

REPUBLIC OF THE PHILIPPINES  
HOUSE OF REPRESENTATIVES  
Quezon City



**EIGHTEENTH CONGRESS**  
**First Regular Session**

**House Bill No. 2271**

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Introduced by **HON. KRISTINE ALEXIE B. TUTOR**  
Third District, Bohol

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**Explanatory Note**

The Local Development Council (LDC) is a special body created under the Local Government Code of 1991 (Republic Act No. 7160, Title Six, Sections 106 to 115) to assist the Sanggunian in setting the direction of the economic and social development of the local government unit and to coordinate development efforts within its territorial jurisdiction. It has its counterparts at the barangay, municipal and provincial levels. The rationale for its existence stems from the mandate of the aforementioned Code requiring every local government unit to formulate a comprehensive multi-sectoral development plan which shall be approved by the sanggunian.

The LDC has the following functions: To formulate long term, medium term, and annual socio-economic development plans and policies; formulate the medium term and annual public investment programs; appraise and prioritize socio-economic development programs and projects; formulate local investment incentives to promote the inflow and direction of private investment capital; coordinate, monitor and evaluate the implementation of programs and projects; and perform such other functions as may be provided by law or competent authority.

It also has the specific responsibility to adopt and recommend approval to the Sanggunian of the Local Development Plan, Local Physical Framework Plan, the Local Investment Program, the Annual Investment Plan and other Special Development Plans; ensure the consistency of the Local Development Plans and the local development programs of the municipalities and barangays through coordination with the other local development councils; ensure through the process of evaluation that programs and projects in the local government unit have gone through the required consultations

at the LGU level; and monitor and evaluate the implementation of both local and nationally-funded development programs and projects. Obviously, the importance of the LDC as a special body in the Local Government could not be overemphasized.

One of the major innovations brought forth by the Local Government Code of 1991 is its explicit provision that at least one fourth (1/4) of the total membership of the Local Development Council, or every local development council for that matter, from the barangay, to the municipality, up to the provincial level, shall come from nongovernment organizations, more popularly known as NGOs. This was designed to enhance multi-sectoral participation in the affairs of government.

The specific situation we are focusing here is the fact that there are representatives in the Local Development Council from the Business Sector and Civil Society Sector. They have different expertise, particular interests, and nature of work. However, they are simply lumped together as representatives of the Private Sector.

A representative of the local Chamber of Commerce, for instance, is expected to have business acumen and more adept in economic issues. A representative of the Catholic Women's League, on the other hand, would obviously be more interested in charity and social work. But to lump them together in one sector, the Private Sector, can be seen as preventing their more effective participation and maximization of their contribution to development processes. These are very serious issues that affect the quality of people's participation in Local Development Councils.

The Philippine Agenda (PA) 21 is our national agenda for sustainable development as stipulated in Executive Order (E.O.) 370. PA 21 is also based on the World Commission on Environment and Development (WCED) documents, and a product of widely participative national and regional multi-sectoral consultations. PA 21 recognizes three key actors in holistic sustainable development and their roles in the different realms of society, a concept called Social Threefolding in the field of Sociology. Business is the key actor in economy, which is mainly concerned with producing goods and services for people. Government is the key actor in polity, which is concerned with democratic governance and security of human rights, while Civil Society is the key actor in the

realm of culture, which is concerned with the development of the social and spiritual capacities of human beings.

At the World Economic Forum in Switzerland, United Nations Secretary General Ban Ki-moon had this to say, "Our times demand a new definition of leadership - global leadership. They demand a new constellation of international cooperation - governments, civil society and the private sector, working together for a collective global good." It seems obvious to our understanding that by the terms "private sector" he means, the business sector since civil society is already separately and specifically mentioned.

This is also the underlying confusion within Local Development Councils in general based on the Local Government Code of 1991. The undefined use of the phrase "private sector" to generally refer to nongovernment stakeholders in the Local Development Council fails to clarify whether we are referring to non-profit nongovernment organizations or to profit-oriented nongovernment organizations, or to both. Hence, this bill.



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AN ACT  
TO STRENGTHEN THE LOCAL DEVELOPMENT COUNCILS (LDCs) BY  
THREEFOLDING ITS REPRESENTATION, AMENDING FOR THAT PURPOSE  
CERTAIN PROVISIONS OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS  
“THE LOCAL GOVERNMENT CODE OF 1991,” AND FOR OTHER PURPOSES

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

1           **SECTION 1. Short Title.** – This act shall be known as the “Local  
2   Development Councils Threefolding Act of 2019.”

3  
4           **SEC. 2. Definition of Terms.** – For the purpose of this Act, the following  
5   terms shall mean as herein defined:

6   a) “Business Organizations” - includes any organization that does private  
7   service, the main purpose of which is for profit, and does not receive any  
8   salary or remuneration from the government, nor represents the government  
9   in any capacity, at any level, but accredited by the local sanggunian in  
10   accordance with R.A. 7160;

11   b) “Civil Society Organizations” - includes any organization that does private  
12   service, the main purpose of which is for non-profit public good, and does not  
13   receive any salary or remuneration from the government, nor represents the  
14   government in any capacity, at any level, but accredited by the local  
15   sanggunian in accordance with R.A. 7160;

16   c) “Threefolding” – refers to the representation of the three major sectors in the  
17   local government unit that recognizes the business sector as the key actor in  
18   economy, which is mainly concerned with producing goods and services for  
19   people, government as the key actor in polity, which is concerned with

1 democratic governance and security of human rights, while civil society as  
2 the key actor in the realm of culture, which is concerned with the  
3 development of the social and spiritual capacities of human beings.

4  
5 **SEC. 3. Composition of Local Development Councils.** – Section 107 of  
6 Republic Act No. 7160 is hereby amended to read as follows:

7  
8 “Section 107. Composition of Local Development Councils. – The composition  
9 of the local development council shall be as follows:

10 (a) The Barangay development council shall be headed by the Punong  
11 Barangay and shall be composed of the following members:

12 (1) Members of the Sangguniang Barangay;

13 (2) Representatives of non-governmental organizations operating in the  
14 Barangay AND ACCREDITED BY THE SANGGUNIAN, who shall  
15 constitute not less than one fourth (1/4) of the members of the fully organized  
16 council. NON-GOVERNMENTAL ORGANIZATIONS ACCREDITED BY  
17 THE SANGGUNIAN SHALL BE DIVIDED INTO TWO (2), CIVIL  
18 SOCIETY ORGANIZATIONS AND BUSINESS ORGANIZATIONS, IF  
19 ANY;

20 (3) A representative of the congressman.

21 (b) The city or municipal development council shall be headed by the mayor  
22 and shall be composed of the following members:

23 (1) All Punong Barangays in the city or municipality;

24 (2) The chairman of the committee on appropriations of the Sangguniang  
25 Panlungsod or Sangguniang bayan concerned;

26 (3) The congressman or his representative; and

27 (4) Representatives of non-governmental organizations operating in the city or  
28 municipality, as the case may be, AND ACCREDITED BY THE  
29 SANGGUNIAN, who shall constitute not less than one-fourth (1/4) of the  
30 members of the fully organized council. NON-GOVERNMENTAL  
31 ORGANIZATIONS ACCREDITED BY THE SANGGUNIAN SHALL BE  
32 DIVIDED INTO TWO (2), CIVIL SOCIETY ORGANIZATIONS AND  
33 BUSINESS ORGANIZATIONS, IF ANY;

(c) The provincial development council shall be headed by the governor and shall be composed of the following members:

(1) All mayors of component cities and municipalities;

(2) The chairman of the committee on appropriations of the Sangguniang Panlalawigan;

(3) The congressman or his representative; and

(4) Representatives of nongovernmental organizations operating in the province AND ACCREDITED BY THE SANGGUNIAN, who shall constitute not less than one-fourth (1/4) of the members of the fully organized council. NON-GOVERNMENTAL ORGANIZATIONS ACCREDITED BY THE SANGGUNIAN SHALL BE DIVIDED INTO TWO (2), CIVIL SOCIETY ORGANIZATIONS AND BUSINESS ORGANIZATIONS, IF ANY;

(d) The local development councils may call upon any local official concerned or any official of national agencies or offices in the local government unit to assist in the formulation of their respective development plans and public investment programs.

**SEC. 4. Representation of Non-Governmental Organizations.** – Section 108 of Republic Act No. 7160 is hereby amended to read as follows:

“Section 108. Representation of Non-Governmental Organizations. - Within a period of sixty (60) days from the start of organization of local development councils, the nongovernmental organizations WHICH INCLUDE CIVIL SOCIETY ORGANIZATIONS AND BUSINESS ORGANIZATIONS, IF ANY, shall choose from among themselves their representatives to said councils. The local Sanggunian concerned shall accredit nongovernmental organizations subject to such criteria as may be provided by law.”

**SEC. 5. Executive Committee.** - Section 111 of Republic Act No. 7160 is hereby amended to read as follows:

“Section 111. Executive Committee. - (a) Each local development council shall create an executive committee to represent it and act in its behalf when it is not in session. The composition of the executive committee shall be as follows:



1 (1) The executive committee of the provincial development council shall be  
2 composed of the governor as chairman, the representative of component city  
3 and municipal mayors to be chosen from among themselves, the chairman of  
4 the committee on appropriations of the Sangguniang Panlalawigan, the  
5 president of the provincial league of Barangays, and AT LEAST TWO  
6 REPRESENTATIVES of nongovernmental organizations (ONE FROM CIVIL  
7 SOCIETY ORGANIZATIONS AND ONE FROM BUSINESS  
8 ORGANIZATIONS, IF ANY) that are represented in the council, as members;

9 (2) The executive committee of the city or municipal development council shall  
10 be composed of the mayor as chairman, the chairman of the committee on  
11 appropriations of the Sangguniang Panlalawigan, the president of the city or  
12 municipal league of Barangays, and AT LEAST TWO REPRESENTATIVES  
13 of nongovernmental organizations (ONE FROM CIVIL SOCIETY  
14 ORGANIZATIONS AND ONE FROM BUSINESS ORGANIZATIONS, IF  
15 ANY) that are represented in the council, as members; and

16 (3) The executive committee of the Barangay development council shall be  
17 composed of the Punong Barangay as chairman, a representative of the  
18 Sangguniang Barangay to be chosen from among its members, and AT LEAST  
19 TWO REPRESENTATIVES of nongovernmental organizations (ONE FROM  
20 CIVIL SOCIETY ORGANIZATIONS AND ONE FROM BUSINESS  
21 ORGANIZATIONS, IF ANY) that are represented in the council, as members.

22 (b) The executive committee shall exercise the following powers and functions:

23 (1) Ensure that the decision of the council are faithfully carried out and  
24 implemented;

25 (2) Act on matters requiring immediate attention or action by the council;

26 (3) Formulate policies, plans, and programs based on the general principles laid  
27 down by the council; and

28 (4) Act on other matters that may be authorized by the council.”  
29

30 **SEC. 6. Separability Clause.** – If any section or provision of this Act  
31 shall be declared unconstitutional, the remaining sections or provisions shall not  
32 be affected thereby.

1           **SEC. 7. Repealing Clause.** – All laws, presidential decrees, executive  
2 orders, letters of instruction, rules and regulations which are inconsistent with any  
3 of the provisions of this Act are hereby repealed or modified accordingly.

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5           **SEC. 8. Effectivity Clause.** – This Act shall take effect fifteen (15) days  
6 after the completion of its publication in the Official Gazette or in any newspaper  
7 of general circulation.

Approved,