

NINETEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



23 MAR 30 P 3:39

SENATE
S.B. No. 2050

RECEIVED BY: _____

Introduced by: **Senator Raffy T. Tulfo**

**AN ACT CRAFTING A NATIONAL WOMEN'S BUSINESS ENTERPRISE POLICY
AND PRESCRIBING ARRANGEMENTS FOR DEVELOPING, COORDINATING,
AND IMPLEMENTING A NATIONAL PROGRAM FOR WOMEN'S ENTERPRISE**

Explanatory Note

According to Article 2, Section 14, of the Philippine Constitution, women are integral in nation-building and require the State to provide them with opportunities to enhance their skills and potential. With that being said, it is imperative that the development of women in business flourish through the creation of a national women's business enterprise policy which is tasked with creating actions for developing, coordinating, and implementing a national program for women's enterprise.

This proposed measure seeks to empower women in business by developing a national program and an interagency committee on women's business enterprises. Moreover, this bill aims to establish the Women in Business Development Program, specifically for indigent women, where they are able to be provided training and mentoring in enhancing their entrepreneurial endeavors.

In light of this, the immediate passage of this bill is earnestly sought.

Raffy T. Tulfo

Senator

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*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 **Section 1. *Short Title.*** – This Act shall be known as the “Women in Business
2 Development Act”.

3 **Sec 2. *Declaration of Policy.*** – It is hereby declared the policy of the State
4 to advance the entrepreneurial skills and interests of Filipino women by providing them
5 opportunities to facilitate, enhance, and strengthen their business endeavors and
6 ensure their full participation in the free enterprise system.

7 **Sec 3. *Definition of Women-Owned Business.*** – This refers to a business
8 that is 51% owned by a woman or women who also control and operate it. “Control”
9 refers to exercising power and making policy decisions. “Operate” refers to being
10 actively involved in day-to-day management;

11 **Sec 4. *Inter-agency Committee on Women's Business Enterprise.*** –
12 There is hereby established an Inter-Agency Committee on Women's Business
13 Enterprise.

- 14 a. The Chairperson of the Committee shall be appointed by the President
15 of the Philippines. They shall be the presiding officer of the Committee
16 and shall have such duties prescribed in this Act or by the Committee in

1 its rules of procedure. The Chairperson may also represent his or her
2 department, agency, or office on the committee.

3
4 b. The Committee shall be composed of the Chairperson and other
5 members appointed by the heads of departments and agencies from
6 among high-level policymaking officials. The following departments and
7 agencies shall pick one (1) representative to be a member of the
8 committee:

- 9 1. Department of Agriculture;
- 10 2. Department of Commerce;
- 11 3. Department of National Defense;
- 12 4. Department of Energy;
- 13 5. Department of Health;
- 14 6. Department of Local Government and Interior;
- 15 7. Department of Justice; and
- 16 8. Department of Labor and Employment

17
18 c. The Committee shall meet quarterly at the call of the Chairperson, and
19 at such other times as may be determined to be useful according to the
20 rules of procedure adopted by the Committee.

21 **Sec 5. Functions of the Committee.** – The Committee shall in a manner
22 consistent with the law:

23 a. Promote, coordinate, and monitor the plans, programs, and operations
24 of the departments and agencies of the Executive Branch which may
25 contribute to the establishment, preservation, and strengthening of
26 women’s business enterprise with the cooperation of the departments
27 and agencies.

28 b. Establish such policies, definitions, procedures, and guidelines to
29 govern the implementation, interpretation, and applications of
30 this Act, and generally perform such functions and take such steps
31 as the Committee may deem to be necessary or appropriate to
32 achieve the purposes and carry out the provision hereof.

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- c. Promote the mobilization of activities and resources of the State and local governments, business and trade and associations, private industry, colleges and universities, foundations, professional organizations, and volunteer and other groups toward the growth of women’s business and enterprise, and facilitate the coordination of the efforts of these groups with those of the departments and agencies.

- d. Make an annual assessment of the progress made in the government toward assisting women’s business enterprises to enter the mainstream of business ownership and provide recommendations for further actions to the President.

- e. Convene and consult as necessary with persons inside and outside the government and private sector investigations and studies of the problems of women entrepreneurs, and promote further research into such problems.

- f. Consider the findings and recommendations of government and private sector investigations and studies of the problem of women entrepreneurs, and promote further research into such problems.

- g. Design a comprehensive and innovative plan for a joint government and private sector effort to develop increased numbers of new women-owned businesses. The plan should set specific, reasonable, and identifiable costs and should provide for the measurement of progress toward these targets at the end of two to five years. Related outcomes such as income and tax revenues generated, jobs created, new products and services introduced, or new domestic or foreign markets created should also be projected and measured in relation to costs wherever

1 possible. The Committee shall submit the plan to the President for
2 approval within six months of the effective date of this Order.

3 **Sec 6. Responsibilities of the Executive Departments and Agencies. –**

4 Within the constraints of statutory authority and otherwise permitted by law:

5 a. Each department and agency of the Executive branch shall take the appropriate
6 action to facilitate, preserve, and strengthen women’s business enterprises and
7 ensure full participation by women in the free enterprise system.

8
9 b. Each department and agency shall take affirmative action in support of
10 women’s business enterprise in appropriate programs and activities including
11 but not limited to:

12 I. Management, technical, financial, and procurement assistance;

13 II. Business-related education, training, counseling, and information
14 dissemination; and

15 III. Procurement

16
17 c. Each department or agency empowered to extend government financial
18 assistance to any program and activity shall issue regulations requiring the
19 recipient of such assistance to take appropriate affirmative action in support of
20 women’s business enterprise on the ground of gender. For purposes of this
21 section, financial assistance means assistance extended by way of grant
22 cooperative agreement, loan, and guaranty. These regulations shall prescribe
23 sanctions for non-compliance. Unless otherwise specified by law, no agency
24 sanctions shall be applied until the agency or department concerned has
25 advised the appropriate person or persons of the failure to comply with its
26 regulations and has determined that compliance cannot be secured by
27 voluntary means.

28
29 d. For purposes of this Act, affirmative action may include but is not limited to
30 creating or supporting new programs responsive to the special needs of
31 women’s business enterprises, collecting and disseminating information in
32 support of women’s business enterprises, and insuring women’s business

1 enterprise knowledge of and ready access to business-related services and
2 resources. If in implementing this Act, an agency undertakes to use or to
3 require compliance with numerical set-asides, or similar measures, it shall state
4 the purpose of such measure, and the measure shall be designed on the basis
5 of pertinent factual findings of discrimination against women's business
6 enterprise and the need for such measure.

7
8 **Sec 7. Establishment of Women in Business Development**
9 **Program for Indigents.** – With the assistance of the Department of Trade, a
10 Women in Business Development Program shall be conducted once a year and
11 aims to provide local training and mentoring to low-income women with
12 entrepreneurial ventures.

13 **Sec 8. Legal Guidance.** – In carrying out their responsibilities under
14 Section 6, the departments and agencies shall consult the Department of
15 Justice and the latter shall provide legal guidance concerning these
16 responsibilities.

17 **Sec 9. Appropriations.** – The amount necessary to carry out the initial
18 implementation of this Act shall be sourced from the budget of the Department
19 of Trade and Industry (DTI). Thereafter, such sums as may be necessary for
20 the continued implementation of this Act shall be included in the succeeding
21 General Appropriations Act.

22 **Sec 10. Implementing Rules and Regulations.** – Within sixty
23 (60) days from the effectivity of this Act, the Secretary of the Department of
24 Trade and Industry shall, in consultation with the Philippine Commission on
25 Women and other appropriate agencies and stakeholders, issue the
26 necessary rules and regulations for the effective implementation of this Act.

27 **Sec 11. Separability Clause.** – If for any reason, any provision of this
28 Act is declared unconstitutional or invalid, parts or provisions of this Act which
29 are not affected shall continue to be in full force and effect.

30 **Sec 12. Repealing Clause.** – All laws, executive orders, presidential
31 decrees, Implementing Rules, and Regulations inconsistent with this Act are
32 hereby repealed or modified accordingly.

1 **Sec 13. Effectivity.** – This Act shall take effect fifteen (15) days after
2 its publication in the Official Gazette or in two (2) newspapers of general
3 circulation.

Approved,