

RWSA	_____	_____
Barangay	_____	Municipality. _____
Province	_____	Region _____
Date Filed	_____	Received By: _____

**REQUIREMENTS FOR REGISTRATION OF RWSA
(FOR NON-OPERATIONAL PROJECT)**

- () 1. Two (2) Copies of the Application for Registration
- () 2. Two (2) Copies each of the Article of Incorporation
- () 3. Two (2) Copies each of the By-Laws
- () 4. Two (2) Copies each of the Minutes of Organizational Meeting
- () 5. Two (2) Copies each of the Minutes of the First Board Meeting
- () 6. Original Copy of the Certificate of Approved Feasibility Study & Project Design duly signed by the Head of Implementing Agency
- () 7. WD Clearance / Waiver
- () 8. Approved Water permit from the NWRB

**REQUIREMENTS FOR REGISTRATION OF RWSA
(FOR EXISTING/OPERATIONAL PROJECT)**

- 1. Certificate of Deed of Ownership of the existing water project.
- 2. Certification from Barangay Captain/Municipal Mayor that there is an existing waterworks project.
- 3. If owned by the barangay, a Barangay Council Resolution approving the transfer of ownership to the applicant RWSA (a Certificate of Turnover by the Barangay Captain an/or Municipal Mayor)
- 4. Certification from an implementing agency (DPWH, DILG, NHA or any NGO) as to the existence of the waterworks project.
- 5. Latest Financial Report.
- 6. WD Clearance/ Waiver**
- 7. Approved Water Permit from NWRB and/or any Certification that there is an application filed by the RWSA at NWRB**
- 8. Original copy of the Certificate of Approved feasibility Study and Project Design duly signed by the Head of the Implementing Agency**
- 9. Certification that there is an on-going project duly signed by the Project Manager or head of the Implementing Agency**
- 10. Turnover of the Project to the Administration
- 11. Two (2) copies each of the Application for Registration
- 12. Two (2) 2 Copies each of the Article of Incorporation
- 13. Two (2) 2 Copies each of the By-Laws
- 14. Two (2) 2 Copies each of the Minutes of Organizational Meeting
- 15. Two (2) 2 Copies each of the Minutes of the First Board Meeting

** on-going



Republic of the Philippines
**LOCAL
 WATER
 UTILITIES
 ADMINISTRATION**

**APPLICATION
 FOR
 REGISTRATION OF RWSA**

PLEASE PRINT OR TYPE ANSWER

<p>Name of Applicant _____</p> <p>Barangay _____ Municipality _____</p> <p>Province _____</p> <p>Proposed Level of Water Service To be Undertaken</p> <p><input type="checkbox"/> Level II <input type="checkbox"/> Level III</p> <p>Documents Submitted No. of Copies</p> <p><input type="checkbox"/> Articles of Incorporation <input type="checkbox"/></p> <p><input type="checkbox"/> By-Laws <input type="checkbox"/></p> <p><input type="checkbox"/> Minutes of Meeting <input type="checkbox"/></p> <p><input type="checkbox"/> Minutes of 1st Board Meeting <input type="checkbox"/></p> <p><input type="checkbox"/> Approved Water Permit <input type="checkbox"/></p> <p><input type="checkbox"/> _____</p>	<p>General Information:</p> <p>Date of Organization _____</p> <p>Total No. of Members _____</p> <p>Potential No. of Members _____</p> <p>Membership Fee _____</p> <p>Is Electricity Available in the Community?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Is There an Existing Water in the Community?</p> <p>Yes No</p> <p>Name of Water District _____</p> <p>Source of Income</p> <p><input type="checkbox"/> Farming <input type="checkbox"/> Carpentry</p> <p><input type="checkbox"/> Fishing <input type="checkbox"/> Others _____</p>
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Board of Directors

Position	Name	Occupation	Age	Educational Attainment
Chairman				
Vice-Chairman				
Secretary				
Treasurer				
Director				

Barangay Council

Water District

I hereby certify that the information given above and the documents submitted are true and correct.

I respectfully endorse this Application and documents herewith to LWUA for its appropriate action.

 Barangay Captain Date

 General Manager Date

FOR LWUA USE

Received By:

Reviewed & Evaluated to Be in Conformance With Executive Order No. 577, as amended

 WD Advisor Date

 Manager, WDD Luzon Date

Recommending Approval:

 Senior Deputy Administrator

 Date

Approved:

 Administrator

 Date

ARTICLES OF INCORPORATION
OF THE
_____RURAL WATERWORKS AND SANITATION ASSOCIATION, INC.

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, the undersigned, all of legal age, Filipino citizens and residents of the Philippines, have this day voluntarily associated ourselves together for the purpose of forming a non-stock, non-profit membership rural waterworks and sanitation association under the laws of the Republic of the Philippines, more particularly under Executive Order No. 577, as amended.

AND WE HEREBY CERTIFY:

FIRST, That the name of the Association shall be _____ RURAL WATERWORKS & SANITATION ASSOCIATION, INC.

SECOND, That the association is formed primarily to provide members with adequate supply of potable water for domestic use at reasonable cost; and secondarily to serve as the catalyst in the provision of household/individual dwelling with a sanitary method of excrete disposal and other sanitary facilities and services to attain long-lasting impact on health and improve community living environment.

THIRD, That the association shall have its principal office at _____ Province of _____.

FOURTH, That the term for which said association is to exist is fifty (50) years, from and after the date of incorporation.

FIFTH, That the names and residences of the incorporators of said association who are citizen of the Philippines are:

	NAME		ADDRESS
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

SIXTH, That membership in this Association shall be open to any person qualified under the By-Laws and Rules prescribed by the Association in the Barangay of _____ and in any additional are which may hereafter be serviced by the association;

SEVENTH, That the number of Directors of said Association shall be five (5) and the names of and residences of the Directors who are to serve until their successors are elected and qualified as provided for in the By-Laws are:

	NAME		ADDRESS
1.			
2.			
3.			
4.			
5.			

EIGHTH, That the Articles of Incorporation and By-Laws may be altered, amended or repealed only by the affirmative vote of not less a majority of the members of the Association present at a regular or special meetings provided that the notice of such amendment or repeal and provided further, that a change of the Board of Directors by filing a certificate reciting such change of principal office executed and acknowledged by the Chairman under its seal attested by the Secretary.

IN WITNESS WHEREOF, we have herewith set our hands on this _____ day of _____ 2008 at _____, _____, Philippines.

	<u>NAME</u>	<u>SIGNATURE</u>	<u>ADDRESS</u>
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

SIGNED IN THE PRESENCE OF:

A C K N O W L E D M E N T

BEFORE ME, Mayor of the Municipality of _____, Province of _____, Philippines , personally appeared on this ____day of _____ 2008, the following persons with their respective Residence Certificate Numbers as follows:

NAME	Res. Cert. # & Date	Place Issued	Signature
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			

All known to me to be the same persons who executed the foregoing Articles of Incorporation and who acknowledged to me that the same are their free and voluntary act and deed

IN WITNESS HEREOF, I have hereunto set my hand and seal on the date and at the place above written.

SEAL

.....
Municipal Mayor

**BY-LAWS
OF THE
_____ RURAL WATERWORKS & SANITATION ASSOCIATION, INC.**

KNOW ALL BY THESE PRESENTS:

THAT WE, the undersigned, of legal age and Filipino citizens, do hereby adopt the following By-laws:

ARTICLE I - MEMBERSHIP

SECTION 1. Requirements for Membership – any person of voting age, head of a household, and residing in any of the barangays which may hereafter be serviced by the system may become a members of the _____ Rural Waterworks & Sanitation Association, Inc. by:

- a) Filing a written application for membership.
- b) Agreeing to comply with and be bound by the Articles of Incorporation and the By-Laws.
- c) Paying the membership fee hereinafter specified.

SECTION 2. Membership Certification – Membership in the Association shall be evidenced by a membership certificate.

SECTION 3. Membership Fee – The membership fee shall be _____ Pesos (P_____).

SECTION 4. Duties and Obligation of the Members – Every bonafide member must :

- a) Obey and comply with this By-Laws.
- b) Attend all meetings and seminars called by the Board of Directors.
- c) Pay his dues and fees as they fall due.
- d) Adopt effective methods in the proper utilization of water and preventive maintenance of facilities.
- e) Help attain the aims and purposes of the association.

SECTION 5. Rights of the Members – Every bonafide member shall have the following rights:

- a) To vote
- b) To hold elective office
- c) To be informed of the affairs of the association
- d) To examine the association's books of accounts during office hours
- e) To avail of the services of the association's water system and facilities

SECTION 6. Termination of Membership

- a) Any member may withdraw from membership. The Board may, by the majority vote of all its members, expel any member who fails to comply with any of the provisions of the Articles of Incorporation, By-Laws, or Rules and regulations or policies that may be adopted by the Board.
- b) The membership of a member who, for a period of six months after service is available to him, has not availed service may be cancelled by the Board.
- c) Any member whose membership has been terminated may be reinstated by the affirmative vote of a majority of all members of the Board.

ARTICLE II - PROPERTY RIGHT AND LIABILITIES OF MEMBERS

SECTION 1. Property Interest of Members – The members are the joint owners of the association with their individual equity in its assets determined on the basis of their patronage.

SECTION 2. Non-liability for Debts of the Association – The private property of the member shall be exempted from execution for debts of the Association.

ARTICLE III - MEETING OF MEMBERS

SECTION 1. Annual Meeting – The first annual meeting of the members shall be held immediately after the system is made operational and annually thereafter on _____ at such place within the service area of the association.

SECTION 2. Special Meeting – Special Meetings of the members may be called by resolution of the Board or upon a written request signed by at least 10% of all the members.

SECTION 3. Notice of Members Meetings – Written notice of the meeting shall be delivered not less than 10 days before the meeting. Broadcast media may be availed of.

SECTION 4. Quorum – A quorum for meetings of the association shall be one-half plus one of all the members.

SECTION 5. Order of Business – The Order of Business at each meeting of the members shall, as far as practicable, be as follows:

- a) Roll call and proof of quorum
- b) Proof of notice
- c) Reading of and action on the minutes of the last meeting
- d) Reports of officers and committees
- e) Unfinished business
- f) New business
- g) Election of directors and committee members
- h) Adjournment

SECTION 6. Voting – Each member shall be entitled to one vote. All questions are decided by a majority vote of the members present except as otherwise provided by this By-Law. Proxy voting or by mail shall not be allowed. Election of directors and committee members shall be secret ballot. All other matters may be decided by raising of hands.

ARTICLE IV - BOARD OF DIRECTORS

SECTION 1. General Powers – The business and affairs of the association shall be carried on by the Board of Directors except such as by this By-Laws conferred upon to the Local Water Utilities Administration.

SECTION 2. Qualifications – No person shall be elected as Director unless he is a bonafide member of the association in good standing, of voting age and a resident of the barangays serviced by the system for at least six (6) months. No person shall be eligible to become or remain as Board members who:

- a) Holds an elective office in the government
- b) Had been convicted of a crime involving moral turpitude
- c) Had been terminated for cause.

SECTION 3. Election of Tenure

- a) The persons named as Board Members in the Articles of Incorporation shall compose the Interim Board until the first annual meeting
- b) During the first annual meeting, the regular board members shall be elected to office, one third of whom shall serve for a term of one year, the next one third for term of two years and the next for a term of three years.

SECTION 4. Nomination – At least 30 days before the annual meeting, it shall be the duty of the Board to appoint Committee on Election consisting of at least three members. No member of the Board shall serve on such committee. The committee shall:

- a) Accept nominations and report the same to the Board at least 15 days before the annual meeting.
- b) Post the nomination at the principal office of the association.
- c) Supervise the conduct of election in accordance with established election rules
- d) Canvass the results of voting and certify the returns in writing
- e) Proclaim the winning candidates.

Nothing herein contained shall prevent additional nominations from the floor of the annual meeting.

SECTION 5. Complaint Against Board Members - Any bonafide member of the association may bring and action against any member of the Board of Directors by filing a sworn statement with the Board Secretary together with a petition signed by at least 5 members of the Association. The board of Directors shall call for a special meeting of the members of the association to consider the charges. An affirmative vote of at least two-thirds of all the members of the association shall be required to remove the director in question.

The director against whom the charges have been brought shall be informed in writing of the charges against him at least 10 days before the meeting. He shall have the opportunity to be heard in person or by counsel and to present or confront witnesses during the meeting. The person or persons who bring the charges shall have the same opportunity.

SECTION 6. Vacancy – The remaining members of the Board of Directors, by a majority vote, shall fill any vacancy occurring therein due to death, incapacity, disability, removal, resignation or other causes, from among nominees who shall serve for the unexpired portion of the term.

SECTION 7. Compensation – Board members shall not receive any salary for their service. They may, however, be reimbursed for actual expenses while carrying out or transacting official business of the association as duly approved by the Board.

ARTICLE V - MEETING OF BOARD

SECTION 1. Regular Meeting – A regular meeting of the Board shall be held once a month at the principal office of the association at such time as designated by it.

SECTION 2. Special Meeting – A special meeting of the Board may be called by the Chairman or by any three Board members. Notice of meeting shall be served on Board members at least five (5) days before meeting.

SECTION 3. Quorum – A majority of the members of the Board shall constitute a quorum and every resolution approved by the majority of the quorum duly assembled shall be a valid corporate act.

ARTICLE VI - MEETING OF BOARD

SECTION 1. Regular Meeting – A regular meeting of the Board shall be held once a month at the principal office of the association at such time as designated by it.

SECTION 2. Special Meeting – A special meeting of the Board may be called by the Chairman or any three Board members. Notice of meeting shall be served on Board members at least five days before the meeting.

SECTION 3. Quorum – A majority of the members of the Board shall constitute a quorum and every resolution approved by the majority of the quorum duly assembled shall be a valid corporate act.

ARTICLE VI - OFFICERS

SECTION 1. Number – The officers of the Association shall be a Chairman, Vice Chairman, Secretary, Treasurer and such other officers as may be determined by the Board from time to time.

SECTION 2. Election and Term of Office – The officers shall be elected by ballot by and from among the Board of Directors at the meeting held immediately after the annual meeting of the members.

SECTION 3. Chairman – The Chairman shall preside at all meetings of the Board of Directors, but may relinquish the chair to any member present. He shall perform all duties incident to the office of the Chairman and such other duties as may be prescribed by the Board from time to time.

SECTION 4. Vice Chairman – In the absence of the Chairman, or in the event of his inability or refusal to act, the Vice Chairman shall perform the duties of the Chairman.

SECTION 5. Secretary – The Secretary shall attend all meetings of the Board of Directors, record all the proceedings thereat; keep safe the seal, by-laws, and other documents of the association and give notice of all meetings of the Board. In the absence of the Chairman, Vice Chairman, he shall call to order all such meetings and preside thereat until a temporary presiding officer is chosen.

SECTION 6. Treasurer – The Treasurer shall be responsible for:

- a) Assuring proper custody of all funds and securities of the association.
- b) Assuring the proper receipt of the issuance of receipts for monies due and payable to the association in such bank as shall be selected by the Board in accordance with the requirements of the Local Water Utilities Administration.
- c) Such other duties as from time to time may be assigned to him by the Board.

SECTION 7. General Manager

- a) The management of the Association shall be vested in a General Manager who shall by the Board subject to LWUA approval. Specifically, he shall do the following:
 1. Direct the use of the association funds and properties in accordance with the objectives of the association.
 2. Prepare the budget of the association and submit the same to the Board of Directors for approval.
 3. Submit and annual report of the operations of the association to the Board of Directors for approval.
 4. Exercise direct management of the business of the association pursuant to the orders, resolutions and instructions of the Board and in his own discretion when the same is not limited by such orders, resolutions and instructions.

5. Conduct general supervision and control of all employees of the association and see that their respective duties are properly performed.
 6. Supervise the operation and maintenance of the Association's facilities.
- b) No incumbent member of the Board may hold or apply for the position of General Manager.

ARTICLE VII - NON-PROFIT OPERATION

SECTION 1. Interest or Dividends on Capital Prohibited – The association shall at all time be operated in a non-profit basis. No interest or dividends shall be paid on any capital furnished by its patrons.

ARTICLE VIII - DISSOLUTION AND LIQUIDATION

SECTION 1. Dissolution – The association may be dissolved voluntarily by resolution adopted by the affirmative vote of at least two-thirds (2/3) of all the members at an annual or special meeting or for any cause provided by law.

SECTION 2. Order of Payment on Liquidation – After dissolution, the assets of the association shall be used to pay liquidation expenses and all debts and any reserve therein shall be kept in trust with LWUA.

ARTICLE IX - SEAL

SECTION 1. Seal – The Board of Directors shall provide a suitable seal for the association.

ARTICLE X - FINANCIAL TRANSACTIONS

SECTION 1. Contracts – The Board may authorize any officer, agent to enter into contracts or execute and deliver any instrument in the name and on behalf of the association.

SECTION 2. Withdrawal of Funds – Withdrawal of funds of the association deposited in banks shall be made only on the signature of the General Manager to be counter-signed by the Chairman or the Treasurer.

SECTION 3. Deposit – All funds except cash shall be deposited from time to time to the credit of the association in such bank or banks as the Board may select subject to the approval of LWUA.

SECTION 4. Water Sales – Rates charged by the association for water services shall become effective only upon approval by LWUA.

SECTION 5. Fiscal Year – The fiscal year of the association shall begin on the first day of each year and shall end on the last day of the same year.

ARTICLE XI - MISCELLANEOUS

SECTION 1. Affiliation – The association may upon authorization of the Board and approval by LWUA, affiliate with other associations having similar objectives as those of the association.

SECTION 2. Audit – The Board shall, after the close of each fiscal year, cause, to be made by a certified public accountant a full and complete audit of the accounts, books and financial condition of the association.

ARTICLE XII – AMENDMENT

SECTION 1. Amendment – This By-Laws may be revised, amended or repealed upon the affirmative vote of at least a majority of the members of the Association present at a regular or special meeting and, provided further that the notice of such meeting shall have contained a copy of the proposed revision, amendment or appeal.

ARTICLE XIII – RULES AND REGULATIONS

SECTION 1. – All rules and regulations, circulars and directives pertinent to Rural Waterworks and Sanitation associations issued by the LWUA are made part of this By-Laws.

We, the undersigned, constituting the majority of the members in meeting assembled by the _____ Rural Waterworks and Sanitation, Inc. do hereby assent to the foregoing and adopt the By-Laws of the Association; and in witness whereof, we have hereunto subscribed our names this _____ day of _____ 20____ at _____.

NAME	SIGNATURE
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____

C E R T I F I C A T I O N

We, the undersigned, Chairman and Secretary of the _____ Rural Waterworks and Sanitation Association, Inc., do hereby certify and attest respectively, that the By-Laws of the Association was adopted by the majority of its members in a meeting held on _____ at _____.

Secretary

Attested by:

Chairman

_____ Rural Waterworks and Sanitation Association, Inc.
_____, _____

MINUTES OF THE FIRST MEETING OF THE BOARD OF DIRECTORS HELD ON
_____, 20____ AT _____.

Present: _____

Absent:: _____

Present: _____

- I. There being a quorum, the meeting was called to order at _____(am/pm) with _____ as presiding officer.
- II. In compliance with Section 2, Article VI of the By-Laws, the Members of the Board elected from among themselves the officers by secret ballot with results as certified to in the following resolution which was moved and duly seconded:

RESOLUTION NO. 1

RESOLVED, as it is hereby resolved, to certify that the officers of the _____ Rural Waterworks and Sanitation Association, Inc., are the following:

Chairman: _____
Vice Chairman _____
Secretary _____
Treasurer _____

- III. The Board, having been briefed on the result of the feasibility study and other pertinent information regarding the construction of a rural water supply system in Barangay _____ with the understanding that the project is feasible, on motion duly seconded, adopted the following resolution:

RESOLUTION NO.2

RESOLVED, as its is hereby resolved, to accept and approve the feasibility study as prepared by _____ for the construction of a rural water supply system, which shall be operated by the Association.

APPROVED:

- IV. Aware of the financing program of the Local Water Utilities Administration for the construction of rural water supply system, the Board, on motion duly seconded, adopted the following Resolution:

RESOLUTION NO. 3

RESOLVED, as it is hereby resolved, to apply for a loan with the Local Water Utilities Administration in the amount of _____ (P_____) for the construction of a rural water supply system in _____.

APPROVED.

_____ **Rural Waterworks and Sanitation Association, Inc.**
 _____,

MINUTES OF THE ORGANIZATIONAL MEETING OF _____ RURAL WATERWORKS AND SANITATION ASSOCIATION, INC. HELD ON _____.

The meeting was called to order at ____am/pm with _____ as presiding officer and _____ as temporary secretary.

The temporary secretary called the roll from among the barangay residents/prospective members.

The presiding officer declared the meeting legally constituted. The assembly was briefed on the Rural Water Supply System Program under the Local Water Utilities Administration (LWUA), the salient features and characteristics of the RWSA, the mechanics of its organization and the rights and obligations of the members. An open forum followed. When it was apparent that the assembly had been thoroughly enlightened on the subject and expressed willingness to avail of LWUA program, Articles of Incorporation was executed with the following incorporators:

- | | | |
|----------|-----------|-----------|
| 1. _____ | 6. _____ | 11. _____ |
| 2. _____ | 7. _____ | 12. _____ |
| 3. _____ | 8. _____ | 13. _____ |
| 4. _____ | 9. _____ | 14. _____ |
| 5. _____ | 10. _____ | 15. _____ |

The proposed By-Laws was then presented and explained to the assembly in detail. Questions regarding the By-Laws were also entertained. Upon motion duly seconded, the By-Laws of the _____ Rural Waterworks and Sanitation Association, Inc. as presented and explained was adopted by the majority of the members of the Association.

The feasibility study and design of the proposed project with an estimate cost of _____ Pesos (P_____) were presented to the assembly.

After a thorough deliberation on the details of the project cost, on motion duly made and seconded by the majority members of the _____ RWSA, resolved as it is hereby resolved, to approve and to accept the Program of Works as follows:

- Pipes and fittings _____
- Service Connection _____
- Reservoir _____
- Pump and Accessories _____
- Tools/Equipment _____
- Labor _____
- Freight/Handling _____
- Engineering Supervision _____
- Contingencies _____
- Total Project Cost _____

APPLICATION FOR MEMBERSHIP

The Board of Directors
_____RWSA, Inc.

Gentlemen:

I hereby apply for membership in _____ Rural Waterworks and Sanitation, Inc. to avail of its service of providing potable water for domestic use. I pledge to faithfully obey and comply with the By-Laws and such rules and regulations as may be promulgated by the Board of Directors and by the Local Water Utilities Administration.

I hereby further pledge to:

1. Attend all meetings and seminars that may be prescribed by the Board of Directors or their authorized representatives.
2. Pay dues and fees as they fall due.
3. Adopt effective methods in the proper utilization of water and preventive maintenance of facilities as prescribed by the Association.
4. Assist in the installation of the water system
5. Help attain the aims and purposes of the Association.

For information about my household, and myself, I am enclosing hereto my information sheet.

Signature and
Right Hand
Thumb mark of
Applicant

Date

INFORMATION SHEET OF MEMBERS

- 1. Name of Prospective member _____
- 2. Age _____ Civil Status _____ Sex _____
- 3. Place of Birth _____
- 4. Highest Educational Attainment _____
- 5. Household Members (Include household help)

NAME	AGE
_____	_____
_____	_____
_____	_____
_____	_____

- 6. Present water source used by household (please check)

Hand Pump Artesian Well
Dug Well Spring

Others (Specify) _____

- 7. Distance of water source to dwelling or household, _____ meters
- 8. Activity the household members would engage in if the water supply is available (please check)

Backyard gardening
Areas to be cultivated _____ square meters

Livestock and Poultry Raising

Kind	Number of Heads
1. Chickens	_____
2. Swine (Pigs)	_____
3. Others (specify)	_____

- 9. Family Gross Income per month _____

I hereby certify that the information given above are true and correct to the best of my knowledge.

Signature of Prospective Member