

NATIONAL HUMAN SETTLEMENTS BOARD

RESOLUTION NO. 2020-01

APPROVING THE INTERNAL RULES OF THE NATIONAL HUMAN SETTLEMENTS BOARD

WHEREAS, Section 21 of Republic Act No. 11201 (RA 11201), the *Department of Human Settlements and Urban Development Act*, provides for the creation of the National Human Settlements Board (Board) which shall act as the single policy-making body and provide overall policy directions and program development to the attached agencies;

WHEREAS, Section 22 of the same law provides that the attached corporations shall continue to function according to existing laws and their respective Charters, subject to the policy directions of the Board;

WHEREAS, Section 40 of the Implementing Rules and Regulations (IRR) of RA No. 11201 authorizes the Board to issue its own rules of procedure and include the participation of relevant stakeholders in the development of policies and programs requiring the approval of the Board;

WHEREFORE, the following *Internal Rules of the National Human Settlements Board*, hereafter referred to collectively as "Rules", is hereby promulgated.

SECTION 1. *Short Title.* This Rules shall be also be known as the *Internal Rules of the Board*.

SECTION 2. *Definitions.* Unless otherwise indicated, the following terms shall mean as follows:

- (a) "Department" shall refer to the Department of Human Settlements and Urban Development;
- (b) "Board" shall refer to the National Human Settlements Board (NHSB);
- (c) "Attached agencies" shall refer to the Home Development Mutual Fund (HDMF), National Home Mortgage Finance Corporation (NHMFC), National Housing Authority (NHA), Social Housing Finance Corporation (SHFC) and Human Settlements Adjudication Commission (HSAC);

- (d) "Attached corporations" shall refer to the housing agencies, namely HDMF, NHMFC, NHA, and SHFC, which shall remain attached to the Department for purposes of policy and program coordination, monitoring, and evaluation; and continue to function according to their existing laws and their respective Charters;
- (e) "Member" shall refer to any of the officials enumerated in Section 21 of Republic Act No. 11201 as constituting the Board and reiterated in Section 3 hereof;
- (f) "Permanent Alternate" shall refer to the Member's duly designated Undersecretary as provided for in Section 3 hereof;
- (g) "Remote communication" means the transfer of data between two or more devices not located in the same site;
- (h) "Stakeholders" refer to individuals or groups or institutions which can or are likely to influence and/or be affected by a policy or program;
- (i) "Teleconferencing" refers to the holding of a conference among people remote from one another by means of telecommunication devices such as telephone or computer terminals; and
- (j) "Videoconferencing" is a type of conference involving people in remote locations by means of transmitted audio and video signals.

SECTION 3. *Composition of the Board.* The Board shall be composed of the Secretary of the Department as the Chairperson, and the following as Members:

- (a) The Secretary of Socio-economic Planning and NEDA Director-General or his/her duly designated Undersecretary/Deputy Director-General;
- (b) The Secretary of Finance or his/her duly designated Undersecretary;
- (c) The Secretary of Budget and Management or his/her duly designated Undersecretary;
- (d) The Secretary of Department of Public Works and Highways or his/her duly designated Undersecretary;
- (e) The Secretary of the Interior and Local Government or his/her duly designated Undersecretary;
- (f) The Heads of the attached agencies, to wit:

- (g) The Chief Executive Officer of the Home Development Mutual Fund;
- (h) The General Manager of the National Housing Authority;
- (i) The President of the National Home Mortgage Finance Corporation;
- (j) The President of the Social Housing Finance Corporation; and
- (k) The Executive Commissioner of the Human Settlements Adjudication Commission.

These representatives shall be given voting rights, except for the HSAC representative who will be a non-voting member.

SECTION 4. *Stakeholder Representation.* In compliance with the mandate for the conduct of genuine, adequate, inclusive, and participatory consultation with appropriate sectors in the formulation of the Department's policies, stakeholders' representatives will form part of the NHSB Technical Working Committee (NTWC), and may also be invited to participate as resource persons during Board meetings relative to matters under consideration.

In addition to this, the Chairperson shall appoint two (2) private real estate developers to be chosen from among the NTWC stakeholders' representatives to sit as observers and non-voting members of the NHSB with a term of two (2) years.

Such representatives must have the competence and relevant expertise in housing, urban planning, and real estate development.

SECTION 5. *Meetings, schedule, and venue.* The Chairperson shall convene the Board every quarter in a meeting to be held at the Head Office of the Department unless, under any circumstances, it is decided that a particular meeting be held elsewhere.

The Chairperson, on his own or upon the request of any Member, may also call a special meeting as necessary.

Board members who cannot physically attend or vote during regular and special meetings shall be allowed to participate and vote through remote communication such as videoconferencing, teleconferencing, or other alternative modes of communication. If a member intends to participate in a meeting through remote communication, he/she shall notify in advance the Presiding Officer and the Secretariat of his/her intention. The Secretariat shall note such fact in the minutes of the meeting.

SECTION 6. *Quorum.* The presence of a majority of the Board Members, which shall be 50% of voting members plus one (1), shall constitute a quorum. Only the Members or their duly designated permanent alternates shall be counted for the determination of the presence of a quorum.

Any member or designated permanent alternate who participates through remote communication shall be deemed present.

In case a member excuses himself/herself while the meeting is on-going and there is no longer a quorum, the meeting shall not proceed on aspects requiring voting, but may do so for other matters.

SECTION 7. *Presiding Officer.* The Chairperson shall preside in all meetings of the Board. In case of the Chairperson's unavailability, he or she shall designate a member of NHSB to preside over the meeting.

SECTION 8. *Agenda / Order of Business.* The Agenda of each meeting shall consist of the following:

- (a) Call to Order
- (b) Invocation
- (c) Roll Call / Determination of Presence of a Quorum
- (d) Approval of the Agenda and/or Modifications, if any
- (e) Approval of the Minutes of the Previous Meeting
- (e) Matters Arising from the Minutes of the Previous Meeting
- (f) Matters for Approval
- (g) Other Matters
- (h) Adjournment

The Agenda and the reference materials shall be distributed to each Board Member at least one week before the scheduled meeting. However, the 1-week period set for the distribution of agenda and reference materials should be without prejudice to the amendment of the agenda and furnishing of additional materials to be raised as other matters, subject to the approval of the members during the meeting. Any matter not included in the Agenda shall not be taken up unless requested by the Chairperson or by any Member with the concurrence of a majority of the Members present.

At the start of the meeting, the Presiding Officer shall instruct the Secretariat to make a roll call. A member participating remotely shall state for the record the following:

- His/her full name, designation, and location
- The type of device being used

Thereafter, the Secretariat shall confirm the existence of a quorum.

SECTION 9. *Presenters.* When the Board Member or the permanent alternate is present at the meeting, the support staff that will make any presentation on their behalf shall be introduced by the said Member and shall begin the presentation when called and recognized by the Chairperson.

SECTION 10. *Voting.* A matter is considered approved when the Members agree unanimously or reach a consensus.

A member may request that a formal vote be taken when members of the Board cannot agree unanimously or reach a consensus on a proposed policy, action, or measure. In such case, the concurrence of the majority of those present during the meeting, there being a quorum, shall be necessary to make a decision. The Chairperson shall not vote except to break a tie.

A member or permanent alternate who participates in the meeting via remote communication may cast his/her vote through electronic mail, messaging service, or such other manner as may be provided in the internal rules.

A member dissenting from the decision of the Board may require that his/her views be reflected in the minutes of the meeting.

The principal member shall be bound by the vote of his/her Permanent Alternate.

SECTION 11. *Resolutions.* In accordance with the provisions in Section 10, items for approval of the Board shall be embodied in a Resolution.

The vote of a majority of the Members present, upon motion made and duly seconded, shall be sufficient to carry a decision and pass a Resolution. Such approval of the majority shall be considered as the collegial action of the Board.

Each member will be provided a copy of the resolution for his/her signature and will be given five (5) working days to provide comments. He/She shall be notified that the resolution will be published after the allotted time for feedback. Only when the majority of members have signed, will the resolution be published.

SECTION 12. *Deferment of Action.* Any action by the Board on any matter, whether or not included in the Agenda, may be postponed at the request and concurrence of a majority of the Members. Any further request for postponement may be effected only at the discretion of the Chairperson. Any item of the Agenda for a meeting, consideration of which was not completed at that meeting, shall, unless the Board decides otherwise, be automatically included on the Agenda for the next meeting.

SECTION 13. *Executive Sessions.* An Executive Session may be held where sensitive and confidential matters are to be taken up. In such case, the Chairperson shall direct all attendees, other than the Board Members and persons whose presence is necessary in the closed session, to leave the conference room premises. All recording devices, if any, will be turned off during the said session.

All matters discussed during executive sessions shall be treated confidentially.

SECTION 14. *NHSB Technical Working Committee.* The Board shall create and constitute the NHSB Technical Working Committee (NTWC) composed of their designated representatives. In addition, the NTWC shall also be comprised of

stakeholders' representatives who shall be nominated by their respective sectoral organizations, and subsequently chosen by the Board.

The NTWC shall assist the Board in the study and review of policy matters requiring specific technical expertise brought before it. For this purpose, the NTWC is authorized to engage the services of technical experts or conduct consultations as necessary. The Board may also create Sub-committees as necessary for certain areas of concern to conduct preliminary meetings and study matters to be presented to the Board for approval.

SECTION 15. Secretariat Support. The Planning Service of the Department shall serve as Secretariat to provide administrative support to Board. In addition to this, the Secretariat shall assume the following responsibilities when conducting meetings by remote communication:

- (a) Ensure the availability of suitable equipment and facilities for the conduct of meetings by remote communication;
- (b) Ensure that the attendees are able to hear and see the other participants clearly during the course of the meeting;
- (c) Secure the visual and audio recordings of the meetings;
- (d) Ensure that there is no stoppage or interruption in the visual and audio recordings of the meeting;
- (e) Safe-keep and perpetuate in updated data storage equipment or facility the visual and audio recordings; and
- (f) Require those who attended the meeting through remote communication to sign the minutes of the meeting whenever the act of signing is practicable, on a reasonable after the meeting.

SECTION 16. Confidentiality of Records. The proceedings of the Board shall be confidential, subject to exceptions as provided by law.

SECTION 17. Amendments. This Rules may be amended by a majority vote of the voting members in a meeting called for that purpose.

SECTION 18. Effectivity. This Rules shall take effect upon approval by the Board.

APPROVED,



EDUARDO D. DEL ROSARIO
Secretary

Department of Human Settlements and Urban Development

CARLOS G. DOMINGUEZ III
Secretary
Department of Finance


WENDEL E. AVISADO
Secretary
Department of Budget and Management

MARK A. VILLAR
Secretary
Department of Public Works
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KARL KENDRICK T. CHUA
Acting Secretary
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EDUARDO M. AÑO
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Department of Interior and
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ACMAD RIZALDY P. MOTI
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FELIXBERTO U. BUSTOS
President
National Home Mortgage
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ATTY. ARNOLFO RICARDO B. CABLING
President
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MARCELINO P. ESCALADA JR.
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ATTY. MELZAR P. GALICIA
Executive Commissioner
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