



PHILIPPINES 2000

Administrative Order No. 79  
Series of 2003

## SUBJECT: OMNIBUS RULES AND REGULATIONS ON PUBLIC SOLICITATIONS

### RATIONALE:

Presidential Decree No. 1564, also known as the Solicitation Permit Law, recognizes the contribution of non-government organizations, associations and societies in various civic activities and projects which they undertake primarily for charitable and public welfare purposes. The Solicitation Permit Law allows these entities to seek funds to carry out their projects and activities.

Since there is a growing number of these organizations in the country seeking to establish themselves as welfare and charitable agencies or have already gained entry as welfare provider, it is necessary that we obviate illegal fund drives as well as regulate the practice of solicitation by those agencies and individuals who seek donations and voluntary contributions to protect the general public.

Apart from P.D. 1564, Executive Order No. 24 was issued by President Gloria Macapagal - Arroyo in 2001 to further strengthen the regulation of fund drives, public solicitations and donations for charitable or welfare purposes in the country. Executive Order No. 24 gave the Secretary of the Department of Social Welfare and Development (DSWD) the final authority to approve or disapprove requests for the conduct of national fund-raising campaigns. To operationalize P.D. 1564 and EO 24, the DSWD issued Administrative Order No. 147 series of 2001 entitled "*Guidelines in granting authorization to conduct national fund raising campaigns*" and Department Order No. 40 series of 1994, as amended by D.O. 40-A, entitled "*Revised Implementing Rules and Regulations of Presidential Decree No. 1564 Otherwise known as the Solicitation Permit Law*" which establishes the requirements and qualifications of juridical entities who are eligible to conduct fund campaigns.

The issuance of these laws and administrative orders regulating the practice of solicitation of voluntary contributions in the Philippines sometimes creates confusion and conflict in the implementation at the regional and national levels. It is in this context that the Department is issuing these guidelines which took into account all existing laws and executive orders pertaining to public solicitation.

### I. COVERAGE

**Section 1.** Except as provided under MC. No. 2 Series of 1999 the provision of these guidelines shall apply to all local and national fund campaigns conducted in the Philippines which will generally cover any applicant person, corporation, organization, association or any other juridical entity, including but shall not be limited to non-government organization, civic organization, employees association and other professional organization desiring to solicit or receive contributions from the public for charitable or public welfare purposes.

**Section 2.** Foreign corporations operating in the Philippines as a non-stock non-profit corporation may be granted solicitation permit in the Philippines provided there is an existing mutual or bilateral agreement between their country of origin and the Philippines.

REPUBLIKA NG PILIPINAS  
KAGAWARAN NG KAGALINGANG PANLIPUNAN AT PAGPAPAUNLAD

(DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT)

BATASAN PAMBANSA COMPLEX, CONSTITUTION HILLS

QUEZON CITY

## II. DEFINITION OF TERMS

As used in this Administrative Order, the following terms are defined as follows:

1. **Administrative Expense**- ordinary or necessary costs/expenses incurred in the management or operation relative to the conduct of the solicitation activity.
2. **Applicant** – refers to the organization or individual person intending to conduct a fund-raising campaign for charitable and public welfare purposes.
3. **Charitable Purpose** – refers to the provision of assistance or services directly or indirectly to the poor and disadvantaged sectors including those who are: (1) abandoned, orphaned, exploited or children under difficult circumstances; (2) juvenile delinquents/children in conflict with the law, youth offenders, out-of-school youth and other youth with special needs; (3) persons with disabilities; (4) senior citizens; (5) victims of disaster or calamities, whether natural or man-made; (6) disadvantaged women and those in especially difficult circumstances; (7) indigenous peoples and (8) dysfunctional families and depressed communities as defined by other existing laws;
4. **Department** – shall refer to the Department of Social Welfare and Development.
5. **Local Authority** - is a permit to solicit issued to the applicant by the DSWD Field Office when the area of solicitation covers only one particular region or locality.
6. **Local Fund Campaign** – refers to the fund-raising activity conducted within one region only.
7. **MOA**- shall refer to Memorandum of Agreement.
8. **National Authority** - is a permit to solicit given by the DSWD when the fund campaign covers two or more regions.
9. **National Fund Campaign** - refers to the conduct of fund-raising campaign in two or more regions.
10. **People's Organization** – are bona fide associations of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership, and structure.
11. **Program Expense**- direct cost of all expenses incurred in the provision of the beneficiary's basic needs including those expenses directly involved in the implementation of relevant programs and services of the donee or agency.
12. **Public** - as used in these guidelines, shall be synonymous to the term community of people, populace, society at large, masses, people in general. The term shall basically refer to the general public comprising the Filipino society of whatever aggrupation, agregation or affiliation.
13. **Public Solicitation** – refers to any activity or project conducted in a particular region or nationwide for a maximum period of one year, intended to generate funds from the public primarily for charitable or public welfare purposes.
14. **Public Welfare Purpose** – refers to programs or projects relative to health, education, peace, welfare, environmental safety, rights, morals, security and safety of citizens and similarly situated circumstances including disaster relief operations and management.
15. **Social Welfare Agency** – is a person, corporation, or organization, private or governmental, that engages mainly and generally, or represents itself to engage in social welfare work, whether case work, group work or community work, and obtains its finances either totally or in part, from any agency or instrumentality of the government, and/or from the community by direct or indirect solicitations and/or fund drives, and/or private endowment.
16. **Solicitation Permit**–refers to the authority issued by the Department of Social Welfare and Development to a particular individual or juridical entity to solicit donations or voluntary contributions for charitable or public welfare purposes.

17. Verified Complaint – is a written complaint containing an oath or attestation of the truthfulness of the facts alleged therein in accordance to the affiant's personal knowledge and belief.
18. Voluntary Contribution – a unilateral act of giving any material or valuable thing by way of donation/gift to a juridical entity, peoples organization, or an individual for charity or public welfare purpose without receiving any form of direct solicitation.

### III. GENERAL POLICIES

**Section 3.** The following policies shall govern the regulation of fund drives or any other form of solicitation of contributions from the public.

- a. Individual persons, associations, organizations or corporations including those with memorandum of agreements/understanding with the Department desiring to solicit contributions in the Philippines, whether local or national campaign, shall apply for a permit to solicit, provided, the applicant possesses all the qualifications and none of the disqualifications as provided for by law and after submission of all the requirements to the DSWD.
- b. Applicants should go through a process of assessment by the DSWD before they can be granted solicitation permit.
- c. All fund campaigns conducted prior to the issuance of the solicitation permit shall be considered illegal. Funds generated from the solicitation activities conducted before the issuance of the permit or while the application is pending shall be accounted for by the applicants. Otherwise, such shall be the basis for the denial of the application.
- d. Entities with existing MOAs with the DSWD, which have been conducting fund campaign without a permit, shall be required to submit additional documents for their subsequent fund-raising activity after the implementation of these governing rules.
- e. Renewal of solicitation permit may be granted after the applicants shall have fully complied with the minimum requirements provided in these rules.
- f. In no case shall any applicant be allowed to engage in solicitation activities involving the use of lottery, raffle and other games of chance or hazard except as provided for under these rules.
- g. All applications for public solicitation shall be assessed by the concerned DSWD Field Office.
- h. National authority to conduct public solicitation shall be issued by the DSWD Secretary while local authority by the concerned Regional Directors of DSWD Field Offices.
- i. All .solicitation/fund-raising paraphernalia shall bear the DSWD authority number, coverage and effectivity date.
- j. Solicitation Permit shall be secured from the concerned LGU if it will cover only one particular LGU locality. The DSWD FO will issue the solicitation permit where the conduct of the solicitation activity will cover two or more LGUs within a particular region.

### IV. ELIGIBILITY

**Section 4.** The following eligibility requirements should be met by social welfare agencies applying for solicitation permit/authority to conduct fund-raising campaign.

### Organizations/Agencies

- a. Duly registered with the Securities and Exchange Commission (SEC) or other government agencies which vest or grant legal or juridical personality by virtue of registration; or
- b. Duly registered, licensed or accredited by the DSWD as a social work agency or other government agencies which have jurisdiction over them such as health, education, environment, etc.
- c. If not registered, licensed or accredited by the DSWD or any other government agency mentioned in Items (a) and (b) above the organization should have manifested a good track record of performance in the field of charitable and welfare activities. The presence of all the following shall indicate a good track record for the purpose of granting the solicitation permit:
  - c.1. The organization has been operating as a social welfare agency for at least three years
  - c.2. Has annual accomplishment reports for the last three years describing the agency's programs, services and beneficiaries
  - c.3. Has a duly audited Annual Financial Report for the past three (3) years reflecting the collections generated, proper utilization of budget and proceeds obtained from previous fund raising campaigns/funding or donor agencies
  - c.4. For an applicant which has been in operation for less than three years or applying for an authority to conduct fund-raising campaign for the first time, a certification from the social welfare department of the local government unit attesting to the agency's credibility and capability shall be secured.

### People's Organization and Other Similar Associations

- a. Registered with the DSWD as a people's organization;
- b. Composed generally of Filipino nationals with demonstrated capacity to promote public interest; and
- c. Organized with identifiable leadership, membership and structure.

### Person

- a. Has the capacity to engage in contractual obligations;
- b. Has a solicitation program for charitable or public welfare purpose with definite beneficiaries;
- c. Possesses a good moral character certified by two disinterested persons who know the applicant personally and an endorsement by the social welfare office of the local government unit where he or she resides indicative of the applicant's track record in charitable work;
- d. Must not have been convicted of any crime involving moral turpitude.

## V. PROCEDURES

### Section 5. National Fund Campaign

- a. Application shall be filed by the concerned individual, head of the organization or its duly authorized representative at the respective DSWD Field Office where the principal office or residence of the applicant is located.

- b. The DSWD Field Office through its Standards Unit shall, within five (5) working days upon receipt of application, assess the purpose of the fund-raising activity, evaluate the eligibility of the applicant, fund-raising methodology and make the appropriate recommendation.
- c. If the fund campaign is filed with a particular DSWD Field Office where the applicant maintains its principal office or residence but the implementation of the campaign will cover two or more regions, the application shall be forwarded to the Standards Bureau. The latter shall request the Field Offices covered by the solicitation/fund-raising activity to validate and assess the application.
- d. The Field Office shall forward the application of qualified applicant together with its recommendation to the Standards Bureau for the latter's final review and endorsement to the Secretary.
- e. Approved applications with corresponding Certificate of Authority to Conduct National Fund Campaign shall be transmitted by the Standards Bureau to the concerned Field Office.
- f. Disapproved applications shall be returned to the concerned Field Office with specific reasons for the denial. The Field Office shall discuss the matter with the applicant, and if necessary, provide technical assistance to the latter to qualify for the issuance of authority to conduct fund-raising activity.
- g. The approved authority to solicit shall not be transferable and can only be used by the agency/organization to which it was issued and only for the maximum duration of one year or for the period specified in the Authority to Conduct National Fund Campaign.

**Section 6. Local Fund Campaign (involving two or more LGUs within a region)**

- a. Application shall be filed by the individual, head of organization or a duly authorized representative at the respective DSWD Field Offices covering the region where the solicitation activity will be implemented.
- b. Within five (5) working days upon filing of the written application, an assessment shall be made by the officially designated staff from the Standards Unit in the DSWD Field Office. The assessment shall focus on the purpose of the fund raising activity, eligibility of the applicant including the fund raising methodologies to be used.
- c. The application, together with the assessment report of the designated staff, shall be forwarded to the Regional Director for approval or disapproval.
- d. The Regional Director shall either approve or disapprove the application. In case of disapproval, the application shall be returned to the applicant citing specific reasons for the disapproval.
- e. The Field Office shall then discuss with the applicant the result of the application, and if necessary, shall provide technical assistance to the latter to qualify for the issuance of the solicitation permit to conduct fund-raising activity.
- f. The approved solicitation permit/authority is non-transferable and can only be used by the agency/organization.
- g. If the solicitation activity will be conducted in only one LGU locality the application shall be directly filed to the office of the City or Municipal Mayor where the solicitation permit shall be issued. MC No. 2 Series of 1999 shall be the governing rule involving this type of application for the conduct of public solicitation. The DSWD FO concerned shall issue the solicitation permit if the solicitation activity will cover two or more cities or municipalities within the region.

## VI. DOCUMENTARY REQUIREMENTS

### Section 7. General Requirements

#### A.) Juridical Entities/POs/Associations

The following documents shall be submitted to the DSWD Field Office for assessment:

- 1) Duly accomplished application form together with a power of attorney of the person representing the organization. The application form shall contain basic information such as the purpose of the request or the fund drive, target dates of the solicitation activity, duration of the fund drive, area coverage and brief description of the project. The brief description of the project shall specify the title, target beneficiaries, project sites, the description of the form/means of solicitation to be used, and budget utilization plan indicating target activities and the amount needed.
- 2) Certified true copy of the SEC registration or any certificate of registration from agencies which have jurisdiction to regulate the association/organization, including articles of incorporation and by-laws
- 3) List of the current members of the governing board of the organization, certified by the corporate secretary or any equivalent officer, with the principal place of business and current residential addresses of each governing board member, their nationalities and positions in the organization
- 4) Approved resolution to conduct a fund-raising campaign and a pledge of the Governing Board to limit the administrative expenses from the proceeds to not more than 30% of the total gross income and that 70% must be spent for the project proposed to be undertaken. The pledge will also state that no person involved in the fund-raising activity shall have a share in the proceeds derived therefrom. In case funds are raised solely through voluntary contribution, a pledge to limit all administrative expenses to not more than ten percent (10%) of the total collection is also required.
- 5) Certified list of authorized agents who will conduct the solicitation.
- 6) Endorsement from appropriate agency which has jurisdiction over the project to be undertaken.
- 7) Written commitment of the applicant and/or officers of the organization to assume full responsibility for the total funds generated.

#### B.) Person

The following documents shall be submitted to the DSWD Field Office for assessment:

- 1) Duly accomplished application form. The application form shall contain basic information such as the purpose of the request or the fund drive, target dates of the solicitation activity, duration of the fund drive, area coverage and brief description of the project. The brief description of the project shall specify the title, target beneficiaries, project sites, the description of the form/means of solicitation to be used, and budget utilization plan indicating target activities and the amount needed.
- 2) A pledge limiting the administrative expenses from the proceeds to not more than 30% of the total gross income and that 70% must be spent for the project proposed to be undertaken. The pledge will also state that no person involved in the fund-raising activity shall have a share in the proceeds derived therefrom. In case funds are raised solely through voluntary contribution, a pledge to limit all administrative expenses to not more than ten percent (10%) of the total collection is also required.

- 3) Certified list of authorized agents who will conduct the solicitation.
- 4) Endorsement from appropriate agency which has jurisdiction over the project to be undertaken.
- 5) Written commitment of the applicant to assume full responsibility for the total funds generated.

**Section 8. Specific Requirements for Each Method of Solicitation**

Depending on the type of public solicitation activity the submission of the sample fund raising paraphernalia including the additional document described in these rules shall be attached to the application for prior approval.

**a. Tickets, Ballots, Cards and Similar Forms**

- a.1. Written commitment of officers of the association to assume full responsibility for the value of all tickets, ballots and cards sold.
- a.2. The ticket shall contain the number of the permit issued by the DSWD and the duration of the fund raising activity.
- a.3. The tickets, ballots or cards shall bear the series numbers and that the Standards Bureau or the Standards Unit shall be furnished a list of numbered tickets, ballots, or cards for record and monitoring purposes.
- a.4. The ticket must emphasize that the amount given by the donor is a donation for a cause and should clearly indicate the beneficiary of the proceeds.
- a.5. In case of raffle tickets and similar mode of solicitation, it must clearly state the source of the prizes and that absolutely no proceeds generated from the sale of raffle tickets, ballots, or cards should be used in coming up with the prizes.

**b. Coin Banks and Other Similar Modes**

- b.1. Certified list of places where the coin banks are located
- b.2. Names of authorized collecting officers/agents
- b.3. The coin banks shall indicate that the amount given by the donor is a donation for a cause
- b.4. It shall also indicate the beneficiary of the proceeds, the corresponding permit number, the area coverage of the solicitation, the period covered by the permit and the name of the organization or duly authorized person conducting the solicitation activity.

**c. Photo Exhibits and Similar Activities**

- c.1. In a conspicuous place within the area of the exhibit, a sign measuring two feet high and four feet wide shall be placed.
- c.2. The sign shall indicate the purpose of the activity, the name of the beneficiary, the corresponding permit number, the period covered by the solicitation permit, and the name of the organization or duly authorized person conducting the solicitation activity.

d. **Written Solicitations, Text Messages and Other Types of Solicitation Using Electronic Devices Such as E-mail**

The written solicitation shall indicate the purpose of the activity, the name of the beneficiary, the corresponding permit number, the period covered by the solicitation permit and the name of the organization or duly authorized person conducting the solicitation activity.

e. **Media Campaign**

*Solicitation Through Radio, Television and Other Similar Forms of Entertainment* – Whenever solicitation is conveyed or displayed through radio or television, movie screens, digital and compact video discs, it shall indicate the purpose of the activity, the name of the beneficiary, the corresponding permit number, the period covered by the solicitation permit and the name of the organization/individual conducting the activity.

f. **Newspaper and Billboard Ads**

*Newspaper Solicitations and Billboard Ads*- shall indicate the purpose of the activity, the name of the beneficiary, the corresponding permit number, the period covered by the solicitation permit and the name of the organization or duly authorized person conducting the activity.

## VII. RENEWAL OF AUTHORITY

### Section 9. **Requirements**

Organizations applying for renewal of solicitation permit shall submit a financial report of their proceeds and expenditures of the previous fund campaign including the list of beneficiaries audited by a Certified Public Accountant.

### Section 10. **Procedure for Renewal**

- a. The application shall be filed by the individual, head of organization or a duly authorized representative at the respective DSWD office that issued the original authority/permit.
- b. Within a period of five days, an assessment shall be made by the officially designated staff.
- c. The assessment shall focus on the purpose of the fund-raising activity, the eligibility of the applicant and fund-raising methodology. Review of the financial report of the proceeds and expenditures of the previous fund campaign shall be made including the validation of the names and addresses of the recipients/beneficiaries of the previously conducted activity.

## VIII. FEES

### Section 11. **Solicitation Permit and Other Relevant Fees**

Corresponding fees to be determined by the Department shall be collected by the Field Office or Standards Bureau, as the case maybe, for the following purposes:

- a. Application
- b. Assessment



- c. Renewal
- d. Lost Permit

## IX. MONITORING PROCEDURE

- Section 12.** The Field Office where the application was filed or which endorsed it for approval shall monitor the conduct of the fund-raising activities to determine whether these are in accordance with the authority issued, and in compliance with the Solicitation Permit Law.
- a. **Reportorial Requirements** – The Regional Director concerned shall require the applicant who was duly issued a solicitation permit, to submit to the DSWD on the third month after the issuance of the permit, a verified report of information regarding its solicitation activities stating, among others, the names and addresses of contributors, and beneficiaries of the fund-raising activity.
  - b. **Visitorial Powers** – In the interest of the public, the Secretary or the Field Director concerned, or his/her duly authorized representative, shall have the authority to inspect or investigate at any reasonable time or during business hours the books of accounts, papers, affairs and activities of any applicant who has been issued a solicitation permit, relative to their aforesated purposes.
  - c. **Revocation of Permit**- In the interest of the public and citing specific grounds therefore, the Secretary or the Regional Director may revoke a permit already issued.
  - d. **Suspension of the Authority** - A solicitation permit issued by the DSWD may be suspended immediately upon verified complaint by an aggrieved party arising from damages or injury directly attributable to the activity for which the permit was issued. An investigation into the matter shall be conducted immediately by the Field Office concerned, or upon instruction of the Secretary. The findings and recommendations shall be submitted within five (5) days to the Field Director concerned or to the Secretary, as the case maybe, for appropriate action. The Secretary shall be informed of any investigation conducted by the Field Office, and furnished a copy of the findings and recommendations submitted thereon.
  - e. **Loss of Permit** - In case of loss of permit, the person to whom the permit was issued must submit immediately to the Field Office or Standards Bureau an affidavit of loss. The concerned Field Office or Standards Bureau shall assess the merit of the reasons stated in the affidavit which would warrant the issuance of a replacement.
  - f. **Post Fund-raising Requirement**-  
Within sixty (60) days after the expiry date of the permit, whether used or unused, the person to whom the permit was issued or the holder thereof shall submit a terminal report indicating the names and addresses of contributors, and the names and addresses of the persons to whom assistance were rendered from the funds obtained including the corresponding amounts received by each beneficiary. An itemized statement of collections and disbursements to be certified by a duly licensed CPA not connected with the organization shall likewise be submitted.
  - g. **Requirements After Issuance of Permit**
    - g.1. Change or postponement of the starting date of the drive may be made only upon approval by the Regional Director concerned or the Standards Bureau. In such case, a written request citing the justification for the postponement shall be filed two (2) weeks before the expiry date of the permit for immediate consideration.

- g.2. Persons or officers in charge of the solicitation of donations and voluntary contributions shall have absolutely no share in the proceeds to be derived therefrom, and the contributions or donations from whatever source are to be acknowledged with receipts, and expenditures supported by invoices or vouchers. The books of account shall, at all times be kept in the principal place of business of the association, institution or organization concerned. In case of individual applicant, the books of account shall be placed in the custody of the Standards Bureau or to the Standards Regulation Unit of the field office.

## X. FUND MANAGEMENT AND UTILIZATION

- Section 13.** Depositing of Funds – Funds collected during the conduct of the solicitation activities shall be deposited with any authorized banking institutions and shall be accounted for in the name of the association, institution or organization to whom the permit was issued. If the applicant is an individual person it shall be deposited in the name of the beneficiaries to be managed by a trustee committee composed of three individuals which shall be named as administrators of the fund. The trustee committee shall be composed of the following, namely: the applicant-solicitor, an ABSNET sectoral NGO representative and the major donor for each solicitation activity.
- Section 14.** Other expenditures – Expenditures for any project other than those indicated in the application shall be approved first by the Secretary or by the Regional Director concerned prior to its implementation.
- Section 15.** Accrual to Department Funds – The amounts collected as a fee for the processing of the solicitation permits shall accrue to the DSWD funds to be used in the performance of its regulatory function.
- Section 16.** Deposit of Collections – The Cashier of the Field Office shall deposit immediately all collections in a bank account opened for the purpose and shall remit the same to the DSWD Central Office.
- Section 17.** Cashier's Monthly Report - The Cashier of the Field Office shall submit a monthly summary report of all collections received, together with the copies of all the Official Receipts issued. The report shall be forwarded to the office of the Secretary through the Finance Service of the DSWD Central Office, copy furnished the Standards Bureau.

## XI. GROUNDS FOR SUSPENSION OR REVOCATION OF AUTHORITY/PERMIT

- Section 18.** Solicitation permits issued to applicants shall be suspended on the following grounds:
- a. Dissolution of organization or cessation of its operation.
  - b. A verified complaint by an aggrieved party arising from damages or injury directly attributable to the execution of the activity for which the permit was issued.
  - c. Non-compliance with the requirements provided under these rules.
  - d. Any violation of the provisions of P.D. 1564 (Solicitation Permit Law) and other relevant laws applicable to the same or these implementing rules.

## XII. HANDLING OF COMPLAINTS

### Section 19. Procedures in Handling Complaints

- a. The DSWD Field Office or the Standards Bureau shall ensure that the complaint against the organization/individual is written and duly signed by the complainant.
- b. Within a period of five (5) working days upon receipt of the complaint the Standards Bureau or the Field Office shall conduct an appropriate investigation/assessment of the allegations in the complaint.
- c. The investigation or assessment shall not exceed a period of thirty (30) working days. After a thorough investigation or assessment and the organization is found to have committed violations, the Field Office or the Standards Bureau shall submit to the DSWD Secretary, its recommendations together with the necessary supporting documents, within twenty (20) days after the completion of the assessment.
- d. Based on the assessment report, the DSWD Secretary shall make a decision whether to revoke or suspend the permit to solicit already issued.
- e. Where deemed necessary, a criminal complaint shall be filed by the Regional Director or by the Standards Bureau Director.
- f. The filing of a complaint, as provided in these rules and regulations, shall not bar the filing of an administrative complaint for the purpose of revoking or suspending the license of the social welfare agency.

## XIII. MISCELLANEOUS PROVISIONS

Section 20. Action Against Offenders- The DSWD shall cause and assist in the prosecution of any person violating P.D. 1564 or its Implementing Rules and Regulations. It shall also disapprove any subsequent application for solicitation permit by those who, after their permit had been issued, do not comply with the requirements under these Rules and Regulations.

Section 21. Penalty Clause- Any person found violating the provisions of P.D. No. 1564 or these Rules and Regulations shall, upon conviction, suffer the penalty of imprisonment of not more than one (1) year, or a fine of not more than ONE THOUSAND PESOS (P1,000.00) or both such imprisonment and fine at the discretion of the Court. Provided, however, that if the offender is a corporation, organization or association, the penalty shall be imposed upon the guilty officer or officers of the corporation, organization or association, and if such guilty officer is an alien, he shall be deported after serving sentence without further proceedings.

## XIV. EFFECTIVITY OF THE GUIDELINES

These Guidelines shall take effect immediately following its publication in one newspaper of general circulation and revoke all other previous issuances inconsistent herewith.

Issued in Quezon City this 3<sup>rd</sup> day of November, 2003.

  
CORAZON JULIANO-SOLIMAN  
DSWD Secretary