



NEGROS OCCIDENTAL ELECTRIC COOPERATIVE (NOCECO)

Kabankalan City, Negros Occidental

QUALIFICATIONS OF A DIRECTOR AND AN OFFICER

Pursuant to Section 26-B of PD 269, as amended by R.A. 10531, a candidate's integrity, experience, education, competence and probity shall be considered in determining whether he/she shall be fit and proper as a director or an officer of the EC.

The following shall be the minimum qualifications, thus:

1. He or she is a Filipino citizen;
2. He or she is a graduate of a four (4)-year course;
3. He or she should be between twenty-one (21) years old and seventy (70) years old on the date of election;
4. He or she is of good moral character; which may be established with the submission of a clearance or certificate from any of the following:
 - a. Barangay where the candidate resides;
 - b. National Bureau of Investigation;
 - c. Philippine National Police; or
 - d. Leader of the religious sect where the candidate is affiliated.
5. He or she is a member of the EC in good standing for the last five (5) years immediately preceding the election or appointment and shall continue to be a member in good standing during his or her incumbency;

A member of good standing shall mean that said member:

- a. Must have no unsettled or outstanding obligations to the cooperative during his membership in the cooperative whether personal or through commercial or industrial connections of which he or she is the owner/co-owner;
- b. An unsettled or outstanding obligation is an account which has not been paid within seven (7) days after the due date. "Due date" shall refer to the date of receipt of the obligation: Provided, That in the case of power bills, it shall refer to the ninth (9th) day reckoned from receipt thereof. For incumbent member of the Board who will seek re-election, unsettled or outstanding obligation includes power bills, cash advances, disallowances (including NEA audit findings) and materials and equipment issuances. At any given time during his membership in the cooperative, he or she must be totally free of any unsettled or outstanding indebtedness and/or disallowances with the EC.

6. Has not been apprehended for electric pilferage;

A mere apprehension of electric pilferage by the EC, even without conviction for such offense by any court, shall constitute a valid ground for disqualification. The word "apprehension" should be taken in the strict context as used in Republic Act No. 7832, otherwise known as "Anti- Electricity and Electric Transmission Lines or Materials Pilferage Act of 1994," which means that a person is caught in flagrante delicto for violating the provision of the said Act;

7. Has not been removed for cause as director or an employee from any EC;

In general, removal or termination of service from the EC is caused by a grave offense or violation/s of policies, rules and regulations. A former director or employee with a record of termination/removal for cause from public office or for just cause as defined in Article 282 of the Labor Code as amended, shall not be qualified to be elected or appointed as director of an EC.

8. He or she is an actual resident and member-consumer in the district that he or she seeks to represent for at least two (2) years immediately preceding the election; and

9. He or she has attended at least two (2) Annual General Membership Assemblies (AGMA) for the last five (5) years immediately preceding the election or appointment;

10. For a qualified government employee, he/she must present a written Certification from his/her Department Secretary/Regional Director/Local Chief Executive or his duly authorized representative allowing him/her to run and sit as director at the time of his/her filing of Certificate of Candidacy;

11. An EC Director or Officer, in order to remain as such must continue to possess all the qualifications and none of the disqualifications throughout his/her term or tenure of office. To this end, no EC Director shall be allowed to stay in a hold-over capacity if he/she fails to meet all the qualifications or is deemed disqualified. _____



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DISQUALIFICATIONS OF A DIRECTOR AND OFFICER

Pursuant to Section 26-B of PD 269, as amended by R.A. 10531, any person shall be ineligible to be elected or be appointed as member of the Board of Directors or officers of an Electric Cooperative (EC) if:

1. Such person or his or her spouse holds any public office. For the purpose of disqualification, a person holding an elective position or an appointive position with a salary grade of sixteen (SG 16) or higher or its equivalent shall not be eligible to be elected as member of the Board of Directors or Officers of an EC;
2. Such person or his or her spouse has been a candidate in the last preceding local or national elections;
3. Such person has been convicted by final judgment of a crime involving moral turpitude;
4. Such person has been terminated from public office/government employment or private employment for just cause as defined in Article 282 of the Labor Code.

For this purpose, termination from public office shall mean removal;

5. Such person is related within the fourth civil degree of consanguinity or affinity to any member of the EC Board of Directors, General Manager, Department Manager, NEA-appointed Project Supervisor (PS) or Acting General Manager (AGM) and its equivalent or higher position; and
6. Such person is employed by or has financial interest in a competing enterprise or a business selling electric energy or electrical hardware to the cooperative or doing business with the EC including, but not limited to, the use or rental of poles.

For this purpose, “*doing business*” shall refer to the transactions related not only to the core or main line of business of the EC, but also those which in any way affect the management and operation of the EC.

7. Incumbent GM and employees of electric cooperatives are not allowed to run as member of the board of another cooperative.
8. The disqualification of one of the spouse shall mean the disqualification of the other.