



HOUSE OF REPRESENTATIVES

H. No. 9778

BY REPRESENTATIVES SAVELLANO, PADUANO, NIETO, DE JESUS, PADIERNOS, EBCAS, GERON, TY (D.),
LIM, HARESCO AND BARBA, PER COMMITTEE REPORT NO. 1067

**AN ACT
ALLOWING VOTING BY PROXY IN PRIMARY COOPERATIVES, THEREBY
AMENDING FOR THE PURPOSE CHAPTER IV, ARTICLE 36 OF REPUBLIC ACT NO.
9520, OTHERWISE KNOWN AS THE PHILIPPINE COOPERATIVE CODE OF 2008**

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

1 **SECTION 1.** Chapter IV, Article 36 of Republic Act No. 9520, otherwise known as the
2 Philippine Cooperative Code of 2008 is hereby amended to read as follows:

3
4 “ART. 36. *Voting System.* – EXCEPT FOR PRIMARY COOPERATIVES WITH
5 NUMEROUS AND DISPERSED MEMBERSHIP, [E]each member of a primary cooperative
6 shall have only one (1) vote. In the case of members of secondary or tertiary cooperatives, they
7 shall have one (1) basic vote and as many incentive votes as provided for in the bylaws but not TO
8 exceed five (5) votes. The votes cast by the delegates THROUGH A REPRESENTATIVE
9 ASSEMBLY shall ALSO be deemed as votes cast by the members thereof.

10
11 [However,] THE bylaws of [a cooperative-other than a primary] TERTIARY AND
12 SECONDARY COOPERATIVES, AND PRIMARY COOPERATIVES WITH NUMEROUS

1 AND DISPERSED MEMBERSHIP AS DETERMINED AND CERTIFIED BY THE
2 AUTHORITY, may provide for voting by proxy. Voting by proxy means allowing a delegate of a
3 cooperative to represent or vote on behalf of another delegate of the same cooperative OR IN
4 THE CASE OF A PRIMARY COOPERATIVE WITH NUMEROUS AND DISPERSED
5 MEMBERSHIP, ALLOWING A MEMBER OF THE COOPERATIVE TO REPRESENT OR
6 VOTE ON BEHALF OF ANOTHER MEMBER OF THE SAME COOPERATIVE.

7
8 AS USED IN THIS ACT, PRIMARY COOPERATIVES WITH NUMEROUS AND
9 DISPERSED MEMBERSHIP REFER TO COOPERATIVES WITH OVER 10,000 MEMBERS
10 OR WITH GEOGRAPHICALLY DISPERSED MEMBERS SUCH AS IN THE CASE OF THE
11 UNIFORMED PERSONNEL, OVERSEAS FILIPINO WORKERS, AND SUCH OTHER
12 COOPERATIVES WHOSE MEMBERS ARE LIKEWISE GEOGRAPHICALLY DISPERSED
13 AS SHALL BE DETERMINED AND CERTIFIED TO BY THE AUTHORITY.”

14
15 SEC. 2. If any provision of this Act is declared unconstitutional or invalid, other provisions
16 which are not affected thereby shall continue to be in force and effect.

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18 SEC. 3. All laws, decrees, orders, rules and regulations or parts thereof inconsistent with
19 the provisions of this Act are hereby repealed or modified accordingly.

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21 SEC. 4. This Act shall take effect fifteen (15) days after its publication in the *Official*
22 *Gazette* or in a newspaper of general circulation.

Approved,