessible, and affordable water for
579 personal and domestic use, and to have physical and affordable access to sanitation,
580 in all spheres of life, that is safe, hygienic, secure, and socially and culturally
581 acceptable and that provides privacy and ensures dignity;
582
- 583 (b) *Right to Social Protection* – The right to social protection is the right to have access
584 to basic social security guarantees which reduce vulnerability to risks such as
585 sudden loss of income, sickness, maternity, disability, and old age. These social
586 security guarantees include access to health care and to basic income security which
587 together secure access to necessary goods and services;
588
- 589 (c) *Right to a Healthy Environment* – The right to a healthy environment is the right
590 have the environment protected and improved for the benefit of the present and
591 future generations;
592
- 593 (d) *Right to Peace* – The right to peace is the right to enjoy peace such that all human
594 rights are promoted and protected, and development is fully realized; and
595
- 596 (e) *Right to Participation in Governance and Development* – The right to participation
597 in governance and development is the right to directly take part in or be represented
598 in the conduct of public affairs, and to contribute to and enjoy economic, social,
599 cultural, and political development, in which all human rights and fundamental
600 freedoms can be fully realized.¹⁴
601

602 SECTION 16. *Social Protection System* – The government shall implement a
603 sustainable mechanism to build an effective social protection system to ensure the access of
604 the poor to protection from any risk or contingency. The system shall include social insurance,
605 safety nets, social services and labor market interventions, which shall be made affordable and
606 accessible. This social protection shall likewise be pursued in and during bilateral and
607 multilateral negotiations, including arrangements to be entered with international financial
608 institutions.¹⁵
609

610 **RULE V**
611 **PROGRESSIVE REALIZATION OF THE RIGHTS OF THE POOR**
612

¹⁴ Definitions in this Section: (a): adopted from UNCESCR General Comments in 2002 and 2010; (b): based on Recommendation 202 adopted by the International Labour Conference in 2012; (c): drawn in principle from the Stockholm Declaration of 1972; (d): based on Article 1 of the UN Declaration on the Right to Peace; and (e): based on the Universal Declaration of Human Rights. Inputs are welcome on refining or elaborating on these definitions on the basis of sector-specific needs and concerns.

¹⁵ From Sec. 6 of the Act, 'Social Protection.' This will be subject to further discussion with the DSWD, PHIC, SSS, and other agencies with social protection functions. Inputs by the Basic Sectors, especially FLMW, WIS, SENIOR CITIZENS, and VDC, on how to operationalize this Section have also been requested.

613 SECTION 17. *Implementation through a System of Progressive Realization* – The
614 implementation of the Act and these Rules and Regulations is through the principle of
615 progressive realization: *Provided*, that the President and Congress have the prerogative to
616 allocate funds to all poverty alleviation programs as they may deem necessary through the
617 General Appropriations Act (GAA). Nothing in this Act shall be construed in any manner as
618 requiring the government to undertake the immediate implementation of all poverty alleviation
619 programs; *Provided*, further, that the President and Congress shall be guided by the thresholds
620 to be set by the government in the allocation of funds for these programs.¹⁶

621

622 SECTION 18. *Indicators and Measures of the Rights of the Poor* – In order to
623 effectively monitor the progress of realization of the rights of the poor, a set of indicators for
624 each of the fundamental rights shall be established by the NAPC and regularly updated using
625 the systems provided herein. The indicators shall be disaggregated by gender and basic sector
626 and reviewed periodically, with consideration to consistency and comparability across time. In
627 developing these indicators, international standards including the Sustainable Development
628 Goals and the rights indicators by the Office of the United Nations High Commissioner for
629 Human Rights, among others, shall be considered.

630

631 The PSA shall modify the design of the Annual Poverty Indicators Survey (APIS), as
632 necessary, to include the indicators of the rights of the poor, and further develop the
633 methodology for the Multidimensional Poverty Index (MPI) in consideration thereof. It shall
634 produce regular estimates on the indicators of the rights of the poor at the national and
635 provincial levels to inform policy-making and planning of government interventions.

636

637 The PSA shall also include the indicators in the design of the CBMS established by
638 R.A. No. 11315, and, based on the MPI, develop a “household poverty index” measuring the
639 overall deprivation experienced by a household on each of the rights of the poor, as well as
640 component indices on percentage contribution of each indicator to overall deprivation, using
641 data generated from the CBMS. The household poverty index shall be used in the single system
642 of classification referred to in Section 20 herein.

643

644 SECTION 19. *Thresholds for the Rights of the Poor* – On each of the indicators of the
645 rights of the poor, the government shall establish clear thresholds for attainment over definite
646 periods of time, ensuring that the rights of the poor are progressively realized leading towards
647 full realization. The NAPC, in consultation with the Inter-Agency Committee on Monitoring
648 the Rights of the Poor established in Section 27 herein, shall propose these thresholds for
649 concurrence by government departments and agencies in the formulation of the National
650 Poverty Reduction Plan.

651

¹⁶ The underlined text is from Sec. 13 of the Act, ‘Implementation through a System of Progressive Realization.’ The second proviso is added as an attempt to establish the principle of progressive realization in the manner by which the President and Congress shall deem necessary to allocate funds; since we cannot technically mandate the President and Congress in this regard, the word “guided” is used.

652 The Provincial Consultative Bodies, with the assistance of the NEDA and the NAPC,
653 shall establish provincial thresholds in line with the national thresholds set in the NPRP.

654
655 SECTION 20. System for Targeting of Beneficiaries – The NEDA shall maintain and
656 periodically review, in consultation with PSA, a single system of classification to be used for
657 targeting beneficiaries of the government’s poverty alleviation programs and projects to ensure
658 that such programs reach the intended beneficiaries. Said system shall be based on the
659 “household poverty index” to be developed by the PSA pursuant to Section 18 herein and in
660 line with the provisions of R.A. No. 11315, and incorporate classifications using different
661 cross-dimensional cut-offs for purposes of targeting and prioritization.¹⁷

662
663 In accordance with established baselines on the indicators of the rights of the poor, or,
664 while these have yet to be determined, existing poverty measures, the NAPC shall identify
665 priority provinces, municipalities, and barangays for the holistic and convergent delivery of
666 programs and services detailed under each of the fundamental rights of the poor in Rule IV
667 herein, which shall be integral to the formulation of the National Poverty Reduction Plan. The
668 priority areas may change depending on the progress of realization of the rights of the poor
669 residing in said areas.

670
671 The DSWD, in coordination with the NEDA and the NAPC, shall identify the target
672 beneficiaries in the priority and non-priority areas using the classifications in the system
673 maintained by the NEDA and in accordance with the thresholds set in the NPRP.

674
675 Subject to review by the NEDA, and until such time as the CBMS has started generating
676 data in all cities and municipalities, the NHTS-PR shall be used as the system of classification
677 for the purposes of the Act and these Rules and Regulations.

678
679 SECTION 21. *Monitoring* – The NAPC, in consultation with the Inter-agency
680 Committee on Monitoring the Rights of the Poor established in Section 27 herein, shall certify
681 whether the thresholds set for a particular period have been achieved, and produce an
682 assessment study of existing government interventions accordingly. Said study shall be
683 submitted to Congress as part of the compliance report required under Section 14 of the Act.

684
685 SECTION 22. Funding Requirements – The funding for the poverty alleviation
686 programs and projects implemented under the Act and these Rules and Regulations shall be
687 sourced from the existing appropriations authorized under the GAA of the different
688 departments and agencies implementing these programs. In the allocation of funds thereto, the
689 President and Congress shall be guided by the thresholds set by the government for the
690 progressive realization of the rights of the poor, which may require the expansion of allocation
691 to these programs.¹⁸

¹⁷ The underlined text is from Sec. 7 of the Act, ‘System of Targeting of Beneficiaries’. This Section will be subject to further discussion with the NEDA, PSA, and DSWD.

¹⁸ The underlined text is from Sec. 10 of the Act, ‘Funding Requirements’. The list of programs originally under this Section of the Act is transferred to Section 24 herein, ‘Implementation of Programs and Projects under the

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RULE VI
THE NATIONAL POVERTY REDUCTION PLAN

SECTION 23. *Formulation of the NPRP* – A National Poverty Reduction Plan shall be formulated within one hundred (100) days from the effectivity of these Rules and Regulations, which shall establish the thresholds to be achieved by the government within the next six (6) years and shall be subject to review every three (3) years, in order to account for the progress of realization of the rights of the poor and accordingly inform the process of formulation and review of the Philippine Development Plan.¹⁹

- (1) The NAPC shall establish the indicators for the rights of the poor and propose the thresholds to be achieved for the next three (3) and six (6) years, for concurrence by the implementing departments and agencies.
- (2) Upon concurrence on the thresholds, the NAPC in coordination with the implementing departments and agencies shall identify priority provinces, municipalities, and barangays. With the technical assistance of the NEDA, the NAPC shall commence the aggregation of local poverty reduction action plans and components of comprehensive development plans, comprehensive land use plans, and local development investment plans of the LGUs relevant to the attainment of the right of the poor, particularly in the priority areas.
- (3) The implementing departments and agencies shall submit their targets on the programs and services required in Rule IV herein in the priority and non-priority areas relative to the established thresholds, indicating the funding requirements thereof and projected needs for expansion of allocation, if any, and other issues that might affect the accomplishment of their targets.
- (4) Based on these submissions by the agencies, and the summaries of local plans prepared with the assistance of NEDA, the NAPC shall prepare a draft NPRP for the deliberation, review, and additional inputs by the implementing departments and agencies, LGUs, and the basic sectors.
- (5) Upon concurrence by all of the aforementioned parties, the proposed NPRP shall be submitted to the President for approval.

SECTION 24. *Implementation of Programs and Projects under the NPRP* – Without prejudice to modifications thereto or the development of new programs and projects that may serve the same purposes described under Rule IV herein, the following programs and projects

NPRP', in order to more clearly emphasize the indispensability of increasing resources for the progressive realization of the rights of the poor, as is reiterated in the second sentence, and not only for the programs and projects stated in the Act.

¹⁹ This Section operationalizes the provisions on formulation of the NPRP in Sec. 8 and 9 of the Act.

732 shall be implemented under the NPRP in accordance with Rule IV and the system of
733 progressive realization provided in Rule V herein:

- 734
- 735 (a) DSWD – Pantawid Pamilyang Pilipino Program (4Ps), Sustainable Livelihood
736 Program (SLP), and Kapit-Bisig Laban sa Kahirapan – Comprehensive and
737 Integrated Delivery of Social Services – National Community Driven Development
738 Program (KALAHI-CIDSS-NCDDP);
- 739
- 740 (b) DOLE – Special Program for Employment of Students (SPES) and Tulong
741 Panghanapbuhay sa Ating Disadvantaged Workers (TUPAD) Project;
- 742
- 743 (c) TESDA – Skills Training, Private Education Student Financial Assistance
744 (PESFA), and the Training for Work Scholarship Program (TWSP);
- 745
- 746 (d) DepEd – Alternative Learning System (ALS) and Government Assistance to
747 Students and Teachers in Private Education (GASTPE);
- 748
- 749 (e) CHED – Student Financial Assistance Program (STUFAP);
- 750
- 751 (f) NHA – Socialized Housing Program;
- 752
- 753 (g) DOH – Basic Health Care Services;
- 754
- 755 (h) PhilHealth – Expanded Primary Care Package for the Poor and Senior Citizens;
- 756
- 757 (i) SHFC – Community Mortgage Program for qualified organized informal settlers.²⁰
- 758

759 SECTION 25. Funding for the NPRP – The DBM shall review the NPRP for inclusion
760 in the budget of implementing departments and agencies.²¹

761

762 SECTION 26. Monitoring and Evaluation of the NPRP – The NAPC shall conduct the
763 monitoring and evaluation of the NPRP and its component programs and projects, in line with
764 its broader mandate on monitoring compliance with the provisions of the Act and these Rules
765 and Regulations.

766

- 767 (a) The Tala ng Bayan Laban sa Kahirapan (TALAMBAYAN) as NPRP Management
768 Information System – The NAPC’s TALAMBAYAN shall serve as the
769 management and information system for the NPRP and shall be developed to
770 include the following components:
- 771

²⁰ As mentioned, this list was originally from Sec. 10 of the Act. We will significantly expand this list when we have completed our work on Rule IV.

²¹ From Sec. 8 of the Act.

772 i. Poverty Data Warehouse – The NAPC, in coordination with the Department of
773 Information and Communications Technology (DICT), shall develop
774 TALAMBAYAN as a poverty data warehouse connecting and aggregating the
775 NHTS-PR, CBMS, and relevant microdata from the Philippine Statistical
776 System, including but not limited to the APIS, Family Income and Expenditure
777 Survey, National Demographic and Health Survey, Labor Force Survey,
778 Philippine National Health Accounts, and Census of Population and Housing,
779 as well as select administrative datasets of government agencies, GOCCs, and
780 government financial institutions;

781
782 ii. Poverty Dashboards and Reporting System – The NAPC and DICT shall
783 develop dashboards and a reporting system as part of TALAMBAYAN which
784 shall be used to monitor the impacts of programs and projects of the government
785 agencies and LGUs on the realization of the rights of the poor.
786

787 (b) Programs and Projects Evaluation – For select national and local anti-poverty
788 programs and projects, and using data from the CBMS, NHTS-PR, APIS, and other
789 sources, the NAPC shall conduct cost-benefit and counterfactual impact evaluation
790 analyses in partnership with the academe and other stakeholders, from which the
791 conclusions shall be used to open up the analysis of other programs and projects,
792 where feasible.
793

794 The DILG shall monitor the compliance of the LGUs in aligning their respective
795 development, investment, and poverty reduction plans with the NPRP, and in implementing
796 the same.²²
797

798 **RULE VII**

799 **INSTITUTIONAL MECHANISMS**

800

801 SECTION 27. *Inter-agency Committee on Monitoring the Rights of the Poor* – An
802 Inter-agency Committee on Monitoring the Rights of the Poor, chaired by the NAPC Secretary
803 or his designated alternate and composed of representatives from the NEDA, PSA, DSWD,
804 and the basic sectors is hereby created and shall, within thirty (30) days from the issuance of
805 these Rules and Regulations, perform the following functions:
806

- 807 (1) Develop the set of indicators for each of the fundamental rights of the poor;
808
809 (2) Using existing data sources, develop the thresholds to be proposed for concurrence
810 by the government departments and agencies in the formulation of the National
811 Poverty Reduction Plan;
812

²² From Sec. 9 of the Act, 'Participation of the Basic Sectors and of the Local Government Units (LGUs)'

813 (3) Undertake preparatory measures for the inclusion of the indicators of the rights of
814 the poor in the APIS and CBMS;

815
816 (4) Promulgate other rules as may be necessary to ensure the effective monitoring of
817 the rights of the poor.

818
819 The IAC on Monitoring the Rights of the Poor shall be convened periodically as
820 deemed necessary by the NAPC Secretary pursuant to Sections 19 and 20 herein.

821
822 SECTION 28. *The Provincial Consultative Body* – In order to support closer
823 coordination between the implementing departments and agencies, LGUs, and the basic sectors
824 in the implementation of the NPRP at the provincial level, a Provincial Consultative Body
825 (PCB) is hereby established in all 81 provinces of the country. It shall be chaired by the
826 provincial governor, co-chaired by a representative of the basic sectors, and composed of
827 representatives from the provincial (or regional, in lieu of provincial) offices of the
828 implementing departments and agencies, component LGUs, and the basic sectors residing in
829 the province as members.

830
831 The PCB shall be tasked to determine the provincial thresholds and formulate a
832 provincial poverty reduction plan in line with the NPRP. It shall convene quarterly in order to
833 ensure the implementation of the plan, promptly address issues and concerns as they arise,
834 monitor the implementation of programs and projects at the local level, and recommend
835 measures to the NAPC and the implementing departments and agencies as necessary.

836
837 The NAPC Secretariat shall perform secretariat functions for the PCBs.

838
839 SECTION 29. *Compliance Monitoring and Reporting.* The NAPC shall oversee and
840 monitor compliance with the Act and these Rules and Regulations. Within six (6) months from
841 the effectivity of the Act and every six (6) months thereafter, all implementing departments
842 and agencies shall submit a report on their respective compliance to the Act and these Rules
843 and Regulations to the NAPC, which in turn shall submit a compliance report to the House
844 Committee on Poverty Alleviation and to the Senate Committee on Social Justice, Welfare and
845 Rural Development.²³

846
847 Failure to comply with the provisions of the Act and these Rules and Regulations may
848 subject the corresponding public official to administrative or disciplinary sanctions as provided
849 under pertinent laws, rules, and regulations.

850
851 SECTION 30. *Private Sector Participation* – The private sector shall be highly
852 encouraged to be an active partner in the financing and implementation of poverty alleviation
853 programs and projects; Provided, that no form of private sector participation shall be construed

²³ From Sec. 14 of the Act, 'Compliance Report'

854 as substituting the role and mandate of government agencies on the delivery of programs and
855 services, or substituting for the taxation and government fees required of them by law.

856
857 The government agencies implementing these programs shall be authorized to accredit
858 development partners, which may accept donations, aids or grants, in cash or in kind, from duly
859 accredited sources, to meet the demands of and uphold the basic rights of the poor to adequate
860 housing, and the highest attainable standard of health. Acceptance and use of such donations,
861 aids or grants shall be transparent and subject to applicable government regulations.

862
863 Each implementing department or agency shall establish their accreditation guidelines
864 in accordance with pertinent procurement laws, rules, and regulations, and the general
865 provisions of the GAA.²⁴

866
867 SECTION 31. Tax Exemptions – Any donation, contribution, and grant which may be
868 made to the programs implemented under the NPRP shall be exempt from the donor’s tax in
869 accordance with the specific provisions of the National Internal Revenue Code of 1997, as
870 amended by R.A. No. 10963 or the “Tax Reform for Acceleration and Inclusion.”

871
872 The implementers of the socialized housing resettlement program shall enjoy the
873 incentives stated in Section 20 of R.A. No. 7279, otherwise known as the “Urban Development
874 and Housing Act of 1992,” subject to the new guidelines under R.A. No. 10884 or the
875 “Balanced Housing Development Program Amendments.”²⁵

876
877 **RULE VIII**
878 **FINAL PROVISIONS**
879

880 SECTION 32. *Separability Clause* – If, for any reason, any section or provision of these
881 Rules and Regulations is declared unconstitutional or invalid, the remaining sections or
882 provisions not affected thereby shall remain in full force and effect.

883
884 SECTION 33. *Effectivity* – These Rules and Regulations shall take effect fifteen (15)
885 days after complete publication in two (2) newspapers of general circulation.

²⁴ The underlined text is from Sec. 11 of the Act, ‘Private Sector Participation’

²⁵ From Sec. 12 of the Act, ‘Tax Exemptions’