

GUIDELINES ON PROVISIONAL REGISTRATION OF ELECTRIC COOPERATIVES

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Attached herewith is the Guidelines on the Provisional Registration of Electric Cooperatives with the CDA which was approved by the CDA Board of Administrators and concurred in by the National Electrification Administration.

For this purpose, the Extension Offices may inform the electric cooperatives in their areas of such approval. If they have not as yet transmitted the necessary documents for provisional registration to the CDA Central Office or to PHILRECA for eventual transmittal to this Office, the Extension Office is authorized to receive such documents and is mandated to transmit them to the Central Office for provisional registration.

Registration of electric cooperatives under these Guidelines shall be with the Central Office owing to their provisional nature and the need to register them on or before 31 March 1993. However, in the future, all activities concerning the electric cooperatives shall be exercised by the Extension Office specially with respect to their regular registration.

The registration fee of the electric cooperatives is hereby set at Two Hundred Fifty Pesos (P250.00).

For compliance.

Adopted: 26 Feb. 1993

(Sgd.) CANDELARIO L. VERZOSA, JR.
Executive Director

Guidelines on the Provisional Registration
of Electric Cooperatives with the C.D.A.

Pursuant to Article 122 of Republic Act No. 6938, otherwise known as the Cooperative Code of the Philippines, and by virtue of a Presidential Directive issued on 28 July 1992, the Cooperative Development Authority hereby promulgates and adopts the following guidelines to govern the provisional registration of rural electric cooperatives (RECs) previously registered under Presidential Decree No. 269, as amended, with the Authority.

SECTION 1. Coverage of these Guidelines — All rural electric cooperatives (RECs) previously registered with the National Electrification Administration (NEA) under Presidential Decree No. 269, as amended, and other special laws, shall be covered by these Guidelines and shall be provisionally registered with the Authority.

SECTION 2. Documents to be Submitted — The cooperative shall submit the following documents to the Authority's Central Office:

- a. Articles of Incorporation, as filed with the NEA;
- b. By-Laws of the Cooperative, as filed with the NEA;
- c. A copy of the Franchise to Operate issued by the National Electrification Administration;
- d. Certified true copy of the Registration Certificate issued by NEA; and

e. A copy of the latest audited financial statement of the REC.

SECTION 3. Requirements for Availment of Provisional Registration — The following are the conditions for the availment of such provisional registration with the Authority:

a. The REC shall submit a conversion plan to the Authority, acceptable to NEA, detailing the activities required for the full conversion of the REC into a cooperative, as defined under the Cooperative Code within one (1) year from issuance of the Certificate of Provisional Registration. Such plan shall include the amendments required in the Articles and By-Laws of the RECs, and the RECs' proposed capitalization.

b. Within two (2) years from the issuance of the Certificate of Provisional Registration, the REC shall, if it qualifies in accordance with the Omnibus Rules and Regulations on the Registration of Electric Cooperatives, fully implement the above-stated plan with the assistance of the Authority and with the concurrence of NEA.

c. During the period stated in Section 3(b), the REC, in coordination with the NEA, shall conduct education and training seminars that may be required to inform the members of the RECs' conversion and their rights and duties as members.

d. The Authority and NEA shall monitor and evaluate the compliance of the RECs with the conditions for provisional registration and with regard to the activities contained in the conversion plan.

SECTION 4. Certificate of Provisional Registration — Once the documents in Section 2 have been submitted, the Authority shall issue a Certificate of Provisional Registration which shall contain the name and address of the REC, the date it was registered and the effectivity of such certificate for two (2) years only.

SECTION 5. Effect of Provisional Registration — (a) Once registered, the REC shall be entitled to the rights and privileges granted to cooperatives under the Cooperative Code and other related laws and issuances. NEA, however, shall continue to exercise supervision and control over the cooperative under Sections 3 and 5 of P.D. 1645.

b. Once registered, the Authority shall issue a Certificate of Good Standing in favor of the REC stating therein that the REC is entitled to the privileges granted under the Code, and other pertinent laws, rules and regulations. Such certificate shall be valid for a period of two (2) years subject to revocation for cause by the CDA.

c. The REC shall file with the Authority the required annual reports and audited financial statements during the period of provisional registration.

d. Representatives from the Authority shall conduct periodic visits to the main office of the REC to monitor the compliance by the REC of the conditions stated herein.

e. The Authority, together with the NEA, shall assist the REC in formulating the plan of action mentioned.

SECTION 6. Term of Provisional Registration — The provisional registration of a REC shall be valid for a period of two (2) years beginning on the issuance of the Certificate of Provisional Registration.

SECTION 7. Period of Provisional Registration — The application for provisional registration by the RECs shall begin on February 1, 1993 and end on March 31, 1993.

SECTION 8. Miscellaneous Provision — The two-year period of provisional registration with the Authority as herein provided shall not be construed as a diminution of the three-year period for registration as provided in the Omnibus Rules and Regulations on the Registration of Electric cooperatives when it takes effect; Provided, However, That should the REC be qualified as a "cooperative" under such rules and regulations, such RECs shall be considered permanently registered.

SECTION 9. Effectivity — The Guidelines shall take effect upon its approval by the Authority's Board of Administrators.

Adopted: 26 Feb. 1993

(Sgd.) EDNA E. ABERILLA

Chairman

Cooperative Development Authority

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