

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
*Quezon City*

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. 2714

HOUSE OF REPRESENTATIVES	
<b>RECEIVED</b>	
DATE	<u>09 AUG 2016</u>
TIME	<u>11:30 am</u>
BY	<u>ph</u>
REGISTRATION UNIT BILLS AND INDEX SERVICE	

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INTRODUCED BY REPRESENTATIVE ARTHUR C. YAP

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**EXPLANATORY NOTE**

As defined under Section 17 of the Local Government Code, the term "*devolution*" refers to the act by which the National Government confers power and authority upon the various Local Government Units (LGUs) to perform specific functions and responsibilities.

Devolution is part of the objective for LGUs to be self-reliant. It was for them to exercise the powers and discharge the duties and functions, not just previously vested upon them, but also those devolved to them from national agencies and offices.

The devolution included the transfer to LGUs of the records, equipment and other assets of national agencies and offices corresponding to the devolved powers, functions, and responsibilities. Most important, it involved the transfer of personnel from the national government.

The more known devolved functions came from the Departments of Agriculture, Environment and Natural Resources; Health; and, Social Welfare and Development. Thus the positions of local Agriculturist, Environment and Natural Resources Officer, Social Welfare and Development Officer, and Health Officer were created under the Local Government Code.

However, from the above-enumerated positions, in all the LGU classes, meaning from the provincial, city to municipal Government, only the position of Health Officer has mandatory appointment. For the Agriculturist Social Welfare and Development Officer, such positions are optional in the city or municipal levels. In the case of the Environment and Natural Resources Officer, it is optional at all levels.

Expectedly, said positions being optional, the LGU executives come up with several reasons not to fill it up. These reasons include administrative viability and lack of financial resources.

This draft bill seeks to make the appointment of the positions of Environment and Natural Resources Officer, and Social Welfare and Development Officer mandatory in all LGUs. In the case of the Agriculturist, it makes the position mandatory except in highly urbanized cities where less than ten percent (10%) of business is agriculture based or related.

It should be highlighted that the above stated positions render services that are basic and necessary to the local government's constituency.

As for the Agriculturist, he/she is in charge of on-site research services and facilities related to agriculture and fishery activities, including the following:

- dispersal of livestock, poultry and seeding materials for aquaculture;
- quality control and improvement and development of local distribution channels, preferably through cooperatives;
- inter-barangay irrigation systems;
- water and soil resource utilization and conservation projects; and,
- enforcement of fishery laws in municipal waters including the conservation of mangroves;

On the other hand, the Environment and Natural Resources Officer is mandated to:

- implement community-based forestry projects;
- manage and control communal forests;
- establish tree parks, greenbelts, and similar forest development projects;

Finally, the Social Welfare Office shall be in charge of:

- programs and projects on child and youth welfare, family and community welfare, women's welfare, welfare of the elderly and disabled persons;
- community-based rehabilitation programs for vagrants, beggars, street children, scavengers, juvenile delinquents, and victims of drug abuse; and,
- livelihood and other pro-poor projects; nutrition services; and family planning services.

If the said positions are optional, (and usually unfilled), the above enumerated necessary services cannot be properly discharged by the LGU.

In view of the foregoing, the immediate passage of this bill, filed as House Bill No. 420 by the undersigned in the Sixteenth Congress, is earnestly sought.



ARTHUR C. YAP  
*Representative*

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
*Quezon City*

SEVENTEENTH CONGRESS  
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INTRODUCED BY REPRESENTATIVE ARTHUR C. YAP

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AN ACT  
MAKING THE APPOINTMENT TO THE POSITIONS  
OF LOCAL AGRICULTURIST, ENVIRONMENT AND  
NATURAL RESOURCES OFFICER AND SOCIAL  
WELFARE AND DEVELOPMENT OFFICER,  
MANDATORY IN ALL LOCAL GOVERNMENT UNITS,  
AMENDING FOR THE PURPOSE PERTINENT  
SECTIONS OF REPUBLIC ACT NO. 7610, AS  
AMENDED, 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. *Declaration of Policy.*** – It hereby declared the policy  
2 of the State to enable Local Government Units to exercise the powers and  
3 discharge the duties and functions, not just previously vested upon them, but  
4 also those devolved to them from national agencies and offices.

5       **SECTION 2. *Amendment of Section 482 of the Local Government***  
6 ***Code.*** – Section 482 of Republic Act No. 7160, otherwise known as the  
7 Local Government Code of 1991, is hereby amended to read as follows:

8       “ARTICLE XII

1           The Agriculturist

2           SECTION 482.   Qualifications, Powers and Duties. —

3           (a) xxx

4           The position of an agriculturist shall be mandatory for the  
5           provincial government, **[and optional for the]** city and  
6           municipal governments, EXCEPT IN HIGHLY URBANIZED  
7           CITIES WHERE LESS THAN TEN PERCENT (10%) OF  
8           BUSINESS IS AGRICULTURE BASED OR RELATED.”

9           **SECTION 3. *Amendment of Section 483 of the Local Government***

10          **Code.** — Section 483 of Republic Act No. 7160, otherwise known as the  
11          Local Government Code of 1991, is hereby amended to read as follows:

12                 “ARTICLE XIII

13                 The Social Welfare and Development Officer

14                 SECTION 483.   Qualifications, Powers and Duties. —

15                 xxx

16                 The appointment of a social welfare and development  
17                 officer is mandatory for provincial, **[and]** city **[governments]**,  
18                 and **[optional for]** municipal government.

19           **SECTION 4. *Amendment of Section 484 of the Local Government***

20          **Code.** — Section 484 of Republic Act No. 7160, otherwise known as the  
21          Local Government Code of 1991, is hereby further amended to read as  
22          follows:

23                 ARTICLE XIV

24                 The Environment and Natural Resources Officer

1           SECTION 484.   Qualifications, Powers and Duties. —

2           (a) No person shall be appointed environment and natural  
3           resources officer unless he is a citizen of the Philippines, a  
4           resident of the local government unit concerned, of good moral  
5           character, a holder of a college degree preferably in  
6           environment, forestry, agriculture or any related course from a  
7           recognized college or university, and a first grade civil service  
8           eligible or its equivalent. He must have acquired experience in  
9           environmental and natural resources management,  
10          conservation, and utilization, for at least five (5) years in the  
11          case of the provincial or city environment and natural resources  
12          officer, and three (3) years in the case of the municipal  
13          environment and natural resources officer.

14          The appointment of the environment and natural  
15          resources officer is **MANDATORY** [optional] for provincial,  
16          city, and municipal governments.

17          **SECTION 5. *Separability Clause.*** - If any provision of this Act, or  
18          any parts thereof, is declared unconstitutional, the same shall not affect the  
19          validity and effectivity of the other portions.

20          **SECTION 6. *Repealing Clause.*** - All laws, executive orders,  
21          presidential decrees, proclamations, rules, regulations, issuances, and  
22          enactments of parts thereof inconsistent with this Act are hereby repealed or  
23          modified accordingly.

1        **SECTION 7. *Effectivity.*** - This Act shall take effect fifteen (15) days  
2        from its complete publication in the Official Gazette of in a newspaper of  
3        general circulation in the Philippines, whichever comes earlier.

**APPROVED.**