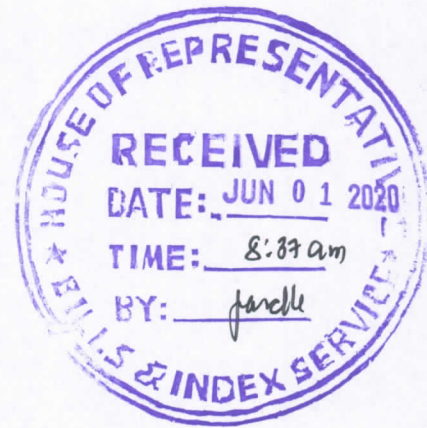


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 6882



Introduced by **HON. EDGAR M. CHATTO**
First District, Bohol

EXPLANATORY NOTE

Empowering the local government units (LGUs) has been the spirit behind the passage of the Local Government Code of 1991 (LGC). From then on, the LGC has become the bible at all levels of governance in the country.

For almost thirty years now since the enactment of the LGC, additional powers and functions as well as programs for implementation were given to the local government units through various laws, amendments to the LGC itself as well as directives from the executive.

Some additional functions aim at the improvement in the delivery of public service but which benefit is not specifically confined to the local constituency or to a specific geographical jurisdiction. Still, some functions relate to shared programs with the relevant national government agencies. In these instances, the LGU is mandated to implement using its limited resources but the use and benefit is not solely for its constituents.

The instant measure, thus, proposes to amend the LGC to address the constant challenge of the local government units with respect to "finance not following function" and give them with the needed resources to comply with the additional mandates granted to it. The amendment also proposes to define which programs are solely for implementation by the LGU viz those shared with the national government.

In view of the foregoing, approval of this bill is earnestly sought.


REP. EDGAR M. CHATTO

Republic of the Philippines
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EIGHTEENTH CONGRESS
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HOUSE BILL NO. 6882

Introduced by **HON. EDGAR M. CHATTO**
First District, Bohol

AN ACT
TO RATIONALIZE THE FUNCTIONAL ASSIGNMENTS OF LOCAL
GOVERNMENT UNITS BY AMENDING CERTAIN PROVISIONS OF
REPUBLIC ACT NO 7160, OTHERWISE KNOWN AS THE "LOCAL
GOVERNMENT CODE OF 1991"

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section 3 (a) of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", hereinafter referred to as the Code, is hereby amended to read as follows:

"Section 3. Operative Principles of Decentralization. – The formulation and implementation of policies and measure on local autonomy shall be guided by the following operative principles:

(a) There shall be an effective allocation **BETWEEN THE NATIONAL GOVERNMENT AND** among the different local government units of their respective powers, functions, responsibilities, **and resources INTO NATIONAL GOVERNMENT, FULLY-DEVOLVED, AND SHARED FUNCTIONS BASED ON THE SCOPE OF BENEFITS, EFFECTS OR IMPACTS EXTERNAL TO THE LOCAL GOVERNMENT UNIT AND RESPONSIBILITY FOR THE SETTING OF POLICIES AND STANDARDS, PLANNING AND PROGRAMMING, IMPLEMENTATION AND EXECUTION, AND ORIGIN AND OWNERSHIP OF THE FUNDING SOURCE;"**

SECTION 2. Section 17 of the Code is hereby amended to read as follows:

"Section 17. Basic Services and Facilities. –

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(b) Such basic services and facilities include, but are not limited to, the following:

(1) For A Barangay:

~~[(i) Agricultural support services which include planting materials distribution system and operation of farm produce collection and buying stations;~~

~~[(ii) Health and social welfare services which include maintenance of barangay health center and day care center;~~

~~[(iii)]~~ (i) Services and facilities related to general hygiene and sanitation, beautification, and solid waste collection;

~~[(iv)]~~ (ii) Maintenance of katarungang pambarangay;

~~[(v)]~~ (iii) Maintenance of barangay roads and bridges and water supply systems;

~~[(vi)]~~ (iv) Infrastructure facilities such as multi-purpose hall, multipurpose pavement, plaza, sports center, and other similar facilities;

~~[(vii)]~~ (v) Information and reading center; and

~~[(viii)]~~ (vi) Satellite or public market, where viable;

(2) For a Municipality:

(i) xxx

(ii) Pursuant to national policies and subject to supervision, control and review of the DENR, implementation of community-based forestry projects which include integrated social forestry programs and similar projects; management and control of communal forests with an area not exceeding fifty (50) square kilometers; establishment of tree parks, greenbelts, and similar forest development projects **WHOSE IMPLEMENTATION MAY BE SHARED WITH THE PROVINCE AND/OR A NATIONAL GOVERNMENT AGENCY;**

(iii) Subject to the provisions of Title Five, Book I of this Code, health services which include the implementation of programs and projects on primary health care, maternal and child care, and communicable and non-communicable disease control services, access to secondary and tertiary health services; purchase of medicines, medical supplies, and equipment needed to carry out the services herein enumerated **WHOSE IMPLEMENTATION MAY BE SHARED WITH THE PROVINCE AND/OR A NATIONAL GOVERNMENT AGENCY;**

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(vi) Solid waste disposal system or environmental management system and services or facilities related to general hygiene and sanitation **WHOSE IMPLEMENTATION MAY BE SHARED WITH THE PROVINCE OR THROUGH INTER-LGU COOPERATION;**

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(XIII) MAINTENANCE OF BARANGAY ROADS AND BRIDGES AND WATER SUPPLY SYSTEMS;

(XIV) HEALTH AND SOCIAL WELFARE SERVICES SHICH INCLUDE MAINTENANCE OF NARANGAY HEALTH CENTER AND DAY CARE CENTER; AND

(XV) AGRICULTURAL SUPPORT SERVICES WHICH INCLUDE PLANTING MATERIALS DISTRIBUTION SYSTEM AND OPERATION OF FARM PRODUCE COLLECTION AND BUYING STATIONS WHOSE IMPLEMENTATION MAY BE SHARED WITH THE BARANGAY.

(3) For a Province:

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(4) For a City:

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(f) The national government or the next higher level of local government unit may provide or augment the basic services and facilities assigned to a lower level of local government unit when such services or facilities are not made available or, if made available, are inadequate to meet the requirements of its inhabitants **BASED ON GUIDELINES ISSUED BY THE DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT.**

SEC. 3. Repealing Clause. – All laws, presidential decrees, executive orders and rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 4. Separability Clause. – If any portion or provision of this Act is subsequently declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall remain in full force and effect.

SEC. 5. Effectivity Clause. – This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved.