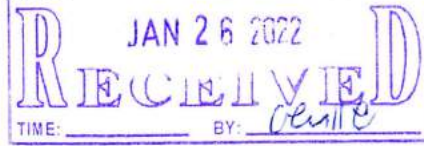




COOPERATIVE DEVELOPMENT AUTHORITY

827 Aurora Blvd., Service Road, Brgy. Immaculate Conception, 1111 Cubao, Quezon City, Philippines
http://www.cda.gov.ph helpdesk@cda.gov.ph CDA @CDAPhils PH Cooperatives

U.P. LAW CENTER
OFFICE of the NATIONAL ADMINISTRATIVE REGISTER
Administrative Orders and Regulations



MEMORANDUM CIRCULAR NO. 2022- 02
Series of 2022.

SUBJECT : REGULATORY RELIEF FOR COOPERATIVES AFFECTED BY TYPHOON ODETTE

Pursuant to Article 53 of RA 9520 and Rule 8, Section 6 of the IRR of the said Act, and due to the substantial damage to property as well as deaths caused by Super Typhoon Odette, the Authority found it necessary to provide regulatory relief to affected cooperatives.

Section 1. TITLE. This Memorandum Circular shall be known as the "Regulatory Relief for Cooperatives Affected by Typhoon Odette".

Section 2. COVERAGE. This Circular shall cover cooperatives in the following areas affected by the typhoon, which suffered a total loss or at least fifty (50) percent damage to property and records registered with the Authority:

- ❖ Northern Palawan
- ❖ Negros Occidental, part of Iloilo Province
- ❖ Central and Southern Cebu, Bohol, Negros Oriental and Siquijor
- ❖ Southern Leyte
- ❖ part of Misamis Oriental, part of Cagayan de Oro, part of Lanao del Sur-District I)
- ❖ Surigao City, Siargao, Province of Dinagat Islands, Surigao del Norte)

Section 3. REGULATORY RELIEF. All affected cooperatives shall be relieved from the following:

1. Submission of mandatory reports for FY 2021
2. Payment of fines and penalties for failure to submit the required reports on time except for those incurred prior to the occurrence of the fortuitous event.
3. Cancellation of the conduct of 2022 Annual Regular General Assembly Meeting.

Office of the Chairman : (02) 8721-5325
(02) 8721-5324
Office of the Administrator : (02) 8721-0633
Officer of the Day : (02) 8725-3764



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Section 4. REQUIREMENTS. The following are the requirements to be submitted via email to the CDA Regional Office for the availment of regulatory relief:

A. On the submission of mandatory reports:

1. Letter of application for relief in the submission of regulatory requirements, signed by the Chairperson and/or the General Manager of the cooperative;
2. Damage Assessment Report (Form 1);
3. Notarized Board or General Assembly Resolution requesting availment of the regulatory relief; and
4. Photos of damaged properties, documents or records.

B. On the Cancellation of the ARGAM

1. Letter signed by the Chairperson and/or the Chief Executive Officer/General Manager of the cooperative, together with a notarized board resolution, informing the Authority of its decision to cancel the conduct of its annual GA meeting;
2. Proof of due notice to its members about the cancellation of its GA meeting, stating therein the reason(s) thereof; and
3. Damage Assessment Report (Form 1)

Section 5. FILING OF APPLICATION. All applications for regulatory relief shall be filed with the Authority (or is it regional office?) where the affected cooperative is registered on or before April 30, 2022.

Section 6. ROLE OF CDA REGIONAL OFFICE. The following shall be observed in the availment of regulatory relief and securing of Certificate of Compliance (COC)

1. Upon receipt of the documentary requirements, the Supervision and Examination Section (SES) shall, within 3 days, evaluate the same.
2. The SES shall recommend to the Regional Director the approval/disapproval of the application for regulatory relief.
3. Issuance of letter to the cooperative approving/denying the application for regulatory relief and issuance of the Certificate of Compliance, as the case may be, to the cooperative.

Section 7. APPLICABILITY PERIOD. The availment of the regulatory relief shall only cover the operation of the affected cooperatives for calendar year 2021.

Section 8. CANCELLATION OF ANNUAL REGULAR GENERAL ASSEMBLY MEETING (ARGAM). The following shall be observed in the cancellation of the ARGAM:

1. The cooperative shall operate using the latest approved budget;

2. The budget/fund allocated for the ARGAM may be used for operations as additional working capital;
3. The incumbent officers shall serve on a hold-over capacity, notwithstanding any provisions in the by-laws to the contrary, until the conduct of the next regular GA meeting and election of officers; and
4. Cooperatives may engage a Cooperative External Auditor (CEA) to audit the FY2022 Financial Statements, subject to the observance of the 5-year limit term of engagement pursuant to MC 2019-10. The engagement of the CEA shall be subject to the confirmation of the General Assembly in the next ARGAM.

Section 9. REGULATORY RELIEF IN THE CONDUCT OF ANNUAL REGULAR GENERAL ASSEMBLY MEETING FOR THE CALENDAR YEAR 2022 DUE TO THE COVID-19 PANDEMIC. If the cooperative intends to conduct its ARGAM in a manner other than those provided in its by-laws, it can also avail of the relief under CDA MC 2022-01.

Section 10. ANNUAL TAX INCENTIVE REPORT (ATIR). The affected cooperatives shall still submit their ATIR as required under DOF-CDA-BIR JAO 1-2019.


Section 11. INFORMATION DISSEMINATION. All concerned CDA regional extension offices shall endeavor to inform and disseminate this Circular to all concerned cooperatives within their jurisdiction.

Section 12. EFFECTIVITY. This Memorandum Circular shall take effect upon publication in a newspaper of general circulation and the Office of the National Administrative Register (ONAR).

Approved per BOA Resolution No. 006, S-2022 dated January 12, 2022.

Issued this 26th day of January 2022, Quezon City

For the Board of Administrators


USEC JOSEPH B. ENCABO
Chairman

Form 1

DAMAGE ASSESSMENT REPORT

As of _____

Name of the Cooperative: _____

Address: No. _____ Street _____ Sitio/Barangay _____

City/Municipality _____ Province _____ Region _____

Registration No. _____

EXTENT OF DAMAGE (ex. Building, Office Equipment, Furniture/Fixtures, Records, etc.)					
Type of Property Damaged	% of damage	Records	% of damage	Total No. of Members	Total No. of members affected by Typhoon

Prepared by:

Certified Correct by:

(signature over printed name)
Compliance Officer or Audit Chair

(signature over printed name)
Chairperson or General Manager