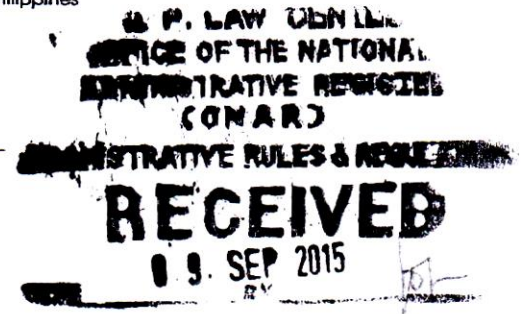




**Central Office**

827 Aurora Blvd., Service Road, Brgy. Immaculate Conception, 1111 Cubao, Quezon City, Philippines

**MEMORANDUM CIRCULAR NO. 2015-04**  
**Series 2015**



**TO : ALL CONCERNED**

**SUBJECT : GUIDELINES IN THE IMPOSITION OF FINES AND PENALTIES FOR DELAYED SUBMISSION OF REQUIRED REGULAR REPORTS**

**Section 1. Legal Basis**

Article 53 of R.A. 9520 provides that "*Failure to file the required reports shall subject the Accountable Officers to fines/penalties as may be prescribed by the Authority*".

Section 7, Rule 8 of the Revised Rules and Regulations Implementing Certain and Special Provisions of the Philippine Cooperative Code of 2008 provides "*failure to file the required regular reports with the corresponding attachments on time shall subject the **Accountable Officers** a fine of P 100.00 per day of delay.*"

Section 8 of the same Rules identifies **Accountable Officers** as the employees or officers of the cooperative responsible for the preparation of the required regular report and its attachments, and in whose fault or negligence the delay may be attributed to.

**Section 2. Scope**

This Guidelines shall cover FY 2014 reports and onwards which are not submitted within the prescribed period by all types and categories of cooperatives.

Office of the Executive Director: (02) 725-4700  
 Office of the Day: (02) 725-3762  
 R.F. ... SECTION

**CERTIFIED TRUE COPY:**  
 BY: *[Signature]*  
 DATE: *9-4-N*



Management System  
 ISO 9001:2008

www.tuv.com  
 ID 910570733



### **Section 3. Required Reports**

#### **A. For Primary Cooperatives**

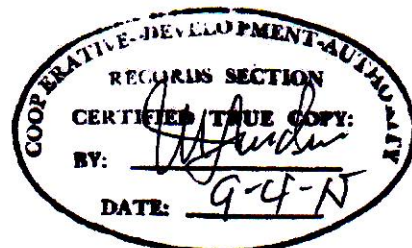
Cooperative Annual Progress Report (CAPR) with the following attachments:

- a. *Social Audit Report including its program of activities pursuant to its socio-civic goals of the cooperative;*
- b. *Performance Audit Report, including copies of the semi-annual Report on mediation and conciliation as received by the Authority pursuant to EO 97;*
- c. *Audited Financial Statements; and*
- d. *List of Officers and Trainings Undertaken / Completed.*

#### **B. For Secondary and Tertiary Cooperatives (Federations and Unions)**

Cooperative Annual Progress Report (CAPR) with the following attachments:

- a. *Social Audit Report including its program of activities pursuant to its socio-civic goals of the cooperative;*
- b. *Performance Audit Report, including copies of the semi-annual Report on mediation and conciliation as received by the Authority pursuant to EO 97;*
- c. *Audited Financial Statements*
- d. *List of Officers and Trainings Undertaken / Completed.*
- e. *List of affiliates and cooperatives which have remitted their respective Cooperative Education and Training Funds (CETF);*
- f. *Business consultancy assistance to include the nature and cost, including the use of CETF; and*
- g. *Other training activities undertaken specifying therein the nature, participants, and cost of each activity."*



### **C. CDA registered Electric Cooperatives**

1. Cooperative Annual Progress Report (CAPR) with the following attachments:
  - a. *Social Audit Report including its program of activities pursuant to its socio-civic goals of the cooperative;*
  - b. *Performance Audit Report, including copies of the semi-annual Report on mediation and conciliation as received by the Authority pursuant to EO 97;*
  - c. *Audited Financial Statements*
  - d. *List of Officers and Trainings Undertaken / Completed.*
2. List of Members issued with Share Capital Certificate. This requirement shall however be submitted after two (2) years from the effectivity of the Revised Implementing Rules and Regulation of RA9520.

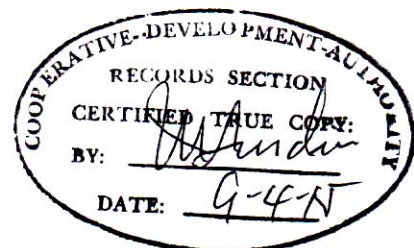
### **Section 4. Effect of Partial Compliance**

Partial compliance shall be considered non-compliance and the cooperative shall be in delay until such time that the filing of the required reports have been fully complied with.

### **Section 5. When Delay is Incurred**

Delay shall commence on the day following the last day prescribed for the filing of reports. However, should the last day of filing fall on a Saturday, Sunday or non-working holiday, the last day for filing shall be the next working day.

If the delay is due to fortuitous events, including but not limited to fire, storms, or other natural calamities an order from any competent court or government agency; or a declared national emergency or public disorder including strikes and lockout, the period for such delay may be excused, provided that the Authority is given due notice within fifteen (15) days from the cessation of the cause of the delay. Thereafter, the cooperative shall be given another thirty (30) days to file the required report, the lapse of which shall consider the cooperative in delay.



## **Section 6. Total Loss or Destruction of Records due to Fortuitous Event or Force Majeure**

Upon favourable recommendation of the concerned Extension Office Director, and upon approval of the Board of Administrators, the submission of the mandatory reportorial requirements may be waived in case of total destruction/loss of records and reports due to *force majeure* or fortuitous events.

In order for said waiver to apply, the cooperative shall submit the following:

1. Certification issued by the Local Government Unit (LGU) or Barangay Certificate where the principal office of the cooperative is located stating the occurrence of such force majeure or fortuitous event;
2. Letter of application for relief in the submission of regulatory requirements signed by the Chairperson and/or the General Manager of the cooperative;
3. Damage Assessment Report (Form 1)

## **Section 7. Notice of Delay**

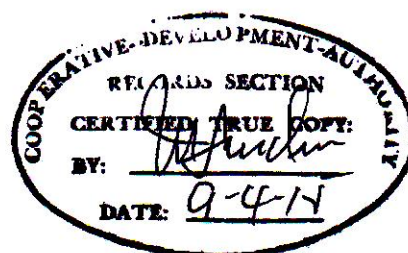
The Authority shall notify the cooperatives of their non-compliance within fifteen (15) days from the lapse of the period to file the required reports, stating:

1. that the cooperative has incurred delay
2. the commensurate fines and penalties that will be imposed as a result of its failure to file the required reports
3. the demand to pay the fines and penalties

## **Section 8. Fines and Penalties**

The imposition of Fines and penalties shall commence from the time the cooperative has incurred delay.

Failure to file the required regular reports with the corresponding attachments on time shall subject the Accountable Officers to a fine of One Hundred Pesos (Php100.00) per day of delay.



Electric Cooperatives shall be subject to an additional fine of P100/day for the delay in the submission of the List of Members Issued with Share Certificate.

Micro Cooperatives which refer to cooperatives with assets of Three Million Pesos Php3,000,000.00 and below based on Audited Financial Statements for the covered Reporting Period, shall be exempted from the monetary penalties but may be meted the penalty of non-issuance of Certificate of Compliance.

### **Section 9. Request for Reconsideration for Micro Cooperatives**

Micro Cooperatives previously subjected to monetary penalties due to delayed submission of the required regular reports may, however, on any valid and reasonable grounds request for a reconsideration.

The Supervision and Examination Unit (SEU) of the CDA-Extension Office, after reviewing and evaluating the request for reconsideration, shall endorse the same, together with its recommendation, to the Board of Administrators whose decision thereon shall be final.

The request for reconsideration herein provided shall be availed of by cooperatives only once during the term of existence.

### **Section 10. Transitory Provision**

For purposes of determining the rate of penalties for the late submission of FY2014 reports, the following computation shall apply:

A. Micro Cooperatives

No Monetary penalties shall be imposed.

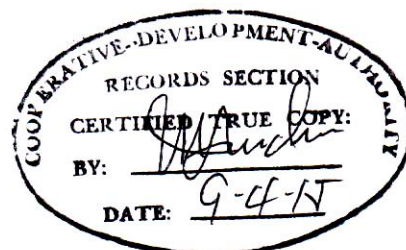
B. Small, Medium and Large Cooperatives

From May 1, 2015 to July 13, 2015 –  
P100/day/report (5 required reports)

From July 14, 2015 or at any time thereafter – P100/day

### **Section 11. Repealing Clause**

All guidelines, circulars, or similar issuances which are inconsistent with this Guidelines are hereby repealed or modified accordingly.



**Section 12. Separability Clause**

If any provision of this Circular is held to be unconstitutional, the other parts hereof shall continue to be in full force and effect.

**Section 13. EFFECTIVITY**

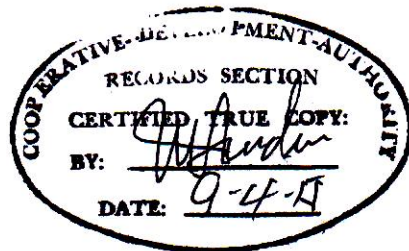
This Memorandum Circular shall take effect fifteen (15) days after its publication in the Office of the National Administrative Registry (ONAR) or Official Gazette.

Approved pursuant to BOA Resolution No. 217, S-2015 dated August 18, 2015.

For the Board of Administrators  
By:

  
**ORLANDO R. RAVANERA**  
Chairman

September 4, 2015

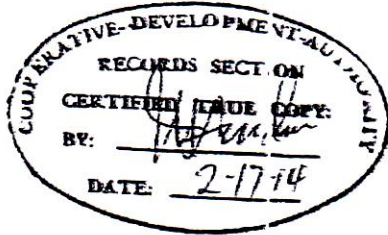


COOPERATIVE DEVELOPMENT AUTHORITY  
Extension Office

COOPERATIVE CALAMITY ASSESSMENT FORM

MUNICIPALITY/CITY:	PROVINCE OF	COOPERATIVE											REMARKS ON PROGRESS			
		EXTENT OF DAMAGE (ex. Building, Office, Equipment, Records, etc.)														
		BUILDING			EQUIPMENT/VEHICLE/LEFF			RECORDS		Financial Aspects		NEEDED INTERVENTION (ranked in the order of Priority)				
Indicate if owned or rented	Specify Damage (ex. roof, etc.)	% of Damage	estimated amount of damage	(Specify)	% of Damage	estimated amount of damage	Specify type of records	% of Damage	Specify the Problem (Loans receivables/collection, etc.)							

- Micro 3M below
- Small 3,000,001-15,000,000
- Medium 16,000,001-100,000,000
- Large 100,000,000 above



"B"

Total No. of Members	MEMBERS			Status of Damage		MEMBERS NEEDS (specify)		REMARKS ON PROGRESS
	Composition			No. of Members Affected/ Nature of Damage	No. of Casualties (Member)	Immediate	Long-Term	
	farmers	fisherfolks	Others					

