



'19 OCT 22 P 3 :18

SENATE
S. B. No. 1124

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Introduced by Senator Maria Lourdes Nancy S. Binay

AN ACT
AMENDING SECTIONS 443, 454, AND 463 OF REPUBLIC ACT NO. 7160
OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991"

EXPLANATORY NOTE

Tourism is an integral part of the Philippine economy. In 2018, tourism industries contributed a total of PhP2.2 trillion to the local economy which is equivalent to 12.7 percent of the country's Gross Domestic Product¹. These figures are still expected to rise and create a remarkable quantity of employment opportunities. Thus, calls for the need to fortify the tourism safeguards provided by Republic Act No. 9593, otherwise known as "The Tourism Act of 2009."

Section 42 of Republic Act No. 9593 provides that every province, city or municipality in which tourism is a significant industry shall have a permanent position for a tourism officer. However, the local government units where tourism is a booming industry falls short of permanent positions for tourism officers. Furthermore, Republic Act No. 7160, otherwise known as the "Local Government Code of 1991" does not include the provision of permanent positions of tourism officers in its exclusive list of officers for every local government unit.

¹ Philippine Statistics Authority, Contribution of Tourism to the Philippine Economy is 12.7 percent in 2018, June 6, 2019, <https://psa.gov.ph/content/contribution-tourism-philippine-economy-127-percent-2018>.

Without a specific amendatory clause in The Tourism Act of 2009, local government units fail to establish permanent positions for tourism officers. This proposed measure intends to address the issue by amending the pertinent provisions of the Local Government Code of 1991 and ensure that permanent positions for tourism officers are provided in order to strengthen and promote the growth of the tourism industry in the country.

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



MARIA LOURDES NANCY S. BINAY

Senator



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

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AN ACT
AMENDING SECTIONS 443, 454, AND 463 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. Sections 443 of Republic Act No. 7160, otherwise known as the "Local
Government Code of 1991" is hereby amended to read as follows:

"SECTION. 443. Officials of the Municipal Government. -

- (a) There shall be in each municipality a municipal mayor, a municipal
vice mayor, Sangguniang Bayan members, a secretary to the
Sangguniang Bayan, a municipal treasurer, a municipal assessor, a
municipal accountant, a municipal budget officer, a municipal
planning and development coordinator, a municipal
engineer/building official a municipal health officer, and a municipal
civil registrar.

**IN MUNICIPALITIES WHERE TOURISM IS A SIGNIFICANT
INDUSTRY, A TOURISM OFFICER SHALL ALSO BE
APPOINTED, IN ACCORDANCE WITH THE QUALIFICATIONS
SET FORTH IN REPUBLIC ACT NO. 9593, OTHERWISE
KNOWN AS "THE TOURISM ACT OF 2009."**

1 (b) In addition thereto, the mayor may appoint a municipal administrator, a
2 municipal legal officer, a municipal agriculturist, a municipal environment
3 and natural resources officer, a municipal social welfare and development
4 officer, a municipal architect, and a municipal information officer.

5
6 (c) The Sangguniang Bayan may:

7
8 (1) Maintain existing offices not mentioned in subsections (a) and (b)
9 hereof;

10
11 (2) Create such other offices as may be necessary to carry out the
12 purposes of the municipal government; or

13
14 (3) Consolidate the functions of any office with those of another in the
15 interest of efficiency and economy.

16
17 (d) Unless otherwise provided herein, heads of departments and offices shall
18 be appointed by the municipal mayor with the concurrence of the majority
19 of all the Sangguniang Bayan members, subject to civil service law, rules
20 and regulations. The Sangguniang Bayan shall act on the appointment
21 within fifteen (15) days from the date of its submission; otherwise, the
22 same shall be deemed confirmed.

23
24 (e) Elective and appointive municipal officials shall receive such compensation,
25 allowances and other emoluments as may be determined by law or
26 ordinance, subject to the budgetary limitations on personal services as
27 prescribed in Title Five, Book Two of this Code: Provided, That no increase
28 in compensation of the mayor, vice-mayor, and Sangguniang Bayan
29 members shall take effect until after the expiration of the full term of all
30 the elective local officials approving such increase.”
31

1 **SECTION 2.** Sections 454 of Republic Act No. 7160 is hereby amended to read as
2 follows:

3
4 **"SECTION. 454. Officials of the City Government. -**

- 5
6 (a) There shall be in each city a mayor, vice mayor, Sangguniang
7 Panlungsod members, a secretary to the Sangguniang Panlungsod,
8 a city treasurer, a city assessor, a city accountant, a city budget
9 officer, a city planning and development coordinator, a city
10 engineer, a city health officer, a city civil registrar, a city
11 administrator, a city legal officer, a city veterinarian, a city social
12 welfare and development officer, and a city general services officer.

13
14 **IN CITIES WHERE TOURISM IS A SIGNIFICANT INDUSTRY,**
15 **A TOURISM OFFICER SHALL ALSO BE APPOINTED, IN**
16 **ACCORDANCE WITH THE QUALIFICATIONS SET FORTH IN**
17 **REPUBLIC ACT NO. 9593, OTHERWISE KNOWN AS "THE**
18 **TOURISM ACT OF 2009."**

- 19
20 (b) In addition thereto, the city mayor may appoint a city architect, a
21 city information officer, a city agriculturist, a city population officer,
22 a city environment and natural resources officer, and a city
23 cooperatives officer.

24
25 The appointment of a city population officer shall be optional in the
26 city: Provided, however, That cities which have existing population
27 offices shall continue to maintain such offices for a period of five
28 (5) years from the date of the effectivity of this Code, after which
29 said offices shall become optional.

- 30
31 (c) The Sangguniang Panlungsod may:
32

1 (1) Maintain existing offices not mentioned in subsections (a)
2 and (b) hereof;

3
4 (2) Create such other offices as may be necessary to carry out
5 the purposes of the city government; or

6
7 (3) Consolidate the functions of any office with those of another
8 in the interest of efficiency and economy.

9
10 (d) Unless otherwise provided herein, heads of departments and offices
11 shall be appointed by the city mayor with the concurrence of the
12 majority of all the Sangguniang Panlungsod members, subject to
13 civil service law, rules and regulations. The Sangguniang
14 Panlungsod shall act on the appointment within fifteen (15) days
15 from the date of its submission, otherwise the same shall be
16 deemed confirmed.

17
18 (e) Elective and appointive city officials shall receive such
19 compensation, allowances, and other emoluments as may be
20 determined by law or ordinance, subject to the budgetary
21 limitations on personal services prescribed under Title Five, Book II
22 of this Code: Provided, That, no increase in compensation of the
23 mayor, vice-mayor and Sangguniang Panlungsod members shall
24 take effect until after the expiration of the full term of the said local
25 officials approving such increase."

26
27 **SECTION 3.** Sections 463 of Republic Act No. 7160 is hereby amended to read as
28 follows:

29
30 **"SECTION. 463. Officials of the Provincial Government. -**
31

- 1 (a) There shall be in each province a governor, a vice governor, members of
2 the Sangguniang Panlalawigan, a secretary to the Sangguniang
3 Panlalawigan, a provincial treasurer, a provincial assessor, a provincial
4 accountant, a provincial engineer, a provincial budget officer, a
5 provincial planning and development coordinator, a provincial legal
6 officer, a provincial administrator, a provincial health officer, a provincial
7 social welfare and development officer, a provincial general services
8 officer, a provincial agriculturist, and a provincial veterinarian.

9
10 **IN PROVINCES WHERE TOURISM IS A SIGNIFICANT INDUSTRY,**
11 **A TOURISM OFFICER SHALL ALSO BE APPOINTED, IN**
12 **ACCORDANCE WITH THE QUALIFICATIONS SET FORTH IN**
13 **REPUBLIC ACT NO. 9593, OTHERWISE KNOWN AS " THE**
14 **TOURISM ACT OF 2009."**

- 15
16 (b) In addition thereto, the governor may appoint a provincial population
17 officer, a provincial natural resources and environment officer, a provincial
18 cooperative officer, a provincial architect, and a provincial information
19 officer.

20
21 The appointment of a provincial population officer shall be optional in the
22 province: Provided, however, That provinces which have existing
23 population offices shall continue to maintain such offices for a period of
24 five (5) years from the date of the effectivity of this Code, after which said
25 offices shall become optional.

- 26
27 (c) The Sangguniang Panlalawigan may:

- 28
29 (1) Maintain existing offices not mentioned in subsections (a) and (b)
30 hereof;
31

(2) Create such other offices as may be necessary to carry out the purposes of the provincial government; or

(3) Consolidate the functions of any office with those of another in the interest of efficiency and economy;

(d) Unless otherwise provided herein, heads of departments and offices shall be appointed by the governor with the concurrence of the majority of all the Sangguniang Panlalawigan members, subject to civil service law, rules and regulations. The Sangguniang Panlalawigan shall act on the appointment within fifteen (15) days from the date of its submission; otherwise the same shall be deemed confirmed;

(e) Elective and appointive provincial officials shall receive such compensation, allowances, and other emoluments as may be determined by law or ordinance, subject to the budgetary limitations on personal services prescribed under Title Five, Book II of this Code: Provided, That, no increase in compensation shall take effect until after the expiration of the full term of all the elective officials approving such increase."

SECTION 4. Implementing Agency. The Department of Interior and Local Governance (DILG) in coordination with the Department of Tourism (DOT) shall promulgate the rules and regulations necessary to implement the provisions of this Act.

SECTION 5. Repealing Clause. All laws, decrees, executive orders, proclamations, rules and regulations and other issuances or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 6. Separability Clause. If any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

1 **SECTION 7. Effectivity.** This Act shall take effect fifteen (15) days after its complete
2 publication in at least two (2) newspapers of general circulation.

3

4 Approved,