



## **Guidelines and Procedures for the Selection of Private Sector Representatives (PSRs) to the Bangsamoro Economic and Development Council for 2020-2022**

### **I. Background**

Section 4, Article XIII of Republic Act No. 11054 provides that the Bangsamoro Parliament shall establish the Bangsamoro Economic and Development Council (BEDC) to serve as the planning, monitoring, and coordinating agency for all development plans, programs, and projects of the Bangsamoro Government.

Pursuant to the provisions of RA No. 11054, the Bangsamoro Parliament enacted Bangsamoro Autonomy Act (BAA) No. 6 establishing the BEDC. The Act provides the inclusion of the **five (5) Private Sector Representatives (PSRs)** as members of the BEDC.

Section 5 of the BAA No. 6 stipulates that the BEDC shall **select the five (5) PSRs subject to the guidelines and qualification criteria to be developed by the BPDA and approved by the Council.**

### **II. Purpose**

The BPDA has drafted the guidelines that will ensure objectivity, integrity, and transparency on the selection of PSRs to the BEDC. It contains the accreditation and selection procedures, criteria, and the required qualifications of the nominating private sector organizations (PSOs) and PSR nominees. The purpose of the accreditation is to provide eligibility for the PSOs to nominate one of its members as PSR member of the Council.

### **III. Definition of Terms**

For this purpose, the hereunder list of terms shall mean as follows:

- a. **Private Sector Organizations (PSOs)** refer to organizations created or formed by private persons for the purpose of socio-economic development, rendering services or providing assistance in pursuit of public interests. These include, among others, business organizations, civil society organizations (CSOs) non-government organizations (NGOs), People's Organizations (POs), Industry Associations, Religious Organizations, Cultural Associations, Professional Associations, Civic Clubs, and Cooperatives.
- b. **Private Sector Representatives (PSRs)** refer to qualified natural born Filipino citizens selected under these guidelines to represent the private sector to the BARMM-BEDC.
- c. **Sectoral representation** refers to the sector being represented by the PSR such as but not limited to agricultural, labor, urban poor, persons with special needs, religious, indigenous peoples, cultural, youth, and women sectors.

## IV. Private Sector Organizations (PSOs)

### 4.1 Accreditation Procedure:

The following shall be the procedure for the accreditation of PSOs in the BARMM:

- a. **Submission of PSO organizational profile.** The PSO operating in the BARMM shall be informed of the accreditation process of PSOs by the BEDC Technical Secretariat. They will be invited to submit their organizations' profile for screening by the BEDC Technical Secretariat;
- b. **Prequalification.** The BEDC Technical Secretariat shall review the submitted profile and shall determine the sectoral and geographic operational coverage of said organizations. It shall then prequalify the PSOs based on the criteria. The list of prequalified PSOs shall be presented for confirmation by the BEDC;
- c. **Determination of Sectoral Representation.** The BEDC members shall deliberate and determine the sectoral representation of the PSOs based on the presentation of the BEDC Secretariat; and
- d. **Accreditation of PSOs.** The BEDC upon deliberation shall accredit PSOs based on their sectoral representation. A certificate of accreditation shall be issued by the BEDC to the accredited PSOs. Only accredited PSOs are entitled to nominate Private Sector Representatives to the BEDC.

### 4.2 Criteria for the Pre-qualification of PSOs

The following shall form the set of criteria on pre-qualification of PSO by the BEDC:

- a. The PSO must adhere to the **Philippine Constitution**;
- b. PSO must have conducted socio-economic activities for at least three years either province-wide (in any province in BARMM) or region-wide;
- c. The PSO must not have been blacklisted by any government agency or instrumentality;
- d. The socio-economic development activities of the PSO must have been implemented in close coordination with local government units or other private sector organizations;
- e. The PSO must have established an office in the BARMM; and
- f. Must have established a broad network of partnership with the government and private sectors.

### 4.3 Qualifications of Nominating PSOs:

The following shall be the qualifications of the nominating Private Sector Organization:

- a. **Legal Personality.** Must be registered either with the Securities and Exchange Commission (SEC), Cooperative Development Authority (CDA) or other government agencies or LGU which registers organizations and associations for the purpose of granting legal personality upon organizations.
- b. **Performance.** Must have conducted socio-economic activities for at least three (3) years from date of registration in the region for operation in their respective areas.
- c. **Nationality.** Must be a Filipino citizen. Organizations managed by foreigners, whose officers and members are primarily composed of foreign nationals or are considered branches, subsidiaries or affiliates of foreign organizations, shall not be qualified.

Organizations which have **government officials and employees as ex-officio members of their Governing Council or whose operations are funded by the government are disqualified.** Financial support by the government to specific projects will not be considered as funding support to operations.

#### 4.4 Application Requirements:

The following shall be the requirements for the application of PSOs accreditation:

- a. Application Letter;
- b. Accomplished PSO Profile Sheet (Form 1, Annex 1);
- c. Accomplished PSR Nominee Information Sheet (Form 2, Annex 2);
- d. Accomplished PSR and Voter's Nomination (Form 3, Annex 3);
- e. PSR's Curriculum Vitae;
- f. Detailed PSO Organizational Profile; and
- g. Endorsement of PSO's accrediting agency (Annex 4).

#### 4.5 Advantages of PSO Accredited by the BEDC

The following shall constitute the advantages of PSOs duly accredited by the BEDC:

- a. Accredited PSOs are eligible for nomination or selection as CSO representative member of the BEDC;
- b. Could serve as a basis for membership in inter-agency committees, Task Forces, local development councils, and local special bodies like local Councils as provided for by laws;
- c. Provide an opportunity to be a national, regional and local partners in the pursuit of regional development;
- d. Could be a recipient of both technical and financial assistance provided by government and the foreign entities;
- e. Could be a potential conduit of funding assistance for programs and projects implementation;
- f. Could be a member of the Regional Project Monitoring and Evaluation Committee (RPMEC) or a third party monitor of projects in the region; and
- g. Certificate of Accreditation shall be issued to the PSO.

#### 4.6 Obligation of PSOs Accredited by the BEDC

The following shall be the obligations of the PSOs duly accredited by the Council:

- a. Attend to meetings of the BEDC and other activities of the Council when invited;
- b. Regularly provide report to the BEDC through its Technical Secretariat;
- c. Shall report anytime upon request by the BEDC Chair; and
- d. Perform such other functions as the BEDC may require.

### V. Private Sector Representatives (PSRs)

#### 5.1 Qualifications of a PSR Nominee

The PSR nominee must possess the following before he/she can be nominated:

- a. **Citizenship.** Must be a natural born Filipino of legal age, not otherwise disqualified by law.
- b. **Occupation.** Must not hold any government position, whether appointive or elective, and must not receive any remuneration from the government while serving as PSR to the BEDC.
- c. **Track Record.** Must have proven track record in socio-economic development in the region/ in their respective areas, and must be willing and able to participate in all BEDC activities.
- d. **Formal Nomination.** The nominee must have been formally nominated by a qualified PSO duly accredited by the BEDC. The Nomination Form may be obtained from the Bangsamoro Planning and Development Authority (BPDA).

#### 5.2 Roles of the Private Sector Representative<sup>1</sup>

- a. Articulate the concerns and perspective of the private sector on regional development;
- b. Participate and provide input on: regional development planning, investment programming and budgeting and monitoring and evaluation of programs and projects; and
- c. Participate in regular/special BEDC and Sectoral Committee meetings and activities.

#### 5.3 Selection of PSRs Procedure

The following procedure shall be observed and guide the selection of PSR in the BARMM:

- a. **Nominee and Voter.** The BEDC Secretariat shall request qualified PSOs to submit their PSR nominee and the name of their official voter using a prescribed form. Any individual who is qualified in accordance with the qualifications set-forth above may be nominated by a qualified PSO, provided that a qualified PSO and its subsidiaries and affiliates shall be counted as one PSO only, except in cases where such affiliates or subsidiaries have distinct and separate legal personalities.

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<sup>1</sup> Reference: *Guidelines and Procedures for the Selection of PSRs to the CALABARZON RDC for 2016-2019*

- b. **Voting and Proclamation.** The BEDC Secretariat shall prepare the list of official nominees and convene the official voters representing the qualified PSOs for the purpose of selecting PSRs to the BEDC. The selection of PSRs shall be done by secret balloting or any other mode of selection as may be decided by the body. The BEDC Secretariat shall tally the votes and proclaim the successful nominees.
- c. **Confirmation.** The BEDC members shall confirm the selected PSRs during the regular BEDC meeting which shall be held after the selection of the new set of PSRs.

#### **5.4 Term of Office**

All confirmed PSRs shall serve for a fixed term of three (3) years, without prejudice to reappointment through the same process of selection. The term of the BEDC Chairperson is co-terminus with the PSR.

#### **5.5 Termination**

PSRs considered remiss in the performance of their duties or who commit acts inimical to BEDC may be dropped from membership of the Council on motion of a member and upon approval by majority of the members present during a BEDC meeting. In addition, PSRs who are elected or appointed to any government position during their term shall automatically lose their rights and privileges as representatives of the private sector in the BEDC.

#### **4.6 Vacancy**

In case a vacancy occurs in a PSR seat of the BEDC either through resignation, recall, and ineligibility due to appointment/election to public office, incapacity, permanent disability or death, the BEDC may determine the manner in which the vacancy may be filled up.

#### *References:*

1. *Regional Economic and Development Planning Board (ARMM-REDPB) Guidelines for the Accreditation of Private Sector Organizations (PSOs) and Selection of Private Sector Representatives (PSRs) in the REDPB;*
2. *NEDA Regional Offices VI and XII Guidelines for Selection of Private Sector Representative in the Regional Development Council (RDC); and*
3. *Guidelines and Procedures for the Selection of PSRs to the CALABARZON RDC for 2016-2019.*