

EIGHTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez

House Bill No. 3748

EXPLANATORY NOTE

At present, institutes of good governance in the Philippines are located in Metro Manila. This means that would be enrollees from Mindanao would have to travel all the way to Metro Manila in order to be able to have access to quality education and training.

One such institute is the National College of Public Administration and Governance (NCPAG) in the University of the Philippines which also has a Center for Local and Regional Governance. The NCPAG is where almost all officials of the government enrol in.

There is a need to have a similar institute in Mindanao which will also provide the same type of quality education that the NCPAG provides.

In view of the foregoing, immediate approval of this measure is earnestly requested.


RUFUS B RODRIGUEZ

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AN ACT
ESTABLISHING THE MINDANAO INSTITUTE OF GOOD GOVERNANCE,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. This Act shall be known as the "*Mindanao Institute of Good Governance Act*".

SEC. 2. Declaration of Policy. It is hereby the policy of the State to provide local government officials in Mindanao with quality training on good governance and make such training accessible to all of them with the goal of providing them skills, knowledge and values they need to become self-reliant, productive, effective and efficient local officials and regional officers.

SEC. 3. Establishment of the Mindanao Institute of Good Governance. There is hereby established a Mindanao Institute of Good Governance, hereinafter referred to as the Institute, which shall be attached to the Commission on Higher Education (CHED) for budgetary purposes, and shall be based in the University of Science and Technology of Southern Philippines – Cagayan de Oro Campus. It shall provide graduate and post-graduate degree courses and non-degree certificate and diploma courses, and short-term training in management and good governance to directors, managers and other officials of the different government agencies and offices, local chief executives, other local government officials, chief executive officers and senior staff of government-owned and controlled corporations, and heads of educational and financial institutions in Mindanao.

SEC. 4. Functions of the Institute. The following are the functions of the Institute:

- a. Provide a sustainable program that will instill excellence among local managers in Mindanao through innovation, transformation and education leading to good governance;
- b. Set up a training facility that will cater to the capability-building and skills enhancing needs of local officials, heads of offices and chief executive officers in Mindanao;
- c. Serve as avenue to share best practices on good governance and major development initiatives for matters relating to local government units' project models;
- d. Establish a research arm that will provide training modules, undertake evaluation and impact researches, document case studies, and updates on emerging approaches and methodologies on good governance; and
- e. Serve as a repository of information, data and other reference materials for use of researchers, policymakers, planners and the public, in general, on good governance.

SEC. 5. Board of Trustees. The governance and policymaking powers of the Institute shall be vested in, and its powers exercised by, a Board of Trustees, hereinafter referred to as the Board, which shall be composed of the following members, as follows:

- a. The Chairperson of the CHED, as Chairperson;
- b. The Secretary of the Department of the Interior and Local Government (DILG), as Vice-Chairperson;
- c. The Director-General of the National Economic and Development Authority, as member;
- d. The President of the Governors League of Mindanao, as member;
- e. The President of the USTSP, as member;
- f. The Chairperson of the Mindanao Development Authority, as member;
- g. A representative from the Autonomous Region for Muslim Mindanao or the body that may replace it in the future, as member; and
- h. The Chief Executive Officer of the Institute.

The member of the Board coming from the ARMM shall be appointed by the President of the Philippines or the head of the body that may replace the ARMM in the future from among the nominees of their respective organizations.

SEC. 6. Powers and Duties of the Board. The Board shall exercise the following powers and duties:

- a. Prepare and adopt such rules and regulations as it considers necessary for the effective discharge of its responsibilities;
- b. Constitute the Executive Committee and appoint its chief executive officer and assistant executive officer;
- c. Review periodically the administration and the programs of the Institute;
- d. Receive donations from local or international donors, in cash or in kind, and appropriate such sum as may be provided by law for the support of the Institute; and
- e. Perform other duties and functions inherent to its role as the highest governing body..

SEC. 7. Meetings and Quorum. The Board shall meet, preferably at its principal office, at least once a month. The Chairperson shall schedule meetings of the Board and may call a special meeting whenever necessary: *Provided*, That members are notified in writing at least three (3) working days prior to the meeting.

A simple majority of all members of the Board holding office at the time the meeting is called shall constitute a quorum and shall be sufficient for the adoption of any rule, resolution, decision or any act of the Board.

In the absence of the CHED Chairperson, a commissioner of the CHED duly designated by him/her, shall represent him/her in the meeting with all the rights and responsibilities of a regular member; *Provided, however*, That during this meeting, the DILG Secretary, as vice chairperson, shall be the presiding officer; *Provided, further*, That this proviso notwithstanding, the CHED Chairperson is hereby authorized to designate a CHED commissioner as the regular chair of the Board, in which case, the said CHED commissioner shall act as the presiding officer.

SEC. 8. The Executive Committee. There shall be an Executive Committee, which shall be chaired by the Chief Executive Officer of the Institute, and which shall consist of not less than three (3) but not more than five (5) members to be elected by the Board from among themselves. Except for the Chief Executive Officer, all the other members of the Executive Committee shall hold office for a term of two (2) years and shall be eligible for re-election.

SEC. 9. Functions of the Executive Committee. The Executive Committee shall administer the affairs of the Institute in accordance with such functions, powers and responsibilities as may be delegated by the Board. In the exercise of such functions, powers and responsibilities, the Executive Committee shall have all the powers of the Board, except

the power to fill up a vacancy in the Board and to amend the rules and regulations of the Institute.

SEC. 10. *The Chief Executive Officer.* The Institute shall be headed by a Chief Executive Officer (CEO) who shall be appointed by the Board and receive such compensation and remuneration to be fixed by the Board. The CEO shall hold office for a term of five (5) years without reappointment.

The CEO must be a graduate of a four-year course and a holder of a Master's Degree in Public Administration.

SEC. 11. *Functions of the CEO.* The CEO shall:

- a. Recommend, coordinate and administer the programs and projects of the Institute;
- b. Develop training modules that will enable local officials sustain a broad and dynamic movement for participatory democracy and good governance;
- c. Provide research and consulting service and facilitate learning on local autonomy and devolution on regional governance and urban and metropolitan management;
- d. Collaborate with local and international institutions in the publication of materials for the benefit of local government and regional units;
- e. Submit to the Board the policies and measures which he/she believes necessary to carry out the objectives of the Institute;
- f. Conduct basic and applied research to improve knowledge and practices in local government and regional administration;
- g. Submit annual report to the board of all accomplishments of the Institute during the year, its financial operations and status, and a program and budget for the following year;
- h. Provide technical assistance and consultancy on organization and management, personnel administration, local finance, development planning, and project development and management to local and regional governments; and
- i. Exercise such other powers and discharge such other functions as may be vested in him by the Board and the Executive Committee.

SEC. 12. *Organizational Structure.* The Board shall determine the organizational structure, staffing pattern and pay of the Institute and the officers and employees thereof which shall conform to that of other existing government-owned and controlled corporations and subject to the Revised Compensation and Position Classification System, as modified by Joint Resolution No. 4 dated June 17, 2009, and other pertinent budget and compensation laws. All matters pertaining to appointments, qualification standards and other personnel actions shall be subject to Civil Service rules and regulations.

SEC. 13. *Appropriations.* The amount needed to carry out the initial implementation of this Act shall be charged against the current fiscal year's lump sum appropriations and other internal funds of the CHED. Thereafter, such sum as may be needed for the continued operation of the Institute shall be included in the annual General Appropriations Act.

The Institute may use the unexpended balances in any appropriation for purposes that the Board shall determine.

SEC. 14. *Implementing Rules and Regulations.* Within sixty (60) days after the effectivity of this Act, the CHED, in coordination with the DILG, shall issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 15. *Separability Clause.* Should any provision herein be declared unconstitutional, the same shall not affect the validity of the other provisions of this Act.

SEC. 16. *Repealing Clause.* All laws, decrees, orders, rules, and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 17. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,