

JOINT DEPARTMENT CIRCULAR NO. _____

**REVISED GUIDELINES FOR THE SELECTION OF SECTORAL
REPRESENTATIVES AND MEMBERS OF THE REGIONAL
PROGRAM IMPLEMENTATION TASK FORCE AND MEMBERS
OF THE NATIONAL PROGRAM POLICY TASK FORCE**

Pursuant to Sections 31 and 32 of Republic Act No. 11592, otherwise known as LPG Industry Regulation Act, and Section 12 of Joint Department Circular No. JDC2022-11-0002, otherwise known as the LPG Cylinder Exchange, Swapping, and Improvement Programs and its Implementing Guidelines, the DOE, together with the DTI, and in coordination with the LPG industry participants, including public and private stakeholders, shall create the National Program Policy Task Force (NPPTF) and the Regional Program Implementation Task Force (RPITF) to assist in the implementation of the LPG Cylinder Exchange, Swapping, and Improvement Programs.

For and in consideration of the foregoing, the following revised guidelines are hereby adopted and issued for the selection of sectoral representatives and the members of the RPITF and the NPPTF and their voting mechanisms.

Rule I. General Provisions

Section 1. Application.

This Joint Department Circular shall apply to the selection of sectoral representatives and members of the RPITF and the NPPTF and their voting mechanisms.

Section 2. Definition of Terms.

As used in this Joint Department Circular, the following terms shall be defined as follows:

- (a) Dealer - refers to any duly authorized natural or juridical person engaged in the trading or sale of LPG in cylinders to retail outlets or directly to End - consumers;
- (b) DOE - refers to the Department of Energy;
- (c) DOE-regulated LPG industry participants - refer to Importer, Refiner, Hauler, Refiller, Marketer, Dealer and Retailer;
- (d) DTI-regulated LPG industry participants - refer to Requalifier and Repairer;
- (e) FO - refers to the field office of the DOE in Luzon, Visayas and Mindanao;
- (f) Importer - refers to a duly authorized natural or juridical person engaged in the importation of LPG, LPG Pressure Vessels, or ancillary equipment for

processing, sale, or own use, whichever is applicable;

- (g) Independent Hauler - refers to a duly authorized natural or juridical person engaged as an independent service provider of transportation, distribution, and delivery of LPG in bulk, in cylinder and/or in cartridge to other LPG industry participants;
- (h) License to operate (LTO) - refers to a certification issued by the DOE to a natural or juridical person intending to engage in business for a specific activity as an LPG industry participant who has complied with all the documentary requirements, quality and safety standards, rules, and regulations prescribed by the DOE and other pertinent government agencies for such an activity;
- (i) LPG - refers to Liquefied Petroleum Gas;
- (j) LPG cylinder - refers to a transportable and refillable pressure vessel with up to one hundred fifty (150) liters water capacity, designed for the storage of LPG;
- (k) LPG cylinder exchange - refers to the purchase by the End-consumer of an LPG-filled cylinder using an empty LPG cylinder of a different trademark or trade name;
- (l) LPG Cylinder Exchange and Swapping Program - refers to a system that allows End-consumers to exercise their freedom of choice in the purchase of LPG-filled cylinders through LPG cylinder exchange and LPG swapping;
- (m) LPG cylinder improvement - refers to activities such as repair and requalification to ensure an LPG cylinder is compliant with all applicable PNS that would render it fit for use and circulation;
- (n) LPG cylinder swapping - refers to the giving and taking among industry players of LPG cylinders bearing other trademarks or trade names at an accredited LPG cylinder swapping center;
- (o) Marketer - refers to a duly authorized natural or juridical person engaged in the sale of LPG, whether in bulk or in retail, under its own trademark or trade name;
- (p) Member - refers to a LPG industry participant, with a License to Operate issued by the DOE or accredited by the DTI, who/which is listed or registered to be part of a recognized LPG association;
- (q) OIMB - refers to the Oil Industry Management Bureau of the DOE;

- (r) Refiller - refers to a service provider authorized by the Trademark owner to refill LPG cylinders on the latter's behalf, or any Trademark owner which refills LPG into its own LPG cylinders;
- (s) Refiner - refers to a duly authorized natural or juridical person who/which refines crude oil and other naturally occurring petroleum hydrocarbons through distillation, conversion, and treatment;
- (t) Requalifier - refers to a natural or juridical person engaged in the business of requalification duly accredited by the DTI;
- (u) Repairer - refers to a natural or juridical person engaged in the business of repair duly certified by the DTI;
- (v) Retailer - refers to a duly authorized natural or juridical person engaged in the direct and exclusive trade or sale of LPG in cylinders to End-consumers whose maximum floor stock is determined by the DOE; and
- (w) Sector - refers to any of the different type of business activities in the LPG industry enumerated in Section 1, Rule V hereof.

Rule II. Administrative Regions

Section 1. Composition.

The following shall constitute the Administrative Regions for purposes of selection of sectoral representatives and members of the RPITF and NPPTF:

Administrative Region	Composition
1	Cordillera Administrative Region, Regions I and II
2	Region III
3	Regions IV and V
4	National Capital Region
5	Regions VI, VII VIII, and Negros Region
6	Regions IX, X and Bangsamoro Autonomous Region in Muslim Mindanao
7	Regions XI, XII and XIII

Section 2. Adjustments in the Composition.

The DOE and the DTI, upon the recommendation of the NPPTF, may adjust or modify the composition of each administrative region or create new administrative regions and make adjustments or modifications in the composition of the existing administrative regions and re-assign them to the new administrative regions.

Rule III. Recognition of LPG Associations

Section 1. Qualifications.

In order to be recognized by the DOE-OIMB, the LPG association shall possess the following qualifications:

- (a) Duty registered association with the Securities and Exchange Commission;
- (b) The articles of incorporation cites a purpose that shows support and engagement to the LPG industry-related activities stated in the LPG Industry Regulation Act;
- (c) The association will be able to show the presence of its active members and fully functioning executive officers; and
- (d) The association commits to support the Election Committee and the selection process and all the selection-related activities.

Section 2. Recognition Process.

The DOE-OIMB shall be responsible in the receipt of applications, and the review and issuance of the official list of recognized LPG associations that will form part of the Election Committee. The recognition process shall be as follows:

- (a) Submit to DOE-OIMB an application letter attached with complete documentary requirements prescribed by Section 3, Rule III hereof within a non-extendible period of thirty (30) calendar days set by the DOE-OIMB;
- (b) The DOE-OIMB may require a clarificatory meeting with the applicant;
- (c) The DOE-OIMB shall inform the applicant of the result of evaluation; and
- (d) Any denial of application maybe appealed to the DOE-OIMB. After the appeal, the decision of the DOE-OIMB shall be final and incontestable.

Section 3. Documentary Requirements.

The following are the documentary requirements for the LPG association to be recognized by DOE-OIMB:

- (a) Application letter signed by the head or duly authorized representative of the LPG association;
- (b) Executive briefer about the LPG association containing, among others, information about its creation, purpose related to the LPG industry, its

membership, and the composition of its executive officers;

- (c) Latest certified true copy of articles of incorporation; and
- (d) Latest General Information Sheet (GIS).

Section 4. Official List of Recognized LPG Associations.

Within fifteen (15) calendar days from end of submission period referred to in Sec. 2(a), Rule III hereof, the DOE-OIMB shall evaluate, finalize, and issue the official list of its recognized LPG associations.

Section 5. Effectivity of Recognition of LPG Associations.

The DOE-OIMB's recognition of the LPG associations shall be effective as long as they possess all the qualifications enumerated in Section 1, Rule III hereof. In the event that the DOE-OIMB is informed that a certain LPG association no longer possesses all the abovementioned qualifications, then it shall immediately call the attention of said LPG association to submit a written explanation within fifteen (15) calendar days from notice as to why its recognition should not be withdrawn or revoked. Upon the expiration of such period, the DOE-OIMB shall issue a written decision on the matter.

Rule IV. Election Committee

Section 1. Nomination of Official Representatives to the Election Committee.

Within fifteen (15) calendar days from the DOE-OIMB's notice to the recognized LPG associations, the latter shall respectively submit in writing to DOE-OIMB their nominated official representatives to the Election Committee. The nomination shall be composed of a permanent representative and two (2) alternate representatives of each recognized LPG association.

Section 2. Convening of the Election Committee.

Within fifteen (15) calendar days from end of submission period referred to in Section 5, Rule III hereof, the DOE-OIMB shall convene the Election Committee.

Section 3. Composition of Election Committee.

The Election Committee shall be composed of all the nominated representatives of LPG associations officially recognized by DOE-OIMB. Each recognized LPG association shall have one (1) permanent representative and two (2) alternate representatives in the Election Committee. Only the permanent representative or, in his/her absence, 1 alternate representative shall represent the recognized LPG association for purposes of quorum and voting.

The members of the Election Committee shall select its chairperson and vice-chairperson. The selection shall be done through nomination and casting of votes among the members and confirmed officially through a resolution.

The DOE-OIMB Director, Field Offices (FOs) Director, and DTI with a rank of Director shall sit in the Election Committee as observers. The respective Directors may designate their authorized representative in case of inability to attend the meetings of the Election Committee.

Section 4. Term of Office of Election Committee.

The Election Committee shall serve from date of organization until the successful selection of sectoral representatives and members of the RPITF and NPPTF.

Upon the expiration of the term of the sectoral representatives provided in Section 2, Rule V hereof, the DOE-OIMB shall convene a new Election Committee to supervise the selection of new sectoral representatives and members of the RPITF and NPPTF.

Section 5. Functions of the Election Committee.

The Election Committee shall have the following functions and duties:

- (a) Create working groups to handle specific tasks assigned to the Election Committee;
- (b) Formulate and issue the calendar of activities for the entire period of the selection process;
- (c) Prepare and issue the required forms or documents for the conduct of the selection process;
- (d) Receive and review the list of selected sectoral representatives submitted by the recognized LPG associations;
- (e) Proclaim and certify the selected sectoral representatives, sectoral chairpersons, and members of the RPITF and NPPTF;
- (f) Promulgate clarificatory issuances and further implementing guidelines to fully implement the selection process consistent with this Joint Department Circular; and
- (g) Address all other selection-related activities and concerns.

Section 6. Presiding Officer at Meetings.

The chairperson, or in his/her absence, the vice-chairperson, shall preside at all meetings of the Election Committee.

Section 7. Official Meetings and Decision of the Election Committee.

The official meetings of the Election Committee may be called by the chairperson or by majority of the members as may be deemed necessary. Notices and purposes of the meetings shall be sent to the members prior to the scheduled meetings.

The Election Committee may hold physical or virtual meetings, thereby allowing the members to attend and participate through remote communication, such as video conferencing or teleconferencing, or alternative modes of communication. The Election Committee shall officially deliberate and decide on matters only when there is a quorum.

A quorum shall consist of the attendance of majority of the members of the Election Committee, with either the chairperson or vice-chairperson present in attendance. All decisions of the Election Committee shall be passed by the vote of majority of those members present during said meeting.

Section 8. Working Groups.

The Election Committee shall encourage each recognized LPG association to volunteer and lead the following working groups to assist the Election Committee in the discharge of its functions and duties, among others:

- (a) Legal Affairs Group - shall assist the Election Committee through issuance of legal opinion and guidance in all matters related to the selection of sectoral representatives and members of the RPITF and NPPTF;
- (b) Administrative and Finance Affairs Group - shall assist the Election Committee in the overall planning and execution of the selection process in consultation with the other working groups. It shall serve as the permanent secretariat of the Election Committee; and
- (c) Information Affairs Group - shall assist the Election Committee in the information dissemination of relevant information to the LPG industry participants on the selection process and the results of the selection of sectoral representatives and members of the RPITF and NPPTF.

The Election Committee shall appoint from among its members in case no one volunteers to lead any of the abovementioned working groups.

Rule V. Sectoral Representatives

Section 1. Sectors of LPG Industry Participants.

The members of each recognized LPG association shall be classified into sectors engaged and operating at each Administrative Region as either:

- (a) Refiner - Marketer;
- (b) Direct Importer - Marketer;
- (c) Refiller - Marketer;
- (d) Marketer;
- (e) Independent Bulk LPG Hauler;
- (f) Independent Hauler of LPG in cylinder;
- (g) Dealer;
- (h) Retailer;
- (i) Requalifier; or
- (j) Repairer.

Section 2. Composition and Nomination of Sectoral Representatives.

The sectoral representatives of each sector shall consist of a chairperson and two (2) alternates. Each recognized LPG association shall nominate its candidate for sectoral chairperson of a particular sector provided that: (a) its candidate is a member who/which belongs to said sector; (b) said member is located in the Administrative Region where he/she/it is engaged in or operating at; and (c) said candidate is nominated by at least majority of the LPG association's members belonging to said sector.

Section 3. Manner of Nomination and Selection of Sectoral Chairpersons.

The Election Committee shall set and announce the commencement date for the nomination and selection of the sectoral chairpersons.

Within thirty (30) calendar days from the commencement date, each recognized LPG association shall facilitate and conduct the nomination of candidates for the sectoral chairpersons of each sector that their members belong to or engaged in, as provided in Section 1, Rule V hereof.

A member of a recognized LPG association shall only be classified in, and represent, one (1) sector for purposes of selecting, or being selected as, a sectoral chairperson for a particular Administrative Region where he/she/it is actually engaged in and operating at.

Any interested member of good standing of a recognized LPG association may be nominated, elected, and selected as a sectoral chairperson for the Administrative Region where he/she/it is actually engaged in or operating at.

Each recognized LPG association shall then submit in writing to the Election Committee a certified list of the names of the nominated Sectoral chairpersons and their corresponding sectors and Administrative Regions within ten (10) calendar days from the date of nomination thereof.

The Election Committee shall then schedule the date of the selection process by calling for a meeting of the official representatives of all the recognized LPG associations within ten (10) calendar days from receipt of the aforementioned certified list. During the said meeting where a quorum is present, the selection of the Sectoral Chairpersons per sector in an Administrative Region shall be supervised by the Election Committee and the official representatives of the recognized LPG associations shall select from the certified list through the votes of the majority of those present in the meeting.

In case there is no sectoral chairperson in a particular sector submitted within the period provided in Section 3, Rule V hereof, the official representatives of the recognized LPG associations shall conduct the selection process, through the votes of the majority of those present in a meeting where a quorum is present.

The results of the abovementioned voting and selection processes shall be confirmed and certified through the issuance of a resolution by the Election Committee.

Section 4. Term of Sectoral Representatives.

The sectoral chairperson and his/her alternates shall have a fixed term of six (6) years and shall be eligible for multiple terms, unless they die, resign, are disqualified, or replaced by the recognized LPG association whose sector's members made a vote of no confidence against them.

The sectoral chairperson shall have the authority to appoint/designate his/her two (2) alternates, provided that the latter shall: (a) be members in good standing of the same recognized LPG association; (b) belong to the same sector; and (c) be engaged in or operating at the same Administrative Region.

Section 5. Vacancy in Sectoral Chairperson position.

In case of vacancy in the sectoral chairperson position, any of his/her 2 alternates shall succeed and serve the remaining term of his/her predecessor. The new sectoral chairperson shall be authorized to fill up the vacant alternate position and shall choose from any of the sector's members in good standing of the same recognized LPG association. Such new alternate shall likewise serve the remaining term of his/her predecessor.

Rule VI. RPITF

Section 1. Grouping of Sectors

For purposes of the RPITF, the sectors shall be further be grouped as follows:

(a) Voting members:

- 1) Refiner - Marketer;
- 2) Direct Importer - Marketer;
- 3) Refiller - Marketer; and
- 4) Marketer.

(b) Non-Voting Members

- 1) Independent Bulk LPG Hauler;
- 2) Independent Hauler of LPG in cylinder;
- 3) Dealer;
- 4) Retailer;
- 5) Requalifier; and
- 6) Repairer.

Section 2. Composition of RPITF.

There shall be an RPITF consisting of the selected sectoral chairpersons for each Administrative Region where they are engaged in or operating at.

Each RPITF shall be headed by a chairperson and co-chaired by the DOE-OIMB Director or FOs Director and the duly designated official of the DTI Secretary with the rank of at least a Director and an alternate with the rank of at least Assistant Director. In the case, however, of DOE FOs, the alternate to the FOs Director shall be the Division Chief of the Energy Industry Management Division (EIMD).

Section 3. Manner of Selection of RPITF Chairperson.

The RPITF Chairperson, who must be a voting sectoral chairperson, shall be selected in the Administrative Region where he/she is engaged in or operating at.

The selection of the RPITF Chairperson shall be supervised by the Election Committee. Each of the voting sectoral chairpersons shall be entitled to one (1) vote in the selection of the RPITF chairperson. However, in case of a tie, the DOE official concerned shall exercise a deciding vote. The selection of the RPITF Chairperson shall be confirmed and certified through the issuance of a resolution by the Election Committee.

However, an RPITF Chairperson belonging to the same company shall be selected only to represent one (1) Administrative Region only despite being a voting sectoral chairperson in several Administrative Regions. If an RPITF chairperson belonging to the same company is selected in more than 1 Administrative Region, then such chairperson shall relinquish the other Administrative Regions.

In case there is no qualified voting sectoral chairperson who can be selected as RPITF Chairperson due to the abovementioned limitation, then the majority of the voting sectoral chairpersons in the affected Administrative Region shall vote for a new RPITF Chairperson. In case of a tie, the DOE official concerned shall exercise a deciding vote. The selection of the new RPITF Chairperson shall likewise be confirmed and certified through the issuance of a resolution by the Election Committee.

Section 4. Term of RPITF Chairperson.

The RPITF Chairperson shall have a fixed term of six (6) years and shall be eligible for multiple terms, unless he/she dies, resigns, is disqualified, or replaced by the majority of the members of the RPITF who made a vote of no confidence against him/her.

Section 5. Vacancy in RPITF Chairperson Position.

In case of vacancy in the RPITF Chairperson position, then the majority of the voting sectoral chairpersons shall vote for the new RPITF Chairperson to fill up the vacant position and serve the remaining term of his/her predecessor.

Section 6. Presiding Officer at RPITF Meetings.

The RPITF Chairperson, or in his/her absence, the DOE official concerned, shall preside at all meetings of the RPITF.

Section 7. Official Meetings and Decisions of the RPITF.

The RPITF Chairperson shall be authorized to appoint a secretariat to provide administrative support and to prepare the minutes of the official meetings and resolutions.

The RPITF shall set regular quarterly meetings. Special meetings of the RPITF may be called by the Chairperson or by the DOE official concerned, as may be deemed necessary. Notices and purposes of the meetings shall be sent to the members prior to the scheduled meetings.

The RPITF may hold physical or virtual meetings, thereby allowing the members to attend and participate through remote communication, such as video

conferencing or teleconferencing, or alternative modes of communication. The RPITF shall officially deliberate and decide on matters only when there is a quorum.

A quorum shall consist of the attendance of majority of the voting members of the RPITF, with either the Chairperson or DOE official concerned present in attendance. Non-voting sectoral chairpersons shall be allowed to participate in the deliberations of the matters raised before the RPITF. Nevertheless, all decisions of the RPITF shall be passed only by the vote of majority of the voting sectoral chairpersons present during said meeting. However, in case of a tie, the DOE official concerned shall exercise a deciding vote.

Rule VII. NPPTF

Section 1. Composition of NPPTF.

The NPPTF shall be composed of the following:

- (a) Chairperson – Supervising Undersecretary or Assistant Secretary of DOE-OIMB, with the Director or Assistant Director of OIMB or designated bureau as alternates
- (b) Co-Chairperson - Supervising Undersecretary or Assistant Secretary of DTI-BPS, with the Director or Assistant Director of BPS or designated bureau as alternates
- (c) Members:
 - 1) Director of DOE FO, with the Division Chief of the EIMD as alternate
 - 2) All the chairpersons of all the RPITFs

Section 2. Official Meetings and Decisions of NPPTF.

The NPPTF Chairperson shall be authorized to appoint a secretariat to provide administrative support and to prepare the minutes of the official meetings and resolutions.

The NPPTF shall set regular quarterly meetings. Special meetings of the NPPTF may be called by the Chairperson or by the Co-Chairperson, as may be deemed necessary. Notices and purposes of the meetings shall be sent to the members prior to the scheduled meetings.

The NPPTF may hold physical or virtual meetings, thereby allowing the members to attend and participate through remote communication, such as video conferencing or teleconferencing, or alternative modes of communication. The NPPTF shall officially deliberate and decide on matters only when there is a quorum.

A quorum shall consist of the attendance of majority of the members of the

NPPTF, with either the Chairperson or the Co-Chairperson or their respective alternates present in attendance. All decisions of the NPPTF shall be passed only by the vote of majority of the members present during said meeting, with each member entitled to one (1) vote. However, in case of a tie, the Chairperson concerned shall exercise a deciding vote.

Rule VIII. Miscellaneous Provisions

Section 1. Administrative Sanctions.

Any violations of this Circular shall be subject to sanctions under Section 38 (e) (3) of Republic Act 11592, otherwise known as the LPG Industry Regulation Act.

Section 2. Election Fund.

The election fund and payment for the expenses in the selection process of the sectoral representatives, RPITF, and NPPTF shall be sourced from the direct contribution of the recognized LPG associations.

Section 3. Separability Clause.

In case any provision of this Joint Department Circular is subsequently declared invalid or unconstitutional, such parts not affected thereby shall remain in full force and effect.

Section 4. Repealing Clause.

This Joint Department Circular supersedes and repeals JDC 2024-07-0001 and supplements and partially modifies the relevant provisions in Sections 12.4 and 12.5 of JDC 2022-11-0002. All other rules and regulations or parts thereof which are inconsistent with this Joint Department Circular are hereby repealed or modified accordingly.

Section 5. Effectivity.

This Joint Department Circular shall take effect fifteen (15) calendar days following its complete publication in two (2) newspapers of general circulation and submission of a copy to the University of the Philippines Law Center-Office of the National Administrative Register (UPLC-ONAR).

Issued this _____ at the DOE, Energy Center, Rizal Drive corner 34th Street, Bonifacio Global City, Taguig City, Metro Manila.