



Republic of the Philippines
Department of Trade and Industry
Construction Industry Authority of the Philippines
PHILIPPINE CONTRACTORS ACCREDITATION BOARD
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**Board Resolution No. 431
Series of 2011**

Amending Board Resolution No. 273, s. 2011 to Include Moratorium in the Acceptance and Processing of Applications for Amendments in the License and Registration for Government Projects of Cooperatives

Whereas, a review of the Philippine Cooperative Code of 2008 (RA 9520) revealed that there is no specific provision authorizing a cooperative to undertake construction contracting per se;

Whereas, Article 23 of R. A. 9520 enumerated different types of cooperative but only the agrarian reform cooperatives are given the privilege to undertake construction, but with a very limited scope. The said article of the Law also provides that there are three (3) other activities which obliquely refer to construction but with the limitation to serve only the household members or regular members of the specific cooperative:

- a. Electric Cooperative (par. l)
- b. Housing Cooperative (par. p)
- c. Water Service Cooperative (par. s).

Whereas, the above stated provision of the Law warrants only the grant of a special license for specific purposes;

Whereas, the PCAB has already issued licenses to some cooperatives with no clear distinction as to what type/classification of cooperatives they belong;

Whereas, during the meeting held on 07 April 2011, the PCAB passed Resolution No. 273, s. 2011 ordering moratorium on acceptance and processing of applications for new regular license of cooperatives pending the showing by the applicants of the legal basis for issuance of regular license to cooperatives;

Whereas, the PCAB has already consulted and submitted its position paper to the Cooperative Development Authority (CDA) on 10 June 2011 and is now awaiting the decision of CDA's Board of Administrators on the matter; and


Whereas, the PCAB noted that concerned cooperatives are still filing applications for amendments of their license and/or registration for government projects pending outcome of the said review of the nature/type of their operation.

In view thereof, the PCAB **RESOLVES**, as it is hereby **RESOLVED** to amend Board Resolution No. 273, s. 2011 to include moratorium in the acceptance and processing of applications for amendments in the license/registration for government projects of cooperatives pending the completion of the on-going review/study being undertaken by the PCAB and CDA.

So ordered.

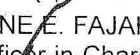
07 June 2011, Makati City, Philippines.



VICTORINO BENJAMIN V. LAHOZ
Member


RAMON F. ALLADO
Chairman


FAROUK M. MACARAMBON, SR.
Member

Attested by:


RENE E. FAJARDO
Officer-in-Charge


CONSOLACION V. VILAFUERTE
Board Secretary