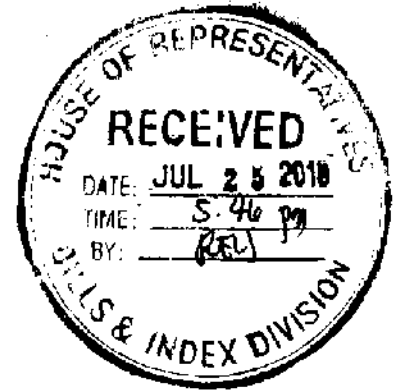


Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Constitution Hills  
Quezon City



EIGHTEENTH CONGRESS  
First Regular Session

House Bill No. 2894

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**Introduced by: Rep. Josephine Y. Ramirez Sato**

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#### **EXPLANATORY NOTE**

The Philippine Constitution mandates the promotion of social justice and self-reliance alongside creating economic opportunities. It also put emphasis to raise the quality of life for all, especially the under-privileged. The country, however, is continuously faced with poverty. Alongside the private sector, academe, and CSOs, the Philippine government have been continuously looking for innovative means to ensure that this constitutional mandate is fulfilled.

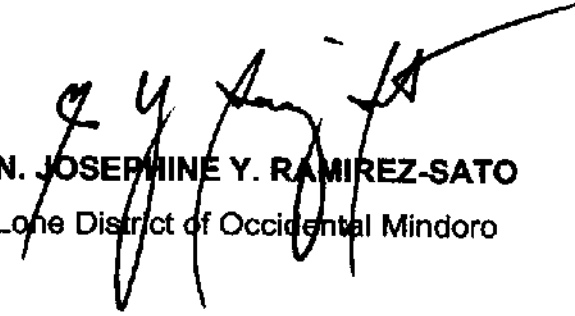
Experiences in the past thought us that in order to address this perennial challenge, it requires appropriate systems, organization, structures, and resources. It also requires new social investment models and capacity building programs to help new breed entrepreneurs achieve significant positive impact.

There are many social enterprises able to prove its models to create wealth while performing its social mission. As a poverty reduction strategy, it creates social and economic value that benefits the poor as its primary stakeholders. These stakeholders are engaged as partners in the value chain (either as workers, suppliers, clients, co-developer, co-producer) and in social enterprise governance.

This bill provides the framework for planning and implementation of a National Poverty Reduction Through Social Entrepreneurship (the "PRESENT") Program. It also seeks to provide incentives and benefits to promote the growth of social enterprises, and to integrate SE to the overall poverty reduction strategy of the Philippine government.

The support and passage of this bill is also a means for the country to further contribute in the achievement of the national targets in conformance to the 2030 Sustainable Development Goals. In particular, zero poverty, zero hunger, reduced inequality, decent jobs and inclusive, and sustainable communities.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



**HON. JOSEPHINE Y. RAMIREZ-SATO**  
Lone District of Occidental Mindoro

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Constitution Hills  
Quezon City

EIGHTEENTH CONGRESS  
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**AN ACT INSTITUTIONALIZING THE POVERTY REDUCTION THROUGH SOCIAL  
ENTREPRENEURSHIP (PRESENT) PROGRAM  
AND PROMOTING SOCIAL ENTERPRISES  
WITH THE POOR AS PRIMARY STAKEHOLDERS**

*Be it enacted by the Senate and House of Representatives of the Philippines in  
Congress assembled:*

**CHAPTER I  
GENERAL PROVISIONS**

**SECTION 1. - Short Title.** – This Act shall be known as the “Poverty Reduction Through Social Entrepreneurship (PRESENT) Act”.

**SEC. 2. Declaration of Policy.** The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all. The State shall provide social justice in all phases of national development and that the State values the dignity of every human person and guarantees full respect for human rights.

The goals of the national economy are a more equitable distribution of opportunities, income, and wealth; a sustained increase in the amount of goods and services produced by the nation for the benefit of the people; and expanding productivity as the key to raising the quality of life for all, especially the underprivileged. The State shall promote industrialization and full employment based on sound agricultural development and agrarian reform, through industries that make full and efficient use of human and natural resources, and which are competitive in both domestic and foreign markets.

The State also recognizes the important role of enterprises in the economy as

the major agent of development, creating off-farm employment opportunities and providing transitional means for improving the livelihood of the people.

Towards this end, the State shall pursue an inclusive growth strategy that promotes an environment conducive to the development and growth of a vibrant social enterprise sector engaged in poverty reduction, economic and social development. It shall empower the poor as primary stakeholders in social enterprises, establish mechanisms essential to realizing their potential and achieving their full growth, and extend the assistance necessary for their advancement. The State shall likewise provide technical and financial assistance, incentives and other services to enable Social Enterprises to develop into viable and vital anti-poverty agents, and a strong social entrepreneurship movement that will be instrumental in reducing poverty in the country.

**SEC 3. Definition of Terms.** — As used in this Act, the following terms shall mean:

- a) **Basic Sectors** - as defined by Republic Act 8425, or the "Social Reform and Poverty Alleviation Act" refer to the disadvantaged sectors of Philippine society, namely: farmer-peasant, artisanal fisherfolk, workers in the formal sector and migrant workers, workers in the informal sector, indigenous peoples and cultural communities, women, persons with disabilities, senior citizens, victims of calamities and disasters, youth and students, children, and urban poor;
- b) **Economic Subsectors** - networks of related actors, and enterprises performing various functions in value chains. These actors and enterprises transform raw materials into finished products, or develop services, and distribute or provide them through market channels to final consumers; they may be identified by key raw material source, by finished product or final service provided. An economic subsector may be comprised of several competing value chains. By understanding the dynamics of economic subsectors and using them as units of planning social entrepreneurship interventions, government agencies, support institutions and SEs shall more effectively reach and benefit a greater number of poor in poverty reduction programs;
- c) **Government Procuring Entity** - any branch, department, office, agency, or instrumentality of the government, including state universities and colleges, government-owned and/or — controlled corporations, government financial institutions, and local government units procuring Goods, Consulting Services and Infrastructure Projects;
- d) **Living Wage** - refers to the amount of family income needed to provide for the family's food and non-food expenditures with sufficient allowance for savings/investments for social security so as to enable the family to live and maintain a decent standard of human existence beyond mere subsistence level, taking into account all of the family's physiological, social and other needs.

- e) **Marginalized Sectors** - groups of people who are stigmatized or excluded by virtue of their physical, psychological, economic, social or cultural circumstance;
- f) **Poor** - as defined by Republic Act 8425, refers to individuals and families whose income fall below the poverty threshold as defined by the National Economic and Development Authority and/or cannot afford in a sustained manner to provide their minimum basic needs of food, health, education, housing and other essential amenities of life;
- g) **Poverty Reduction** - overcoming the income, resource and capability deprivation among the poor, basic and marginalized sectors;
- h) **Social Enterprise or SE** - to a social mission-driven organization, whether an association, sole proprietorship, partnership, cooperative, corporation or any other legal form, that conducts economic activities providing goods and/or services directly related to its primary mission of improving the well-being of the poor, basic and marginalized sectors and their living environment. A social enterprise explicitly declares and pursues poverty reduction as its principal objective by purposefully rendering both transactional and transformational services. An SE engages and invests in the poor to become effective workers, suppliers, clients and/or owners and ensures that a substantive part of the wealth created by the enterprise is distributed to or benefits them. In addition to reinvesting its surplus or profits back to the enterprise to sustain the fulfillment of its social mission, a SE also uses its surplus or profits and mobilizes other resources to assist the poor to become partners in SE or value chain management and governance and to become partners in community, sectoral and societal transformation.

A SE registered as a sole proprietorship, partnership or corporation must fulfill the eligibilities set forth in Section 14 to avail of the benefits and incentives under this act.

- i) **Social Enterprise (SE) Service Institution** - an organization that provides assistance to SEs for them to become viable and sustainable and which assistance pertains to supplying needs such as trainings, education and other capacity-building measures, research and development, and other similar activities;
- j) **Transactional Services** - enterprise or market-driven activities, such as providing loans, demonstrating new technologies or conducting trainings that are necessary for the poor in the SE system to effectively and efficiently perform their roles as workers, suppliers, clients and owners. Transactional services may be fee-based, such as the granting of loans, or non-fee based, such as the extension of production-related trainings;
- k) **Transformative Services** — activities that empower the poor, such as leadership formation, organizational development, financial and legal literacy, asset build-up and providing education and experiential learning opportunities, to become conscious change agents for themselves, for their

communities, sectors and society as a whole; and

- l) **Value Chains** - value-adding economic activities that an enterprise is interlinked with in the process of producing goods and/or services to serve its chosen market. A value chain typically consists of: 1) raw materials processing, 2) inbound distribution or logistics, 3) manufacturing operations, 4) outbound distribution or logistics, 5) marketing and selling, and 6) after-sales service. These activities are supported by 6) purchasing or procurement, 7) research and development, 8) human resource development, and 9) organizational development. A SE that understands and manages its value chain improves its capability to create economic, environmental and social values towards improving the position and benefits of the poor in the value chain and towards ensuring the viability and sustainability of the enterprise.

## **CHAPTER II POVERTY REDUCTION THROUGH SOCIAL ENTERPRISES**

**SEC. 4. Formulation of a Poverty Reduction Through Social Entrepreneurship (PRESENT) Program.** - The PRESENT Program shall be established as a flagship program of government. The objective of the PRESENT Program is to progressively improve the position of and benefits to the poor, marginalized and basic sectors derived from economic subsector development and growth. It shall do this by identifying strategic economic subsectors with the potentials for growth and where the poor are concentrated or could be major players. In the process, it shall identify and develop key SEs and resource institutions as partners in providing transactional and transformational services towards poverty reduction. SEs shall be developed as vehicles to ensure that the poor benefit the most from sustainable subsector development.

The formulation of the PRESENT program shall be guided by the following principles:

- a) Promoting sustainable programs that support the development of inclusive value chains in key economic subsectors, towards reducing inequality in incomes and increase self-reliance among the poor;
- b) Enabling SEs to overcome constraints and to take advantage of opportunities for enhancing the position and benefits of the poor and their living environments including those that harness innovative approaches in addressing social problems;
- c) Development of sustainable mechanisms for the provision of quality and accessible social services to the poor;
- d) People's empowerment by ensuring the participation of the poor, basic and marginalized sectors;
- e) Gender-sensitivity by ensuring women's equal rights and access to SE's

resources;

- f) Ecological soundness in the pursuit of sustainable and equitable development;
- g) Incorporation of the PRESENT Program in the government's poverty reduction drive as a major sustainable and comprehensive strategy; and
- h) Rationalization of poverty reduction programs by streamlining and coordinating the various anti-poverty programs of the government to reduce inefficiency and duplication and to improve the effectiveness of each program.

The planning framework of the PRESENT Program and its planning process shall ensure that the poor are engaged as primary stakeholders. It shall add value and complement ecosystem-based, area-based, community-based and other tools and processes in local economic development by promoting and utilizing the economic subsector as a strategic unit of analysis and planning SE development interventions.

PRESENT medium-term and annual development plans shall be formulated in synchrony with the medium-term development plan of the national government.

**SEC. 5. Social Enterprise Development Council.** - To carry out the policy declared under this Act, a Social Enterprise Development Council, hereinafter referred to as the "Council", is hereby created as an agency attached to the Office of the President. It shall be the primary agency tasked to carry out the promotion, growth and development of social enterprises in the country.

The Council shall be composed of the following:

- a) SE sector head representative, as co-chairperson;
- b) Secretary of Trade and Industry, as co-chairperson;
- c) Secretary of Agriculture, as co-vice chairperson;
- d) Lead Convenor of the National Anti-Poverty Council (NAPC), as co-vice chairperson;
- e) Secretary of Social Welfare and Development;
- f) Director-General of the National Economic Development Authority (NEDA);
- g) Secretary of Finance;
- h) Secretary of the Interior and Local Government;
- i) Secretary of Labor and Employment;
- j) Secretary of Science and Technology;
- k) Secretary of Education;
- l) Secretary of Agrarian Reform;
- m) Secretary of Health;
- n) Secretary of Environment and Natural Resources;
- o) Chairperson of the Cooperative Development Authority (CDA);
- p) Nine (9) representatives from SEs, three (3) representatives each from the main island groupings of Luzon, Visayas, and Mindanao;
- q) Three (3) representatives from SE service institutions; and
- r) Three (3) representatives from SE advocacy groups, as members.

Cabinet-ranked ex officio members of the Council shall designate a permanent representative in case they fail to attend its meetings. The designated permanent representative of any of the Cabinet-ranked members of the Council must hold a position not lower than a bureau director.

The SE sector head, the representatives of the SEs from the main island groupings of Luzon, Visayas, and Mindanao, the SE service institutions, and the SE advocacy groups shall be chosen by the President from among the nominees submitted by their respective national organizations to serve in the Council for a term of three (3) years. These representatives must be conversant in the theory and practice of SE and committed to the policies and programs provided under this Act.

The Chairperson and members of the Council shall be entitled to a reasonable per diem for each meeting actually attended at such amount as may be fixed by the Council in accordance with existing laws, rules and regulations.

The Council shall, from time to time, call upon the participation of any government agency to attend in its meetings to assist in clarifying issues and finding resolution to problems that concern their respective offices with respect to the implementation of the PRESENT Program enunciated under this Act or any development program for SEs.

The Council may create an Executive Committee of seven (7) members elected by its members from among themselves or their designated permanent representatives, with at least three (3) members representing the SEs, and with the authority to act for the Council, and within the specific authority granted by the Council.

**SEC. 6. Center for Social Enterprise Development.** - There shall be established a Center for Social Enterprise Development (CSED) under the supervision of the Council and to be headed by an Executive Director, which shall have the primary responsibility of implementing comprehensive policies for Social Enterprise Development. Specifically, the CSED shall be responsible for:

- a) The development and implementation of the PRESENT Program as approved by the Council, with the following components:
  1. Formulation and implementation of social entrepreneurship-oriented strategic economic sub-sector development plans that shall serve as the basis for major policies, projects and activities;
  2. Capacity Building and Sustainability - The CSED- will work with qualified Social Enterprise Service Institutions and other intermediaries to design and deliver training and education in social entrepreneurship development, institutional start-up or strengthening, human resource competency and skills training, business planning and advisory services, upgrading of accounting and auditing systems, technical assistance for the installation or improvement of management information systems, technology incubation/commercialization, market studies,



competitiveness, business matching activities, trade fairs and missions, policy advocacy, disaster-resiliency and other related activities; intervention, technology and product development

3. **Research and Development** - The CSED in coordination with the NEDA, DOST, DTI, and other appropriate agencies, research institutions, and intermediaries, shall develop and enhance a research and development system that:
  - i. provides studies on opportunities for poverty reduction and SE development in key economic subsectors and other inputs for the Council to undertake strategic planning for programs and projects;
  - ii. equip SEs and support institutions with services and technologies that are appropriate for enhancing the participation and benefits of the poor in various economic subsectors; and;
  - iii. equip SEs and support institutions with innovative, and sustainable approaches to improve access of the poor to quality basic social services.
  
4. **Information and Marketing Assistance** - The CSED shall promote the development and expansion of local and foreign markets for the products and services of SEs. Towards this, the CSED shall:
  - i. establish a marketing assistance program that will assist SEs match supply with demand in both domestic and foreign markets, as well as promote SE products and services through tri-media, trade fairs and trade missions; and
  - ii. develop install and sustain a market information system for SB with the assistance of the DTI and DOT. All government departments, agencies, bureaus, research institutions, as well as the Local Government Units (LGUs) shall consolidate and continuously update all relevant information and data that would be of use to SEs on a periodic basis and make such data available in a dedicated website on the internet.
  
- b) Establishment and implementation of criteria and process for the qualification of SEs that shall be eligible for support and other incentives as provided by this Act and as approved by the Council;
- c) Identification of sources of financing for the SE sector not limited to grants, loans and equity financing for enterprise incubation, start-up and expansion;
- d) Management of multi-stakeholder convergence programs and activities among government agencies and private organizations in support of the PRESENT Program;

- e) Coordination with the concerned government agencies and local government units in the development and implementation of the PRESENT Program and projects.
- f) Coordination with social enterprise stakeholders, including people's organizations, non-government organizations, and multi-sectoral and multi-disciplinary pool of experts from the academe, practicing professionals, business, industry, youth, women and other concerned sectors to provide advice and technical assistance on matters pertaining to SEs.

### **CHAPTER III INCENTIVES AND BENEFITS FOR SOCIAL ENTERPRISES**

**SEC. 7. Social Enterprise Development Fund.** - There shall be included in the budget of the DTI under the annual General Appropriations Act an initial amount of Nine Hundred Million Pesos (Php 900,000,000.00) for the establishment of a Social Enterprise Development Fund (SEDF) which shall be utilized as grants to SEs for the plans set forth under the PRESENT program.

THE SEDF shall be allocated for:

- a) Six Hundred Million Pesos (Php 600,000,000.00) for value-chain financing; and
- b) Three Hundred Million Pesos (Php 300,000,000.00) for enterprise development services.

After the first year of implementation, such sums as may be necessary to fund the SEDF shall be included in the budget of the DTI under the annual General Appropriations Act.

Plans for the utilization of the SEDF shall be developed by the CSED for approval by the Council.

**SEC. 8. Special Credit Windows.** - The Land Bank of the Philippines, Development Bank of the Philippines and other government financial institutions shall establish special credit windows for the following purposes:

- a) Credit line for business development loan or working capital loan to cover the operational and management expenses of an existing business or income generating project, including receivable financing or purchase of additional inventory, soft or intangible investments such as trade fair participation or acquisition of software or franchise development packages;
- b) Fixed assets financing to cover acquisition of fixed assets like machineries and equipment, motor vehicle, or acquisition of lot for project site or construction of a plant and building and the improvement thereof;

- c) Value chain financing to cover any of the value chain activities such as production, processing and marketing;
- d) Domestic letter of credit or trust receipt to provide a stand-by credit facility for the SE borrower for the purchase of product inputs, equipment, machinery, implements, and spare parts, whereby payment of which is guaranteed and to be made to the seller by the lending institution, provided all documents conform with the terms and conditions of the credit; and
- e) Revolving Credit Line for re-lending to finance the livelihood project requirements of end-borrowers.

**SEC. 9. Social Enterprise Guarantee and Surety Fund.** - There shall be established a Social Enterprise Guarantee and Surety Fund (SEGSF) which shall be funded from equity contributions of government financial institutions. The SEGSF shall be used to provide guarantee cover to participating financial institutions and other parties in extending financing to SEs. The SEGSF shall be administered by the Small Business Corporation to enable qualified SEs to access non collateralized and other appropriate financing while mitigating the risks involved in SE sector lending: Provided, That the SEGSF may also be used to cover the performance bond of SEs for their transactions.

**SEC. 10. Public Procurement for Social Enterprises.** - For purposes of government procurement, the Government Procurement Policy Board (GPPB) shall recommend and approve policies to facilitate the full participation of SEs in public procurement processes and to ensure the maximum public benefit and impact of government procurement projects. In support of these policies, the DBM shall direct line agencies of government to include at least 10% of its annual budget for Maintenance and Other Operating Expenses and Capital Outlay specifically for goods procured and services contracted from SEs.

**SEC. 11. Insurance for Social Enterprises.** - The Insurance Commission shall issue the necessary rules and regulations and implement measures to ensure that the insurance industry shall provide insurance products, both life and non-life, for social enterprises and their stakeholders among the poor. Furthermore, social enterprises shall be eligible to be licensed agents or delivery channels for their clients and constituents.

**SEC. 12. Eligibility for Benefits and Incentives.** - In the case of SEs organized as stock corporations, partnerships or sole proprietorships, the following requirements shall apply to become eligible for benefits and incentives provided by this Act:

- a) A SE must not be organized as a branch, subsidiary or division of a private business enterprise, regardless of the size of such private business enterprise, nor may its policies be determined by a private business enterprise. Provided, that this shall not preclude a SE from accepting subcontracts from large private business enterprises or firms or from joining in cooperative or joint-venture activities with other SEs or foundations practicing Corporate Social Responsibility (CSR); and

- b) A SE must plow back at least sixty percent (60%) of its total expenditures and profits to the enterprise for the benefit of the poor, and engage in practices that optimize the benefits for the poor through the provision of living wages, above-market pricing for economically disadvantaged producers and suppliers, and other such best practices that distribute the profit generated by the enterprise.

#### **CHAPTER IV APPROPRIATION AND OTHER PROVISIONS**

**SEC. 13. Role of Local Government Units (LGUs) in SE Development.** - LGUs shall be encouraged to incorporate viable SE development plans in their local plans and collaborate with SEs.

**SEC. 14. Social Entrepreneurship Education in Schools.** - Toward strategically developing the nation's human resource capability in social entrepreneurship, the DepEd, TESDA and the CHED shall cause the integration of SE content and inclusion of SE courses in the curricula at all levels, especially in the secondary and tertiary levels. A continuing social entrepreneurship education program for out-of-school youth and adults shall likewise be developed and undertaken.

**SEC. 15. Social Enterprise Week.** - In order to institute continuing awareness on the importance of SEs as a viable government strategy in pursuing poverty alleviation, the week of the month when this Act shall have been signed into law shall be declared as the "Social Enterprise Week" and shall be celebrated annually. The Council shall, through the CSED, be responsible in organizing activities for the event.

**SEC. 16. Appropriations.** - The amount necessary to implement the provisions of this Act shall be charged against the current year's appropriations of the Office of the President. Thereafter, such sums as may be necessary for its continued implementation shall be included in the annual General Appropriations Act.

The budgetary requirements of the cooperating agencies shall be incorporated in their respective budgets. The CSED may raise funds from other sources for specific projects as may be authorized by law.

**SEC. 17. Transitory Provision.** - Within a period of five years, the CSED shall facilitate the development and dissemination of tools, and invest in the development of the capability of SEs to plan, monitor and evaluate their social and financial performance and outcomes. Further, the CSED shall evolve socially acceptable benchmarks for evaluating the performance of SEs and incorporate such to more effectively develop and regulate the sector.

**SEC. 18. Implementing Rules and Regulations.** - Within ninety (90) days from the effectivity of this Act, the Secretary of Trade and Industry shall, in consultation and coordination with the concerned government agencies, promulgate the necessary rules and regulations for the effective implementation of this Act.

**SEC. 19. Separability Clause.** - If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

**SEC. 20. Repealing Clause.** – All laws decrees, ordinances, rules and regulations, executive order or administrative order and other presidential issuances inconsistent in this act are hereby repealed, amended or modified accordingly.

**SEC. 21. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) national newspapers of general circulation.

*Approved,*