

13 NOV 21 P1 35

SENATE
S.B. No. 1943

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Introduced by Senator Paolo Benigno "Bam" A. Aquino IV

EXPLANATORY NOTE

It is the basic policy of our State to give primordial importance to the autonomy of the local government. Republic Act No. 7160, otherwise known as the "Local Government Code" aims to provide a more accountable local government structure and institute a system of decentralization.

Section 106 of the Local Government Code mandates each local government to have a Local Development Council (LDC) at the provincial, city, municipal or barangay level. The LDC is expected to set the direction of economic and social development within its territorial jurisdiction. At the provincial, city and municipal level, the functions of the LDC are to: (1) Formulate long-term, medium-term, and annual socio-economic plans and policies; (2) Formulate the medium-term and annual public investment programs; (3) Appraise and prioritize socio-economic development programs and projects, among others. At the barangay level, the LDC is expected to mobilize people's participation in local development efforts and to monitor and evaluate the implementation of national or local programs and projects.

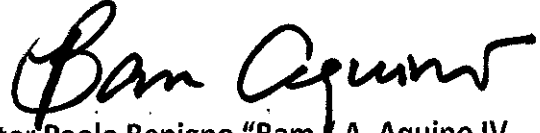
Our laws recognize the significance of multi-sectoral representation and participation in the LDC. This is made clear in the Implementing Rules and Regulations of the Local Government Code that mandates that the composition of Local Development Councils shall include representatives from duly accredited people's organizations (POs), non-governmental organizations (NGOs) and the private sector operating therein. Further, NGO representation shall not be less than $\frac{1}{4}$ of the total membership of the fully organized council. However, despite the express provisions of our laws and implementing rules, many local government units still do not adhere to them. There are also NEDA reports showing that many local special bodies do not meet regularly thus minimizing the participation of NGO's and PO's in local governance.

In any democratic nation, every individual must share in the sovereign power and must be able to participate equally in the government of the local body. Each sector of a nation must give their voice in the decisions that will affect them all. The local NGOs and POs must be given a place in the local councils for rightful representation. The local government's goal should support the creation of a better life for its people, echoing the voice of the people and help to build resilient and prosperous communities, now and over the long term.

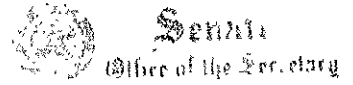
For this purpose, this bill seeks to bolster the noble goals of R.A. 7160 in ensuring that the NGOs and POs are made active partners in the pursuit of socio-economic welfare in the local autonomy. The bill mandates LDCs to convene at least four times in

a year: March, June, September and December. The leagues of LGUs are further mandated to monitor such meetings through the Oversight Committee on Local Government. Finally, the bill seeks to provide punitive actions to local executives who fail to execute such laws.

In view of the foregoing the approval of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read "Bam Aquino". The signature is fluid and cursive, with the first name "Bam" being larger and more prominent than the last name "Aquino".

Senator Paolo Benigno "Bam" A. Aquino IV



SIXTEENTH CONGRESS OF THE REPUBLIC }
OF THE PHILIPPINES }
First Regular Session }

13 NOV 21 P1:36

SENATE
S.B. No. 1943

2003
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Introduced by Senator Paolo Benigno "Bam" A. Aquino

AN ACT
STRENGTHENING THE LOCAL DEVELOPMENT COUNCIL, AMENDING FOR THE PURPOSE
CERTAIN SECTIONS 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:

1 **SECTION 1.** Section 106 of Republic Act No. 7160, otherwise known as the Local
2 Government Code of 1991, is hereby amended to read as follows:

3 "Sec. 106. **CREATION OF LOCAL DEVELOPMENT COUNCILS** – (a)
4 Each local government unit shall have a comprehensive multi-sectoral
5 development plan to be initiated by its development council approved by
6 its sanggunian. For this purpose, the development council at the
7 provincial, city, municipal, or barangay level, shall assist the
8 corresponding sanggunian in the setting the direction of economic and
9 social development, and coordinating development efforts within its
10 territorial jurisdiction.

11 **THE CHIEF EXECUTIVES OF ALL LOCAL GOVERNMENT UNITS**
12 **SHALL CONVENE THEIR RESPECTIVE LOCAL DEVELOPMENT COUNCILS**
13 **WITHIN THIRTY (30) DAYS FROM THEIR ASSUMPTION TO OFFICE.**

14 **THE LEAGUE OF PROVINCES, LEAGUE OF CITIES, LEAGUE OF**
15 **MUNICIPALITIES AND LIGA NG MGA BARANGAY SHALL MONITOR**

1 COMPLIANCE BY THEIR RESPECTIVE LOCAL GOVERNMENT UNITS WITH
2 THIS SECTION AND SECTION 110 HEREOF.

3 THE LEAGUES OF LOCAL GOVERNMENT UNITS SHALL SUBMIT
4 THEIR RESPECTIVE REPORTS TO CONGRESS, THROUGH THE OVERSIGHT
5 COMMITTEE ON LOCAL GOVERNMENT WITHIN SIXTY (60) DAYS FROM
6 THE INITIAL CONVENING OF THE LOCAL DEVELOPMENT COUNCIL AND
7 EVERY JANUARY THEREAFTER."

8 **Sec. 2.** Section 110 of the same Code is hereby amended to read as follows:

9 "Sec. 110. *Meetings and Quorum*- AFTER ITS INITIAL CONVENING,
10 THE LOCAL DEVELOPMENT COUNCIL SHALL MEET EVERY MARCH, JUNE,
11 SEPTEMBER AND DECEMBER OF EACH YEAR, or as often as may be
12 necessary."

13 **Sec. 3.** A new section denominated as Section 511-A is hereby incorporated to
14 read as follows:

15 "SEC 511-A. FAILURE TO CONVENE THE LOCAL DEVELOPMENT
16 COUNCIL UNDER SECTIONS 106A and 106 HEREOF WITHOUT VALID
17 GROUNDS SHALL BE PUNISHED WITH SUSPENSION FROM OFFICE FOR A
18 PERIOD OF THIRTY (30) DAYS. SUBSEQUENT VIOLATIONS SHALL BE
19 PUNISHED WITH SUSPENSION FROM OFFICE FOR A PERIOD OF NINETY
20 (90) DAYS."

21 **Sec. 4.** All laws, decrees, executive orders, rules and regulations inconsistent
22 with the provisions of this Act are hereby repealed, amended or modified accordingly.

23 **Sec. 5.** If any part of provision of this Act is held invalid or unconstitutional, the
24 other parts or provisions thereof shall remain valid and effective.

25 **Sec. 6** This Act shall take effect fifteen (15) days after its publication in a
26 newspaper of general circulation.

Approved,