

# **AMENDED IMPLEMENTING RULES AND REGULATIONS OF RA 9520**

Approved and signed on March 18, 2015

**FE D. CAINGLES**

IDD Director, CDA

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# RULE 7 –FUNCTIONS, RESPONSIBILITIES AND TRAINING REQUIREMENTS OF DIRECTORS, OFFICERS AND COMMITTEE MEMBERS

- ✘ Legal Basis
- ✘ Article 44 of RA9520
- ✘ The functions and responsibilities of the directors, officers and committee members, as well as their training requirements shall be in accordance with the rules and regulations issued by the Authority.

# SEC. 2 OFFICERS OF THE COOPERATIVE

- 1) Board of Directors
- 2) Members of Different Committees created by the General Assembly
- 3) General Manager or CEO
- 4) Secretary
- 5) Treasurer
- 6) Members holding other positions as maybe provided for in their By-laws



# SEC. 3 COMMITTEES OF THE COOP

- × Audit
- × Election
- × Mediation and Conciliation
- × Ethics
- × Other Committees as maybe necessary for the conduct of the affairs of the coop

# FUNCTIONS OF THE BOARD OF DIRECTORS

- ✘ Provide over all policy directions
- ✘ Formulate development plan
- ✘ Review the annual plan and budget and recommend for the approval of the RA/GA
- ✘ Evaluate the capability and qualifications of the External Auditor and recommend to the RA/GA for approval
- ✘ **Appoint and terminate, based on just cause , the General Manager or CEO**

# **FUNCTIONS OF THE BOARD OF DIRECTORS**

- × Review, monitor and evaluate the effectiveness of the programs, projects and activities**
- × Formulate and review the vision, mission and goals of the coop**
- × Establish risk management system**
- × Establish performance evaluation system at all levels**
- × Review and approve the organizational and operational structures**



# FUNCTIONS OF THE BOARD OF DIRECTORS

- ✘ Appoint the members of the mediation and Conciliation Committee, Ethics Committee, Education and Training Committee and Other Officers as specified in the by-laws of the coop
- ✘ **Establish policies and procedures for the effective operations and ensure its proper implementation**

# FUNCTIONS OF THE BOARD OF DIRECTORS

- ✘ Decide election related cases involving the election committee and its members
- ✘ Acts on the recommendations of the ethics committee on cases involving violations of the Code of Governance and Ethical Standards
- ✘ **Ensure compliance by the coop with the regulations of the Authority and other Statutory requirements**



# **FUNCTIONS OF THE BOARD OF DIRECTORS**

- × Report to the GA/RA the performance and achievements of the coop**
- × Present to the GA/RA policies which require confirmation as provided under the law, the coop by-laws and regulations**
- × Present to the GA/RA the financial, social and performance reports**

# TRAINING REQUIREMENTS OF THE OFFICERS

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- ✘ All officers of the cooperative are required to undergo a minimum of sixteen (16) hours of training on the fundamentals of cooperatives and another sixteen (16) hours on governance and management of coops within the first half of their term.

# TRAINING REQUIREMENTS OF THE OFFICERS

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## ✘ For Micro Cooperatives

The officers are only required to undergo sixteen (16) hours of training on the fundamentals, governance and management of cooperatives.

The content of the training program shall be prescribed by the Authority in consultation with the accredited training providers.



# TRAINING REQUIREMENTS OF THE OFFICERS

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- ✘ Cooperatives engaged in savings and credit operations which have at least Five Million Pesos (Php5,000,000.00) worth of deposits liabilities , their officers are required to undergo an additional sixteen (16) hours of specialized trainings on financial management, risk management and credit management.

# WHO WILL CONDUCT THE TRAINING ?

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- ✘ The trainings shall be conducted by an accredited training providers such as :
  - Federations
  - Unions
  - Training Institutions,
  - Local Development Offices
  - National govt. Agencies

# SANCTIONS FOR NON COMPLIANCE

- ✘ Willful failure of the coop to comply with the training requirements despite due notice from the Authority shall be a ground for non-issuance of Certificate of Compliance for the next succeeding year.



# TRAINING REQUIREMENTS OF THE OFFICERS

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- ✘ Failure of any officer/s of a coop to undergo the prescribed trainings shall disqualify said officer's to hold any elective or appointive position.

# **RULE 8 – REPORTS REQUIRED FOR COOPERATIVES**

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# LEGAL BASIS

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- ✘ Art. 53 of RA9520
- ✘ Required Regular Reports
- ✘ Cooperative Annual Progress Report (CAPR)  
with the following attachments:
  - > Audited Financial Statements
  - > Social Audit Report
  - > Performance Audit Report, including copies of the semi annual report on Mediation and Reconciliation as received by the Authority
  - > List of Officers and Trainings Undertaken/Completed



# REQUIRED REPORTS

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- ✘ For Electric Cooperatives

Required to submit list of members issued with share capital certificate in addition to CAPR including its attachments

# ADDITIONAL ATTACHMENT FOR FEDS AND UNIONS

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- ✘ List of Affiliates which remitted their CETF
- ✘ Business consultancy assistance , its nature and cost , including the use of CETF
- ✘ Other Training activities undertaken specifying the nature, participants and cost of activity

# MODE OF FILING THE REPORTS

- ✘ Personal Delivery
- ✘ Registered Mail
- ✘ Courier Service
- ✘ Electronic Means

To be submitted within 120 days and the date of mailing shall be considered the date of filing.



# MODE OF FILING THE REPORTS

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- ✘ For electronic means, a printed copy of the electronically submitted report shall be submitted to the Authority within five (5) days from the date of transmission.

# FORM OF THE REPORTS

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- ✘ Typewritten or Printed in a form prescribed by the Authority, duly certified by the Accountable Officers.

# DELAY IN FILING THE REPORT

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- ✘ Delay shall commence on the day following the last day prescribed for filing the report.
- ✘ Partial compliance shall be considered non compliance and the coop shall be in delay until fully complied with.



# SANCTIONS FOR NON FILING OF REPORTS

- ✘ Php100.00 per day of delay
- ✘ The Authority may dissolve /revoke , after due process, the registration of the coop

# EXEMPTED FROM MONETARY PENALTY

- ✘ Micro Cooperatives with Assets of Three Million Pesos (Php3,000,000.00) and below
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- ✘ But cannot be issued Certificate of Compliance for non submission of the required reports

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- × **The Accountable Officers.** For this purpose, Accountable Officers shall refer to the employees/officers of the cooperative who are authorized to prepare and certify/approve the reports and in whose fault or negligence the delay/failure is attributable.



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**END OF PRESENTATION**