

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

SEVENTEENTH CONGRESS  
First Regular Session

**HOUSE BILL NO. 3804**



Introduced by **HON. RENE L. RELAMPAGOS**  
First District, Bohol

### 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 non-government organizations (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.

  
**RENE LOPEZ RELAMPAGOS**

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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 the House of Representatives of the Philippines in Congress Assembled:*

**SECTION 1.** Title. – This act shall be known as the “Local Development Councils Threefolding Act of 2016.”

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

- a. “Business Organizations” - includes any organization that does private service, the main purpose of which is for profit, and does not receive any salary or remuneration from the government, nor represents the government in any capacity, at any level, but accredited by the local sanggunian in accordance with R.A. 7160;
- b. “Civil Society Organizations” - includes any organization that does private service, the main purpose of which is for non-profit public good, and does not receive any salary or remuneration from the government, nor represents the government in any capacity, at any level, but accredited by the local sanggunian in accordance with R.A. 7160;
- c. “Threefolding” – refers to the representation of the three major sectors in the local government unit that recognizes the business sector as the key actor in economy, which is mainly concerned with producing goods and services for people, government as the key actor in polity, which is concerned with democratic governance and security of human rights, while civil society as the key actor in the realm of culture, which is concerned with the development of the social and spiritual capacities of human beings.

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

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

- a. The Barangay development council shall be headed by the Punong Barangay and shall be composed of the following members:
  - 1) Members of the Sangguniang Barangay;
  - 2) Representatives of non-governmental organizations operating in the Barangay 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;
  - 3) A representative of the congressman.
- b. The city or municipal development council shall be headed by the mayor and shall be composed of the following members:
  - 1) All Punong Barangays in the city or municipality;
  - 2) The chairman of the committee on appropriations of the Sangguniang Panlungsod or Sangguniang Bayan concerned;
  - 3) The congressman or his representative; and
  - 4) Representatives of non-governmental organizations operating in the city or municipality, as the case may be, 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;
- 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.

**SECTION 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.

**SECTION 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) The executive committee of the provincial development council shall be composed of the governor as chairman, the representative of component city and municipal mayors to be chosen from among themselves, the chairman of the committee on appropriations of the Sangguniang Panlalawigan, the president of the provincial league of Barangays, and AT LEAST TWO REPRESENTATIVES of nongovernmental organizations (ONE FROM CIVIL SOCIETY ORGANIZATIONS AND ONE FROM BUSINESS ORGANIZATIONS, IF ANY) that are represented in the council, as members;
  - 2) The executive committee of the city or municipal development council shall be composed of the mayor as chairman, the chairman of the committee on appropriations of the Sangguniang Panlalawigan, the president of the city or municipal league of Barangays, and AT LEAST TWO REPRESENTATIVES of nongovernmental organizations (ONE FROM CIVIL SOCIETY ORGANIZATIONS AND ONE FROM BUSINESS ORGANIZATIONS, IF ANY) that are represented in the council, as members; and
  - 3) The executive committee of the Barangay development council shall be composed of the Punong Barangay as chairman, a representative of the Sangguniang Barangay to be chosen from among its members, and AT LEAST TWO REPRESENTATIVES of nongovernmental organizations

(ONE FROM CIVIL SOCIETY ORGANIZATIONS AND ONE FROM BUSINESS ORGANIZATIONS, IF ANY that are represented in the council, as members.

b. The executive committee shall exercise the following powers and functions:

- 1) Ensure that the decision of the council are faithfully carried out and implemented;
- 2) Act on matters requiring immediate attention or action by the council;
- 3) Formulate policies, plans, and programs based on the general principles laid down by the council; and
- 4) Act on other matters that may be authorized by the council.

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

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

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

Approved,