

7TH  
EDITION  
2022

# TASKS AND RESPONSIBILITIES CHECKLIST

A Reference Guide to Action

SANGGUNIANG PANLALAWIGAN



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

7th Edition

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# MESSAGE FROM THE EXECUTIVE DIRECTOR



First of all, let me extend my warmest congratulations to you! Winning an election is indeed worth celebrating!

Now that the people have chosen you as their leader, you must continuously choose to serve them. Public service is an enormous responsibility that requires passion, skills, and determination, and we at the Local Government Academy are ready to support you with programs that will build and strengthen your capacities as a local leader. Through our program for Newly-Elected Officials, we continue to provide capacity-building activities that will help you govern effectively. We have designed activities and resources that can guide you in creating and implementing plans for a more competitive, inclusive, and sustainable community.

As such, we are pleased to present the *Sangguniang Panlalawigan Tasks and Responsibilities Checklist: A Reference Guide to Action* to you. We hope this will help you navigate your way through your first days in office. May this guide not only equip you with useful knowledge in governing your community better, but also further ignite your passion to be the best servant-leader for your community.

A handwritten signature in blue ink that reads "Thelma T. Vecina".

**Dir. Thelma T. Vecina, CESO IV**  
Executive Director, LGA



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# ABBREVIATIONS

<b>AIP</b>	Annual Investment Program
<b>BLGS</b>	Bureau of Local Government Services
<b>CDP</b>	Comprehensive Development Plan
<b>CEPC</b>	Comprehensive Emergency Program for Children
<b>CLUP</b>	Comprehensive Land Use Plan
<b>CSO</b>	Civil Society Organization
<b>DBM</b>	Department of Budget and Management
<b>DILG</b>	Department of the Interior and Local Government
<b>DOF</b>	Department of Finance
<b>DOH</b>	Department of Health
<b>ELA</b>	Executive-Legislative Agenda
<b>EO</b>	Executive Order
<b>GAD</b>	Gender and Development
<b>GAR</b>	Governance Assessment Report
<b>IRR</b>	Implementing Rules and Regulations
<b>LDP</b>	Local Development Plan
<b>LGC</b>	Local Government Code of 1991
<b>LGU</b>	Local Government Unit
<b>MAIN</b>	Migrant Advisory and Information Network
<b>MC</b>	Memorandum Circular
<b>NGO</b>	Non-Government Organization
<b>OIC</b>	Officer-In-Charge
<b>PO</b>	People's Organizations
<b>PNP</b>	Philippine National Police
<b>PPA</b>	Programs, Projects, and Activities
<b>PPFP</b>	Provincial Physical Framework Plan
<b>RA</b>	Republic Act
<b>SADPO</b>	SOCCSKSARGEN Area Development Project Office
<b>SALN</b>	Sworn Statements of Assets, Liabilities and Net Worth
<b>SGLG</b>	Seal of Good Local Governance
<b>SK</b>	Sangguniang Kabataan
<b>SLGR</b>	State of Local Governance Report
<b>SP</b>	Sanggunian Panlalawigan
<b>ZO</b>	Zoning Ordinance



**Local Legislative power shall be exercised by the Sangguniang Panlalawigan (SP)** as the legislative body of the Provincial Government [Section 48, Local Government Code of 1991 (LGC)].

The SP is responsible for **enacting ordinances; approving resolutions; adopting the Local Development Plan (LDP); approving 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 divided into two: **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**

## **SP as a Legislative Body Individual members of the Sanggunian**

### **Each elected SP member must do the following:**

#### **TAKE AN OATH OF OFFICE [Section 92, LGC]**

- Upon assumption of 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.

#### **FILE STATEMENT OF ASSETS AND LIABILITIES [Section 91, LGC]**

- 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 [Section 51, LGC]**

- Upon assumption of office, each SP Member shall disclose his or her 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 or she is a member.

#### **ENHANCE KNOWLEDGE**

- Each SP Member must enhance or update his or her knowledge of the Local Legislative Processes, Dynamics or Parliamentary Procedures, and the latest trends in and jurisprudence on local legislation. The Local Legislative Toolkit published by the Bureau of Local Government Supervision (BLGS) of the Department of the Interior and Local Government (DILG) is a helpful reference material for local legislators;
- The SP Member must read Section 467 of LGC, particularly the powers, duties, and functions of the Sangguniang Panlalawigan; and
- Read and understand Article Three, Sections 467-468 of LGC which pertain to the composition and the powers, duties, functions, and compensation of SP Members.

## SP as a Legislative Body

SP, as a legislative body, shall undertake the following:

- **Organize and convene the following members of the SP:**
  - › [Section 467 (a), LGC];
  - › Vice-Governor as the Presiding Officer;
  - › Regular SP Members;
  - › President of the Provincial Federation of the Liga ng mga Barangay; and
  - › President of the Provincial Federation of Sangguniang Bayan and SP members.
  
- **Sangguniang Kabataan (SK) Provincial Federation President**
- Sectoral Representatives
  1. Indigenous Peoples representative [Section 16, Republic Act (RA) No. 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 SP shall adopt or update its existing rules of procedure [Section 50 (b), LGC]. 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;

## Tasks and Responsibilities Checklist: Sangguniang Panlalawigan

- › 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 chairperson and members of each committee;
  - Determine, through a resolution, the day, time and place of the SP's regular sessions;
  - Prepare the order and calendar of business for each session;
  - Prepare the SP's internal rules of procedure, which include the conduct of Members during sessions and other rules that the SP may adopt; and
  - Maintain Legislative Offices and staff complement.

### **The Sanggunian shall have the following:**

- Session Hall with appropriate fixtures and equipment;
- Office of the SP Secretary;
- Legislative offices for each SP Member, with proper fixtures and equipment;
- 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 LGC and other relevant laws [Section 468 (1) (vii), LGC];
- Review and determine the positions, salaries, wages,

allowances, and other emoluments and benefits of officials and employees paid wholly or mainly from provincial funds [Section 468 (1) (viii), LGC];

- › Enact the appropriate ordinance to create the Disaster Risk Reduction Management Office, including the allocation of necessary budget for personnel or staffing and other legitimate expenses [Section 6, Implementing Rules and Regulations (IRR) of Republic Act (RA) No. 10121].
- Enact the Annual and Supplemental Appropriations of the Provincial Government for specific services, Programs, Projects, and Activities (PPAs) projects, services, and activities that will promote the general welfare of the province and its inhabitants [Section 468 (2) (i), LGC];
- Review other ordinances to determine if such issuances need to be amended or revised;
- Maintain legislative offices and staff complement and ensure their capacity development agenda is formulated and implemented;
- Formulate the Executive-Legislative Agenda (ELA) of the Province. The ELA is a unifying document corresponding to the term of local elective officials that is developed and mutually agreed upon by both the executive and legislative departments of a Local Government Unit (LGU). The ELA supports existing LGU planning processes and adds value to LGU plans;
- Read and be familiar with the Provincial Development and Physical Framework Plan [Section 468, LGC]; and
- Read and understand the Budget Operations Manual for LGUs [Section 468, LGC].

## PART 2

# **CONTINUING TASKS: SETTING UP MANDATORY STANDING COMMITTEES**



## **1. STANDING COMMITTEES**

SP 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:

### **Committee on Appropriations**

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

- 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 taxation and fiscal administration.

### **Sample Committee Tasks**

- Propose legislation authorizing the payment of compensation to a qualified person not in 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 [Section 468 (a) 1-ix, LGC];
- Propose legislation providing for additional allowances and other benefits to judges, prosecutors, public elementary and high school teachers, and other national government officials stationed in or assigned to the province when the resources of the Provincial Government allow [Section 468 (a) 1-xi, LGC];
- 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 LGC;

## Tasks and Responsibilities Checklist: Sangguniang Panlalawigan

- Evaluate or deliberate whether or not to authorize the Provincial Governor to negotiate and enter into a contract of loan or any other form of indebtedness [Section 468 (a) 2-iii], LGC] and submit its recommendation in the form of a Committee Report to the SP; and
- Evaluate or deliberate whether or not to authorize the floating of bonds or other instruments of indebtedness or to raise funds to finance development projects [Section 468 (a) 2-iv] and submit its recommendation in the form of a Committee Report to the SP.

### **Committee on Women and Family**

This committee may be composed of not more than five members, including its Chairperson and Vice-Chairperson, 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 that will 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 Memorandum Circular (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 RA No. 9262 or the Anti-Violence Against Women and their Children Act of 2004 [DILG MC No. 04-118]; and
- Propose legislation supporting maternity care.

### **Committee on Human Rights**

This committee may be composed of not more than five members, including its Chairperson and Vice-Chairperson, 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 RA No. 7877 or the Anti-Sexual Harassment Act of 1995, particularly the provisions stated in Section 4, and to encourage the non-government 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 Chairperson and Vice-Chairperson, to which shall be referred all matters or questions about the following:

- Sports Development; and
- Youth Welfare and Development.

**Note:** The SK ex-officio member shall be automatically designated as the Chairperson 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];

## Tasks and Responsibilities Checklist: Sangguniang Panlalawigan

- 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 RA No. 9211 or the Tobacco Regulation 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 as previously provided in DILG MC No. 2002-97 [DILG MC No. 2004-84];
- Propose legislation to establish and operate a special drug education center for out-of-school youth 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 programs and service providers [DILG MC No. 2006-91]; and
- Take appropriate legislative action to develop and fund programs and services for Children in Conflict with the Law [DILG MC No. 2006-104].

### **Committee on Environmental Protection**

This committee may be composed of not more than five members, including its Chairperson and Vice-Chairperson, 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 [Section 468 (a) 1-vi, RA No. 7160];
- Implementing existing policies, rules, and regulations concerning forest Management [DILG MC No. 04-166];
- Small-scale mining and quarry requirements for issuance of the necessary permits by the Governor; and
- 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 Local Agenda 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;
- Disseminate the provisions of the Code of Practice for Aquaculture and ensure strict adherence thereto [DILG MC No. 2002-64];
- Propose legislation to incorporate programs and projects related to fisheries and aquatic management in the LDPs and budget [DILG MC No. 2001-131];
- Take appropriate legislative action in support of RA No. 7578 or the National Integrated Protected Areas System Act of 1992, and RA No. 9147 or the Wildlife Resources Conservation and Protection Act [DILG MC No. 04-44]; and
- Ensure the preparation and submission of Provincial Solid Waste Management Plans [DILG MC No. 2001-48].

**Take appropriate legislative actions for animal welfare:**

- Enact an ordinance aimed at protecting and promoting animal welfare;
- Conduct a sustained information drive about the provisions of RA No. 8485, animal rights, and the hazards of eating dog and cat meat which may be infected with rabies and carrying heat-resistant parasites;
- Support the apprehension and prosecution of those engaged in the illegal trade of animals;
- 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, Presidential Decree No. 856]; and
- Enact ordinances to regulate smoking in public places in accordance with the provisions of RA No. 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 Chairperson and Vice-Chairperson, to which shall be referred all matters or questions about the following:

- Formation, organization, and development of cooperatives;
- 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 and/or 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 Chairperson and Vice-Chairperson, to whom all matters or questions on the following shall be referred:

- 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 Chairperson and Vice-Chairperson, whose duties include the following:

- Review all Sanggunian-approved ordinances and resolutions of component cities and municipalities and Executive Orders (EOs) 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 [Section 468 (a) 1-I, LGC];
- 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 [Section 56, LGC];
- 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 SP; and
- Establish or maintain a computer-based legislative tracking system.

**Sample Committee Tasks**

- Propose legislation imposing a fine not exceeding P5,000 or imprisonment not exceeding one year, or both, at the discretion of the court, for violating a provincial ordinance [Section 468 (a) 1-iii, LGC].

**Committee on Peace and Order and Public Safety**

This committee may be composed of not more than five members, including its Chairperson and Vice-Chairperson, 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:

- Enact measures to prevent and suppress lawlessness, disorder, riot, violence, rebellion, or sedition [Section 468 (a) 1-ii, LGC];
- Adopt measures to protect the inhabitants of the province from the harmful effects of human-induced or natural disasters and calamities [Section 468 (a) 3-iv, LGC];
- 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 [RA No. 10821];
- Localize the Comprehensive Emergency Program for Children (CEPC) in the province [DILG MC No. 2018-196];



### *Continuing Tasks: Setting Up Mandatory Standing Committees*

- Create an Ad Hoc Committee that will help analyze the situation of children and assist in crafting a local CEPC [DILG MC No. 2018-196];
- 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 [Section 468 (a) 3-v, LGC];
- 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 [Section 468 (a) 4-vii, LGC];
- Take appropriate legislative action to maintain peace and order in the province and 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 the presence and threats of New People's Army;
  - › Enhance the involvement of all religious, civil, and other Non-Government Organizations (NGOs) in the anti-crime campaign to complement peace and order efforts [DILG MC No. 2002-162]; and
  - › Implement EO No. 70 and the Enhanced Comprehensive Local Integration Program.

## Tasks and Responsibilities Checklist: Sangguniang Panlalawigan

- 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 [RA No. 10121]. 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 (Dangerous Drugs Board) Joint Memorandum Circular (JMC) No. 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; DILG 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, and payment of incentives or traveling expenses relative to the conduct of intelligence or confidential operations [DILG MC No. 99-65; DILG MC No. 98-136].

### *Continuing Tasks: Setting Up Mandatory Standing Committees*

- Propose legislation to provide funds for the operation of The People's Action Team Responding Online 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; and
- 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 five members, including its Chairperson and Vice-Chairperson, 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 [Section 468 (a) 4-v, LGC]

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 [DILG MC No. 2006-113]

Take legislative action on the following:

- Care of paupers, the aged, sick, persons with mental disabilities, abandoned minors, abused children, persons with disabilities, juvenile delinquents, drug dependents, and other

## Tasks and Responsibilities Checklist: Sangguniang Panlalawigan

disadvantaged and persons in need, particularly children and youth below 18 years of age [Section 468 (a) 4-vi, LGC];

- Establishment and support for the operation of centers and facilities for needy and disadvantaged persons, subject to availability of funds [Section 468 (a) 4-vi, LGC];
- Creation of a Provincial Council for the Elderly which shall formulate policies and adopt measures mutually beneficial to the elderly and the province [Section 468 (a) 4-ix, LGC];
- 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 Migrant Advisory and Information Network (MAIN) Desk, 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 MAIN Desk lodged at the Philippine National Police's (PNP) 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

### *Continuing Tasks: Setting Up Mandatory Standing Committees*

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 GAD 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 as beneficiaries of local government programs and projects, particularly the following:
  - › Livelihood and other development assistance;
  - › Health care services; and
  - › 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 midwife items 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, such as dissemination of copies of Proclamation No. 160, and visits to public markets and other food handling facilities to underscore the imperatives of ensuring food safety; and
  - › Adopting a Provincial Declaration of Commitment to Food Safety [DILG MC No. 99-194].

## Tasks and Responsibilities Checklist: Sangguniang Panlalawigan

- 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 Chairperson and Vice-Chairperson, 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 Chairperson and Vice-Chairperson, 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;

### *Continuing Tasks: Setting Up Mandatory Standing Committees*

- › Establishment and operation of vocational and technical schools and similar post-secondary institutions [Section 468 (a) 4-iii, LGC];
  - › Propose reasonable tuition fees and other school charges in educational institutions supported by the Provincial Government [Section 468 (a) 4-iii, LGC]; and
  - › Scholarship fund for the poor but deserving students residing in the province [Section 468 (a) 4-iv, LGC].
- Take appropriate legislative action to establish a Provincial Council whose purpose is the promotion of culture and the arts [Section 468 (a) 4-viii, LGC];
  - 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 Chairperson and Vice-Chairperson, to which shall be referred all matters or questions about the following:

- Organization and management, personnel administration, position classification and pay plan, and staffing pattern;
- Creation of positions;

## Tasks and Responsibilities Checklist: Sangguniang Panlalawigan

- 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 [Section 468 (a) 1-x, LGC];
- Maintain a Journal and Record of Proceedings, which may be published upon resolution of the majority of the SP Members;
- Propose legislation prescribing reasonable limits and restraints on the use of property within the jurisdiction of the Province [Section 468 (a) 2-vi, LGC];
- 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; Administrative Order No. 339; National Budget Circular No. 446-A];
- 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 be familiar with the workings of the Provincial Government offices; and



### *Continuing Tasks: Setting Up Mandatory Standing Committees*

- › 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 ELA, which 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 (SLGR); (b) Comprehensive Development Plan (CDP); (c) Comprehensive Land Use Plan (CLUP); (d) Annual Investment Plan; (e) Local Poverty Reduction Action Plan, (f) ELA manual and facilitator's guide; and (g) other relevant documents;
  5. Avail of technical support from the DILG Regional or Provincial Coaching Teams, if necessary;

## Tasks and Responsibilities Checklist: Sangguniang Panlalawigan

6. Provide funds for the formulation and implementation of the ELA; and
  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 Sustainable Development Goals [DILG MC No. 04-152];
  - On the issuance of an Environmental Compliance Certificate 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 or 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-Governance Assessment Report, and other performance audit results [DILG MC No. 2018-49]; and

### *Continuing Tasks: Setting Up Mandatory Standing Committees*

- Take appropriate legislative action to encourage the Punong Barangay, Sangguniang Barangay Members, Sangguniang Kabataan Chairperson, Barangay Secretary, and Barangay Treasurer to voluntarily register as members of Pagtutulungan sa Kinabukasan: Ikaw, Bangko, Industria at Gobyerno 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 Chairperson and Vice-Chairperson, 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.

### **Sample Committee Tasks**

- Take appropriate legislative action adopting Investment-Friendly Business Policies and Procedures that may include but are 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; and
  - › Development of a primer concerning policies, regulations, systems, and procedures of processing an application for business permits and 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 RA No. 9178 by establishing a One-Stop Business Registration Center to efficiently handle registration and processing of permits and licenses of Barangay Micro-Business Enterprises [DILG MC No. 2003-69];

## Tasks and Responsibilities Checklist: Sangguniang Panlalawigan

- 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 Small and Medium-Sized Enterprises Databank Project of the National Statistics Office [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 or 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 promoting the general welfare of the residents [DILG MC No. 92-47; Article 62, RA No. 7394; LGC];
- 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 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

### *Continuing Tasks: Setting Up Mandatory Standing Committees*

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 EOs necessary for the proper enforcement and execution of such laws or ordinances [DILG MC No. 99-213; Article 201, Revised Penal Code].

- If circumstances so warrant:
  - › 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
  - › 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, Revised Penal Code].

### **Committee on Public Works**

This committee may be composed of not more than five members, including its Chairperson and Vice-Chairperson, 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 [Section 468 (A) 4-ii, LGC];
- 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, whether 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 Chairperson and Vice-Chairperson, 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.

**Sample Committee Tasks**

- Take appropriate legislative action relative to the review of the CLUPs and Zoning Ordinances (ZOs) of Component Cities and Municipalities and adopt a Comprehensive Provincial Land Use Plan [Section 468 (A) 2-VII, LGC];

### *Continuing Tasks: Setting Up Mandatory Standing Committees*

- Take appropriate legislative action to comply with the prescribed time period for the adoption, review, and approval of CLUPs and ZOs of Provinces [DILG MC No. 2002-30];
- Take appropriate legislative action to support the formulation or updating of the Provincial Physical Framework Plan (PPFP) 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 International Road Assessment Programme analysis, findings, and recommendations are integrated into the LDPs, particularly in the Annual Investment Programs (AIPs) [DILG MC No. 2002-06];
- Take appropriate legislative action relative to requesting assistance from Housing and Land Use Regulatory Board or the direct contracting of services or private technical experts or consultants to ensure transparency and to fasttrack the updating of the PPFP 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 Chairperson and Vice-Chairperson, 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, and basketball tournaments; and
- All other matters related to games and amusements.

**Sample Committee Tasks**

- Propose legislation implementing RA No. 9287 “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 Chairperson and Vice-Chairperson, 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 Committee Tasks**

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



## PART 3

# TASK LIST FOR EFFECTIVE LEGISLATIVE PERFORMANCE

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

To raise the level of performance of the SP, 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 SP 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, POs, and NGOs in committee hearings for a proposed provincial ordinance;
- Regular updating of the legislative database;
- Building an information network;
- 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 SP 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;
- Developed in full consultation with stakeholders;
- Provides a clear and well-defined legislative action and timeframe;
- Provides an operational translation of the CDP; and
- 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 and duly signed by all

## Tasks and Responsibilities Checklist: Sangguniang Panlalawigan

- Members present during the session; 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, ZO, local tax code or revenue code, sanitation code, ordinance on solid waste management, and ordinance on poverty alleviation or reduction);
- Number of ordinances approved with impact on local communities (e.g., ordinance on the AIP and ordinance on the LDP);
- Number of sessions conducted with complete attendance of members; and
- Internal Rules of Procedures containing the following minimum requirements: organization of the SP and election of its officers; 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;
- SP 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 SP Secretary.

**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

# RELEVANT EXECUTIVE ORDERS

**71 / Series 1993**

Approval of Building Permits for Condominium Projects

**215 / December 13, 1994**

Department of Health (DOH)-Department of Finance (DOF)-DILG-DBM JMC dated 12 April 1996; DILG MC No. 97-96 dated 24 April 1997 on the Delivery of Health Services Devolved to LGUs

**443 / September 24, 1997**

Minimum Basic Needs

**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 SOCCSKSARGEN Area Development Project Office (SADPO)

**39-A / November 30, 1998**

Streamlining the SADPO, 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, LGUs, and/or Government-Owned and Controlled Corporations to include the Taxpayer Identification Number 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 DBM their Respective AIP

**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 and the Establishment of Inter-Local Health Zones 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 RA No. 7227, as Amended by RA No. 7917

**336 / January 5, 2000**

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

**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 Scheme

**321 / November 21, 2000**

Directing the Transfer of Certain Government Properties between and among the DOF and the PNP 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 LGUs 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, 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. to Perform Certain Functions Rel ating 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 EO No. 371 dated 2 October 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

**56 / November 26, 2001**

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

**189 / December 21, 2001**

Directing all LGUs to Submit to the DBM their Respective AIPs

**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 Peacekeeping Operations

**98 / May 2, 2002**

Declaring the Available Lands of the Southern Philippines Development Authority 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

**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 Scheme, in favor of Honda Cars Philippines, Inc. (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, 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 SADPO

**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

**231 / August 4, 2003**

Amending EO No. 153 Entitled “Instituting The National Drive to Suppress and Eradicate Professional Squatters and Squatting Syndicates, Amending EO. No. 178, s. 1999 and EO No. 129, s. 1993 and for Other Purposes by Including the Public Attorney’s 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 DOH as the Lead Agency for the Purpose

**238/ September 22, 2003**

Amending EO 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 post of Acting Governor is governed by Section 46 (a) of the LGC, 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 or her 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 or she can exercise all the powers and perform all the functions 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 deals with a situation where the Provincial Governor is traveling within the country but outside his or her territorial jurisdiction for a period of not exceeding three consecutive days. In such a case, he or she 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 or she is outside his or her 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 or her absence for three consecutive days. However, if on the fourth day, he Provincial Governor failed to return to his or her 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 LGC does not distinguish and thus, the Provincial Governor may designate in writing any Provincial Official to act as OIC during his or her 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 or she can assume as OIC in the Office of the Governor. [Sec. 46 (c), LGC] Accordingly, he or she must issue a memorandum addressed to all officials and employees of the province of his or her 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 or she 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. Henceforth, all orders must emanate from him or her.

### **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 or her designation as OIC is effective only during the three (3) consecutive days of absence of the Provincial Governor, who is outside his or her 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 LGC.

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

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 or her 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.

As a mere OIC, he or she has no power to perform all the functions and powers of the Provincial Governor. More importantly, he or she is not empowered to approve ordinances. Such being the case, the violation of the separation of powers and functions is not present. As OIC, the Vice-Governor has no authority to approve ordinances enacted by the Sanggunian and can continue to preside over the session of the SP. If, however, the Governor failed to return on the fourth day, the Vice-Governor's OIC status will become Acting Governor, and therefore, he or she will already be barred from presiding over 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 Department of the Interior and Local Government (DILG) implements the Program for Newly-Elected Officials (NEO), through the Local Government Academy (LGA), to assist newly elected Local Chief Executives (LCEs) in transitioning to their posts, taking responsibilities, and managing their respective LGUs. The program consistently intends to assist NEOs in developing their leadership and transformational capacities.

The Program for NEO primarily aims to develop newly elected officials to be strategic leaders who will guide their local governments towards being more competitive, efficient, and responsive development institutions. It is composed of five (5) components; the first two components aim to aid incoming local officials to ensure smooth transition in their LGUs; and jumpstart local governance upon NEOs' assumption to office, and until the end of their terms. The third component is intended to support the LGUs in developing, enhancing or updating their local plans. The fourth component is composed of interventions to further enhance competencies not only of the elected officials, but also of local functionaries. Finally, the last component aims to assist LGUs for their assessment, and be eligible for LGU awards and incentives.

Anchored on the six (6) LGU Capacity Pillars i.e., Structure, Competency, Leadership, Management Systems, Enabling Policies and Knowledge and Learning, the program envisions to

contribute to better quality of life among constituents of local governments as a result of improved leadership and decision-making skills of the newly-elected officials.

The logo takes its cue from the program's new focus on peace and resilience, articulated visually in the elements that build the lettermark itself. 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. 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 it 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.



**Local Government Academy**

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