

7TH  
EDITION  
2022

TASKS AND RESPONSIBILITIES  
**CHECKLIST**

A Reference Guide to Action

**PROVINCIAL GOVERNORS**



## **Provincial Governors** Tasks and Responsibilities **Checklist: A Reference Guide to Action**

7th Edition

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TASKS AND RESPONSIBILITIES

# CHECKLIST

A Reference Guide to Action

PROVINCIAL GOVERNORS

7th Edition





## 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 *Provincial Governors 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". The signature is fluid and cursive.

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



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# ABBREVIATIONS

<b>AO</b>	Administrative Order
<b>CC</b>	Climate Change
<b>CEPC</b>	Comprehensive Emergency Program for Children
<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>DND</b>	Department of National Defense
<b>DRRM</b>	Disaster Risk Reduction and Management
<b>DRRMP</b>	Disaster Risk Reduction and Management Plan
<b>EO</b>	Executive Order
<b>ELA</b>	Executive-Legislative Agenda
<b>GAD</b>	Gender and Development
<b>IRA</b>	Internal Revenue Allotment
<b>JMC</b>	Joint Memorandum Circular
<b>LCE</b>	Local Chief Executive
<b>LCPC</b>	Local Council on the Protection of Children
<b>LEIPO</b>	Local Economic and Investment Promotion Office
<b>LGA</b>	Local Government Academy
<b>LGC</b>	Local Government Code
<b>LGU</b>	Local Government Unit
<b>MC</b>	Memorandum Circular
<b>MOA</b>	Memorandum Of Agreement
<b>MRF</b>	Materials Recovery Facility
<b>NGO</b>	Non-Governmental Organization
<b>OIC</b>	Officer-in-Charge
<b>PD</b>	Presidential Decree
<b>PDP</b>	Provincial Development Plan
<b>PDPFP</b>	Provincial Development and Physical Framework Plan
<b>PHB</b>	Provincial Health Board
<b>PDRRMP</b>	Provincial Development and Physical Framework Plan



# ABBREVIATIONS

<b>PM</b>	Presidential Memorandum
<b>PNP</b>	Philippine National Police
<b>PO</b>	People's Organization
<b>POPSP</b>	Peace and Order and Public Safety Plan
<b>PPA</b>	Programs, Projects, and Activities
<b>PPFP</b>	Provincial Physical Framework Plan
<b>PPOC</b>	Provincial Peace and Order Council
<b>PSB</b>	Provincial School Board
<b>PSWMP</b>	Provincial Solid Waste Management Plan
<b>RA</b>	Republic Act
<b>SEF</b>	Special Education Fund
<b>SHP</b>	Socialized Housing Program
<b>SLGR</b>	State of Local Governance Report
<b>SP</b>	Sangguniang Panlalawigan

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

**THE LOCAL GOVERNMENT CODE OF 1991**

PART 1

**SETTLING IN  
THE FIRST  
100 DAYS**

## **Tasks and Responsibilities: Provincial Governor**

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

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

Even before assumption of power at noon on June 30, the Provincial Governor must know their powers, duties, and functions by heart. These are enumerated in Section 465 of the Local Government Code of 1991 (LGC). The following is a list of tasks and responsibilities of the Provincial Governor and some reminders for them.

### **Upon assumption**

- Take an oath of office and require all newly elected provincial officials to do the same;
- File a sworn Statement of Assets, Liabilities and Net Worth (SALN), declare relatives working in government if there are any, disclose financial and business interests, and submit a personal data sheet. Concerning Section 8 of Republic Act (RA) No. 6713, local officials shall file their SALN and the Disclosure of Business Interests and Financial Connections with the Office of the Deputy Ombudsman in their respective regions within 30 days after assumption of office; and
- Accomplish the Elected Local Official Personal Data Sheet (ELOPDS) and submit to the Department of the Interior and Local Government.

## ENSURE THE FUNCTIONALITY OF PROVINCIAL BODIES



Organize or reorganize and ensure the functionality of the following:

- Provincial School Board [Section 98 (b)(1), LGC];
- Provincial Health Board [Section 102 (a) (1), LGC];
- Provincial Development Council [Section 107 (c), LGC];
- Provincial Peace and Order Council [Section 116, LGC; EO No. 309, s. 1988, as amended];
- Provincial Board of Assessment Appeals [Section 227, LGC];
- Provincial Bids and Awards Committee [R.A. No. 9184];
- Provincial Finance Committee [Section 316, LGC];
- Provincial Disaster Risk Reduction and Management Council [R.A. No. 10121];
- Tourism Council [DILG MC No. 95-162, s. 1995];
- Anti-Drug Abuse Council [DILG-DDB JMC No. 2018-01];
- Provincial Price Coordinating Council [DILG MC No. 04-75, s. 2004; DILG MC No. 05-130, s. 2005];
- Small and Medium Enterprise Development Council [DILG MC No. 02-107, s. 2002];
- Fisheries and Aquatic Resources Management Council [DILG MC No. 99-142, s. 1999];

## ENSURE THE FUNCTIONALITY OF PROVINCIAL BODIES



- Provincial Agriculture and Fisheries Council [DILG MC No. 97-271, s. 1997; DILG MC No. 98-200, s. 1998];
- Executive and Legislative Agenda Team [DILG MC No. 04-64, s. 2004];
- Seal of Good Local Governance Team;
- Provincial Council for the Protection of Children [DILG MC No. 02-121, s. 2002];
- Provincial Ecological Solid Waste Management Board [R.A. No. 9003; DILG MC No. 01-38, s. 2001];
- Provincial Council for the Culture and the Arts [DILG MC No. 02-81, s. 2002];
- Provincial Special Drug Education Center Team [DILG MC No. 06-150, s. 2006];
- Provincial / Project Monitoring Committee [ Memorandum Order No. 175];
- Enhanced Comprehensive Local Integration Program Committee [ DILG-DND JMC No. 2018-01 and Administrative Order (AO) No. 10];
- Local Road Management Team;
- Crisis Management Committee;
- Incident Command System [NDRRMC MC No. 4, s. 2021];  
and
- Internal Audit System.

### **Bring the people closer to the government**

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

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

- Call upon any national official or employee stationed in or assigned to the province to make recommendations on matters affecting the province and coordinate with said official or employee in the formulation and implementation of plans, programs and projects [Section 465 (b) (1) (xvi), LGC]; and
- Call conventions, conferences, seminars, or meetings of elective and appointive officials of the province and component cities and municipalities, including national officials and employees stationed in or assigned to the province, whenever necessary [Section 465 (b) (2) (ii), LGC].

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

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

## Development Planning

- Convene the Provincial Development Council (PDC);
- Direct the formulation and implementation of the Provincial Development and Physical Framework Plan (PDPFP) [Section 465 (b) (1) (ii), LGC] with DILG MC No. 2007-114, Sept 6, 2007;
- Ensure that the eradication of illiteracy is a priority in the Provincial Development Plan (PDP), and proposes the provision of funds for its implementation [DILG MC No. 00-120, s. 2000]; and
- Incorporate development projects on culture and the arts in the short-and long-term PDP [DILG MC No. 95-117, s. 1995].



## AT A GLANCE

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

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



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

Lead the formulation or review and updating and implementation of the PDPFP, which is a mandatory requirement for provinces. Admittedly, the preparation of PDPFP requires more time, human resources, and financial resources. However, it is a comprehensive and harmonized plan that can serve as the basis or source of other provincial thematic plans, including the Executive-Legislative Agenda (ELA). However, the provincial government is not prevented from pursuing the formulation of an ELA to further enhance executive-legislative cooperation and partnership. DILG Memorandum Circular (MC) No. 2004-64 provides the basis for the formulation of an ELA.

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

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

### **Statutory requirements in preparing the executive budget**

In light of the implementation of the consolidated cases of Congressman Hermilando I. Mandanas, et. al. vs. Executive Secretary Paquito N. Ochoa, et. al. and Hon. Enrique T. Garcia, et. al. vs. Executive Secretary Paquito N. Ochoa, et. al., Governors must take note of the following priorities in the use of National Tax Allotment and other resources:



## AT A GLANCE

### Qualities of an Executive Budget

- Participatory in its formulation;
  - Responsive to the budgetary requirements of the provincial government plans;
  - Satisfies statutory and contractual obligations [Section 324 (b), LGC];
  - Balanced and realistic. Total appropriations covering the operating expenditures and capital outlays do not exceed the estimated income [Section 324 (a), LGC]; and
  - Approved within the prescribed period.
- 
- Cost of providing the services and facilities enumerated in Section 17 of the LGC (Local Budget Circular No. 82 dated June 15, 2021) as contained in the Devolution Transition Plans of the LGUs;
  - Appropriation in the annual budget of no less than 20% of its NTA share for development projects. This is more commonly known as the 20% Development Fund, which is to be utilized in accordance with the DBM-DOF-DILG JMC No. 1 dated November 4, 2020 (Section 287, LGC and LBC No. 82, dated June 15, 2021);
  - Appropriation amounting to not less than 5% of the estimated revenue of the LGU from regular sources as Local Disaster Risk Reduction Management Fund [Section 324 (d), LGC as amended by RA No. 8185, and further

amended by RA No.10121 and Local Budget Circular No. 82 dated June 15, 2021);

- Personal services appropriations amounting to 45% or less for the 1st-3rd class provinces, and 55% or less for the 4th-6th class provinces [Section 325 (a), LGC];
- Debt servicing appropriation amounting to 20% or less of the regular income [Section 324 (b), LGC];
- Aid to component barangays amounting at least P1,000.00 per barangay [Section 324 (c), LGC];
- Appropriations for discretionary purposes amounting to 2% or less of the actual receipts derived from basic real property tax in the next calendar year [Section 325 (h), LGC];
- Gender and Development (GAD) Budget amounting at least 5% of regular income [Section 36, R.A. 9710 and PCW-DILG-DBM-NEDA JMC No. 2016-01 amending JMC No. 2013-01 “Guidelines on the Localization of the Magna Carta of Women”];
- Appropriations for Senior Citizens and Persons with Disabilities of at least 1% of regular income [DBM-DSWD JC No. 2003-01 dated April 8, 2003]; and
- Allocation of 1% the Internal Revenue Allotment (IRA) for strengthening the Programs, Projects, and Activities (PPAs) of the Local Council for the Protection of Children (LCPC) [RA No. 9344 and DILG MC No. 2012-120].

### **Other Tasks**

- Appoint all officials and employees whose salaries and wages come from provincial funds and whose appointments are not otherwise provided in R.A. No. 7160 [Section 465 (b) (1) (v), LGC];

### Tasks and Responsibilities: Provincial Governor

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

## PART 2

# GEARING UP FOR THE CONTINUING TASKS

The tasks and responsibilities of a Provincial Governor do not end after your first 100 days of being the chief executive of the province. There will always be more to be done to manage the affairs of the province. More importantly, there are more ways to manage them better: more efficiently, more innovatively, more intentionally. Find them.

Here you will find a list of the tasks and responsibilities of the Provincial Governor, and reminders for you for the rest of your gubernatorial term. These are here to only guide you. You must to do the work to build on them.

# LOCAL ADMINISTRATIVE GOVERNANCE

## Supervision

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

## Local Legislation

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

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

- Code of General Ordinances;
- Local Code for Children;
- Gender and Development Code;



- Revenue Code [DILG MC No. 98-51, s.1998];
- Local Investment and Incentive Code; and
- Environmental Code [DILG MC No. 97-267, s.1997].

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

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

**Annual Report**

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

**Participation**

- Engage civil society in provincial governance through periodic consultations;
- Ensure children’s participation in local legislation, especially on laws that concerns children’s welfare, rights

## Tasks and Responsibilities: Provincial Governor

and protection;

- Institutionalize the participation of youth in Climate Change (CC) adaptation and Disaster Risk Reduction and Management (DRRM)-related activities (DILG-NYC JMC No. 01, s. 2015);
- Call upon any national official or employee stationed in or assigned to the province to make recommendations on matters affecting the province and coordinate with said official or employee in the formulation and implementation of plans, programs and projects [Section 465 (b) (1) (xvi), LGC];
- Establish cooperative undertakings with other local governments [Section 33, LGC];
- Establish the CSO Desk and institutionalize the People's Council in the LGU [Section 36, LGC, DILG MC No. 2021-012];
- Call conventions, conferences, seminars or meetings of elective and appointive officials of the province and component cities and municipalities, including national officials and employees stationed in or assigned to the province [Section 465 (b) (2) (ii), LGC];
- Enter into joint ventures and other cooperative arrangements with POs and NGOs in support of the service delivery and capability-building concerns of the provincial government [Section 35, LGC];
- Enforce the guidelines in the accreditation and membership of POs and NGOs in the PDC, Provincial School Board (PSB), Provincial Health Board (PHB), Provincial Peace and Order Council (PPOC), and Provincial Bids and Awards Committee [DILG MC No. 2016-97];
- Ensure the participation of NGOs and the community in planning and implementing efforts towards the eradication of illiteracy [DILG MC No. 00-120, s. 2000];

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

## **Development Planning**

- Ensure effectiveness of the PDC;
- Direct the formulation and implementation of the PDP [Section 465 (b) (1) (ii), LGC];
- Incorporate development projects on culture and the arts in the short-and long-term PDP [DILG MC No. 95-117, s. 1995];
- Lead the formulation or updating of the PDPFP [Rationalized Planning System Manual];
- Implement guidelines prescribing the time periods for the adoption, review, and approval of the PDPFP [DILG MC No. 02-30, s. 2002];
- Seek assistance from the Housing and Land Use



## AT A GLANCE

### **Characteristics of an Effective Provincial Development Council**

The composition is in accordance with Section 107 (c) of RA No. 7160, or Section 108 (c) of Muslim Mindanao Autonomy Act No. 25;

- Able to formulate or update long-term, medium-term, and annual socio-economic development plans and policies;
- Able to formulate or update medium-term and annual public investment programs;
- Able to appraise and prioritize socio-economic development programs and projects;
- Able to formulate or update the Local Revenue Code to enhance competitiveness by attracting more investments and identifying appropriate taxes;
- Able to formulate or update local investments and incentives to promote the inflow and growth of private investment capital;
- Able to coordinate, monitor, and evaluate the implementation of development programs and projects;
- Has an Executive Committee that can represent it and act on its behalf when it is not in session;
- Has sectoral or functional committees that help in the performance of its functions;



## AT A GLANCE

### **Characteristics of an Effective Provincial Development Council**

- Has a secretariat that provides technical support, documents proceedings, prepares reports, and extends other forms of assistance that may be required in the discharge of its duties; and
- Meets at least once every six months and as often as necessary.

Regulatory Board or directly contract the services of private technical experts or consultants to ensure transparency and to fasttrack the updating of the PDPFP [DILG MC No. 01-76, s. 2001];

- Ensure the achievement of the Seal of Good Local Governance in the province and the preparation of the SLGR which utilizes the Governance Assessment Report [DILG MC No. 2018-49];
- Ensure that the annual budget has funds to address human trafficking [DILG MC No. 05-26, s. 2005; DILG MC No. 06-172, s. 2006];
- Integrate indigenous people's rights and concerns within the framework of GAD [DILG MC No. 05-34, s. 2005];
- Implement Section 16, RA No. 8371, which mandates that

## Tasks and Responsibilities: Provincial Governor

indigenous peoples be represented in local legislative bodies;

- Have the records of all inhabitants in component barangays maintained and updated [DILG MC No. 05-69, s. 2005]; and
- Establish a provincial archival system [Section 373, LGC].

## Revenue Generation

- Establish and update the provincial revenue management information system [Section 17 (b) (3) (x), LGC; DILG MC No. 98-51, s. 1998]'
- Formulate and update the Comprehensive Revenue Generation Plan;
- Ensure that all taxes and other revenues due the provincial government are collected [Section 465 (b) (3) (iii), LGC]. For this purpose, create a task force that will study and recommend measures and strategies that will improve the collection of local revenues;
- Issue a permit to extract sand, gravel, and other quarry resources only in accordance with an ordinance, the proceeds of which shall be shared as follows: 30% to the province; 30% to the municipality or city; and 40% to the barangay where such materials are extracted [Section 138, LGC];
- Strictly implement withholding tax laws and regulations, and advise all officers in charge of withholding taxes that failure to comply with said requirements is subject to administrative and penal liabilities [DILG MC No. 99-151, s. 1999; Revenue Memo Order 14-98; Revenue Memo Order No. 70-98];
- Lift the collection of real property taxes, special levies, and other forms of exaction within lands certified as

## ENSURE THE QUALITY OF THE PROVINCIAL DEVELOPMENT AND PHYSICAL FRAMEWORK PLAN



The PDDFP should have the following characteristics:

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

ancestral domain areas [DILG MC No. 04-41, s. 2004];

- Institute administrative or judicial proceedings for violation of ordinances in the collection of taxes, fees, or charges, and for the recovery of funds and property [Section 465 (b)(3) (vii), LGC]; and
- Review the assessment of real properties in the province for the proper imposition of the real property tax.



## AT A GLANCE

### Characteristics of a Provincial Archival System

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

### Resource Allocation and Utilization

- Require each head of office or department to prepare and submit an estimate of appropriations for the ensuing year on or before the 15th of July [Section 465 (b) (3) (i), LGC];
- Have the executive budget for the ensuing year prepared and submitted to the SP not later than the 16th day of October of the current fiscal year [Section 318, LGC];
- Approved within the prescribed period. Prioritize funding or resource allocation to devolved projects, services, and facilities, particularly those that affect health, agriculture, social welfare, the environment environment, and other devolved functions [DILG MC No. 95-14, s. 1995; Sec.17, LGC];
- Establish a Persons with Disability Affairs Office [DILG MC No. 2017-119];
- Call for the provision of funds in the implementation of ELA [DILG MC No. 04-64, s. 2004];





## AT A GLANCE

### **Characteristics of a Comprehensive Revenue Generation Plan**

- Sets provincial revenue policy directions and helps provincial financial generation managers in monitoring accomplishments, lapses, and misses in revenue based on specific targets stipulated in the Plan;
  - Contains all strategies that the provincial government has to undertake to yield the estimated amount of revenues to be collected every fiscal year;
  - Identifies provincial government personnel responsible for each strategy, program, or task to be undertaken during a particular period;
  - Includes the projected or estimated amount of revenues to be generated from out of each potential source of revenue;
  - Serves as the basis in updating the Revenue Code; and
  - Has a monitoring and evaluation component.
- 
- Establish and allocate funds for senior citizens and day care centers [DILG MC No. 98-102, s. 1998];
  - Ensure that appropriations for social welfare services are optimally utilized and are supportive of the poverty alleviation thrust of the government [DILG MC No. 02-19, s. 2002];

## Tasks and Responsibilities: Provincial Governor

- Follow government policy on austerity and economic measures [DILG MC No. 00-13, s. 2000; AO No. 339]; and
- Allocation of 1% of the IRA for the strengthening of the PPAs of the LCPC (RA No. 9344 and DILG MC No 2012-120).

## Other Considerations in the Preparation of the Executive Budget

- Debt servicing appropriation amounting to 20% or less of the regular income [Section 324 (b), LGC];
- Aid to component barangays amounting to at least P1,000 per barangay [Section 324 (c), LGC];
- Annual lump sum appropriation for unforeseen expenditures arising from the occurrence of calamities amounting to 5% of the estimated revenue from regular sources [Section 324 (d), LGC];
- Development projects appropriation-amounting to least 20% of the provincial annual IRA [Section 287, LGC];
- Personal services appropriations amounting to 45% or less for the 1st-3rd class provinces and 55% or less for the 4th-6th class provinces [Section 325 (a), LGC]; and
- Appropriations for discretionary purposes amounting to 2% or less of the actual receipts derived from basic real property tax in the preceding calendar year [Section 325 (h), LGC].

## Financial Accountability

- Ensure the effectiveness of the Internal Control System;
- Establish an effective Financial Management System;
- Represent the province in its business transactions and sign on its behalf all bonds, contracts, obligations, and other documents, upon the authority of the SP, pursuant

- to law or ordinances [Section 465 (b) (1) (vi), LGC];
- Provide efficient and effective property and supply management in the province; protect the funds, credits, rights, and other properties of the province [Section 465 (b) (3) (vi), LGC]; and
  - Implement the 30-day time standard prescribed under EO No. 258 for the issuance of development permits for housing projects, consistent with the PDPFP and investment programs [DILG MC No. 00-136, s. 2000]. This has to be further reviewed in the light of RA No. 11032.

### **Customer Service**

Ensure the effectiveness of customer service.

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



## **AT A GLANCE**

### **Qualities of an Executive Budget**

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

## Tasks and Responsibilities: Provincial Governor

- Formulate and implement a Provincial Human Resource and Development Program [PD No. 284 and DILG MC No. 96-171, s. 1996]; and
- Ensure that there is an effective system for human resource recruitment, evaluation, promotion, and grievance system.

## Other Human Resources Management Responsibilities

- Act on leave applications of provincial officials and employees and the commutation of the monetary value of leave credits [Section 465 (b) (1) (xiv), LGC];
- Authorize official trips of officials and employees outside the province for a period not exceeding 30 days [Section 465 (b) (1) (xv), LGC];
- Subject to the availability of funds, authorize the payment of medical care, necessary transportation, subsistence, hospitalization, or medical fees of provincial officials and employees who are injured while in the performance of their official duties and functions [Section 465 (b) (1) (xvii), LGC]; and



## AT A GLANCE

### Qualities of an Internal Control System

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



## AT A GLANCE

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

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



## AT A GLANCE

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

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

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

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



## AT A GLANCE

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

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



## AT A GLANCE

- Evaluation
  - › Formal performance appraisal is conducted at least twice a year for all employees
- Promotion
  - › Promotions are linked to performance review and the search for most qualified employees
- Grievance System
  - › Gender-Sensitive-promotes sensitivity to the needs of both men and women;
  - › Just-takes into account the protection of the interests and rights of current and prospective employees as well as the organization; and
  - › Legal-follows existing laws or guidelines as prescribed by the Civil Service Commission.



*Gearing Up for the Continuing Tasks*

- Ensure that occupational, health and safety, sanitation, and environmental conditions in the workplace of Provincial Government workers are made available and are adequately maintained; and that there are clean and adequate comfort rooms, potable water, safe building or office facilities; and safety measures against fire and other hazards [DILG MC No. 98-54, s. 1998].

# II LOCAL SOCIAL GOVERNANCE

## Health and Nutrition

- Ensure the effectiveness of the PHB;
- Provide for tertiary health services and facilities such as hospitals [Section 17 (b) (3) (iv), LGC];
- Include Voluntary Blood Donation Services in the Provincial Work and Financial Plan and as an additional function of the Provincial Health Board [DILG MC No. 99-133, s. 1999; DILG MC No. 99-66, s. 1999]; and
- Support the implementation of the comprehensive and unified policy for tuberculosis control and tap or solicit the assistance of the private sector involved in health care services to do the same [DILG MC No. 03-93, s. 2003].

## Education

- Ensure the effectiveness of the PSB;
- Ensure the optimal utilization of the SEF [Section 99 (c), LGC]; and
- Construct classrooms and school buildings.



## AT A GLANCE

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

- Composition is in accordance with Section 102 of RA No. 7160;
- Able to propose to the Governor and the Sangguniang;
- Panlalawigan annual budgetary appropriations for the operation and maintenance of health facilities and services within the province;
- Able to provide advice to the Governor and the Sangguniang Panlalawigan on health matters such as the need for, and application of, provincial appropriations for public health purposes;
- Has created committees capable of advising provincial health offices or units on personnel selection and promotion, bids and awards, grievance and complaints, personnel discipline, budget review and operations review; and
- Meets at least once a month, or as often as may be necessary.



## AT A GLANCE

### Characteristics of an Effective Provincial School Board

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

## **Housing and Basic Utilities**

- Ensure the effectiveness of the Provincial Housing Board, Housing Task Force, or Coordinator for Housing;
- Submit to competent authorities a report on lands identified for socialized housing and resettlement areas [DILG MC No. 01-21, s. 2001];
- Provide low-cost housing and mass dwellings [Section 17 (b)(3)(viii), LGC];
- Ensure the quality of the socialized housing program; and
- Facilitate the provision of technical, financial, and other forms of support or assistance to punong barangays within the province to ensure that the issue of squatting is properly addressed [DILG MC No. 98-202, s. 1998].



### **AT A GLANCE**

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

- Create a database containing an inventory of provincial government lands suitable for socialized housing and target beneficiaries;
- Formulate a Socialized Housing Program (SHP) for the underprivileged;



## AT A GLANCE

- Provide technical advice on socialized housing matters to the SP or PDC;
- Coordinate with housing agencies or instrumentalities in furtherance of the SHP of the province;
- Mobilize NGOs or the business community in support of the Socialized Housing Program of the province; and
- Meet at least once a month and as often as necessary.

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

- Formulation and implementation is participatory;
- Specific sites for single-detached housing, clustered housing, or mass dwelling are identified;
- Individual home lots for single-detached housing or clustered housing are identified;
- Basic services and utilities are integral components of the program;
- Current and future housing or dwelling needs of the underprivileged are addressed;
- Consistent with other provincial government plans;



## AT A GLANCE

- Financing scheme is an integral component of the program; and
- Monitoring and evaluation is an integral component of the program.

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

- Act in accordance with the Philippine National Police (PNP) Reorganization Act, which states that the Governor is the deputized representative of the National Police Commission in the province [Section 64, RA No. 8551];
- Take the lead in efforts to address peace and order and public safety concerns in the province [DILG MC No. 03-101, s. 2003];
- Ensure the effectiveness of the PPOC [DILG MC No. 2015-130];
- Formulate and implement the provincial POPSP [Section 465 (b) (2) (v), LGC];
- Dispel the public perception that illegal gambling thrives because provincial and police officials either tolerate or connive with gambling lords. Do this by being unrelenting in the campaign against jueteng and by adopting a concrete action plan against illegal gambling [DILG MC No. 02-105, s. 2002; DILG MC No. 01-161, s. 2001; DILG MC No. 00-98, s. 2000; DILG MC No. 98-227, s. 1998; DILG MC No. 97-35, s. 1997];
- Ensure the effectiveness of the Provincial Disaster Risk Reduction and Management Council;

## Tasks and Responsibilities: Provincial Governor

- Include the following thematic areas in the PDRRMP:
  - › Disaster Prevention and Mitigation;
  - › Disaster Preparedness;
  - › Disaster Response; and
  - › Disaster Rehabilitation and Recovery.
- Ensure that an updated PDRRMP is submitted to the National Disaster Risk Reduction and Management Council not later than the first quarter of every year [DILG MC No. 98-94, s. 1998];
- Implement emergency measures during and in the aftermath of human-induced and natural calamities [Section 465 (b) (1) (vii), LGC];
- Protect the fundamental rights of children before, during, and after disasters and other emergencies when children are gravely threatened or put in danger by circumstances that affect their survival and normal development (RA No. 10821 or the Children’s Emergency Relief and Protection Act). DILG MC No. 2018-196 provides for the localization of the Comprehensive Emergency Program for Children (CEPC) in the province. The creation of an Ad Hoc Committee that would help analyze the situation of children and eventually assist in crafting a local CEPC is much desired; and
- Create a Command Operation Center during calamities, emergencies and disasters.

## Children

- Lead the implementation of all children’s programs through the Provincial Council for the Protection of Children [DILG MC 05-95, s. 2005];
- Support the campaign and advocacy for the elimination of child labor [DILG MC No. 98-81, s. 1998];





## AT A GLANCE

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

- Composition is in accordance with the provisions of EO No. 309, s. 1988, as amended;
- Able to formulate or update the Peace and Order and Public Safety Plan (POPSP), which contains measures aimed at improving peace and order and public safety in the province;
- Able to monitor the implementation of peace and order programs and projects and address problems by itself or through other competent authorities using an effective referral system;
- Able to undertake a periodic assessment of the prevailing peace and order situation in the province;
- Has organized a secretariat to provide technical support in preparing or updating the Integrated Area or Community POPSP in implementing and monitoring the operations of the PPOC; in conducting interagency dialogues on problems and issues affecting peace and order; and in performing other functions as required by the council; and
- Meets at least once every quarter and as often as necessary.



## AT A GLANCE

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

- Participatory in its formulation;
- Objectives, whether general or specific, address peace and order and public safety problems in the province;
- Key activities to achieve such objectives are logical;
- Timelines are provided for each key activity;
- Responsibilities are delineated relative to the implementation of key activities;
- Financing scheme is an integral component of the plan; and
- Monitoring and evaluation is an integral component of the plan.

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

- Composition is in accordance with the provisions of RA No. 10121 entitled “An Act Strengthening the Philippine Disaster Risk Reduction and Management System, Providing for the National Disaster Risk Reduction and Management Framework and Institutionalizing the National Disaster Risk Reduction and



## AT A GLANCE

Management Plan, Appropriating Funds Therefor and for Other Purposes.”;

- Able to formulate or update the Disaster Risk Reduction Management Plan (DRRMP), indicating the risk areas vulnerable groups, relocation sites, strategies in mitigation, preparedness, response and rehabilitation, community early warning system, support systems, and the necessary budgetary appropriations;
- Can approve, monitor and evaluate the implementation of the Provincial Disaster Risk Reduction and Management Plan (PDRRMP) and regularly review and test the plan consistent with other national and local planning programs;
- Integrates disaster risk reduction and CC adaptation in local development plans, programs, and budgets as a strategy in sustainable development and poverty reduction; and
- Can convene the local council once every three months and as necessary.



## AT A GLANCE

### Qualities of a Provincial Disaster Preparedness Plan

- Participatory in its formulation;
  - Contains information about the following: risk areas, vulnerable groups, relocation sites strategies in the support systems and their roles and responsibilities, required mitigation, preparedness, response, rehabilitation, and community early warning budgetary appropriations to implement the plan; and
  - Monitoring and evaluation is an integral component of the plan.
- 
- Promote the general welfare and safety of children, and ensure that their rights are being protected (PD 603 Child and Youth Welfare Code of the Philippines, United Nations Convention on Rights of Children);
  - Presentation of the Local State of Children Report or “State of the Children’s Report” (DILG MC No 2009-106);
  - Consider doing a children’s congress where children and youth present and recommend ways to improve their welfare. Topics that can be discussed during this activity are child rights awareness and promotion, and ways children can participate in government planning and program implementation; and
  - Ensure the protection of the fundamental rights of children before, during, and after disasters and other

emergency situations when children are gravely threatened or endangered by circumstances that affect their survival and normal development.

- › RA 10821 or the Children’s Emergency Relief and Protection Act, mandates the provision of emergency relief and protection for children before, during, and after disasters and other emergency situations.
- › The CEPC is the Philippines’ primary guiding document in handling disasters and emergency situations brought about by natural and human-induced elements with the aim of protecting children and pregnant and lactating women, and supporting their immediate recovery.
- › Creation of the Ad Hoc Committee to develop the Local CEPC through issuance of an EO and Initial Analysis of the Situation of children before, during, and after disaster [DILG Memo No. 2018–196].

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

- Do not enforce a current ordinance that authorizes the levy of fees and taxes on inter-province transport of goods, regulatory fees from passengers in local ports, and other additional taxes, fees, or charges in any form upon transporting goods and passengers (DILG MC No. 2006 70, s. 2006);
- Call for the repeal of ordinances authorizing the levy and collection of fees, taxes, and other charges on transporting goods and passengers carried into or out of, or passing through, the territorial jurisdiction of the Local Government Unit (LGU) (Sec. 133 (e), LUC); (DILG MC No. 2006-70, s. 2006);
- Adhere to the fundamental principles, limitations, and requisites of the taxing powers of LGUs (DILG MC Nos.



## AT A GLANCE

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

- Participatory in its formulation;
- Children's and women's desk is regularly staffed by a competent female police officer;
- Quick response team is in place and can be mobilized on short notice;
- There is an existing campaign, which includes the production and dissemination of relevant Information, Education, and Communication materials, against domestic violence and on women's and children's protection and rights; and
- Monitoring and evaluation is an integral component of the plan.

2009-42 and 2009-76, s. 2009); and

- Rectify defective tax ordinances charging fees on passing through vehicles, especially those carrying agricultural goods and products (DILG MC Nos. 2009-42 and 2009-76 s. 2009).

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

- Ensure the mandatory inclusion in the Annual Local Budget of a substantial appropriation for the enforcement

of RA No. 9165, giving priority to preventive or educational programs and the rehabilitation or treatment of drug dependents;

- Ensure that the provisions of Sections 51-53 of RA No. 9165 are strictly and faithfully enforced;
- Initiate the formulation of prevention and rehabilitation programs;
- Initiate the conduct of symposia and dialogues with school authorities and students, owners and employees of business establishments, government officials and employees, and the general public;
- Ensure the sustainability of a rehabilitation or treatment program for drug dependents;
- Call for the enactment of an ordinance complementing the Comprehensive Drugs Act of 2002, if none has been passed, or to amend the same, to be consistent with the pertinent provisions of the Act, and ensure its effective enforcement;
- Ensure that the Anti-Drug Abuse Councils at all levels perform their functions and responsibilities as embodied in relevant Department issuances (DILG MC No. 2009-09, s. 2009);
- Call on the local PNP, pursuant to the Local Chief Executive's (LCE) power of operational supervision and control over the local PNP under Section 51(2) of RA No. 6975, as amended by Section 62 of RA No. 8551, to conduct periodic or unannounced onsite inspection of dens, resorts, bars, karaoke bars, night clubs, and other establishments or houses suspected of being used as drug dens or places of sale or delivery of illegal drugs;
- Ensure that the Administrative Board under Section 52 (1) of Ra No. 9165 is created, functional, and faithfully

#### Tasks and Responsibilities: Provincial Governor

performing its mandated task to abate nuisances contemplated under the said provision of RA No. 9165;

- Revoke the business permit of any business establishment found by the Board to be the site of delivery, sale, and use of illegal drugs and substances;
- Provide support, financial or otherwise, to the local PNP for its sustained operations against illegal drugs; and
- Ensure that the component cities and municipalities act within the scope of their authorities pursuant to the LCE's power of general supervision over component cities and municipalities per Sec. 32 of the LGC.



# II LOCAL ECONOMIC GOVERNANCE

## Agriculture and Fisheries Development

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



## AT A GLANCE

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

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

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

- Provide investment support services [Section 17 (b) (3) (ix), LGC];
- Ensure that infrastructure facilities are in place to serve the needs of residents and promote business opportunities [Section 17 (b) (3) (vii), LGC];
- Establish a LEIPO and designate a LEIPO Officer;
- Ensure the quality of the Provincial Investment and Incentive Code;
- Lead programs for tourism development and promotion [Sec 17 (b) (3) (xii), LGC; DILG MC No. 95-162, s. 1995]; and
- Develop and implement a livelihood assistance program for victims of human trafficking [DILG MC No. 06-172, s. 2006; DILG MC No. 05-26, s. 2005].

## ENSURE BASIC INFRASTRUCTURE AND FACILITIES IN BUSINESS AND INDUSTRY ZONES



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

- Physical infrastructure (e.g., roads and bridges);
- Communications infrastructure (e.g., texts and calls may be made);
- Power infrastructure (e.g., power distribution company); and
- Financial infrastructure (e.g., banks).



### AT A GLANCE

#### Qualities of a Provincial Investment and Incentive Code

- Participatory in its formulation;
- Identifies priority investment areas;
- Provides fiscal and non-fiscal incentives;
- Rules and procedure are clear and facilitate investment; and
- Supports the provincial economic agenda.

# ||| LOCAL ENVIRONMENTAL GOVERNANCE

## Natural Resources Management

- Adopt adequate measures and standards to safeguard and conserve land, mineral, marine, forest, and other natural resources of the province, in coordination with the mayors of component cities and municipalities [Section 465 (b) (3) (v), LGC];
- Enforce forestry laws relative to community-based forestry projects, pollution control law, small-scale mining law and other laws on the protection of the environment, and cause the development of mini-hydro-electric projects, as may be necessary [Section 17 (b) (3) (iii), LGC]; and
- Support the Anti-Illegal Logging Campaign [DILG MC No. 98-203, s. 1998].

## Waste Management

- Ensure the effectiveness of the Provincial Solid Waste Management Board;
- Prepare and implement the Provincial Solid Waste Management Plan (PSWMP) [DILG MC No. 01-48, s. 2001]; and
- Enforce measures to protect the integrity of the environment;



## AT A GLANCE

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

- Formalized through a Memorandum of Agreement (MOA) or SP resolution;
- Decisions or actions mandated in the MOA are implemented by all signatory-stakeholders;
- Information about decisions made or actions undertaken is made available to all stakeholders; and
- Stakeholder dialogues or consultations are regularly undertaken.

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

- Composition is in accordance with RA No. 9003;
- Able to formulate a 10-year PSWMP and have it approved by the National Solid Waste Management Commission;
- Able to develop specific mechanics and guidelines for the implementation of the PSWMP;
- Able to coordinate the efforts of component barangays in the implementation of the PSWMP;
- Able to recommend measures and safeguards against pollution and for the preservation of the natural ecosystem;



## AT A GLANCE

- Able to adopt measures to promote and ensure the viability and effective implementation of solid waste management programs in component barangays;
- Able to review the PSWMP for purposes of ensuring its sustainability, viability, effectiveness, and relevance in relation to local and international developments in the field of solid waste management;
- Able to adopt specific revenue-generating measures to promote the viability of the PSWMP;
- Able to recommend to local authorities measures for franchise or build-operate-transfer agreements with recognized institutions, to provide either exclusive or non-exclusive authority for the collection, transfer, storage, processing, recycling or disposal of solid waste;
- Able to monitor the implementation of the PSWMP in cooperation with the private sector and NGOs; and
- Meets regularly to plan and coordinate the implementation of the PSWMP.

## COMPONENTS OF THE PROVINCIAL SOLID WASTE MANAGEMENT PLAN



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

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

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

### **RA No. 9729 or Climate Change Act of 2009**

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

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

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

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

*The local chief executive shall appoint the person responsible for the formulation and implementation of the local action plan. It shall be the responsibility of the national government to extend technical and financial assistance to LGUs for the accomplishment*



*of their Local Climate Change Action Plans.*

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

### **MC No. 2009-168 dated 27 October 2009**

All LCEs are directed to strictly comply with the mandate of RA No. 9003 or the Ecological and Solid Waste Management Act of 2000, especially on the establishment of solid waste and Materials Recovery Facilities (MRFs).

#### **Solid Waste Facility**

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

Pursuant to Section 44 RA No. 9003 in relation to Section 33 of LGC, provinces, cities, municipalities, and barangays, through appropriate ordinances, may consolidate or coordinate their efforts, services, and resources for purposes of jointly addressing common solid waste management problems or establishing common waste disposal facilities.

#### **Materials Recovery Facility**

- Establishment of LGU MRF in every barangay or cluster of barangays in a barangay-owned or barangay-leased land or in any suitable open space to be determined by the barangay through its Sanggunian.

#### Tasks and Responsibilities: Provincial Governor

- Allocation of a parcel of land by the barangay or cluster of barangays for the MRF.

The MRF includes a solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility.

Department of Environment and Natural Resources issued a Memorandum dated 2 June 2009 *Re: Manila Bay Clean Up, Rehabilitation and Preservation Addressed to All Mayors of Metropolitan Manila, the Governors, City Mayors and Municipal Mayors of and in Rizal, Laguna, Cavite, Bulacan, Pampanga, and Bataan.*

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

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

**MC No. 2008-69 dated 28 April 2008**

To address the various disaster concerns, the LCE as Chairperson of the Local DRRM Councils is encouraged to:

- Mainstream CC adaptation and DRRM measures into local policies, plans, budgets, and investment programs as a priority concern;
- Promote research and extension work on CC adaptation thru local research institutions, the academe, and other relevant stakeholders;
- Engage in PPAs relating to land and water use, land use change and forestry, reducing emissions from deforestation and degradation, coastal zones and fisheries, industry, facilities, farming practices, and indigenous clean energy;
  - › Encourage greater participation of the local media, inter-faith groups and local schools in disseminating information on CC adaptation within the overall framework of sustainable development to local communities or at the grassroots level;
  - › Promote dialogue between workers and employers to realize the potential for green and decent jobs through positive support from workers and employers in the transition towards environmentally sustainable patterns of production and consumption; and
  - › Vigorously collaborate with the provincial government and the Regional Development Council to push for more aggressive emission reduction targets and expeditious implementation of adaptation PPAs that will ensure direct benefits to the local communities.

**MC No. 2007-131 dated 2 October 2007**

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

1. Issuance of a resolution or enactment of an ordinance on air pollution control;
2. Inclusion of clean air policies in local development plans;
3. Information campaign on the value smoke-free communities;
4. The conduct of encouraging community leaders, civic organizations, religious organizations, and school institutions to actively support the campaign against air pollution in their localities.

# IV OTHER RELEVANT LAWS

## Implementation of Other National Laws

- Uphold and ensure the free exercise of the rights of Indigenous Cultural Communities and Indigenous Peoples in the province, if any, in accordance with the Indigenous Peoples Rights Act of 1997 [DILG MC No. 02-89, s. 2002];
- Enforce the Anti-Sexual Harassment Act of 1995, particularly the provisions stated in Section 4, and encourage the non-government sector in the province to adhere to the provisions of the said Act [DILG MC No. 01-37, s. 2001];
- Enforce the Firecrackers and Pyrotechnic Devices Regulatory Law [DILG MC No. 02-188, s. 2002];
- Encourage component local governments to be more active in monitoring prices of prime commodities, in preventing hoarding, and in enforcing the price tag law [DILG MC No. 06-58, s. 2006; DILG MC No. 92-47, s. 1992];
- Ensure strict compliance to the Consumer Act of the Philippines [RA No. 7394; DILG MC No. 92-47, s. 1992];
- Ensure the enforcement of RA No. 9287, otherwise known as An Act Increasing the Penalties for Illegal Numbers Games, and for Other Purposes [DILG MC No. 04-146, s. of 2004];

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- Ensure compliance to RA No. 9262, otherwise known as Anti-Violence Against Women and Their Children Act of 2004 [DILG MC No. 04-118, s. 2004];
- Support the implementation of the National Integrated Protected Areas System Act of 1992 and the Wildlife Resources Conservation and Protection Act [DILG MC No. 04-44, s. 2004];
- Implement the Barangay Micro Business Enterprise Law [DILG MC No. 03-69, s. 2003];
- Enforce the law to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women especially those in the marginalized sectors (RA No. 9710 or Magna Carta of Women);
- Adopt a DRRM approach that is holistic, comprehensive, integrated, and proactive in lessening the socio-economic and environmental impact of disasters, including climate change, and promote the involvement and participation of all sectors and stakeholders;
- Adopt the Philippine Plan of Action for Nutrition through its integration in the PDPFP and Local Development Investment Program [DILG MC No. 2018-42];
- Support the implementation of existing policies on Pre-Marriage Orientation and Counseling Program (DILG JMC No. 1 series 2018);
- Comply with RA No. 10354, otherwise known as Responsible Parenthood and Reproductive Health Law [DILG MC No. 2015-145]; and
- Support the implementation of the “First 1,000 Days” Law (RA No. 11148) and “Masustansyang Pagkain para sa Batang Pilipino” (RA No. 11037).

# PART 3

# OFFICER-IN- CHARGE

## **OIC-Governor Distinguished from Acting Governor**

The post of Acting Governor is governed by Section 46 (a) of the LGC, while the post of Officer-in-Charge Governor is governed by section 46 (c) of the same Code.

When the Provincial Governor is temporarily incapacitated to perform their 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 their 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 their 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 their absence for three consecutive days.

However, if on the fourth day, the Provincial Governor failed to return to their 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 their 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 their 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 their designation as OIC.

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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, they have 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 them.

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

An OIC Provincial Governor shall stop performing their functions as such on the fourth day of absence of the Provincial Governor. This has to be so because their designation as OIC is effective only during the three (3) consecutive days of absence of the Provincial Governor, who is outside their 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 their capacity as Acting Governor, is expected to perform full-time executive functions which would include approval of ordinances. This pronouncement of the Supreme Court equally applies to cities and municipalities.

**May the Provincial Vice-Governor, if designated as OIC, continue to preside over the session of the SP?**

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

As a mere OIC, they have 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.





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