



**6<sup>TH</sup>**  
EDITION

# THE PROVINCIAL GOVERNOR

A REFERENCE GUIDE TO ACTION  
**Tasks and Responsibilities**  
**Checklist**



**TASKS AND RESPONSIBILITIES**  
**CHECKLIST:**  
*A Reference Guide to Action*

**The Provincial Governor**

**6<sup>TH</sup> EDITION**

**The Provincial Governor Tasks and Responsibilities  
Checklist: A Reference Guide to Action**

6th Edition

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ISBN No.:

Printed and bound in Manila, Philippines

Published by:

Local Government Academy

Department of the Interior and Local Government

8/F Agustin I Building, F. Ortigas Jr. Road, Ortigas Center Pasig City 1605,  
Philippines

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## Message

Being a public servant can be overwhelming. Multi-dimensional issues beset local communities, and urgent needs warrant attention and action simultaneously. Days will be filled with situations that will require you to adapt and will test your resolve. Stay focused and be steadfast with the priorities you have for your community.

Peace and order is one of the most crucial areas where you can focus on. I appeal to you to continue and intensify the fight against illegal drugs, corruption, and criminality. Equally important, strengthen your community's resilience by improving disaster preparedness and by ensuring that you have the systems in place to meet basic needs such as water, shelter, nutrition, and health. Channel your efforts into moving people from the margins into the mainstream by providing opportunities for sustainable livelihood and development.

To support you in your role, we at the Department of the Interior and Local Government, through the Local Government Academy, present this material to serve as your guide and strengthen your capacity in public office. We trust that under your leadership will arise peaceful, resilient, and capable communities that can help take us a step closer to building a stronger Philippines.

A stylized, handwritten signature in black ink, featuring a large, sweeping 'E' and 'A'.

**EDUARDO M. AÑO**

Secretary, Department of the Interior and Local Government

## Message



The strength of a nation lies in its local government units. Being the closest to the people, LGUs are more understanding of the plight of their communities and can maximize this proximity in order to effectively address their needs. Almost three decades ago, the Local Government Code had been passed in order to provide for meaningful local autonomy. It intends to enable LGUs to attain their fullest development as self-reliant, peaceful and secure communities, and transform themselves into active partners in the attainment of national goals. Consequently, being that you are the leader of your community, you have a pivotal role in propelling your LGU toward progress and development.

One of the major thrusts of the Department is to develop the capacities of local governments and its people in order to deliver the expectations of their mandate. The Program for NEOs is one of our undertakings in our commitment to provide harmonized and holistic capacity development mechanisms for LGUs all over the country.

To help you develop an understanding of your duties, responsibilities and accountabilities in your initial months in office, we present this quick reference developed by the Department's training arm, the Local Government Academy. We are behind you as you embark on this enormous and worthwhile undertaking. We are one with you in your actions to improve efficiency and morale in the LGU. Together, let us provide a matatag, maginhawa at panatag na buhay for all Filipinos.

  
**MARIVEL C. SACENDONCILLO**

Undersecretary for Local Government



## Message

Allow me to extend my sincerest congratulations to you for winning in the 2019 elections. It is not an easy feat as it requires a great deal of passion and determination, two things that you will continually wield in your new post. We, at the Local Government Academy (LGA), stand ready to support you with capacity building programs as you progress into becoming a more competent public servant. The LGA, through its Program for Newly-Elected Officials, provides you with training and development activities on effective local governance.

The LGA also supports you as you prepare your community for ASEAN integration. We have a package of programs to guide you in developing and implementing plans for building a more competitive, inclusive, and sustainable local economy that is ready to compete in the regional playing field.

In line with this, we are pleased to present this material to help you navigate the initial days of your assumption in office. May the subject matter contained herein help you learn the ropes quickly and provide you with guidance in decision and policy making. We wish you well and all the best in your journey in public office.

A handwritten signature in black ink, appearing to read 'Thelma T. Vecina'.

**THELMA T. VECINA**

Executive Director

Local Government Academy





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## ABBREVIATIONS

A.O.	Administrative Order
BLGS	Bureau of Local Government Supervision
BOT	Build-Operate Transfer
CEPC	Comprehensive Emergency Program for Children
CSO	Civil Society Organization
DBM	Department of Budget and Management
DILG	Department of the Interior and Local Government
DND	Department of National Defense
DSWD	Department of Social Welfare and Development
E.O.	Executive Order
ELA	Executive-Legislative Agenda
ELOPDS	Elective Local Official Personnel Data Sheet
HLURB	Housing and Land Use Regulatory Board
ICC	Indigenous Cultural Communities
IEC	Information, Education and Communication
IP	Indigenous Peoples
IRA	Internal Revenue Allotment
JMC	Joint Memorandum Circular
LDIP	Local Development Investment Program
LEIPO	Local Economic and Investment Promotion Office
LGA	Local Government Academy
LGC	Local Government Code
LGPMS	Local Governance Performance Management System
LGU	Local Government Unit
MC	Memorandum Circular
MMAA	Muslim Mindanao Autonomy Act
NDRRMC	National Disaster Risk Reduction and Management Council
NGO	Non-Governmental Organization
OIC	Officer-in-Charge

PD	Presidential Decree
PDPFP	Provincial Development and Physical Framework Plan
PDRRMP	Provincial Disaster Risk Reduction and Management Plan
PM	Presidential Memorandum
PMOC	Pre-Marriage Orientation and Counseling
PO	People's Organization
PPA	Programs, Projects and Activities
PPAN	Philippine Plan of Action for Nutrition
PPFP	Provincial Physical Framework Plan
PSO	Private Sector Organization
R.A.	Republic Act
SWM	Solid Waste Management

The Provincial Governor, as the chief executive of the provincial government, is mandated to exercise powers and perform duties and functions necessary to promote the general welfare of the province and its inhabitants.

*~The Local Government Code of 1991~*

# 1

## Settling in the First 100 Days

For a Provincial Governor, the first 100 days are crucial, especially if he/she is a first-termer. There are three objectives during this period:

- ☐ To perform well;
- ☐ To effectively communicate the future of the province that he seeks to create, dedicating his term to build the foundation of that future; and
- ☐ To create a partnership with all sectors in the province towards the eventual realization of that future.

Even before assumption at noontime on June 30, the Provincial Governor must know his powers, duties, and functions by heart, as enumerated in Section 465 of the Local Government Code of 1991. The following is a list of tasks and responsibilities of the Provincial Governor and some reminders for him.

### Upon assumption

- ☐ Take an oath of office and require all newly elected provincial officials to do the same [Section 92 (a), LGC];
- ☐ File a sworn Statement of Assets, Liabilities and Net Worth (SALN), declare relatives working in government, disclose financial and business interests, and submit a personal data sheet [Section 91 (a), LGC]. Concerning Section 8 of R.A. 6713, local officials shall file their SALN and the Disclosure of Business Interests and Financial Connections with the Office of the Deputy Ombudsman in their respective regions within 30 days after assumption of office; and
- ☐ Accomplish the Elected Local Official Personal Data Sheet (ELOPDS) and submit to the DILG.

**Organize or reorganize and ensure the functionality  
of the following:**

- ☐ Provincial School Board [Section 98 (b)(1), LGC];
- ☐ Provincial Health Board [Section 102 (a) (1), LGC];
- ☐ Provincial Development Council [Section 107 (c), LGC];
- ☐ Provincial Peace and Order Council [Section 116, LGC; EO No. 309, s. 1988, as amended];
- ☐ Provincial Board of Assessment Appeals [Section 227, LGC];
- ☐ Provincial Bids and Awards Committee [R.A. No. 9184];
- ☐ Provincial Finance Committee [Section 316, LGC];
- ☐ Provincial Disaster Risk Reduction and Management Council [R.A. No. 10121];
- ☐ Tourism Council [DILG MC No. 95-162, s. 1995];
- ☐ Anti-Drug Abuse Council [DILG-DDB JMC No. 2018-01];
- ☐ Provincial Price Coordinating Council [DILG MC No. 04-75, s. 2004; DILG MC No. 05-130, s. 2005];
- ☐ Small and Medium Enterprise Development Council [DILG MC No. 02-107, s. 2002];
- ☐ Fisheries and Aquatic Resources Management Council [DILG MC No. 99-142, s. 1999];
- ☐ Provincial Agriculture and Fisheries Council [DILG MC No. 97-271, s. 1997; DILG MC No. 98-200, s. 1998];
- ☐ Executive and Legislative Agenda Team [DILG MC No. 04-64, s. 2004];
- ☐ Seal of Good Local Governance (SGLG) Team;
- ☐ Provincial Council for the Protection of Children [DILG MC No. 02-121, s. 2002];
- ☐ Provincial Ecological Solid Waste Management Board [R.A. No. 9003; DILG MC No. 01-38, s. 2001];

- ☐ Provincial Council for the Culture and the Arts [DILG MC No. 02-81, s. 2002];
- ☐ Provincial Special Drug Education Center Team [DILG MC No. 06-150, s. 2006];
- ☐ Provincial/Project Monitoring Committee [Memorandum Order No. 175];
- ☐ Enhanced Comprehensive Local Integration Program Committee [DILG – DND JMC No. 2018 – 01 and Administrative Order No. 10];
- ☐ Local Road Management Team;
- ☐ Crises Management Committee;
- ☐ Incident Command System [NDRRMC MC No. 4, s. 2012]; and
- ☐ Internal Audit System.

### Bring the people closer to the government

- ☐ Propose the enactment, or enforcement, of an ordinance allowing people from all walks of life access to provincial government offices [DILG MC No. 96-45, s. 1996]; and
- ☐ Ensure that a citizens' desk is in place at the lobby of the provincial capitol, properly identified and operated at least eight hours a day to provide information and other forms of assistance to the public [DILG MC No. 96-45, s. 1996].

### Encourage participation in the promotion of the general welfare of the people in the province

- ☐ Call upon any national official or employee stationed in or assigned to the province to make recommendations on matters affecting the province; and coordinate with said official or employee in the formulation and implementation of plans, programs and projects [Section 465 (b) (1) (xvi), LGC]; and

- ☐ Call conventions, conferences, seminars or meetings of elective and appointive officials of the province and component cities and municipalities, including national officials and employees stationed in or assigned to the province, whenever necessary [Section 465 (b) (2) (ii), LGC].

## **During the opening of the regular session of the Sangguniang Panlalawigan**

- ☐ Present the program of government and propose policies and projects [Section 465 (b) (1) (iii), LGC].

## **Development Planning**

- ☐ Convene the Provincial Development Council;
- ☐ Direct the formulation and implementation of the Provincial Development Plan [Section 465 (b) (1) (ii), LGC];

### **Characteristics of a Provincial Development and Physical Framework Plan**

- ☐ Participatory in its formulation: invite the private sector, NGOs, POs and CSOs;
- ☐ Sets socio-economic development thrusts to achieve the vision of the provincial government;
- ☐ Supports the overall provincial, regional and national development thrusts;
- ☐ States development targets and strategies;
- ☐ Considers the financing scheme as an integral component; and
- ☐ Integrates monitoring and evaluation in the plan.



- ☐ Ensure that the eradication of illiteracy is a priority in the provincial development plan, and proposes the provision of funds for its implementation [DILG MC No. 00-120, s. 2000];
- ☐ Incorporate development projects on culture and the arts in the short- and long-term provincial development plan [DILG MC No. 95-117, s. 1995].

### **Ensure complementation of efforts between the executive (Governor) and the legislative (Vice Governor and the Sangguniang Panlalawigan)**

- ☐ Lead the formulation or review and updating and implementation of the Provincial Development and Physical Framework Plan (PDPFP) 2020 – 2022, which is a mandatory requirement for provinces. Admittedly, the preparation of PDPFP requires more time, human resources, and financial resources. However, it is a comprehensive and harmonized plan that can serve as the basis or source of other provincial thematic plans, including the Executive-Legislative Agenda (ELA). The provincial government however is not prevented from pursuing the formulation of an ELA to further enhance executive-legislative cooperation and partnership. DILG MC 2004-64 provides the basis for the formulation of an ELA.

### **Lead the preparation of the provincial budget**

- ☐ Based on the budget call, require each head of office or department to prepare and submit an estimate of appropriations for 2020 on or before the 15th of July 2019 [Section 465 (b) (3) (i), LGC]; and
- ☐ Prepare and submit for the approval of the Sangguniang Panlalawigan an Executive Budget for 2020 not later than the 16th day of October 2019 [Section 318, LGC].

### Qualities of an Executive Budget

- ☐ Participatory in its formulation;
- ☐ Responsive to the budgetary requirements of the provincial government plans;
- ☐ Satisfies statutory and contractual obligations [Section 324 (b), LGC];
- ☐ Balanced and realistic. Total appropriations covering the operating expenditures and capital outlays do not exceed the estimated income [Section 324 (a), LGC]; and
- ☐ Approved within the prescribed period.

### Statutory requirements in preparing the executive budget

- ☐ Debt servicing appropriation – 20% or less of the regular income [Section 324 (b), LGC];
- ☐ Aid to component barangays – at least ₱1,000 per barangay [Section 324 (c), LGC];
- ☐ Annual lump sum appropriation for unforeseen expenditures arising from the occurrence of calamities at 5% of the estimated revenue from regular sources [Section 324 (d), LGC] as amended by R.A. 8185, and further amended by R.A. 10121];
- ☐ Development projects appropriation – at least 20% of the provincial annual IRA [Section 287, LGC];
- ☐ Personal services appropriations – 45% or less for the 1st-3rd class provinces, and 55% or less for the 4th-6th class provinces [Section 325 (a), LGC];

- ☐ Appropriations for discretionary purposes – 2% or less of the actual receipts derived from basic real property tax in the next calendar year [Section 325 (h), LGC];
- ☐ Gender and Development (GAD) Budget- at least 5% of regular income [Section 36, R.A. 9710];
- ☐ Appropriations for Senior Citizens and Persons with Disabilities - at least 1% of regular income [DBM DSWD JC NO. 2003-01 dated April 8, 2003]; and
- ☐ Allocation of 1% IRA for strengthening of the programs, projects and activities (PPAs) of the Local Council for the Protection of Children (LCPC) (RA 9344 and DILG MC NO 2012-120).

## Other Tasks

- ☐ Appoint all officials and employees whose salaries and wages come from provincial funds and whose appointments are not otherwise provided in R.A. No. 7160 [Section 465 (b) (1) (v), LGC];
- ☐ Determine, based on law or ordinance, the time, manner and place of payment of salaries or wages of provincial officials and employees [Section 465 (b) (1) (viii), LGC];
- ☐ Allocate and assign office space to provincial officials and employees [Section 465 (b) (1) (ix), LGC];
- ☐ Act on leave applications of officials and employees and the commutation of the monetary value of leave credits [Section 465 (b) (1) (xiv), LGC];
- ☐ Authorize official trips of officials and employees outside of the province for a period not exceeding 30 days [Section 465 (b) (1) (xv), LGC]; and
- ☐ Ensure that the Local Disaster Risk reduction and Management Office will be established as a mandatory office in your LGU. In RA 10121 and NDRRMC-DILG-DBM-CSC JMC 2014-01, each province shall prioritize the establishment of the office. The Provincial DRRM Officer and the three (3) staff responsible for administration and training, research and planning, and operations and warning are considered mandatory positions.

## 2

## Gearing Up for the Continuing Tasks

The tasks and responsibilities of a Provincial Governor do not end after his/her first 100 days of being the chief executive of the province. It must be kept in mind that there is more to be done to manage the affairs of the province better.

Below is a list of the tasks and responsibilities of the Provincial Governor, and reminders for him/her for the rest of his/her term.

### LOCAL ADMINISTRATIVE GOVERNANCE

#### *Supervision*

- ☐ Ensure that every component city or municipality, including its officials, act within the scope of its prescribed powers and functions [Section 465 (b) (2) (i), LGC];
- ☐ In relation to Section 61 of the LGC, impose preventive suspension upon erring elective local officials of component cities and municipalities [Section 63, LGC];
- ☐ Ensure that all provincial executive officials and employees faithfully discharge their mandated duties and functions [Section 465 (b) (1) (x), LGC];
- ☐ Examine the books, records and other documents of all offices, officials, agents or employees of the province [Section 465 (b) (1) (xi), LGC];
- ☐ Impose preventive suspension upon erring appointive provincial officials and employees [Section 85, LGC];
- ☐ Visit component cities and municipalities at least once every 6 months to better understand their problems and conditions [Section 465 (b) (1) (xiii), LGC]; and
- ☐ Act as a disciplinary authority (Section 86, 87 LGC).

## Local Legislation

### Initiate the passage, codification, review, updating, and implementation of the following legislative measures:

- ☐ Code of General Ordinances;
  - ☐ Local Code for Children;
  - ☐ Gender and Development Code;
  - ☐ Revenue Code [DILG MC No. 98-51, s. 1998];
  - ☐ Local Investment and Incentive Code; and
  - ☐ Environmental Code [DILG MC No. 97-267, s. 1997].
- 
- ☐ Order the establishment of semi-permanent billboards or bulletin boards containing information such as duties and functions of provincial offices, programs and services, and regular provincial reports [DILG MC No. 01-126, s. 2001; DILG MC No. 96-45, s. 1996];
  - ☐ Ensure the conduct of regular informative tour of provincial offices for the youth to be familiarized on the workings of the provincial government [DILG MC No. 96-45, s. 1996];
  - ☐ Provide authorities with copies of executive orders within 72 hours after their issuance [Section 465 (b) (1) (xii), LGC];
  - ☐ Order the publication of a provincial government newsletter, brochures, flyers or posters, streamers, tarpaulins or other IEC materials containing information about provincial plans, programs, and special events;
  - ☐ Ensure the promotion of provincial government programs and special events through any of the quad-media;
  - ☐ Communicate provincial government plans, programs, and special events during public meetings and assemblies; and
  - ☐ Establish a Local Economic and Investment Promotion Office (LEIPO) per DILG MC No. 2010-113.

**Advocate for the following ordinances and implement them:**

- ☐ Human trafficking [DILG MC No. 06-172, s. 2006; DILG MC No. 05-26, s. 2005];
- ☐ Safety measures in gasoline stations [DILG MC No. 06-66, s. 2006]; and
- ☐ Animal welfare [R.A. No. 8485; DILG MC No. 00-91, s. 2000].

### ***Annual Report***

- ☐ On or before March 31 of each year, submit to the Sangguniang Panlalawigan and to other competent authorities, copies of the annual report on the socio-economic, political and peace and order situation, and other matters affecting the province [Section 97, LGC; Section 465 (b) (1) (xx), LGC; DILG MC No. 04-64, s. 2004];
- ☐ Ensure that the annual report, also referred to as the State of Local Governance Report, is used as a principal source document in formulating and implementing programs or projects, or administrative reforms that are within the competence and authority of local authorities to undertake, in support of good local governance and meaningful development [DILG MC No. 07-24, s. 2007].

## Participation

- ☐ Engage civil society in provincial governance through periodic consultations;
- ☐ Ensure children's participation in local legislation, especially on laws that concerns children's welfare, rights and protection;
- ☐ Institutionalize the participation of youth in the climate change adaptation and disaster risk reduction and management related activities (DILG-NYC JMC No. 01, s. 2015);
- ☐ Call upon any national official or employee stationed in or assigned to the province to make recommendations on matters affecting the province; and coordinate with said official or employee in the formulation and implementation of plans, programs and projects [Section 465 (b) (1) (xvi), LGC];
- ☐ Establish cooperative undertakings with other local governments [Section 33, LGC];
- ☐ Call conventions, conferences, seminars or meetings of elective and appointive officials of the province and component cities and municipalities, including national officials and employees stationed in or assigned to the province [Section 465 (b) (2) (ii), LGC];
- ☐ Enter into joint ventures and other cooperative arrangements with POs and NGOs in support of the service delivery and capability-building concerns of the provincial government [Section 35, LGC];
- ☐ Provide assistance, financial or otherwise, to accredited POs and NGOs for economic, social, environmental, or cultural projects in the province [Section 36, LGC];
- ☐ Ensure that there is a provincial government-assigned desk or another support mechanism for CSOs and POs;
- ☐ Enforce the guidelines in the accreditation and membership of POs and NGOs in the Provincial Development Council, Provincial School Board, Provincial Health Board, Provincial Peace and Order Council, and Provincial Bids and Awards Committee [DILG MC No. 2016-97];
- ☐ Ensure the participation of NGOs and the community in planning and implementing efforts toward the eradication of illiteracy [DILG MC No. 00-120, s. 2000];

- ☐ Involve civil society and the business community in provincial governance and formulation of the ELA [DILG MC No. 04-64, s. 2004];
- ☐ Set up the Office for Senior Citizens Affairs [DILG MC No. 05-63, s. 2005];
- ☐ Ensure that there is a feedback mechanism for getting citizens' views on the reach and quality of service and development thrusts;
- ☐ Strengthen the operations of the Provincial Council of Women [DILG MC No. 06-125, s. 2006; DILG MC No. 02-167, s. 2002];
- ☐ Strengthen the support and participation of citizens in the maintenance of peace and order [DILG MC No. 01-54, s. 2001]; and
- ☐ Set up a Migrant Advisory and Information Network Desk for victims of human trafficking [DILG MC No. 06-172, s. 2006; DILG MC No. 05-26, s. 2005].

## Development Planning

- ☐ Ensure effectiveness of the Provincial Development Council;
- ☐ Direct the formulation and implementation of the provincial development plan [Section 465 (b) (1) (ii), LGC]; and

### Characteristics of an Effective Provincial Development Council

The composition is in accordance with Section 107 (c) of R.A. No 7160, or Section 108 (c) of MMAA No. 25;

- ☐ Able to formulate or update long-term, medium-term and annual socio-economic development plans and policies;
- ☐ Able to formulate or update medium-term and annual public investment programs;
- ☐ Able to appraise and prioritize socio-economic development programs and projects;
- ☐ Able to formulate or update the Local Revenue Code to enhance competitiveness by attracting more investments and identifying appropriate taxes for greater tax collections and more jobs for constituents;



- ☐ Able to formulate or update local investments and incentives to promote the inflow and growth of private investment capital;
- ☐ Able to coordinate, monitor and evaluate the implementation of development programs and projects;
- ☐ Has an Executive Committee to represent it and act in its behalf when it is not in session;
- ☐ Has sectoral or functional committees that helps in the performance of its functions;
- ☐ Has a secretariat to provide technical support, document proceedings, prepare reports and other assistance that may be required in the discharge of its duties; and
- ☐ Meets at least once every six months or as often as necessary.

- ☐ Ensure that the eradication of illiteracy is included in the priorities of the provincial development plan, and have enough funds allocated for its implementation [DILG MC No. 00-120, s. 2000];

Ensure the quality of the Provincial Development and Physical Framework Plan, which should have the following characteristics:

- ☐ Participatory in its formulation;
- ☐ Sets socio-economic development thrusts to achieve the vision of the provincial government;
- ☐ Has broad allocation of land use;
- ☐ Specifies development targets and strategies;
- ☐ Has a financing scheme as an integral component of the plan; and
- ☐ Has monitoring and evaluation as an integral component of the plan.

- ☐ Incorporate development projects on culture and the arts in the short- and long-term provincial development plan [DILG MC No. 95-117, s. 1995];
- ☐ Lead the formulation or updating of the PDPFP [Rationalized Planning System Manual];
- ☐ Implement guidelines prescribing the time periods for the adoption, review and approval of the PDPFP of the province [DILG MC No. 02-30, s. 2002];
- ☐ Seek assistance from HLURB or directly contract the services of private technical experts or consultants to ensure transparency and to fast track the updating of the PDPFP [DILG MC No. 01-76, s. 2001];
- ☐ Ensure the full implementation of the Seal of Good Local Governance in the province and the preparation of the State of Local Governance Report, which utilizes the Governance Assessment Report (GAR) [DILG MC No. 2018-49];
- ☐ Ensure that the annual budget has funds to address human trafficking [DILG MC No. 05-26, s. 2005; DILG MC No. 06-172, s. 2006];
- ☐ Integrate indigenous people's rights and concerns within the framework of Gender and Development [DILG MC No. 05-34, s. 2005];
- ☐ Implement Section 16, R.A. 8371, which mandates that indigenous peoples be represented in local legislative bodies;
- ☐ Have the records of all inhabitants in component barangays maintained and updated [DILG MC No. 05-69, s. 2005]; and
- ☐ Establish a provincial archival system [Section 373, LGC].

#### **Characteristics of a Provincial Archival System**

- ☐ Quantitative and qualitative information;
- ☐ Complete and updated information;
- ☐ Sex- and age-disaggregated data;
- ☐ Information is easy to retrieve and available to users upon request; and
- ☐ Data is accessible through electronic means.

## Revenue Generation

- ☐ Establish and update the provincial revenue management information system [Section 17 (b) (3) (x), LGC; DILG MC No. 98-51, s. 1998]
- ☐ Formulate and update the Comprehensive Revenue Generation Plan
- ☐ Ensure that all taxes and other revenues due the provincial government are collected [Section 465 (b) (3) (iii), LGC]. For this purpose, create a task force that will study and recommend measures and strategies that will improve the collection of local revenues;

### Characteristics of a Comprehensive Revenue Generation Plan

- ☐ Sets provincial revenue policy directions and helps provincial financial generation managers in monitoring accomplishments, lapses and misses in revenue based on specific targets stipulated in the Plan;
- ☐ Contains all strategies that the provincial government has to undertake to yield the estimated amount of revenues to be collected every fiscal year;
- ☐ Identifies provincial government personnel responsible for each strategy, program or task to be undertaken during a particular period;
- ☐ Includes the projected or estimated amount of revenues to be generated from out of each potential source of revenue;
- ☐ Serves as the basis in updating the Revenue Code; and
- ☐ Has a monitoring and evaluation component.

- ☐ Issue a permit to extract sand, gravel and other quarry resources only in accordance with an ordinance, the proceeds of which shall be shared as follows: 30% to the province; 30% to the municipality or city; and 40% to the barangay where such materials are extracted [Section 138, LGC];
- ☐ Strictly implement withholding tax laws and regulations, and advise all officers in charge of withholding taxes that failure to comply with the said requirements is subject to administrative and penal liabilities [DILG MC No. 99-151, s. 1999; Revenue Memo Order 14-98; Revenue Memo Order No. 70-98];
- ☐ Lift the collection of real property taxes, special levies and other forms of exaction within lands certified as ancestral domain areas [DILG MC No. 04-41, s. 2004];
- ☐ Institute administrative or judicial proceedings for violation of ordinances in the collection of taxes, fees or charges, and for the recovery of funds and property [Section 465 (b)(3) (vii), LGC]; and
- ☐ Review the assessment of real properties in the province for the proper imposition of the real property tax.

### ***Resource Allocation and Utilization***

- ☐ Require each head of office or department to prepare and submit an estimate of appropriations for the ensuing year on or before the 15th of July [Section 465 (b) (3) (i), LGC];
- ☐ Have the executive budget for the ensuing year prepared and submitted to the Sangguniang Panlalawigan not later than the 16th day of October of the current fiscal year [Section 318, LGC];

### Qualities of an Executive Budget

- ☐ Participatory in its formulation;
- ☐ Responsive to the budgetary requirements of the provincial government plans, programs and projects;
- ☐ Satisfies statutory and contractual obligations [Section 324 (b), LGC];
- ☐ Balanced. Total appropriations covering the operating expenditures and capital outlays do not exceed the estimated income [Section 324 (a), LGC]; and

- ☐ **Approved within the prescribed period.** Prioritize funding or resource allocation to devolved projects, services and facilities particularly those that affect health, agriculture, social welfare and environmental and other devolved functions [DILG MC No. 95-14, s. 1995; Sec.17, LGC];

### Other Considerations in the Preparation of the Executive Budget

- ☐ Debt servicing appropriation – 20% or less of the regular income [Section 324 (b), LGC];
- ☐ Aid to component barangays – at least ₱1,000 per barangay [Section 324 (c), LGC];
- ☐ Annual lump sum appropriation for unforeseen expenditures arising from the occurrence of calamities – 5% of the estimated revenue from regular sources [Section 324 (d), LGC];
- ☐ Development projects appropriation – at least 20% of the provincial annual IRA [Section 287, LGC];
- ☐ Personal services appropriations – 45% or less for the 1st-3rd class provinces, and 55% or less for the 4th-6th class provinces [Section 325 (a), LGC]; and
- ☐ Appropriations for discretionary purposes – 2% or less of the actual receipts derived from basic real property tax in the preceding calendar year [Section 325 (h), LGC].

- ☐ Establish a Persons with Disability Affairs Office (PDAO). [DILG MC No. 2017-119];
- ☐ Call for the provision of funds in the implementation of ELA [DILG MC No. 04-64, s. 2004];
- ☐ Establish and allocate funds for senior citizens and day care centers [DILG MC No. 98-102, s. 1998];
- ☐ Ensure that appropriations for social welfare services are optimally utilized and are supportive of the poverty alleviation thrust of the government [DILG MC No. 02-19, s. 2002];
- ☐ Follow government policy on austerity and economy measures [DILG MC No. 00-13, s. 2000; AO No. 339]; and
- ☐ Allocation of 1% IRA for strengthening of the programs, projects and activities (PPAs) of the Local Council for the Protection of Children (LCPC) (RA 9344 and DILG MC NO 2012-120).

### ***Financial Accountability***

- ☐ Ensure the effectiveness of the Internal Control System;
- ☐ Establish an effective Financial Management System;

#### **Qualities of an Internal Control System**

- ☐ Clear signing authorities;
- ☐ Clear delineation of duties, responsibilities and accountabilities;
- ☐ Accurate and timely recording of transactions;
- ☐ Regularly inventoried supplies and assets; and
- ☐ Promptly resolved audit findings.

- ☐ Represent the province in its business transactions and sign on its behalf all bonds, contracts, obligations, and other documents, upon the authority of the Sangguniang Panlalawigan, pursuant to law or ordinances [Section 465 (b) (1) (vi), LGC];

### **Characteristics of an Effective Financial Management System**

- ☐ Relevant management tools are available;
- ☐ Financial management information system is automated;
- ☐ Monthly financial reports are available;
- ☐ Annual financial statements are submitted on or before February 14;
- ☐ Accounting records are supported by source documentation;
- ☐ Accountable financial officers are identified and their responsibilities are clear;
- ☐ Disbursements are made pursuant to law, the annual or supplemental appropriation;
- ☐ Sanctions for erring provincial government personnel regarding financial transactions are clear and enforced, for example, unliquidated cash advances; and
- ☐ Information about the procedures when transacting with the provincial government is available via various media.

- ☐ Provide efficient and effective property and supply management in the province; and protect the funds, credits, rights and other properties of the province [Section 465 (b) (3) (vi), LGC]; and
- ☐ Implement the 30-day time standard prescribed under EO No. 258 for the issuance of development permits for housing projects, consistent with the PDPFP and investment programs [DILG MC No. 00-136, s. 2000]. This has to be further reviewed in the light of R.A. 11032.

### ***Customer Service***

- ☐ Ensure the effectiveness of customer service.

#### **Characteristics of an Effective Customer Service**

- ☐ Response time to written inquiries is 3 working days for simple transactions, 7 for complex ones and no longer than 20 working days for highly technical transactions Inquiry desk is staffed during business hours;
- ☐ A system to track all action on customer inquiries is in place; and
- ☐ A communication system such as telephone, SMS, and radio for customer access to provincial government officials during business hours is available.

### ***Human Resource Management and Development***

- ☐ Formulate and implement a Provincial Human Resource and Development Program [PD No. 284; DILG MC No. 96-171, s. 1996]; and



### Characteristics of an Effective Provincial Human Resource Management and Development Program

- ☐ Human Resource Planning
- ☐ Recruitment and Selection
- ☐ Performance Evaluation
- ☐ Human Resource Development
- ☐ Career Development
- ☐ Incentives and Awards System
- ☐ Grievance Committee

- ☐ Ensure that there is an effective system for human resource recruitment, evaluation, promotion, and grievance system.

### Characteristics of an Effective Human Resource Recruitment, Evaluation, Promotion, and Grievance System

#### Recruitment

- ☐ **Participatory** – Allows the participation of employee representatives and other individuals in the selection process;
- ☐ **Relevant** – Responds to the existing needs of the organization or office where a vacancy exists as defined in the Provincial Human Resource Management and Development Plan;
- ☐ **Transparent** - Provides for a mechanism to ensure that documents as well as processes are available for public observation and reference;
- ☐ **Just** – Takes into account the protection of the interests and rights of provincial employees, both current and prospective, as well as the organization;
- ☐ **Gender-Sensitive** – Gives equal opportunity to both men and women; and
- ☐ **Legal** – Follows existing laws or guidelines on personnel recruitment and selection.

### Evaluation

- ☐ Formal performance appraisal is conducted at least twice a year for all employees

### Promotion

- ☐ Promotions are linked to performance review and the search for most qualified employees

### Grievance System

- ☐ **Gender-Sensitive** – Promotes sensitivity to the needs of both men and women.
- ☐ **Just** – Takes into account the protection of the interests and rights of current and prospective employees as well as the organization
- ☐ **Legal** – Follows existing laws or guidelines as prescribed by the Civil Service Commission

## ***Other Human Resources Management Responsibilities***

- ☐ Act on leave applications of provincial officials and employees and the commutation of the monetary value of leave credits [Section 465 (b) (1) (xiv), LGC];
- ☐ Authorize official trips of officials and employees outside of the province for a period not exceeding 30 days [Section 465 (b) (1) (xv), LGC];
- ☐ Subject to the availability of funds, authorize the payment of medical care, necessary transportation, subsistence, hospitalization or medical fees of provincial officials and employees who are injured while in the performance of their official duties and functions [Section 465 (b) (1) (xvii), LGC]; and
- ☐ Ensure that occupational, health and safety, sanitation and environmental conditions in the workplace of Provincial Government workers are made available and are adequately maintained through a regular annual mental, physical and medical check-up; clean and adequate comfort rooms, potable water, safe building or office facilities; and safety measures against fire and other hazards [DILG MC No. 98-54, s. 1998].

## LOCAL SOCIAL GOVERNANCE

### *Health and Nutrition*

- ☐ Ensure the effectiveness of the Provincial Health Board;

#### **Qualities of an Effective Provincial Health Board**

- ☐ Composition is in accordance with Section 102 of R.A. No. 7160;
  - ☐ Able to propose to the Governor and the Sangguniang;
  - ☐ Panlalawigan annual budgetary appropriations for the operation and maintenance of health facilities and services within the province;
  - ☐ Able to provide advice to the Governor and the Sangguniang Panlalawigan on health matters such as the need for, and application of, provincial appropriations for public health purposes;
  - ☐ Has created committees capable of advising provincial health offices or units on personnel selection and promotion, bids and awards, grievance and complaints, personnel discipline, budget review and operations review; and
  - ☐ Meets at least once a month, or as often as may be necessary.
- 
- ☐ Provide for tertiary health services and facilities such as hospitals [Section 17 (b) (3) (iv), LGC];
  - ☐ Include Voluntary Blood Donation Services in the Provincial Work and Financial Plan and as an additional function of the Provincial Health Board [DILG MC No. 99-133, s. 1999; DILG MC No. 99-66, s. 1999]; and
  - ☐ Support the implementation of the comprehensive and unified policy for tuberculosis control and tap or solicit the assistance of the private sector involved in health care services to do the same [DILG MC No. 03-93, s. 2003].

## Education

- ☐ Ensure the effectiveness of the Provincial School Board;

### Characteristics of an Effective Provincial School Board

- ☐ The composition is in accordance with Section 98 of R.A. No. 7160;
- ☐ Able to determine the annual supplementary budgetary needs and the supplementary provincial cost of meeting such needs, as laid out in the form of an annual school board budget;
- ☐ Able to ensure that the annual school board budget prioritizes PPAs prescribed under R.A. No. 7160 or public policy issued by other competent authorities;
- ☐ Able to provide advice to the Sangguniang Panlalawigan on educational matters such as the need for and the uses of provincial appropriations for educational purposes;
- ☐ Passed a Board Resolution authorizing the provincial treasurer to disburse funds from the Special Education Fund pursuant to the approved annual school board budget; and
- ☐ Meets at least once a month, or as often as necessary.

- ☐ Ensure the optimal utilization of the Special Education Fund [Section 99 (c), LGC]; and
- ☐ Construct classrooms and school buildings.

## Housing and Basic Utilities

- ☐ Ensure the effectiveness of the Provincial Housing Board or Housing Task Force or coordinator for housing;

### **Characteristics of an Effective Provincial Housing Board, Housing Task Force, or Coordinator for Housing**

- ☐ Create a database containing an inventory of provincial government lands suitable for socialized housing and target beneficiaries
  - ☐ Formulate a Socialized Housing Program for the underprivileged
  - ☐ Provide technical advice on socialized housing matters to the Sangguniang Panlalawigan or to the Provincial Development Council
  - ☐ Coordinate with housing agencies or instrumentalities in furtherance of the Socialized Housing Program of the province
  - ☐ Mobilize NGOs or business community in support of the Socialized Housing Program of the province
  - ☐ Meet at least once a month or as often as necessary
- ☐ Submit to competent authorities a report on lands identified for socialized housing and resettlement areas [DILG MC No. 01-21, s. 2001];
  - ☐ Provide low-cost housing and mass dwellings [Section 17 (b)(3)(viii), LGC];
  - ☐ Ensure the quality of the socialized housing program; and

### **Characteristics of an Effective Socialized Housing Program**

- ☐ Formulation and implementation is participatory;
- ☐ Specific sites for single-detached housing, clustered housing or mass dwelling are identified;
- ☐ Individual home lots for single-detached housing or clustered housing are identified;
- ☐ Basic services and utilities are integral components of the program;

- ☐ Current and future housing or dwelling needs of the underprivileged are addressed;
- ☐ Consistent with other provincial government plans;
- ☐ Financing scheme is an integral component of the program; and
- ☐ Monitoring and evaluation is an integral component of the program.

- ☐ Facilitate the provision of technical, financial and other forms of support or assistance to punong barangays within the province to ensure that the problem of squatting is properly addressed [DILG MC No. 98-202, s. 1998].

### ***Peace, Security and Disaster Risk Management***

- ☐ Act in accordance with the PNP Reorganization Act, which states that the Governor is the deputized representative of the National Police Commission in the province [Section 64, R.A. 8551];
- ☐ Take the lead in efforts to address peace and order and public safety concerns in the province [DILG MC No. 03-101, s. 2003];

#### **Characteristics of an Effective Provincial Peace and Order Council**

- ☐ Composition is in accordance with the provisions of Executive Order No. 309, s. 1988, as amended;
- ☐ Able to formulate or update the Peace and Order and Public Safety Plan, which contains measures aimed at improving peace and order and public safety in the province;
- ☐ Able to monitor the implementation of peace and order programs and projects, and to address problems by itself or through other competent authorities using an effective referral system; and
- ☐ Able to undertake a periodic assessment of the prevailing peace and order situation in the province.

- ☐ Has organized a secretariat to provide technical support in preparing or updating the Integrated Area/Community Peace and Order and Public Safety Plan; implementing and monitoring the operations of the Peace and Order Council in conducting inter-agency dialogues on problems and issues affecting peace and order, and in the performance of other functions as required by the council
- ☐ Meets at least once every quarter or as often as necessary

- ☐ Ensure the effectiveness of the Provincial Peace and Order Council [DILG MC No. 2015-130];
- ☐ Formulate and implement the provincial peace and order and public safety plan [Section 465 (b) (2) (v), LGC];

#### **Qualities of a Peace and Order and Public Safety Plan**

- ☐ Participatory in its formulation;
  - ☐ Objectives, whether general or specific, address peace and order and public safety problems in the province;
  - ☐ Key activities to achieve such objectives are logical;
  - ☐ Timelines are provided for each key activity;
  - ☐ Responsibilities are delineated relative to the implementation of key activities;
  - ☐ Financing scheme is an integral component of the plan; and
  - ☐ Monitoring and evaluation is an integral component of the plan.
- ☐ Dispel the public perception that illegal gambling thrives because provincial and police officials either tolerate or connive with gambling lords. Do this by being unrelenting in the campaign against jueteng and by adopting a concrete action plan against illegal gambling [DILG MC No. 02-105, s. 2002; DILG MC No. 01-161, s. 2001; PM dated 01 August 2000; DILG MC No. 00-98, s. 2000; DILG MC No. 98-227, s. 1998; DILG MC No. 97-35, s. 1997];

- ☐ Ensure the effectiveness of the Provincial Disaster Risk Reduction and Management Council R.A. 10121;

### **Characteristics of an Effective Provincial Disaster Risk Reduction and Management Council**

- ☐ Composition is in accordance with the provisions of R.A. 10121, entitled “An Act Strengthening the Philippine Disaster Risk Reduction and Management System, Providing for the National Disaster Risk Reduction and Management Framework and Institutionalizing the National Disaster Risk Reduction and Management Plan, Appropriating Funds Therefor and for Other Purposes.”;
- ☐ Able to formulate or update the Disaster Risk Reduction;
- ☐ Management Plan, indicating the risk areas vulnerable groups, relocation sites, strategies in mitigation, preparedness, response and rehabilitation, community early warning system, support systems, and the necessary budgetary appropriations;
- ☐ Can approve, monitor and evaluate the implementation of the Provincial Disaster Risk Reduction and Management Plan (PDRRMP) and regularly review and test the plan consistent with other national and local planning programs;
- ☐ Integrates disaster risk reduction and climate change adaptation in local development plans, programs and budgets as a strategy in sustainable development and poverty reduction; and
- ☐ Can convene the local council once every three months or as necessary.



- ☐ Include the following thematic areas in the Provincial Disaster Risk Reduction and Management Plan:
  - Disaster Prevention and Mitigation
  - Disaster Preparedness
  - Disaster Response
  - Disaster Rehabilitation and Recovery

#### **Qualities of a Provincial Disaster Preparedness Plan**

- ☐ Participatory in its formulation;
  - ☐ Contains information about the following: risk areas, vulnerable groups, relocation sites strategies in the support systems and their roles or responsibilities, required mitigation, preparedness, response, and rehabilitation, community early warning budgetary appropriations to implement the plan; and
  - ☐ Monitoring and evaluation is an integral component of the plan.
- ☐ Ensure that an updated Provincial Disaster Management Plan is submitted to the National Disaster Risk Reduction and Management Council not later than the first quarter of every year [DILG MC No. 98-94, s. 1998];
  - ☐ Implement emergency measures during and in the aftermath of human-induced and natural calamities [Section 465 (b) (1) (vii), LGC];
  - ☐ Protect the fundamental rights of children before, during and after disasters and other emergencies when children are gravely threatened or put in danger by circumstances that affect their survival and normal development (R.A. 10821 or the Children's Emergency Relief and Protection Act). DILG MC 2018-196 provides for the localization of the Comprehensive Emergency Program for Children (CEPC) in the province. The creation of an Ad Hoc Committee that would help analyze the situation of children and eventually assist in crafting a local CEPC is much desired; and
  - ☐ Create a Command Operation Center during calamities, emergencies and disaster.

## Children

- ☐ Lead the implementation of all children's programs through the Provincial Council for the Protection of Children [DILG MC 05-95, s. 2005];
- ☐ Support the campaign and advocacy for the elimination of child labor [DILG MC No. 98-81, s. 1998];
- ☐ Promote the general welfare and safety of children, and ensure that their rights are being protected (PD 603 Child and Youth Welfare Code of the Philippines, United Nations Convention on Rights of Children);
- ☐ Presentation of the Local State of Children Report or "State of the Children's Report" (DILG MC No 2009-106);
- ☐ Consider doing children's congress where children and youth present and recommend ways to improve their welfare. Topics that can be discussed during this activity are child rights awareness and promotion, and ways children can participate in government planning and program implementation;
- ☐ Ensure the protection of the fundamental rights of children before, during, and after disasters and other emergency situations when children are gravely threatened or endangered by circumstances that affect their survival and normal development.
  - o RA 10821 or the Children's Emergency Relief and Protection Act, mandates the provision of emergency relief and protection for children before, during, and after disasters and other emergency situations.
  - o The Comprehensive Emergency Program for Children or CEPC is the Philippines' primary guiding document in handling disasters and emergency situations brought about by natural and human-induced elements with the aim of protecting children, pregnant and lactating women and support their immediate recovery.
  - o Creation of the Ad Hoc Committee to develop the Local CEPC thru issuance of an Executive Order and Initial Analysis of the Situation of children before, during and after disaster and Development of Local CEPC (referring to DILG Memo No. 2018 – 196).

## Characteristics of an Effective Women's and Children's Protection Program

- ☐ Participatory in its formulation
- ☐ Children's and women's desk is regularly manned by a competent female police officer
- ☐ Quick response team is in place and can be mobilized on short notice
- ☐ IEC campaign against domestic violence and on women's and children's protection and rights is a part of the program
- ☐ Monitoring and evaluation is an integral component of the plan

## *Updates On Other Matters (Levy, Imposition and Collection of Illegal Fees or Charges)*

- o Do not enforce a current ordinance that authorizes the levy of fees and taxes on inter-province transport of goods, regulatory fees from passengers in local ports, and other additional taxes, fees or charges in any form upon transporting goods and passengers (DILG MC No. 2006 70, s. 2006);
- o Call for the repeal of ordinances authorizing the levy and collection of fees, taxes and other charges on transporting goods and passengers carried into or out of, or passing through, the territorial jurisdiction of the local government unit (Sec. 133 (e), LUC); (DILG MC No. 2006-70, s. 2006);
- o Adhere to the fundamental principles, limitations, and requisites of the taxing powers of local government units (DILG MC Nos. 2009-42 and 2009-76, s. 2009); and
- o Rectify defective tax ordinances charging fees on passing through vehicles, especially those carrying agricultural goods and products (DILG MC Nos. 2009-42 and 2009- 76 s. 2009).

### ***Updates on the Duty to Intensify Action Against Illegal Drugs***

- o Ensure the mandatory inclusion in the Annual Local Budget of a substantial appropriation for the enforcement of R.A. 9165, giving priority to preventive or educational programs and the rehabilitation or treatment of drug dependents;
- o Ensure that the provisions of Sections 51-53 of R.A. 9165 are strictly and faithfully enforced;
- o Initiate the formulation of prevention and rehabilitation programs;
- o Initiate the conduct of symposia and dialogues with school authorities and students, owners and employees of business establishments, government officials and employees and the general public;
- o Ensure the sustainability of a rehabilitation or treatment program for drug dependents;
- o Call for the enactment of an ordinance complementing the Comprehensive Drugs Act of 2002, if none has been passed, or to amend the same, to be consistent with the pertinent provisions of the Act, and ensure its effective enforcement;
- o Ensure that the Anti-Drug Abuse Councils at all levels perform their functions and responsibilities as embodied in relevant Department issuances (DILG MC No. 2009-09, s. 2009);
- o Call on the local PNP, pursuant to the local chief executive's power of operational supervision and control over the local PNP under Section 51(2) of R.A. 6975, as amended by Section 62 of R.A. 8551, to conduct periodic or unannounced onsite inspection of dens, resorts, bars, karaoke bars, night clubs and other establishments or houses suspected of being used as drug dens or place of sale or delivery of illegal drugs;
- o Ensure that the Administrative Board under Section 52 (1) of R.A. 9165 is created, functional and faithfully performs its mandated task to abate nuisances contemplated under the said provision of R.A. 9165;
- o Revoke the business permit of any business establishment found by the Board to be the site of delivery, sale, and use of illegal drugs and substances;

- o Provide support, financial or otherwise, to the local PNP for its sustained operations against illegal drugs; and
- o Ensure that the component cities and municipalities act within the scope of their authorities pursuant to the local chief executive's power of general supervision over component cities and municipalities per Sec. 32 of the LGC.

## LOCAL ECONOMIC GOVERNANCE

### *Agriculture and Fisheries Development*

- ☐ Include programs and projects related to fish and aquatic resources management in the provincial development plan [DILG MC No. 01-131, s. 2001];
- ☐ Call for the enactment and implement a legislative measure in support of the objectives of the Philippine Agricultural Engineering Act of 1998 [DILG MC No. 01-25, s. 2001];
- ☐ Provide infrastructure facilities that serve the needs of residents [Section 17 (b) (3) (vii), LGC];
- ☐ Facilitate the provision of agricultural extension and on-site research services and facilities such as the following:
  - ☐ Plant and animal pests and disease prevention and control;
  - ☐ Dairy farm;
  - ☐ Livestock market;
  - ☐ Animal breeding station;
  - ☐ Artificial insemination center; and
  - ☐ Assistance in the organization of cooperatives of farmers and fisherfolks [Section 17 (b) (3) (i), LGC].

### **Qualities of a Provincial Government Agricultural Extension and On-site Research Services and Facilities**

- ☐ Relevant to the needs of farmers and fisherfolk;
- ☐ Delivered or provided promptly to farmers or fisherfolk; and
- ☐ Accepted by farmers or fisherfolk.

### ***Entrepreneurship, Business and Industry Promotion***

- ☐ Provide investment support services [Section 17 (b) (3) (ix), LGC];
- ☐ Ensure that infrastructure facilities are in place to serve the needs of residents and to promote business opportunities [Section 17 (b) (3) (vii), LGC]; and
- ☐ Establish a Local Economic and Investment Promotion Office (LEIPO) and designate a LEIPO Officer.

### **Ensure that the following basic infrastructure and facilities in business and industry zones are available:**

- ☐ Physical infrastructure such as roads, bridges or ports;
  - ☐ Communications infrastructure whether landline or mobile;
  - ☐ Power infrastructure; and
  - ☐ Financial infrastructure such as banks.
- 
- ☐ Ensure the quality of the Provincial Investment and Incentive Code;
  - ☐ Lead programs for tourism development and promotion [Sec 17 (b) (3) (xii), LGC; DILG MC No. 95-162, s. 1995]; and

### Qualities of a Provincial Investment and Incentive Code

- ☐ Participatory in its formulation;
  - ☐ Identifies priority investment areas;
  - ☐ Provides fiscal and non-fiscal incentives;
  - ☐ Rules and procedure are clear and facilitate investment; and
  - ☐ Supports the provincial economic agenda.
- ☐ Develop and implement a livelihood assistance program for victims of human trafficking [DILG MC No. 06-172, s. 2006; DILG MC No. 05-26, s. 2005].

## LOCAL ENVIRONMENTAL GOVERNANCE

### *Natural Resources Management*

- ☐ Adopt adequate measures and standards to safeguard and conserve land, mineral, marine, forest and other natural resources of the province, in coordination with the mayors of component cities and municipalities [Section 465 (b) (3) (v), LGC];

### Qualities of a Provincial Government-NGO Partnership or Provincial Government-PO Partnership for the Management of Natural Resources

- ☐ Formalized through a Memorandum of Agreement or a Sangguniang Panlalawigan resolution;
- ☐ Decisions or actions mandated in the Memorandum of Agreement are implemented by all signatory-stakeholders;
- ☐ Information about decisions made or actions undertaken is made available to all stakeholders;
- ☐ Community-based and community-focused environmental management monitoring is in place, with the results made available to all stakeholders; and
- ☐ Stakeholder dialogues or consultations are regularly undertaken.

- ☐ Enforce forestry laws relative to community-based forestry projects, pollution control law, small-scale mining law and other laws on the protection of the environment, and cause the development of mini-hydro-electric projects, as may be necessary [Section 17 (b) (3) (iii), LGC]; and
- ☐ Support the Anti-Illegal Logging Campaign [DILG MC No. 98-203, s. 1998].

## ***Waste Management***

- ☐ Ensure the effectiveness of the Provincial Solid Waste Management Board;
- ☐ Prepare and implement the Provincial Solid Waste Management Plan [DILG MC No. 01-48, s. 2001]; and

### **Characteristics of an Effective Provincial Solid Waste Management Board**

- ☐ Composition is in accordance with R.A. No. 9003;
- ☐ Able to formulate a 10-year SWM Plan and approved by the National Solid Waste Management Commission;
- ☐ Able to develop specific mechanics and guidelines for the implementation of the SWM Plan;
- ☐ Able to coordinate the efforts of its component barangays in the implementation of the SWM Plan;
- ☐ Able to recommend measures and safeguards against pollution and for the preservation of the natural ecosystem;
- ☐ Able to adopt measures to promote and ensure the viability and effective implementation of SWM programs in component barangays;
- ☐ Able to review the SWM Plan for purposes of ensuring its sustainability, viability, effectiveness and relevance in relation to local and international developments in the field of solid waste management;
- ☐ Able to adopt specific revenue-generating measures to promote the viability of the SWM Plan;



- ☐ Able to recommend to local authorities measures for franchise or build-operate transfer (BOT) agreements with recognized institutions, to provide either exclusive or non-exclusive authority for the collection, transfer, storage, processing, recycling or disposal of solid waste;
- ☐ Able to monitor the implementation of the SWM Plan in cooperation with the private sector and NGOs; and
- ☐ Meets regularly to plan and coordinate the implementation of the SWM Plan.

- ☐ Enforce measures to protect the integrity of the environment

**Ensure that the Provincial Solid Waste Management Plan contains the following:**

- ☐ Waste amount and characterization – Constituent materials are identified by volume, a percentage in weight or its volumetric equivalent, material type and source of generation;
- ☐ Collection and Transfer – Defines and identifies specific strategies and activities to be undertaken by component barangays relative to the effective collection and transfer of solid wastes, to include the establishment of a materials recovery facility;
- ☐ Processing – Defines the methods and the facilities required to process the solid wastes, including the use of intermediate treatment facilities for composting, recycling, conversion, and other waste processing systems;
- ☐ Source Reduction – Includes a program and implementation schedule that shows the source reduction methods;
- ☐ Recycling – Includes a program and implementation schedule that shows recycling methods;
- ☐ Composting - Consists of the program and implementation schedule that shows composting methods; and
- ☐ Solid Waste Capacity and Final Disposal – identifies existing and proposed disposal sites and waste management facilities in the city or municipality or in other areas.

## ROLE OF LGUs IN CLIMATE CHANGE AND VARIOUS ENVIRONMENT ISSUES

### ***R.A. 9729 (Climate Change Act of 2009)***

**Sec. 14. Local Climate Change Action Plan.** — The LGUs shall be frontline agencies in the formulation, planning and implementation of climate change action plans in their respective areas, consistent with the provisions of the Local Government Unit, the Framework and the National Climate Change Action Plan.

Barangays shall be directly involved with municipal and city governments in prioritizing climate change issues and in identifying and implementing best practices and other solutions. Municipal and city governments shall consider climate change adaptation, as one of their regular functions.

Provincial governments shall provide technical assistance, enforcement and information management in support of municipal and city climate change action plans. Inter-local government unit collaboration shall be maximized in the conduct of climate-related activities.

LGUs shall regularly update their respective action plans to reflect changing social, economic, and environmental conditions and emerging issues. The LGUs shall furnish the Commission with copies of their action plans and all subsequent amendments, modifications and revisions thereof, within one (1) month from their adoption. The LGUs shall mobilize and allocate necessary personnel, resources and logistics to effectively implement their respective action plans.

The local chief executive shall appoint the person responsible for the formulation and implementation of the local action plan.

It shall be the responsibility of the national government to extend technical and financial assistance to LGUs for the accomplishment of their Local Climate Change Action Plans.

The LGU is hereby expressly authorized to appropriate and use the amount from its Internal Revenue Allotment necessary to implement said local plan effectively, any provision in the Local Government Code to the contrary notwithstanding.

## **Memorandum Circular 2009-168 (October 27, 2009)**

All Local Chief Executives are directed to strictly comply with the mandate of Republic Act No. 9003 (Ecological and Solid Waste Management Act of 2000), especially on the establishment of solid waste and materials recovery facilities, to wit:

### **Solid Waste Facility**

- o Closure of existing dump sites.
- o Development and operation of sanitary landfill sites as final disposal sites for solid wastes, and, eventually, residual wastes of a municipality or city or a cluster of municipalities or cities.

Pursuant to Section 44 of the Act, in relation to Section 33 of the Code, provinces, cities, municipalities, and barangays, through appropriate ordinances, may consolidate, or coordinate their efforts, services, and resources for purposes of jointly addressing common solid waste management problems or establishing common waste disposal facilities

### **Materials Recovery Facility**

- o Establishment of LGU Materials Recovery Facility (MRF) in every barangay or cluster of barangays in a barangay owned or leased land or in any suitable open space to be determined by the barangay through its Sanggunian.
- o Allocation of a parcel of land by the barangay or cluster of barangays for the MRF.

The MRF includes a solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility. Memorandum (June 2, 2009) Re: Manila Bay Clean Up, Rehabilitation and Preservation Addressed to All Mayors of Metropolitan Manila, the Governors, City Mayors and Municipal Mayors of and in Rizal, Laguna, Cavite, Bulacan, Pampanga, and Bataan.

**In compliance with a Supreme Court EN BANC decision promulgated on December 18, 2008, said LGUs are hereby directed to:**

1. Immediately inspect all factories, commercial establishments, and private homes along the banks of major river systems, and other minor rivers and waterways that eventually discharge water into the Manila Bay, including lands abutting the bay, within our jurisdictions to determine whether they have wastewater treatment facilities or hygienic septic tanks as prescribed by existing laws, ordinances, and rules and regulations; and
2. Require non-complying establishments and homes to set up said facilities or septic tanks within a reasonable time to prevent industrial wastes, sewage water, and human wastes from flowing into these rivers, waterways, esteros, and the Manila Bay, under pain a closure or imposition of fines and other sanctions.

**Memorandum Circular No. 2008-69 (April 28, 2008)**

To address the various disaster concerns, all Local Chief Executives as Chairperson of the Local Disaster Risk Reduction and Management Councils are encouraged to:

- § Mainstream climate change adaptation and disaster risk reduction measures into local policies, plans, budgets and investment programs as a priority concern;
- § Promote research and extension work on climate change adaptation thru local research institutions, the academe and other relevant stakeholders;
- § Engage in PPAs particularly in land and water use, land use change and forestry, reducing emissions from deforestation and degradation, coastal zones and fisheries, industry, facilities, farming practices, and indigenous clean energy;
  - Encourage greater participation of the local media, inter-faith groups and local schools in disseminating information on climate change adaptation, within the overall framework of sustainable development, to local communities, at the grassroots level;

- Promote dialogues between workers and employers (when applicable) to realize the potential for green and decent jobs through positive support from workers and employers in the transition towards environmentally sustainable patterns of production and consumption; and
- Vigorously collaborate with the provincial government and the Regional Development Council to push for more aggressive emission reduction targets and expeditious implementation of adaptation PPAs that will ensure direct benefits to the local communities.

### **Memorandum Circular No. 2007-131 (October 2, 2007)**

All Local Chief Executives are encouraged to actively support the Philippine Clean Air Act of 1999 and the launching of the Linis Hangin Siudad/Munisipyo Program by adopting appropriate measures such as the following:

1. Issuance of city/municipal resolution or enactment of an ordinance on air pollution control
2. Inclusion of clean air policies in their local development plans.
3. Conduct of information campaign on the value smoke-free communities
4. Encouraging community leaders, civic organizations, religious organizations, and school institutions to support the campaign against air pollution in their localities actively.

## OTHER RELEVANT LAWS

### *Implementation of Other National Laws*

- ☐ Uphold and ensure the free exercise of the rights of the ICCs/ IPs in the province, if any, in accordance with the Indigenous Peoples Rights Act of 1997 [DILG MC No. 02-89, s. 2002];
- ☐ Enforce the Anti-Sexual Harassment Act of 1995, particularly the provisions stated in Section 4 and encourage the non-government sector in the province to adhere to the provisions of the said Act [DILG MC No. 01-37, s. 2001];
- ☐ Enforce the Firecrackers and Pyrotechnic Devices Regulatory Law [DILG MC No. 02-188, s. 2002];
- ☐ Encourage component local governments to be more active in monitoring prices of prime commodities, in preventing hoarding, and in enforcing the price tag law [DILG MC No. 06-58, s. 2006; DILG MC No. 92-47, s. 1992];
- ☐ Ensure strict compliance to the Consumer Act of the Philippines [R.A. No. 7394; DILG MC No. 92-47, s. 1992];
- ☐ Ensure the enforcement of R.A. No. 9287, otherwise known as An Act Increasing the Penalties for Illegal Numbers Games, and for Other Purposes [DILG MC No. 04-146, s. of 2004];
- ☐ Ensure compliance to Republic Act No. 9262, otherwise known as Anti-Violence Against Women and Their Children Act of 2004 [DILG MC No. 04-118, s. 2004];
- ☐ Support the implementation of the National Integrated Protected Areas System Act of 1992 and the Wildlife Resources Conservation and Protection Act [DILG MC No. 04-44, s. 2004];
- ☐ Implement the Barangay Micro Business Enterprise Law [DILG MC No. 03-69, s. 2003];
- ☐ Enforce the law to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women especially those in the marginalized sectors (R.A. 9710 or Magna Carta of Women);

- ☐ Adopt a disaster risk reduction and management approach that is holistic, comprehensive, integrated, and proactive in lessening the socio-economic and environmental impact of disasters, including climate change, and promote the involvement and participation of all sectors and stakeholders;
- ☐ Adopt the Philippine Plan of Action for Nutrition (PPAN) through its integration in the Comprehensive Development Plan (or the PDPFP in the case of provinces) and Local Development Investment Program (LDIP). [DILG MC No. 2018-42];
- ☐ Support the implementation of existing policies on Pre-Marriage Orientation and Counseling (PMOC) Program (DILG JMC No. 1 series 2018);
- ☐ Comply with R.A. No. 10354, otherwise known as “Responsible Parenthood and Reproductive Health (RPRH) Law” [DILG MC No. 2015-145]; and
- ☐ Support the implementation of the “First 1,000 Days” Law (Republic Act 11148) and “Masustansyang Pagkain para sa Batang Pilipino” (Republic Act No. 11037).

### 3

## Officer-in-Charge

### OIC-Governor Distinguished from Acting Governor

The post of Acting Governor is governed by Section 46 (a) of the Local Government Code (LGC) of 1991, while the post of OIC Governor is governed by section 46 (c) of the same Code.

When the Provincial Governor is temporarily incapacitated to perform his duties due to physical or legal reasons, such as but not limited to, leave of absence, travel abroad and suspension from office, the Provincial Vice Governor shall automatically exercise the powers and functions of the Governor, except the power to appoint, suspend, or dismiss employees, which can only be exercised if the period of temporary incapacity exceeds 30 working days.

In this case, the assumption by the Vice Governor as Acting Governor, even on the first day of temporary incapacity of the Provincial Governor, is automatic and done by operation of law. This means that no further order or appointment from the national government or any office is required. As Acting Provincial Governor, he can perform all the functions, power and duties of the Provincial Governor except the limitations provided for in cases of appointment, suspension or dismissal of employees. (Note: There exists a temporary vacancy in the Governor position, hence, the Acting Governor.)

On the other hand, Section 46 (c) of the LGC of 1991 deals with a situation where the Provincial Governor is traveling within the country but outside his territorial jurisdiction for a period of not exceeding three consecutive days. In such a case, he may designate in writing an OIC. Such designation shall specify the powers and functions that the local official concerned shall exercise in the absence of the Governor, except the power to appoint, suspend or dismiss employees.

In this case, it may be noted that the Provincial Governor can designate any official of the provincial government as OIC for three consecutive days while he is outside his territorial jurisdiction but within the country. It should be further noted that in case of designation of OIC, there is really no temporary vacancy to speak of in the Office of the Provincial Governor. The Provincial Governor may designate the Vice Governor or any member of the Sanggunian or any appointive official of the Province to act as OIC during his absence for three consecutive days. However, if



on the fourth day, the Provincial Governor failed to return to his station, Section 46 (d) of the same Code will now apply, in which case, the Vice Governor shall assume as Acting Governor on the fourth day of absence of the Provincial Governor even if the designation of an OIC was beyond three days. This has to be so because the designation as OIC is effective only for three days.

### **Who may be authorized to act as an OIC Provincial Governor?**

Section 46 (c) of the Local Government Code does not distinguish and thus, the Provincial Governor may designate in writing any Provincial Official to act as OIC during his absence for three days. The designation shall specify the powers and functions that the local official concerned shall exercise.

### **How shall an OIC Provincial Governor assume his functions?**

Concerning the OIC Provincial Governor, upon presentation of a valid designation in writing, he can assume as OIC in the Office of the Governor. [Sec. 46 (c), Local Government Code] Accordingly, he must issue a memorandum addressed to all officials and employees of the province of his designation as OIC.

With regard to Acting Provincial Governor, upon the occurrence of any event leading to the temporary incapacity of the Provincial Governor, either for physical or legal reasons, the Provincial Vice Governor automatically assumes as Acting Governor. [Sec.46 (a), LGC]. Accordingly, he has to issue a Memorandum, copy furnished depository banks, local DILG, and other national offices, informing all department heads and employees of the province of his assumption as Acting Governor and henceforth, all orders must emanate from him.

### **When shall an OIC Provincial Governor cease to act as such?**

An OIC Provincial Governor shall stop performing his or her functions as such on the fourth day of absence of the Provincial Governor. This has to be so because his designation as OIC is effective only during the three (3) consecutive days absence of the Provincial Governor, who is outside his jurisdiction but is within the country. On the fourth day of absence of the governor, the designation of OIC ceases to exist by operation of law and the Provincial Vice Governor shall now automatically assume as Acting Provincial Governor pursuant to Section 46 (d) of the Local Government Code.

### **May the Provincial Vice Governor, acting as Acting Provincial Governor, continue to preside over the session of the Sangguniang Panlalawigan?**

No more. In the case of *Gamboa vs. Aguirre* (G.R. No. 134213, July 20, 1999), the Supreme Court ruled that the Vice Governor, who is now acting as Acting Governor, cannot anymore continue to preside over the session as this would violate the principle of separation of powers and functions. The Vice Governor, in his capacity as Acting Governor, is expected to perform full-time executive functions which would include approval of ordinances. This pronouncement of the Supreme Court equally applies to cities and municipalities.

### **May the Provincial Vice Governor, if designated as OIC, continue to preside over the session of the Sangguniang Panlalawigan?**

Yes. The situation is different between the OIC and Acting. As earlier noted, in the acting capacity, there is a temporary vacancy in the Office of the Provincial Governor, while in OIC capacity, there is no temporary vacancy in the Office of the Provincial Governor. Moreover, OICs exercise only limited powers as may be contained in the letter-authorization designating them as such. Hence, if incidentally, the Provincial Vice Governor was the one designated as OIC, he can continue to preside over the session of the Sanggunian since the ruling in the *Gamboa* case will not apply.

As a mere OIC, he has no power to perform all the functions and powers of the Provincial Governor and more importantly, he is not empowered to approve ordinances. Such being the case, the violation of the separation of powers and functions is not present. Since, in any way, as OIC he has no authority to approve ordinances enacted by the Sanggunian, the Vice- Governor, designated as OIC, can continue to preside over the session of the Sangguniang Panlalawigan. If, however, the Governor failed to return on the fourth day, the Vice- Governor's OIC status will become Acting Governor, and therefore, he is already barred to preside the session.

### **May the Provincial Vice Governor, acting as OIC, appoint officials?**

No. Under CSC rules on appointment, an OIC cannot issue an appointment.



## ABOUT THE LOGO

The new logo takes its cue from the program's new focus on peace and resilience, articulated visually in the elements that build the lettermark itself. While the Newly Elected Officials concept is abbreviated to NEO to streamline brand recognition and recall, the individual components are sewn with graphic cues of people and nature to emphasize not only their inextricable relationship but to remind us whom development is for.

The letter N is an abstraction of two individuals forming a union, which affirms the communal character of peace- and resilience-building that requires a whole-of-nation approach. This clarifies the scope of NEO interventions as well: it frames local chief executives as key individuals situated in the system of local governance. Incidentally, the letter N also depicts leaves dancing in the wind, which strengthen the motif of nature and resilience in the NEO visual identity; and also signify meanings of calmness, tranquillity, and peace.

Meanwhile, the letter E is a visual metaphor to resilience – for the bamboo will not cease to stand tall and still even when the strongest wind tires itself out. Though often ascribed to how Filipinos bounce back stronger in the context of disasters, the metaphor remains potent in peace-building especially with the grit and indomitable spirit of Filipinos to choose hope during periods of threats and violence.

Lastly, the letter O contains a globe insignia to elicit a global character of excellence being pursued in local leadership and governance through the Program for NEO. It also depicts a pair of hands below the globe to evoke a sense of goodwill, support, and care. Overall, these visual elements generate the more grounded and communal visual identity of NEO, complemented with a cool shade of blue.

