

Program for



6TH
EDITION

A REFERENCE GUIDE TO ACTION
Tasks and Responsibilities

**SANGGUNIANG
PANLALAWIGAN**

Checklist

TASKS AND RESPONSIBILITIES
CHECKLIST:
A Reference Guide to Action

The Sangguniang Panlalawigan

6TH EDITION

**The Sangguniang Panlalawigan Tasks and Responsibilities
Checklist: A Reference Guide to Action**

6th Edition

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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.



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 that reads "Thelma T. Vecina".

THELMA T. VECINA

Executive Director

Local Government Academy

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ABBREVIATIONS

AFTA	ASEAN Free Trade Area
AICO	ASEAN Industrial Cooperation
BLGS	Bureau of Local Government Supervision
CEPC	Comprehensive Emergency Program for Children
CEPT	Common Effective Preferential Tariff
CICL	Children In Conflict with the Law
CLUP	Comprehensive Land Use Plan
CSC	Civil Service Commission
CSO	Civil Society Organization
DBM	Department of Budget and Management
DILG	Department of the Interior and Local Government
DOF	Department of Finance
DOH	Department of Health
E.O.	Executive Order
ECCD	Early Childhood Care and Development
E-CLIP	Enhanced Comprehensive Local Integration Program
ELA	Executive-Legislative Agenda
GAD	Gender and Development
GAR	Governance Assessment Report
GOCC	Government-Owned and Controlled Corporation
HUDCC	Housing And Urban Development Coordinating Council
ILHZZ	Inter-Local Health Zones
IRA	Internal Revenue Allotment
IRAP	International Road Assessment Programme
IRR	Implementing Rules and Regulations
LGC	Local Government Code of 1991
LGU	Local Government Unit
MBN	Minimum Basic Needs

MC	Memorandum Circular
MECO	Manila Economic and Cultural Office
NACAHT	National Action Committee on Anti-Hijacking And Anti-Terrorism
NCCAS	National Council for Civil Aviation Security
NGO	non-government organization
NHPC	National Health Planning Committee
NSO	National Statistics Office
OIC	Officer-In-Charge
OSY	out of school youth
PO	people's organization
PPA	Programs/Projects/Activities
PPFP	Provincial Physical Framework Plan
R.A.	Republic Act
SALN	Sworn Statements of Assets, Liabilities and Net Worth
SGLG	Seal of Good Local Governance
SLGR	State of Local Governance Report
SOCSKSARGEN	South Cotabato, Cotabato Province, Sultan Kudarat, Sarangani and General Santos
SP	Social Protection
SP	Sanggunian Panlalawigan
SPCPD	Southern Philippine Council for Peace and Development
SPDA	Southern Philippines Development Authority
TIN	tax identification number
UN	United Nations
ZO	zoning ordinance

Local Legislative power shall be exercised by the Sangguniang Panlalawigan (SP) as the legislative body of the provincial government (Sec. 48, LGC). The SP is responsible for enacting ordinances, approving resolutions, adopting the local development plan, approving the local investment programs, and appropriating funds for the operation of the province, its welfare and that of its inhabitants.

The Tasks and Responsibilities of the Sangguniang Panlalawigan, as presented in this publication, are grouped into priority actions that need to be undertaken in the first six months upon assumption to office; and continuing tasks that the different committees are required to undertake up to the completion of the term of SP members. An additional checklist is included as a guide for effective local legislation.

Part 1

Starting Up:

THE FIRST 6 MONTHS

Individual members of the Sanggunian

Each elected SP member must do the following:

FILE STATEMENT OF ASSETS AND LIABILITIES [Sec. 91, R.A. 7160]

Each SP member must file Sworn Statements of Assets, Liabilities and Net Worth (SALN), declare relatives in government service, disclose financial and business interests, and submit a personnel data sheet as required by law. The SALN shall be filed with the Deputy Ombudsman in their respective regions.

DISCLOSE FINANCIAL AND BUSINESS INTERESTS [Sec. 51, R.A. 7160]

Upon assumption to office, each SP member shall disclose his financial and business interests, which shall be made in writing and submitted to the secretary of the Sanggunian or the secretary of the committee of which he is a member.

TAKE AN OATH OF OFFICE [Sec. 92, R.A. 7160]

Upon assumption to office, each SP member shall subscribe to an oath or affirmation of office in the prescribed form, and file the same with the office of the local chief executive concerned.

ENHANCE KNOWLEDGE

Each SP member must enhance or update his knowledge of the Local Legislative Processes, Dynamics or Parliamentary Procedures, and the latest trends and jurisprudence in local legislation. The Local Legislative Toolkit, published by the BLGS-DILG, is a helpful reference material for local legislators.

- ❑ The Sangguniang Panlalawigan member must read Sec. 467 of the Local Government Code, particularly the powers, duties, and functions of the Sangguniang Panlalawigan.

Sanggunian Panlalawigan as a Legislative Body

The Sangguniang Panlalawigan, as a legislative body, shall undertake the following:

- ❑ **Organize and convene the following members of the Sangguniang Panlalawigan: [Section 467 (a), R.A. 7160]**
 - ◇ Vice Governor as the presiding officer;
 - ◇ Regular Sanggunian Panlalawigan members;
 - ◇ President of the Provincial Federation of the Liga ng mga Barangay; and
 - ◇ President of the Provincial Federation of Sangguniang Bayan and Sangguniang Panlungsod members.
- ❑ **Sangguniang Kabataan Provincial Federation President**
 - ◇ Sectoral Representatives
 - 1.) Indigenous Peoples representative (Sec. 16, R.A. 8371); and
 - 2.) Other sectoral representatives as may be provided for by the law.
- ❑ On the first regular session following the election of its members and within 90 days after that, the Sangguniang Panlalawigan shall adopt or update its existing rules of procedure (Sec. 50 (b), R.A. 7160).
- ❑ Create mandatory standing (or regular) committees, which shall include the following;
 - ◇ Committee on Appropriations;
 - ◇ Committee on Women and Family;
 - ◇ Committee on Human Rights;
 - ◇ Committee on Youth and Sports Development;
 - ◇ Committee on Environmental Protection;
 - ◇ Committee on Cooperatives; and
 - ◇ Committee on Rules and Privileges.

- Create other standing committees which may include the following:
 - ◇ Committee on Ordinances and Legal Matters;
 - ◇ Committee on Peace and Order and Public Safety;
 - ◇ Committee on Health and Social Welfare;
 - ◇ Committee on Agriculture;
 - ◇ Committee on Education and Culture;
 - ◇ Committee on Good Government, Public Ethics and Accountability;
 - ◇ Committee on Games and Amusement;
 - ◇ Committee on Trade, Commerce and Industry;
 - ◇ Committee on Public Works;
 - ◇ Committee on Housing and Land Utilization;
 - ◇ Committee on Barangay Affairs; and
 - ◇ Committee on People Participation and Empowerment that will primarily take charge of the registration and accreditation of civil society organizations (CSOs) and those related to private sector participation in local governance.

- Determine the general jurisdiction of each committee and the election of the chairman and members of each committee;
- Determine, through a resolution, the day, time and place of the Sanggunian's regular sessions;
- Prepare the order and calendar of business for each session;
- Prepare the sanggunian internal rules of procedure, which include the conduct of members during sessions, and other rules that the Sanggunian may adopt; and
- Maintain Legislative Offices and Staff Compliment.

The Sanggunian shall have the following:

- » Session Hall with appropriate fixtures and equipment;
- » Office of the Sanggunian Secretary;
- » Legislative offices for each Sanggunian member with proper fixtures and equipment; and
- » Staff complement of at least one legislative staff per member.

- Review and determine the powers and duties of officials and employees of the province, subject to the provisions of the LG Code and relevant laws [Section 468 (1) (vii), R.A. 7160].
- Review and determine the positions and salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from provincial funds [Section 468 (1) (viii), R.A. 7160].
 - Enact the appropriate ordinance to create the DRRMO including the allocation of necessary staffing/personnel and budget (Sec. 6, IRR of RA 10121).
- Enact the Annual and Supplemental Appropriations of the Provincial Government for specific programs, projects, services and activities that will promote the general welfare of the province and its inhabitants [Sec.468 (2) (i), R.A. 7160].
- Review and amend if necessary, existing ordinances levying taxes, fees and charges, prescribing such rates for general and specific purposes, and granting tax exemptions, incentives or reliefs [Section 468 (2) (ii), R.A. 7160].
- Review and amend if necessary, current rates for fees and charges being imposed for all services rendered by the Provincial Government to private persons and entities, as well as license fees for such other activities and approved for by the LG Code [Section 468 (3) (i) and (ii), R.A. 7160].
- Review other ordinances to determine if such issuances need to be amended or revised.

Part 2

Continuing tasks:

SETTING UP MANDATORY STANDING COMMITTEES

The Sanggunian is required to legislate actions on different areas of concerns continuously up to the end of the term of its elected members. The following are continuing tasks and responsibilities that the standing committees and other created committees shall undertake:

Mandatory Standing Committees

The Sanggunian, through a resolution, shall create the following mandatory standing (or regular) committees with the corresponding tasks and responsibilities:

Committee on Appropriations

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Local taxes, fees and charges;
- Loans and other sources of local revenues;
- Annual and supplemental budgets;
- Appropriation ordinances; and
- All other matters related to local taxations and fiscal administration.

Sample Committee Tasks

Propose legislation authorizing the payment of compensation to a qualified person not in the Government service who fills up a temporary vacancy, or grant honorarium to any qualified official or employee designated to fill a temporary vacancy in a concurrent capacity, at the rate authorized by law [Sec. 468 (a) 1-ix, R.A. 7160].

Propose legislation providing for additional allowances and other benefits to judges, prosecutors, public elementary, and high school teachers, and other national government officials stationed or assigned to the province when the finances of the Provincial Government allow [Sec. 468 (a) 1-xi, R.A. 7160].

Take appropriate legislative action to generate and maximize the use of resources and revenues for the development plans, program objectives and priorities of the province as provided for under section 18 of the LG Code of 1991.

- Evaluate or deliberate whether to authorize the Provincial Governor to negotiate and enter into a contract of loans and other forms of indebtedness [Sec. 468 (a) 2-iii] and submit its recommendation in the form of a Committee Report to the Sangguniang Panlalawigan.
- Evaluate or deliberate whether to authorize the floating of bonds or other instruments of indebtedness, to raise funds to finance development projects [Sec. 468 (a) 2-iv] and submit its recommendation in the form of a Committee Report to the Sangguniang Panlalawigan.
- Evaluate or deliberate whether to appropriate funds for the construction and maintenance or the rental of buildings for the use of the province, and authorize the provincial governor to lease to private parties such public buildings held in a proprietary capacity by the province; [Sec. 468 (a) 2-v] and submit its recommendation in the form of a Committee Report to the Sangguniang Panlalawigan.

Committee on Women and Family

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Women's welfare, rights and privileges;
- Women's organizations;
- Family welfare and family planning; and
- All other matters related to women and family.

Sample Committee Tasks

- Propose legislation creating a provincial steering committee to plan and implement programs and activities to ensure wider and more active participation of the private and public sectors in the nationwide observance of the Family Week on the last week of September of every year [DILG MC No. 96-148].
- Propose legislation creating or strengthening the Provincial Council for Women [DILG MC Nos. 2001-163, 2002-167 and 2006-125].
- Take appropriate legislative action to implement the provisions of R.A. 9262, otherwise known as the Anti-Violence Against Women and their Children Act of 2004 [DILG MC No. 04-118] and R.A.9710 otherwise known as Magna Carta of Women Propose legislation supporting maternity care.

Committee on Human Rights

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Prevention of human rights violation; and
- All other issues affecting human rights.

Sample Committee Tasks

Take appropriate legislative action to ensure compliance with Republic Act No. 7877 (Anti-Sexual Harassment Act of 1995), particularly the provisions stated in Section 4, and to encourage the nongovernment sector in the LGU to adhere to the provisions of the said act [DILG MC No. 2001-37].

Committee on Youth and Sports

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Sports Development
- Youth Welfare and Development

Note: The SK ex-officio member shall be automatically designated as chairman of this committee.

Sample Committee Tasks

- Take appropriate legislative action to support the campaign and advocacy for the elimination of Child Labor by encouraging Punong Barangays and community leaders to attend and actively participate in sessions on Child Labor [DILG MC No. 98-81].
- Enact an ordinance in support of the campaign against the commercial sexual exploitation of children [DILG MC No. 99-164].
- Take the lead in the implementation of all children's programs through the local council for the protection of children and the Lupong Tagapamayapa [DILG MC No. 2005-95].
- Take appropriate legislative action to ensure the implementation of R.A. 9211, otherwise known as the Tobacco Regulatory Act of 2003, particularly the prohibition of the sale of cigarettes and other tobacco products to persons below 18 years of age.
- Enact measures to implement Youth Smoking Prevention Programs, in partnership with socio-civic organizations, to ensure the success of the Youth Smoking Prevention Campaign of the government, previously provided in DILG MC 2002-97 [DILG MC No. 2004-84].

- Propose legislation to establish and operate a special drug education center for out-of-school youth (OSY) and street children and a local special drug education center team [DILG MC No. 2006-250].
- Take appropriate legislative action to ensure compliance with the new set of standards in accrediting center-based Early Childhood Care and Development (ECCD) programs and service providers [DILG MC No. 2006-91].
- Take appropriate legislative action to develop, implement and fund programs and services for children in conflict with the law (CICL) [DILG MC No. 2006-104].

Committee on Environmental Protection

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Environmental Protection;
- Air and Water Pollution;
- Wanton Destruction of the Environment and its Natural Resources;
- Small-scale mining and quarrying; and
- All other matters or measures affecting the environment.

Sample Committee Tasks

Prepare ordinances and resolutions necessary for the protection of the Environment and Natural Resources such as the following:

- Imposing appropriate penalties for acts which endanger the environment [Sec. 468 (a) 1-vi, R.A. 7160];
- Implementing existing policies, rules and regulations concerning forest Management [DILG MC No. 04-166]; and
- Small-scale mining and quarry requirements for issuance of the necessary permits by the Governor.

Take appropriate legislative action supporting the formulation and implementation of sustainable integrated area development plans or Local Agenda 21 and the submission of semestral reports to the DILG on their activities and accomplishments relative to the implementation of LA 21 [DILG MC No. 2001-39].

TAKE APPROPRIATE LEGISLATIVE ACTION TO SUPPORT THE FOLLOWING:

- » Demolition of illegal structures along rivers and estuaries that impede normal water flow;
- » When awarding permits and licenses for the construction of fish pens and sea cages, institute measures preventing overcrowding and congestion in municipal waters, fish ponds, and fish pens, which will result in fish kills; and
- » Disseminate the provisions of the Code of Practice for Aquaculture and strict adherence thereof [DILG MC No. 2002-64].

Propose legislation to incorporate in the local development plans and budget, programs and projects related to fisheries and aquatic management [DILG MC No. 2001-131].

TAKE APPROPRIATE LEGISLATIVE ACTIONS TO HELP PROMOTE AND SUPPORT ANIMAL WELFARE

- » Enact an ordinance aimed at protecting and promoting animal welfare;
- » Conduct a sustained information drive about the provisions of Republic Act No. 8485, animal rights and the hazards of eating dog and cat meat which may be infected with rabies and heat-resistant parasites; and
- » Support the apprehension and prosecution of those engaged in the illegal trading of animals [DILG MC No. 2000-91, R.A. No. 8485].

- Take appropriate legislative action in support of R.A. 7578, otherwise known as the National Integrated Protected Areas System Act of 1992, and R.A. 9147, or the Wildlife Resources Conservation and Protection Act [DILG MC NO. 04-44];
- Ensure the preparation and submission of Provincial Solid Waste Management Plans [DILG MC NO. 2001-48;
- Enforce the provisions of the Code on Sanitation and other related laws and ordinances to prevent the possible outbreak of water and food-borne diseases and to safeguard the health and safety of the public particularly the students and personnel of various schools [DILG MC NO. 97-105, PD 856]; and
- Enact ordinances to regulate smoking in public places in accordance with the provisions of R.A. 9211 and its IRR [DILG MC No. 04-85].

Committee on Cooperatives

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Cooperatives organization and development, incentives to cooperatives; and
- Other issues affecting the cooperatives development program of the government.

Sample Committee Tasks

Take appropriate legislative action advocating for the conversion of transport/tricycle associations into cooperatives, provide open spaces in their territory to serve as terminals and facilitate the necessary assistance in the implementation of the project [DILG MC NO. 2002-35].

Committee on Rules and Privileges

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Sanggunian internal rules and violations thereof;
- Order of business and calendar of business;
- Disorderly conduct of members and investigation thereof; and
- Privileges of members.

Other Standing Committees

In addition to the mandatory standing committees, the Sanggunian may also create, through a resolution, other necessary committees which may include the following:

Committee on Ordinances and Legal Matters

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Review all ordinances and resolutions approved by the Sanggunian of component cities and municipalities and executive orders issued by the Mayors of said component cities, and determine whether these are within the scope of the prescribed powers of the Sanggunian and of the Mayor [Sec. 468 (a) 1- I, R.A. 7160];
- Review all approved component city or municipal ordinances and resolutions approving the development plans and public investment programs formulated by the component city or municipality [Sec 56, R.A. 7160 and Art. 59, IRR];

- Review the proposed legislation on the exercise of legislative powers (taxing power, police power, corporate powers, and proprietary rights);
- Determine the legality of proposed measures to be acted upon by the Sanggunian; and
- Establish or maintain a computer-based legislative tracking system.

Sample Committee Tasks

Propose legislation imposing a fine not exceeding ₱5,000 or imprisonment not exceeding one year, or both, at the discretion of the court, for violating a provincial ordinance [Sec. 468 (a) 1-iii, R.A. 7160].

Committee on Peace and Order and Public Safety

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Police matters;
- Maintenance of peace and order;
- Protective services;
- Traffic rules and regulations;
- Fire prevention and control measures;
- Public morals; and
- All other issues related to peace and order and public safety.

Sample Committee Tasks

Propose legislation necessary for the maintenance of peace and order and public safety, such as the following:

- o Enact measures to prevent and suppress lawlessness, disorder, riot, violence, rebellion or sedition [Sec. 468 (a) 1-ii, R.A. 7160];

- Adopt measures to protect the inhabitants of the province from the harmful effects of man-made or natural disasters and calamities [Sec. 468 (a) 3-iv, R.A. 7160];
- Ensure the protection of 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 mandates that this protection is provided for. 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;
- Enact ordinances intended to prevent, suppress and impose appropriate penalties for habitual drunkenness in public places, vagrancy, mendicancy, prostitution, establishment and maintenance of houses of ill repute, gambling and other prohibited games of chance, fraudulent devices and ways to obtain money or property, drug addiction, maintenance of drug dens, drug pushing, juvenile delinquency, the printing, distribution or exhibition of obscene or pornographic materials or publications, and such other activities inimical to the welfare and morals of the inhabitants of the province [Sec. 468 (a) 3-v,RA7160]; and
- Establish and provide for the maintenance and improvement of jails and detention centers, institute a sound jail management program and appropriate programs for the subsistence of detainees and convicted prisoners in the province [Sec. 468 (a) 4-vii, R.A. 7160].
- Take appropriate legislative action to maintain peace and order in the province and to coordinate efforts with the military and the police in undertaking the following:
 - Activate the Barangay Peace and Order Councils;
 - Strictly implement the peace and order and public safety plan that will serve as a mechanism to strengthen their information and intelligence network;

- Strengthen citizen's support and participation in peace and order programs, projects and activities to ensure the effective monitoring of NPA presence and threats;
 - Enhance the involvement of all religious, civil and other nongovernment organizations in the anti-crime campaign to complement peace and order efforts [DILG MC No. 2002-162]; and
 - Implement E.O. 70 and the Enhanced Comprehensive Local Integration Program (E-CLIP).
- Take appropriate legislative action to enforce stricter security measures to counter terrorist threats and other forms of lawless violence [DILG MC No. 2003-80];
- Take appropriate legislative action to undertake disaster preparedness, mitigation and preventive measures that are holistic, comprehensive, integrated and proactive to minimize the adverse impact of natural disasters (R.A. 10121 otherwise known as Disaster Risk Reduction and Management Act of 2010). For example:
- Financial assistance in the transport of goods, commodities and other services of the national agencies during relief operations [DILG MC No. 98-94]

- Propose legislation to intensify efforts to dispel the public perception that illegal gambling thrives because local and police officials either tolerate or connive with gambling lords and to adopt a concrete action plan against illegal gambling. [DILG MC Nos. 2002-105, 2001-161]
- Take appropriate legislative action supporting the creation or reactivation of anti-drug abuse councils in the province. [DILG DDB JMC 2018-01]
- Propose legislation to ensure that the total annual amount appropriated for intelligence or confidential undertakings shall not exceed 30% of the total annual amount allocated for peace and order efforts or 3% of the total annual appropriations, whichever is lower [DILG MC No. 99-65, MC No. 98-136];
- Take appropriate legislative action to ensure that intelligence or confidential funds shall be utilized only for the following purposes:
 - Purchase of information;
 - Payment of rewards;
 - Rental and other incidental expenses relative to the maintenance of safe houses; and
 - Purchase of supplies and ammunition, provision of medical and food aid, as well as payment of incentives or traveling expenses relative to the conduct of intelligence or confidential operations [DILG MC No. 99-65, MC No. 98-136].
- Propose legislation to provide funds for the operation of The People’s Action Team Responding Online (Patrol) Program to hasten and promote civic consciousness [DILG MC No. 2001-54].
- Take appropriate legislative action to augment the existing number of tanods in excess of the 20, if deemed necessary, as per Section 387 (b), and create the additional tanod positions, together with the corresponding amount of compensation, insurance benefits, and other allowances.
- Funding shall be the responsibility of the province. [DILG MC No. 2002-104].

Committee on Health and Social Welfare

This committee may be composed of not more than 5 members, including the Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Health Sanitation or Hygiene;
- Cleanliness and Beautification of the Community;
- Proposed measures related to Hospitals, Health Centers and Health Programs;
- Social Welfare Services; and
- All other matters related to Health and Social Welfare.

Sample Committee Tasks

- Take appropriate legislative action adopting Quarantine Regulations to prevent the introduction and spread of diseases within the Province [Sec. 468 (a) 4-v, R.A. 7160];
- Take appropriate legislative action to ensure the submission of Budgetary Estimates for Nutrition Program implementation in support to the Medium-Term Philippine Plan of Action for Nutrition (MTPPAN) for the year 2006-2010 [DILG MC No. 2006-113];

Take legislative action on the following:

- Care of paupers, the aged, the sick, persons with mental disabilities, abandoned minors, abused children, persons with disabilities, juvenile delinquents, drug dependents, and other disadvantaged and persons in need, particularly children and youth below 18 years of age [Sec. 468 (a) 4-vi, R.A. 7160]
- Establishment and support for the operation of centers and facilities for needy and disadvantaged persons, subject to availability of funds [Sec. 468 (a) 4-vi, R.A. 7160]

- Creation of a Provincial Council for the Elderly which shall formulate policies and adopt measures mutually beneficial to the elderly and the province [Sec. 468 (a) 4-ix, R.A. 7160];
- Appropriate funds to support programs and projects for the elderly and provide incentives to nongovernment organizations and entities supporting the same programs and projects for the elderly;
- Propose legislation to establish the Office for Senior Citizens Affairs whose functions include assistance to senior citizens in filing complaints and charges against any person, natural or juridical, among others [DILG MC No. 2005-63];
- Propose legislation for the elimination, prevention or control of human trafficking [DILG MC No. 2005-26];
- Propose legislation establishing a migrant advisory and information desks network, which shall provide victims of trafficking the procedures in filing cases, programs that address trafficking, legal protection, and other services [DILG MC No. 2005-26];
- Take appropriate legislative action to strengthen efforts against human trafficking through the following strategies:
 - Conduct massive information dissemination campaign;
 - Sustain the operation of the Migrant Advisory and Information Network (MAIN) Desk lodged at the PNP's Women and Children's Desk;
 - Enact a local ordinance against human trafficking;
 - Develop and implement a livelihood assistance program for victims of human trafficking and their families; and
 - Integrate PPAs related to anti-human trafficking into the Annual Operations Plans and Budgets, where the funding requirements may be charged against the 5% Gender and Development (GAD) budget [DILG MC Nos. 2005-26 and 2006-172].

- Propose legislation to integrate Indigenous People's Rights and related concerns within the framework of gender and development at the local level [DILG MC No. 2005-34];
- Take appropriate legislative action to extend necessary assistance to deportees who will be resettled within the province, specifically by providing livelihood opportunities and enlisting them in sustainable economic activities [DILG MC No. 2002-157];
- Take appropriate legislative action to include all amnesty grantees identified by the National Amnesty Commission (NAC) as beneficiaries of local government programs and projects, particularly the following:
 - livelihood and other development assistance; and
 - health care services educational and scholarship services DILG MC No. 2004-13].
- Take appropriate legislative action to review the Job Descriptions of Midwives; fill up all vacant Midwife positions; and create and retain the items of Midwife in the plantilla. [DILG MC No. 2003-89]
- Take appropriate legislative action supporting the promotion of food safety through the following:
 - Calling for the enactment of a local legislative measure to promote food safety, if none has been passed thus far, or to review an existing ordinance on the matter to ensure its relevance in the overall effort to address food poisoning and other food-borne diseases
 - Conducting other appropriate activities, e.g., dissemination of copies of Proclamation No. 160, visits to public markets and other food handling facilities to underscore the imperatives of ensuring food safety
 - Adopting a Provincial Declaration of Commitment to Food Safety [DILG MC No. 99-194]
- Take appropriate legislative action to further improve the System of Dengue Case Management and Services [DILG MC Nos. 2005-86 and 2005-74].

Committee on Agriculture

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Agricultural Production, Inputs and Facilities
 - Development of Agri-Business Enterprises
 - All other issues related to Agriculture, including plants and animals
- Propose legislation banning the use of a compressor as a breathing apparatus in all fishing activities [DILG MC No. 2002-129]; and
 - Ensure legislative support for the formulation and implementation of the Contingency Plan for Agriculture.

Committee on Education and Culture

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Formal and Non-Formal Education;
- Educational Facilities;
- Promotion of Culture and the Arts;
- Operation of Educational Institutions, both Private and Public; and
- All other matters related to Education and Culture.

Sample Committee Tasks

- Take appropriate legislative action to ensure that education is made available and accessible to the inhabitants of the province;
 - Establishment and operation of vocational and technical schools and similar post-secondary institutions [Sec. 468 (a) 4-iii, R.A. 7160];
 - Propose reasonable tuition fees and other school charges in educational institutions supported by the provincial government [Sec. 468 (a) 4-iii, R.A. 7160]; and
 - Scholarship fund for the poor but deserving students residing in the province [Sec. 468 (a) 4-iv, R.A. 7160].
- Take appropriate legislative action to establish a Provincial Council whose purpose is the promotion of culture and the arts. [Sec. 468 (a) 4-viii, R.A. 7160];
- Create the Provincial Council for Culture and the Arts, chaired by the Provincial Governor, to ensure the preservation, enrichment and promotion of the Filipino national culture [DILG MC No. 2002-81];
- Take appropriate legislative action to incorporate Development Projects on Culture and the Arts in the Short and Long-Term Provincial Development Plans [DILG MC No. 95-117]; and
- In line with National Arts Month, pass a resolution to declare February as Provincial Arts Month, including the creation of the Provincial-Based Special Committees to oversee the conduct and promotion of performances in Dance, Theater, Music, Visual Arts, Film Exhibitions, Literary Workshops, Storytelling, Art Lecture Series, Community Festivals and Revival of the Traditional Art Forms such as Harana, Folk Dances, etc. [DILG MC No. 2000-160].

Committee on Good Government, Public Ethics and Accountability

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Organization and Management, Personnel Administration, Position Classification and Pay Plan, Staffing Pattern;
- Creation of Positions;
- Policy Formulation for the Economical, Efficient and Effective Local Government Administration;
- Conduct and Ethical Standards of Local Officials and Employees;
- Public Accountability of Local Officials and Employees; and
- All other matters related to Good Governance.

Sample Committee Tasks

- Enact legislation to create a mechanism that would ensure the safety and protection of all Provincial Government Property, Public Documents, or Records such as those relating to Property Inventory, Land Ownership, Records of Birth, Marriages, Deaths, Assessments, Taxation, Accounts, Business Permits and such other records and documents of Public Interest [Sec. 468 (a) 1-x, R.A. 7160];
- Maintain a Journal and Record of Proceedings, which may be published upon resolution of the majority of the Sanggunian Members;
- Propose legislation prescribing reasonable limits and restraints on the use of property within the jurisdiction of the Province [Sec. 468 (a) 2-vi, R.A. 7160];
- Take appropriate legislative action to adhere to Government Policy on Austerity and Economy Measures, by way of, among others, refraining from the purchase of Luxury Vehicles using Government Funds [DILG MC NO. 2000-13, AO NO. 339, NBC No. 446-A]; and

- Take appropriate legislative action to carry out an Open- Door-Policy type of Governance to bring the Government closer to the people by way of:
 - Causing the enactment of an ordinance allowing people from all walks of life access to provincial government offices;
 - Designating a Citizens’ Desk, at the lobby of the provincial hall, properly identified and staffed at least eight hours a day to provide information and other forms of assistance;
 - Conducting regular informative tour for the youth to provincial offices to familiarize them on the workings of the provincial government; and
 - Establishing semi-permanent billboards or bulletin boards containing such information as duties and functions of provincial offices, programs and services, and regular LGU reports [DILG MC No. 96-45].

- Take appropriate legislative action encouraging the Provincial Governor to:
 1. Cause the formulation of an Executive and Legislative Agenda (ELA) for the period 2020 to 2022. The said Agenda shall highlight the priority areas for improvement, or reforms, and shall be structured as follows:
 - **Governance** – Financial Accountability; Transparency; Citizen Participation; Equity; and Local Legislation
 - **Administration** – Development Planning; Revenue Generation; Revenue Allocation and Utilization; Human Resource Management and Development; and Customer Service
 - **Social Services** – Health and Nutrition; Education; Housing and Basic Utilities; and Peace, Security and Disaster Preparedness
 - **Economic Development** – Agriculture and Fisheries Development; and Business, Enterprise and Industrial Promotion; and
 - **Environmental Management** – Natural Resources and Management; and Waste Management and Pollution Control

2. Organize a team that will take the lead in facilitating multi-stakeholder consultations, and preparing the ELA;
 3. Involve civil society and the business community in formulating the ELA;
 4. Utilize the following as reference documents: (a) Local Governance Performance Management System - State of Local Governance Report, (b) Comprehensive Development Plan, Comprehensive Land Use Plan, Annual Investment Plan, local poverty reduction action plan and other relevant documents, and (c) ELA manual and facilitators' guide;
 5. Avail of technical support from the DILG Regional or Provincial Coaching Teams, if necessary;
 6. Provide funds for the formulation and implementation of the ELA;
 7. Incorporate in the Annual Report significant accomplishments on Governance, Administration, Social Services, Economic Development, and Environmental Management in such areas as listed in item no. 1 [DILG MC No. 2004-64];
- Take appropriate legislative action encouraging the replication of exemplary practices of other LGUs with Good Practices in responding to the needs of the Local Communities and in response to the Millennium Development Goals (MDGs), now Sustainable Development Goals (SDGs) [DILG MC No. 04-152];
 - On the issuance of an ECC for environmentally-critical projects, take appropriate legislative action to observe the following timelines in the issuance of endorsement:
 1. *Consultation with NGOs, POs and other sectors concerned in the community* – Not more than one week upon hearing the merits of the project proposal from the proponent, and upon evaluation that such is supportive of the development agenda of the LGU;
 2. *Enactment of the requisite Sanggunian resolution* – Not more than two weeks upon receipt of the results of the consultation accepting or endorsing the proposed project; and

3. *Preparation, approval, and release of the endorsement* – Not more than one day upon receipt by the Sanggunian [DILG MC No. 2003-58].
- Organize/Reactivate the Provincial Project Monitoring Committee [DILG MC No. 04-78];
 - Take appropriate legislative action to ensure the full implementation of the Seal of Good Local Governance (SGLG) and call for the preparation of the SLGR, utilizing the SGLG-GAR and other performance audit results [DILG MC No. 2018-49]; and
 - Take appropriate legislative action to encourage the Punong Barangay, Sangguniang Barangay Members, Sangguniang Kabataan Chairman, Barangay Secretary, and Barangay Treasurer to voluntarily register as members of Pag-Ibig Fund [DILG MC No. 2006-178].

Committee on Trade, Commerce and Industry

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Establishment or operation of all kinds of Trade and Industry;
 - Measures that affect Trade, Commerce and Industry;
 - Incentives to promote Trade, Commerce and Industry; and
 - All other matters related to Trade, Commerce and Industry.
- Take appropriate legislative action adopting Investment-Friendly Business Policies and Procedures that may include, but not limited to:
- Display of step-by-step application procedures, as well as the corresponding documentary requirements and fees through the posting of flowcharts and schedule of rates in publicly accessible and conspicuous places within the provincial capitol premises

- Development of a primer concerning policies, regulations, systems and procedures of processing an application for business permits, building and real property documents for the information and ready reference of applicants [DILG MC No. 99-188]
- Propose legislation to ensure the full implementation of R.A. 9178 by establishing a One-Stop Business Registration Center to handle the efficient registration and processing of permits and licenses of Barangay Micro-Business Enterprises [DILG MC No. 2003-69];
- Take appropriate legislative action to secure the economic well-being of the people in the locality by creating an environment that is conducive to growth and investment through the Local Economic Transformation Program for Local Government [DILG MC No. 2002-35];
- Support through legislative action the Advocacy, Promotion, and Development of Small and Medium Enterprises as one of the priority programs of the Province, and the SME Databank Project of the NSO [DILG MC Nos. 96-13 and 97-47];
- Take appropriate legislative action to ensure a more meaningful National-Local Government Collaboration in monitoring the prices of selected prime commodities, the incidence of hoarding, violation of Price Tag Law, and other related concerns [DILG MC No. 98-81];
- Take appropriate legislative action to activate/reactivate the Provincial Price Coordinating Council, and to monitor, convene and formulate policies and strategies to keep prices of basic consumer goods at reasonable levels [DILG MC Nos. 04-75 AND 2005-130];
- Propose legislation enforcing the Consumer Act of the Philippines and other related laws to ensure Consumer Protection and to Promote the General Welfare of the residences [DILG MC No. 92-47, ART. 62 OF THE CONSUMER ACT OF THE PHILIPPINES (R.A. NO. 7394), R.A. NO. 7160];

- Propose legislation requiring any person who intends to engage in the Importation, Exportation, Production, Reproduction, Exhibition, Showing, Sale, Lease or Disposition of videotapes to secure a clearance from the Videogram Regulatory Board (VRB) before the issuance of the Business Permit [DILG MC No. 2003-17]; and
- Take appropriate legislative action to strictly enforce all laws and ordinances prohibiting the Selling and Publishing of Obscene and Pornographic Materials, Publications, Pictures, Literature and other similar articles, including the exhibition or giving away of indecent, immoral or Obscene plays, Scenes, Acts or Shows, whether live or in film, which would tend to offend morals and, for the purpose, issue the appropriate Executive Orders necessary for the proper enforcement and execution of such laws or ordinances [DILG MC No. 99-213, Article 201 OF THE Revised Penal Code].

If circumstances so warrant:

- a. Coordinate with appropriate law enforcement agencies to apprehend violators of such laws and ordinances and effect the confiscation of these obscene pictures, materials, articles, publications, literature and other materials used in furtherance of said illegal and felonious activities; and
- b. Cause the suspension or revocation of the licenses and permits of persons or entities for any violation of the conditions upon which such licenses and permits had been issued pursuant to law or ordinance [DILG MC No. 99-213, Article 201 of the Revised Penal Code].

Committee on Public Works

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Construction, maintenance, and repair of roads, bridges and other government infrastructure projects;
- Measures that pertain to Drainage and Sewerage Systems and similar projects; and
- All other matters related to Public Works and Infrastructure Projects.

To ensure a sustained undertaking of infrastructure projects in the province, propose legislative measures that would strengthen the Provincial Engineering Office such as but not limited to the purchase of heavy equipment and provision of adequate manpower.

Sample Committee Tasks

Propose legislation establishing and providing for the maintenance of a Waterworks System or District Waterworks for supplying water to inhabitants of Component Cities and Municipalities [Sec. 468 (A) 4-ii, R.A. 7160];

Propose legislation to maintain the operational autonomy of Local Water Districts [DILG MC No. 2005-21]; and

Initiate measures to ensure that the willing, able and unemployed residents of the province are hired in public works projects, either locally, nationally or foreign-funded [DILG MC No. 2000].

Committee on Housing and Land Utilization

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Housing program;
 - Subdivision or real estate development;
 - Measures pertaining to land use;
 - Informal settlers; and
 - All other issues related to housing and Utilization.
-
- Take appropriate legislative action relative to the review of the Comprehensive Land Use Plans and Zoning Ordinances of Component Cities and Municipalities and adopt a Comprehensive Provincial Land Use Plan [Sec. 468 (A) 2-VII, R.A. 7160];
 - Take appropriate legislative action to comply with the prescribed time period for the adoption, review, and approval of Comprehensive Land Use Plans (CLUPs) and Zoning Ordinances (ZOs) of Provinces [DILG MC No. 2002-30];
 - Take appropriate legislative action to support the formulation or updating of the Provincial Physical Framework Plan which shall serve as the Framework in the Land Use Planning of Cities and Municipalities [DILG MC No. 04-133];
 - Take appropriate legislative action to ensure that appropriate access improvement interventions based on IRAP Analysis, Findings and Recommendations are integrated into the Local Development Plans, particularly in the Annual Investment Programs [DILG MC No. 2002-06];
 - Take appropriate legislative action relative to requesting assistance from HLURB or the direct contracting of services or private technical experts/consultants to ensure transparency and to fast track the updating of the PFP and CLUP [DILG MC No. 2001-76]; and
 - Take appropriate legislative action relative to identifying lands to be used for socialized housing and resettlement areas [DILG MC No. 2001-21].

Committee on Games and Amusement

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Operation or establishment of amusement places;
- Measures that affect the regulation of games and amusements including, but not limited to, the promotion or holding of cockfights, boxing, basketball tournaments, and other kinds of games and amusements; and
- All other matters related to games and amusements.

Sample Committee Tasks

- o Propose legislation implementing Republic Act 9287
- o "Enact measures to enhance or cultivate community involvement and strictly implement the provisions of R.A. 9287, or "An Act Increasing the Penalties for Illegal Numbers Games, and for Other Purposes" [DILG MC No. 04-146].

Committee on Barangay Affairs

This committee may be composed of not more than five members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions about the following:

- Creation, division, merging, abolition or alteration of boundaries of barangays in component municipalities; and
- All other matters about barangay development

Sample Tasks

- Take appropriate legislative action to ensure that all barangays have a complete or updated Registry of Barangay Inhabitants.

Part 3

TASKLIST FOR EFFECTIVE LEGISLATIVE PERFORMANCE

Legislative performance pertains to the ordinance-making function of the Sanggunian.

To raise the level of performance of the Sanggunian Panlalawigan, determine its internal capacity as well as its productivity. This is done primarily through legislative performance assessment, the results of which serve as input or bases in determining strategic interventions to improve or sustain a desirable level of performance.

Legislative performance becomes effective only to the extent that the Sanggunian can enact measures consistent with the priorities embodied in the local legislative agenda. Such performance should ultimately reflect development and bring about improvements in the lives of citizens.

Ways or mechanisms to achieve high legislative performance

The Sanggunian may take into consideration the following ways or mechanisms to achieve high legislative performance:

- » Periodic review of existing ordinances;
- » Broadening the base of popular participation in the legislative process by inviting the private sector, peoples' organizations, and nongovernment organizations in committee hearings for a proposed provincial ordinance;
- » Regular updating of the legislative database;
- » Building an information network; and
- » Organizational development initiatives that include:
 - Setting up legislative performance objectives and standards;
 - Annual review of legislative goals and objectives;

- Periodic assessment of the performance of the overall legislative structure to ensure that it meets organizational needs;
- Organizational productivity improvement through a human resource and capacity development program and training for both Sanggunian members and staff; and
- Creation of a research group or study team.

Indicators of Legislative Performance

The following are the suggested indicators or criteria for legislative performance:

Effective Legislative Agenda

The Legislative Agenda:

- Complements the Executive Agenda
- Is developed in full consultation with stakeholders
- Provides a clear and well-defined legislative action and timeframe
- Provides an operational translation of the Comprehensive Development Plan
- Promotes and supports regional and national priorities

Effective Legislative Tracking System

- Inventory of all ordinances, groups those related ordinances, and studies possible codification if necessary;
- Full history of all ordinances are on file;
- Ordinances are indexed by title and date;
- Index is updated, complete and codified;
- Hard copy of ordinance can be retrieved on request within a reasonable period of time;
- Index can be searched and copied by the staff; and
- Index and copy are computer-based

Availability of Legislative Documents

- Journal of Sanggunian proceedings are available;
- Minutes of sessions are available, duly signed by all members present; and
- Committee reports signed by all members are available.

Efficiency of Performance of the Sanggunian

- Number of ordinances enacted with impact on local communities (e.g., appropriations ordinance, zoning ordinance, local tax code or revenue code, sanitation code, ordinance on solid waste management, ordinance on poverty alleviation or reduction);
- Number of ordinances approved with impact on local communities (e.g., ordinance on the annual investment plan, ordinance on the local development plan);
- Number of sessions conducted with complete attendance of members; and
- Internal Rules of Procedures containing the following minimum requirements: organization of the Sanggunian and election of its officers, as well as the creation of standing and special committees; order and calendar of business for each session; the legislative process; parliamentary procedures; and discipline of members.

Quality of Office Setup and Staff Complement

- Session hall with appropriate fixtures and equipment;
- Sanggunian offices for individual members with appropriate fixtures and equipment;
- Staff complement of at least one Sanggunian staff per member, aside from the Sanggunian secretary; and
- Office for the Secretary of the Sanggunian.

Note: The foregoing listing of criteria or indicators is flexible. It may vary as the need arises. For more information about the tests of legislative performance, refer to the Local Legislative Toolkit, published by the BLGS-DILG in partnership with the Philippine Councilors League.

Part 4

LIST OF EXECUTIVE ORDERS

71 / Series 1993

Approval of Building Permits for Condominium Projects

215 /December 13, 1994

DILG-DOH-DOF-DBM Joint Circular dated April 12, 1996, DILG MC No. 97-96 dated April 24, 1997, Delivery of Health Services Devolved to LGUs

443/September 24, 1997

Minimum Basic Needs (MBN)

12 / August 14, 1998

Revitalizing the Privatization Program of the Government

39/ November 4, 1998

Reconstituting the Project Board and Extending the Term of the SOCSKSARGEN Area Development Project Office

39-A/November 30, 1998

Streamlining the SOCSKSARGEN Area Development Project Office, Strengthening its Coordinative and Integration Mechanism, and for Other Purposes

94 / April 12, 1999

Establishing the Policy Direction and Institutional Framework to Implement Labor-based Equipment Supported Infrastructure Program

98 / April 28, 1999

Directing all Government Agencies, Instrumentalities, Local Government Units (LGUs), and/or Government-Owned and Controlled Corporations (GOCCs) to include the Taxpayer Identification Number (TIN) as Part of the Essential Requirements in all Applications for a Government Permit, License, Clearance, Official Paper, or Document

146 / August 26, 1999

Constituting the Greater Metropolitan Manila Solid Waste Management Committee

152 /September 28, 1999

Providing for the Activation of the Central East Asia Growth Circle Program as an Economic and Diplomatic Initiative and for Other Purposes

189 /December 21, 1999

Directing all LGUs to Submit to the Department of Budget and Management their Respective Annual Investment Plan

200 / January 17, 2000

Authorizing the Issuance of Onshore Special Minerals Extraction Permits to Qualified Government Entities/Instrumentalities for Government Projects

201 / January 31,2000

Providing for the Creation of a National Health Planning Committee (NHPC) and the Establishment of Inter-local Health Zones (ILHZS) throughout the Country, and for Other Purposes

307 / October 31, 2000

Providing for a National Policy on the Allocation and Use of Radio Frequencies

309 / November 3, 2000

Prescribing Rules And Regulations for the Distribution of Proceeds of Leases, Joint Ventures and Transactions Other than Sale Involving Portions of Metro Manila Military Camps under Republic Act No. 7227, as Amended by Republic Act No. 7917

336 / January 5, 2000

Reconstituting the National Action Committee on Anti-Hijacking And Anti-Terrorism (NACAHT) as the National Council for Civil Aviation Security (NCCAS)

319 /November 14,2000

Modifying the Rates of Duty on Certain Imported Articles under the Tariff and Customs Code of 1978, as amended, to Implement the Preferential Tariff Rates on Certain Products under the ASEAN Industrial Cooperation (AICO) Scheme

321/November 21, 2000

Directing the Transfer of Certain Government Properties between and among the Department of Finance and the Philippine National Police and for Other Purposes

2 / February 27, 2001

Creating an Inter-Agency Committee for Relief, Rehabilitation and Development of Areas Affected by Armed Conflicts in Mindanao

4/March 5, 2001

Providing for an Ad Hoc Body to Complete the Wind-Up of Activities of the Mt. Pinatubo Assistance, Rehabilitation and Development Commission

5 / March 5, 2001

Authorizing the Transfer of the Administration of Upland Pinatubo Resettlement Communities from the Mt. Pinatubo Commission to the LGU's Concerned

11/April 17, 2001

Modifying the Nomenclature and the Rates of Import Duty on Certain Imported Articles under Section 104 of the Tariff and Customs Code of 1978 (Presidential Decree No. 1464), as Amended

13 / April 23, 2001

Providing for the Extension of the Term of the Task Force to Complete the Wind-Up of Activities of the Mt. Pinatubo Assistance, Rehabilitation and Development Commission

14 / May 7, 2001

Creation of the Cabinet Cluster for Socially Equitable Agricultural Modernization

15 / May 16, 2001

Authorizing the Manila Economic and Cultural Office, Inc. (MECO) to Perform Certain Functions Relating to Trade, Economic Cooperation, Investment, and Cultural, Scientific and Educational Exchanges

20 / May 28, 2001

Reaffirming Mass Housing as a Centerpiece Program in the Poverty Alleviation Efforts of the Government and Further Strengthening the Housing and Urban Development Coordinating Council

21 / June 19, 2001

Creating a Coordinative and Integrative System on Internal Security

29 / August 3, 2001

Reconstituting the Southern Philippines Council for Peace and Development and the Consultative Assembly Established under Executive Order No. 371 dated October 2, 1996 and for Other Purposes

30 / July 30, 2001

Providing for a Regional Development Council in the Cordillera Administrative Region and for Other Purposes

36 / September 19, 2001

Providing for the Reorganization of the Administrative Region in Mindanao and for Other Purposes

45 / October 24, 2001

Prescribing Time Periods for the Issuance of Housing- Related Certifications, Clearances and Permits, and Imposing Sanctions for Failure to Observe the Same

54 / November 7, 2001

Directing the Transfer of Assets, Records, Funds, Personnel, Liabilities and all Pinatubo-Related Functions, Tasks And Responsibilities to the Pinatubo Project Management Office under the Housing and Urban Development Coordinating Council (HUDCC)

56 / November 26, 2001

Adopting the Comprehensive Program Framework for Children in Armed Conflict and Directing National Government Agencies and LGU's to Implement the Same

189 / December 21, 2001

Directing all LGU's to Submit to the Department of Budget and Management their Respective Annual Investment Programs

76 / March 4, 2002

Providing for the Implementation of the Hybrid Rice Program, Transferring the Philippine Rice Research Institute from the Department of Agriculture to the Office of the President and for Other Purposes

79 / March 11, 2002

Creating the Office of the Presidential Adviser for Strategic Projects and Defining its Power and Functions

80 / March 11, 2002

Declaring the Effectivity of the Abolition of the Southern Philippines Council for Peace and Development and the Consultative Assembly and for Other Purposes

97 / April 23, 2002

Approving and Adopting the Policy Framework and Guidelines for Philippine Participation in United Nations (UN) Peacekeeping Operations

98 / May 2, 2002

Declaring the Available Lands of the Southern Philippines Development Authority (SPDA) as Socialized Housing Sites

99 / May 2, 2002

Extending the Implementation of the Transition Plan for The "Winding Up" of Operations of the Southern Philippine Council for Peace and Development (SPCPD)

103 / May 17, 2002

Dividing Region IV Into Region IV-A and Region IV-B, Transferring the Province of Aurora to Region III and for Other Purposes

110 / June 20, 2002

Directing the People's Credit and Finance Corporation to Administer the People's Development Trust Fund and for Other Purposes

113 / July 17, 2002

Operationalizing the Metro Manila Council as the Regional Council for Metropolitan Manila

192 / March 31, 2003

Modifying the Rate of Duty on Certain Imported Articles as Provided under the Tariff And Customs Code of 1978, as Amended, to Implement the Preferential Rates on Certain Products under the ASEAN Industrial Cooperation (AICO) Scheme, in favor of Honda Cars Philippines, Inc. (Honda) (COE No. Honda/2002/26)

197 / April 16, 2003

Modifying the Nomenclature and the Rates of Import Duty on Various Products under Section 104 of the Tariff and Customs Code of 1978 (Presidential Decree No. 11464, as Amended)

220 / June 23, 2003

Directing the Adoption of the Code of Good Governance for the Professions in the Philippines

223 / June 11, 2003

Reconstituting the Project Board of the SOCSKSARGEN Area Development Project

226 / July 14, 2003

Institutionalizing The Patrol “117” as a Nationwide Hotline Number

230 / July 26, 2003

Modifying the Rates of Duty on Sugar as provided for Under the Tariff and Customs Code of 1978, as Amended, to Implement Preferential Rates Thereon under the Common Effective Preferential Tariff (CEPT) Scheme For The ASEAN Free Trade Area (AFTA)

231/ August 4, 2003

Amending E.O. 153 Entitled “Instituting The National Drive to Suppress and Eradicate Professional Squatters and Squatting Syndicates, Amending E.O. Nos. 178 s. 1999 and 129, s. 1993 and for Other Purposes by Including the Public Attorneys’ Office as Support Agency

235/ September 11, 2003

Streamlining the Rules and Procedures of Defense Contracts

237 / September 19, 2003

Directing the Conduct of a National Follow-Up Measles Campaign on February 2004 and Designating the Department of Health as the Lead Agency for the Purpose

238/ September 22, 2003

Amending Executive Order No. 241 by Expanding the Powers and Functions and Membership of the National Steering Committee of the Family Week

248 / October 26, 2003

Creating the Office of the Anti-Kidnapping Presidential Adviser

Part 5

OFFICER-IN-CHARGE

OIC-Governor as Distinguished from Acting Governor

The Acting Governor is governed by Section 46 (a) of the Local Government Code (LGC) of 1991, while the 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?

With regard to 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 the 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 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 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, 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 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, acting 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 him 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 an OIC, he has no power to perform all the functions and powers of the Provincial Governor and more important, 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 power 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 filed to return on the fourth day, the Vice Governor's OIC status will become an Acting Governor, and therefore, he is already barred from presiding 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, tranquility, 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.



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