



REGULATORY SERVICES

GUIDELINES IN THE PROCESSING OF REGIONAL AND NATIONAL PUBLIC SOLICITATION PERMITS (Memorandum Circular No. 5 series 2021)

A hand is holding a clear glass jar filled with various coins. A white paper label with the word "DONATE" written in black marker is attached to the front of the jar. The background is a soft-focus image of more jars filled with coins.

GUIDELINES IN THE PROCESSING OF REGIONAL AND NATIONAL PUBLIC SOLICITATION PERMITS

MEMORANDUM CIRCULAR NO. 5
SERIES OF 2021

DONATE

What is Public Solicitation (PubSol)?

This refers to any project or activity intended to generate funds from the general public for social, public welfare and charitable purposes. It may also be solicitation activities for persons, groups, organizations/ agencies and/or communities in need, other than one's self.



What is MC 5 s. 2021?

The Department of Social Welfare and Development (DSWD) Memorandum Circular No. 5 s. 2021, also known as the Guidelines in the Processing of Regional and National Public Solicitation Permits was issued on May 31, 2021. It aims to provide simplified, updated, and strengthened policies in the regulation and issuance of solicitation permits and monitoring of solicitation activities.

What are the types of Public Solicitation?

1

Local (Municipality / City/Provincial) Public Solicitation

The issuance of this permit shall be covered by the concerned Local Government Unit's policies and regulations. Hence, solicitation permits for fundraising activities conducted within their respective locality and jurisdiction shall be issued by the concerned Local Chief Executives (LCEs) per Local Government Code (R.A. 7160).

2

Regional Solicitation/ Fund Raising Campaign

This refers to solicitation activity/ies conducted within a region. The DSWD Regional Director is authorized to approve the regional solicitation permit to be issued by the DSWD Field Office- Standards Section.

3

National Solicitation/ Fund Raising Campaign

This refers to a solicitation activity/ies conducted in more than one region or nationwide. The DSWD Secretary is authorized to approve and sign the permit for national public solicitation to be issued by the Standards Bureau.

What are the types of Solicitation Permits issued by the DSWD?

1

Regional Fund Raising Campaign Permit

2

National Fund Raising Campaign Permit



Who are eligible to apply for a Public Solicitation Permit?



Person



Corporations whether profit or non-profit



Organizations or Agencies



Groups whether organized or unorganized



Associations including CSOs

What are the common methods of Public Solicitation?



Written Request



Television



Radio



Magazines



Newspapers



Fun run, marathon, cycling and other forms of sports activities



Popularity Contest



Donation Box / Coin Box *



Thru online / digital platform



Other methodologies *

**that may be allowed by the DSWD, PSWDO, CSWDO, or MSWDO and other public solicitation methods as mentioned in the guideline*

What is the coverage of these Guidelines?



All solicitation activities conducted within the Philippines including online/ digital platforms.



Individuals or Persons intending to solicit funds for his/her child, relative, or friend suffering from chronic disease that requires long-term and/or expensive medication.



Solicitation activities for charitable, social and public welfare purposes of foreign corporations operating in the Philippines as non-stock, non-profit corporations.



Solicitation activities conducted using the internet and/or the social media .



What are the exemptions from this guideline?



Organizations and agencies created and conferred by law to solicit or conduct fund campaigns for charitable, social, and/or public welfare purposes.



United Nations (UN) Agencies, instruments, and missions covered by the UN charter.



Caroling during Christmas seasons and other religious festivities.



Solicitation activities conducted within and among officemates, clan members, social/civic group or associations such as alumni associations, fraternities or sororities, etc.



Solicitation activities conducted by and within schools/universities/ colleges for purposes of supporting scholars and infrastructure project.



Solicitation activities for religious purposes (e.g. construction of church, mosque or any structure for worship; evangelization or propagation of faith; welfare program of the church or congregation to their members.

However, religious organizations conducting solicitation activities for charitable and public welfare activities shall be required to secure solicitation permit from the DSWD.



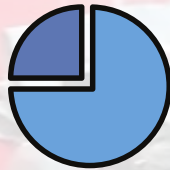
What are the Prohibited Activities stated in this guideline?



Unpermitted solicitation activities for charitable, social, and public welfare purposes involving unlawful means such as games of chance.



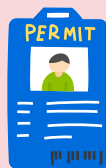
Photolisting or the upload of picture/s, personal information and description of children in social media for the purpose of soliciting funds.



Disbursement of solicited funds not in accordance to the prescribed fund utilization ratio.



Use of solicitation paraphernalia portraying demeaning condition of the intended beneficiary in order to influence the public to provide donations.



Unpermitted solicitation activities of any form or methodology and/or using tampered or fraudulent documents



The sale of goods from foreign donors donated to individuals, groups, organizations, or institutions.

What are the process in applying for a solicitation permit?



APPLICATION

01

DSWD shall receive applications with complete requirements for solicitation permit at the concerned DSWD Field Office through any of the following:



DSWD official e-mail address



Walk in or physical submission of application documents.



Mail or courier



APPROVAL AND ISSUANCE OF SOLICITATION PERMIT

03

Regional Public Solicitation Permit shall be approved and signed by the Regional Director, of the concerned Field Office. National Public Solicitation Permit shall be approved and signed by the DSWD Secretary.

02



ASSESSMENT

Assessment shall include but not limited to table review of submitted documents, eligibility check and collateral interview which could be done through text messages, telephone calls or electronic mean (e-mails).

04



MANAGEMENT OF FUNDS

Solicited funds or proceeds shall be utilized according to the provisions stated in the guidelines.



POST FACILITATION PROCESSES

05

The corporation, organization or person to whom the permit was issued shall within sixty (60) days after the expiration of the said permit shall submit the corresponding post facilitation requirements as stated in the guidelines.

How are Public Solicitation Permits being issued?

Regional Fund Raising Campaign Permit

Under Normal Situation

 VALIDITY Within Six (6) Months	 COVERAGE Within a Region
 PROCESSING TIME Seven (7) working days	 FEES* ₱ 500.00

During State of Emergency/ Calamity

 VALIDITY Within Three (3) Months	 COVERAGE Within a Region
 PROCESSING TIME Two (2) working days	 FEES* ₱ 500.00

National Fund Raising Campaign Permit

Under Normal Situation

 VALIDITY Within One (1) Year	 COVERAGE More than one Region
 PROCESSING TIME Fourteen (14) working days	 FEES* ₱ 1,000.00

During State of Emergency/ Calamity

 VALIDITY Within Six (6) Months	 COVERAGE More than one Region
 PROCESSING TIME Three (3) working days	 FEES* ₱ 1,000.00

*Processing fees for Regional or National Solicitation Permit during state of national emergency/ calamity and during calamity amidst state of national emergency shall be waived in favor of the applicant.



What are the Requirements ?

For Government Agencies

1. Application Form
2. Project Proposal
3. Endorsement or Certification from agencies to undertake solicitation activity in their agency's jurisdiction
4. Written authorization from the Head of the Government Agency ensuring strict compliance to the standard ratio of funds utilization
5. Fund utilization report
6. Official receipt of payment



For Non- Government Organizations/ Associations

1. Application Form
2. Certified True Copy (CTC) of Certificate of SEC Registration
3. Updated Certificate of Good Standing Standing or Updated Certificate of Corporate Filing/ Accomplished SEC General Information Sheet (GIS)
4. Updated Profile of the Governing Board or its equivalent in the corporation
5. Project Proposal
6. Endorsement or Certification from agencies to undertake solicitation activity in their agency's jurisdiction
7. Written authorization from the Head of the Government Agency ensuring strict compliance to the standard ratio of funds utilization
8. Fund utilization report
9. Official receipt of payment

What are the Requirements ?

For SWDA with Valid License and/or Accreditation

- 1 Application Form
- 2 Project Proposal
- 3 Notarized written agreement of beneficiaries as recipients of the fundraising activity
- 4 Approved and notarized Board Resolution or Written authorization from the Head of the Government Agency ensuring strict compliance to the standard ratio of funds utilization
- 5 Fund utilization report
- 6 Official receipt of payment

For Person / Individual (Endorsed by SWA / LGU)

- 1 Application Form
- 2 Project Proposal
- 3 Notarized written agreement or any similar document signifying the intended beneficiary/ies concurrence as recipient recipient of the fundraising activity
- 4 Endorsement from Licensed and Accredited SWDA to solicit under their name
- 5 Endorsement or Certification from agencies to undertake solicitation activity
- 6 Medical Certificate / Abstract
- 7 Social Case Study Report
- 8 Signed Memorandum of Agreement (MOA) between DSWD and C/MSWDO of the concerned LGU
- 9 Approved and notarized Board Resolution or Written authorization from the Head of the Government Agency ensuring strict compliance to the standard ratio of funds utilization
10. Fund utilization report
11. Official receipt of payment



How should a Public Solicited Funds be Managed?

1



70%-95%
for Program Expenses

5%-30%
for Administrative
Expenses

2



Deposited on a designated
bank account regulated by the
Banko Sentral ng Pilipinas.

3



An Incident Report of the endorsing
SWDA or LGU to be submitted to
the concerned DSWD- Field Office
with the corresponding Work and
Financial Plan for the disbursement
of the unutilized solicited funds.

(In case of death of the beneficiary
during the validity of the permit)

Are there Penal Provisions from violating this guideline?

The Standards Bureau or the Standards Section shall send written notice upon receipt of verified complaints and shall exhaust all means of communication to give them the opportunity to comply with the requirements of public solicitation.

The following action shall be taken accordingly per violation of PD 1564 and/ or this guideline :



Imprisonment
and/or fine by
court discretion



Revocation



Non-Renewal



Blacklisting



Suspension



Department of Social Welfare and Development

STANDARDS BUREAU

DSWD Building, Constitution Hills, Batasan Complex,
Quezon City, PH 1126

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sb@dswd.gov.ph



**Maagap at
Mapagkalingang
Serbisyo!**

#BawatBuhayMahalagaSaDSWD

*For more information, you can visit the nearest DSWD Office in your region,
or visit our social media accounts and website at:*



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