

A Simple Reference Guide to Action



Tasks and Responsibilities
Checklist
4th Edition

THE SANGGUNIANG PANLUNGSONG

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Tasks and Responsibilities **Checklist**

A Simple Reference Guide to Action
3rd Edition

The Sangguniang Panlungsod Tasks and Responsibilities Checklist: A Simple Reference Guide to Action

4th Edition

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Local governance draws strength and focus from quality local legislation. More than a mere procedural act or legislative formality, legislation is concerned primarily with substance, where its supreme objective is general welfare and well-being.

Legislation requires not only the skills of a legislator but also sensitivity to challenges, pressures and inadequacies of governance. It can not be overemphasized that central to the concerns of local legislation is development with a human face.

Part 1

STARTING UP:

THE FIRST 6 MONTHS

I. IMPORTANT GUIDE FOR CITIES CREATED AFTER THE EFFECTIVITY OF THE LOCAL GOVERNMENT CODE; IN CASE OF CONFLICT BETWEEN THE PROVISIONS OF THE CITY CHARTER AND THE LOCAL GOVERNMENT CODE, THE CITY CHARTER PREVAILS. IN CASE OF THE SILENCE OF PROVISION IN THE CITY CHARTER, THE LOCAL GOVERNMENT CODE APPLIES SUPPLEMENTARILY.

The Internal Rules of Procedure is a mandate of the Local Government Code. It is a legislative tool to ensure orderly sessions and quality enactments. Revisiting or updating and adopting it have to be completed within 90 calendar days from the first regular session following the election.

The basic contents of such a legislative instrument are as follows:

- ☐ The organization of the sanggunian and the election of its officers, as well as the creation of its standing committees;
- ☐ The order and calendar of business for each session;

- ☐ The legislative process;
- ☐ Parliamentary procedure which include the conduct of members during sessions;
- ☐ The discipline of members for disorderly behavior and absences during sessions, including the imposition of penalties;
- ☐ The standing committees and their areas of responsibility;
- ☐ The assignment of geographical area of responsibility of each sanggunian member; and
- ☐ Such other rules as the sanggunian may adopt.

IMPORTANT REMINDERS!













Each sanggunian member is required to:




1. subscribe to an oath of office upon assumption to office (Sec. 92, LGC)
2. file a sworn statement of assets and liabilities (Sec. 91, LGC)
3. disclose business and financial interests, if any (Sec. 51, LGC)
4. be adequately familiar with the dynamics of, and other vital information on, local legislation. This is particularly true for the newly elected members. The **Local Legislative Toolkit** published by the Philippine Councilors League, in partnership with the DILG, is a helpful reference material for local legislators.

II. ORGANIZING THE SANGGUNIANG PANGLUNSOD

1. *STANDING COMMITTEES*

The need to structure the sanggunian to ensure optimum performance is crucial. What is being emphasized is the creation of standing committees which are embodied in the Internal Rules of Procedure such as but not limited to the following:

-  Committee on Rules
-  Committee on Ways and Means
-  Committee on Appropriations
-  Committee on Tourism, Trade and Industry
-  Committee on Health and Sanitation
-  Committee on Education, Culture and Sports
-  Committee on Women, Youth and Family Welfare
-  Committee on Social Welfare and Community Development
-  Committee on Environment Protection
-  Committee on Labor and Employment
-  Committee on Public Order and Safety
-  Committee on Food and Agriculture

-  Committee on Transportation and Communications
-  Committee on Public Works and Infrastructure
-  Committee on Good Governance, Public Ethics and Accountability

The sanggunian may create sub-committees under each standing committee to ensure extensive and exhaustive deliberations on all issues that are within the competence and authority of a particular standing committee to address.

2. LEGISLATIVE OFFICES AND STAFF COMPLEMENT

Part of organizing the sanggunian is to ensure that legislative offices and staff are in place. The sanggunian has to have:

- a session Hall with appropriate fixtures and equipment;
- the Office of the Sanggunian Secretary; and
- offices for individual members with appropriate fixtures and equipment, with at least one (1) staff per member, other than the Sanggunian Secretary.

III. INSTITUTIONALIZING LEGISLATIVE TRACKING AND BACKSTOPPING COMMITTEES

1. *Install a Legislative Tracking and Analysis System*

The Legislative Tracking and Analysis System is an essential tool in quality legislative work. Beyond the confines of the basic legislative process, its principal aim is to assess the effectiveness or non-effectiveness of an enactment, with the information generated factored into the review of the legislative measure.

2. *Create Backstopping Committees*








Backstopping Committees are particularly useful in the sense that such mechanisms ensure focused analysis of issues, with responsive legislative remedies easily worked out. Since it is the professional research arm of the legislative body, quality results free the sanggunian members from lengthy, time-consuming and costly debates on legislative action to take in the face of a particular issue. Leadership of the committee is issue-dependent. If it is an issue on health, necessarily the head should be the City Health Officer.

NOTE: Make sure to have a regular updating of the legislative database, and to conduct periodic legislative review.

IV. FAMILIARIZATION WITH EXISTING LEGISLATIVE ENACTMENTS

The sanggunian members are expected to be familiar with ordinances that are already enacted by the previous sanggunians. This is important as it guides them in identifying and rationalizing which ordinances require further analysis, amendment or supplementation, or are to be enacted as new legislation. Consultations with law enforcement agency, barangay officials and the general public could be helpful.

Fundamental to this, are those ordinances that support social development, economic development and environmental health:

-  Code of General Ordinances
-  Gender and Development Code
-  Investment and Incentive Code
-  Revenue Code
-  Zoning Ordinance
-  Environment Code
-  Sanitation Code

V. FIRMING UP OF THE EXECUTIVE AND LEGISLATIVE AGENDA

The Executive and Legislative Agenda or ELA [*DILG Memorandum Circular No. 64, s. 2004*] is a joint agreement between the Executive and Legislative, and is a road

map for complementary executive and legislative actions in local governance. Inputs for ELA preparation are generated from the following:

-  State of Local Governance Report
-  Citizen's views or opinions
-  Implications of emerging local government trends brought about by a complex interplay of various socio-economic and physical environment variables in the locality

VI. CRUCIAL LEGISLATION WITHIN THE FIRST SIX MONTHS

Vital within the first six months in office is the review, modification, adoption or approval of the term-based plans, and ensuing year's budget of the city government, as well as for its component barangays.

-  **Executive and Legislative Agenda**
-  **Development Investment Program** - within the period of July 1 to 31
-  **Annual Investment Program for the ensuing year** - not later than 1st week of August
-  **Comprehensive Development Plan** - within July
-  **Annual Appropriations Ordinance for the ensuing year** - within the period of October 17 to the end of the current year



Review of Barangay Appropriations Ordinances for the ensuing year - within 60-days from receipt of the Annual Budgets or Supplemental Budgets of barangays.

POINTERS IN THE APPROVAL OF THE ANNUAL BUDGET

- ☐ **Total appropriations** - shall not exceed the estimates of income (Sec. 324, LGC)
- ☐ **Full provision** - shall be made for all contractual and statutory obligations of the city (Sec. 324, LGC)
- ☐ **Debt servicing** - shall not exceed 20% of the regular income of the city (SEC. 324 B, LGC)
- ☐ **Aid to component barangays** - shall not be less than One Thousand Pesos (Php 1,000.00) per barangay [Sec. 324 C, LGC]
- ☐ **Calamity Fund** – shall be 5% of the estimated revenue from regular sources (sec 324 d, LGC & RA 8185)
- ☐ **Development Fund** - at least 20% of the city Annual IRA shall be appropriated for development projects [Sec. 287, LGC]

Be guided by DILG-dbm joint MC No. 1, s. 2005 on the Utilization of the 20% component of the Annual IRA for Development Projects.
- ☐ **Personal services** - shall not exceed 45% for 1st – 3rd class LGU, and 55% 4th to 6th class LGU (sec. 325 a, LGC)
- ☐ **Discretionary Purposes** - shall not exceed 2% of the actual receipts derived from basic real property tax (Sec. 325 h, LGc)
- ☐ **1% of the Internal Revenue Allotment of the city government shall be allocated for the strengthening of the Local Council for the protection of children** (RA 9344,

Part 2

CONTINUING TASKS AND RESPONSIBILITIES



It is understood that legislative work is to be consistent with the Executive and Legislative Agenda.





But as a general guide, this publication highlights the continuing tasks and responsibilities of the Sangguniang Panlungsod. Such tasks and responsibilities are drawn from the Local Government Code of 1991, and from other pertinent national laws and policies or the city charters for cities created after the effectivity of the Local Government Code.

I. LEGISLATIVE ACTIONS ON ADMINISTRATIVE GOVERNANCE

The continuing tasks and responsibilities of the Sangguniang Panlungsod towards effective administrative governance revolve on the enactment, amendment or supplementation of legislative measures such as ordinances relating to:

1. ORGANIZATIONAL STRUCTURE, PERSONNEL MATTERS, AND OTHER ADMINISTRATIVE CONCERNS OF THE CITY GOVERNMENT.

-  Review of functional and organizational structures of the city offices as well as the staffing pattern.
-  Powers and duties of city officials and employees

-  Positions and salaries, wages, allowances and other emoluments and benefits of officials and employees paid from city funds
-  Payment of compensation to a qualified person not in the government service who fills up a temporary vacancy or granting honorarium to any qualified official or employee
-  Safety and protection of all city government properties, public documents, or records of public interest
-  Additional allowances and other benefits, as appropriate, to judges, prosecutors, public elementary, and high school teachers, and other national government officials stationed in or assigned to the city, when the finances of the city government

IMPORTANT REMINDERS!

- ❖ CITY VICE-MAYORS ARE AUTHORIZED AND EMPOWERED TO APPOINT ALL OFFICIALS AND EMPLOYEES OF THE SANGGUNIANG PANLUNGSOD, EXCEPT THOSE WHOSE MANNER OF APPOINTMENT IS SPECIFICALLY PROVIDED IN THE LG CODE. (DILG MC No. 2003-86)
- ❖ THE SANGGUNIAN MAY MAINTAIN, CREATE OTHER OFFICES OR CONSOLIDATE FUNCTIONS OF OFFICES OF THE CITY GOVERNMENT IN THE INTEREST OF EFFICIENCY AND ECONOMY. (SEC. 454, LGC)
- ❖ THE SANGGUNIAN SHALL ACT OR CONFIRM ON APPOINTMENTS OF DEPARTMENT HEADS WITHIN FIFTEEN (15) DAYS FROM THE DATE OF ITS SUBMISSION. (SEC. 454, LGC)
- ❖ THE SANGGUNIAN MEMBER SHALL REFER TO DILG MC. Nos. 52, s. 2001 AND 163, s. 2006 WHEN TRAVELLING ABROAD. THAT DILG MC PROVIDES FOR THE RULES AND REGULATIONS GOVERNING THE FOREIGN TRAVELS OF LOCAL GOVERNMENT OFFICIALS AND EMPLOYEES.
- ❖ THE SANGGUNIAN SHALL REFER TO REPUBLIC ACT 9184 AND DBM CIRCULAR No. 01, s. 2005 CONCERNING PROCURMENT ACTIVITIES. SAID RA AND DBM CIRCULAR PROVIDE FOR THE MODERNIZATION, STANDARDIZATION AND REGULATION OF THE PROCUREMENT ACTIVITIES OF THE GOVERNMENT AND FOR OTHER PURPOSES.

2. INFORMATION AND CUSTOMER SERVICE

- ☐ Open-Door-Policy type of governance that allows people to access city offices, services and public information easily [DILG MC No. 45, s. 1996]
- ☐ Information services which include investment and job placement, tax and marketing information systems, and maintenance of the city library
- ☐ Simplification of Civil Registry Services [DILG-MC No.60, s. 2002]
- ☐ Simplification of other Civil Application Systems, i.e., business permit, building permit, certificate of occupancy, real property documents [DILG MC No. 01-120, s. 2001]
- ☐ Creation of a One Stop Shop [DILG MC No. 01-120, s. 2001]
- ☐ Establishment of a Customer Complaint Desk [DILG MC No. 01-120, s. 2001]
- ☐ Registration of births and foundlings [DILG-MC No. 186, s. 2002]

3. GENERATING REVENUES AND OTHER FISCAL MATTERS

- ☐ Upgrading and modernization of tax information and collection services
- ☐ City taxes, fees and charges, tax exemptions, incentives, or relief

- ☐ Floating of bonds or other instruments of indebtedness
- ☐ Loans or grants to component barangays, or to charitable, benevolent, or educational institutions
- ☐ Coordination with BIR officer in the city for information sharing.

4. MAXIMIZING THE USE OF RESOURCES

CONTINUATION OF THE TERM-BASED PLANS, PROGRAMS, AND BUDGET

- ☐ Annual Investment Program
 - The Annual Investment Program for the ensuing year is to be approved by the sanggunian.
 - The Annual Investment Program should be consistent with the approved term-based Local Development Investment Program.
- ☐ Annual Budget, or Supplemental Budget, the latter if any, of every barangay
 - Per Sec. 333,LGC, The review of the barangay budget has to be acted upon within 60-days from receipt thereof of the Supplemental Budget.
- ☐ Annual Budget, or Supplemental Budget, the latter if any, of the city government

- The Annual Budget for the ensuing year of the City is to be approved within the period of October 17 to December of the current year.

URBAN PLANNING AND DEVELOPMENT

- ☐ Comprehensive Land Use Plan for the city [DILG MC No. 04-133, s. 2004]
- ☐ Zoning in accordance with the approved Comprehensive Land Use Plan
- ☐ Reclassification of lands, where necessary
- ☐ Numbering of residential, commercial and other buildings
- ☐ Subdivision plans for residential, commercial, or industrial purposes and other development purposes, and collection of processing fees and other charges.
- ☐ Road Networking to improve public access

NOTE: THE CITY DEVELOPMENT COUNCIL IS MANDATED TO ASSIST THE **SANGGUNIANG PANLUNGSOD** IN SETTING THE DIRECTION OF ECONOMIC AND SOCIAL DEVELOPMENT, AND IN COORDINATING DEVELOPMENT EFFORTS WITHIN THE CITY.

5. BARANGAY AFFAIRS

- ☐ Review of barangay ordinances per Sec. 333 and Sec. 57 LGC.
- ☐ Legal assistance to barangay officials

- ☐ Group insurance or additional insurance coverage for all barangay officials, including members of barangay tanod, Lupong Tagapamayapa and other service units, with public or private insurance companies, when the finances of the city government allow.
- ☐ Enrollment of barangay officials and personnel, including volunteers to the PhilHealth Program, to be paid out of barangay funds. *[DILG MC No. 66, s. 2002]*

II. LEGISLATIVE ACTIONS ON SOCIAL GOVERNANCE

The continuing tasks and responsibilities of the Sangguniang Panlungsod towards effective social governance revolve on the enactment, amendment or supplementation of legislative measures relating to:

1. EDUCATION, CULTURE AND THE ARTS, AND SPORTS DEVELOPMENT

- ☐ Financial support to public elementary and secondary schools
- ☐ Financial support to vocational and technical schools and similar post-secondary institutions
- ☐ Scholarship fund for the poor but deserving students
- ☐ Sports facilities and equipment, as well as the conduct of annual palarong panlungsod and other sports development activities
- ☐ Strengthen the City Engineer's office with proper people and equipment so it can handle repairs and constructions of classrooms and school buildings.

NOTE: THE CITY SCHOOL BOARD SERVES AS AN ADVISORY COMMITTEE TO THE
SANGGUNIANG ON MATTERS RELATIVE TO EDUCATION.

2. HEALTH AND SANITATION





- ☐ Health services like primary health care, maternal and child care, and communicable and non-communicable disease control services; access to secondary and tertiary health services, purchase of medicines, medical supplies, and medical equipment needed
- ☐ Quarantine to prevent the introduction and spread of diseases
- ☐ Dengue case management and services [DILG MC Nos. 74 and 86, s. 2005]
- ☐ Revised Optometry Law of 1995 [DILG MC No. 148, s. 2004]
- ☐ Smoking in public places
- ☐ Food safety [DILG MC No. 194, s. 19 99]
- ☐ Use of city government ambulance(s) [DILG MC No. 114, s. 2000]
- ☐ Sanitation Code of the Philippines (PD No. 856)
- ☐ Disposal of clinical and other wastes from hospitals, clinics and other similar establishments

- ☐ Preparation and sale of meat, poultry, fish, vegetables, fruits, fresh dairy products, and other foodstuffs for public consumption
- ☐ Establishment, operation and maintenance of funeral parlors and the burial or cremation of the dead
- ☐ Solid Waste Management

NOTE: THE CITY HEALTH BOARD SERVES AS AN ADVISORY COMMITTEE TO THE
SANGGUNIANG ON HEALTH MATTERS


3. PEACE AND ORDER AND PUBLIC SAFETY

- ☐ Prevention and suppression of lawlessness, disorder, riot, violence, rebellion or sedition
- ☐ Prevention, suppression and imposition of appropriate penalties for habitual drunkenness in public places, vagrancy, mendicancy, prostitution, establishment and maintenance of houses of ill repute, gambling and other prohibited games of chance, fraudulent devices and ways to obtain money or property, drug addiction, drug dens, drug pushing, juvenile delinquency, and of the printing, distribution or exhibition of obscene or pornographic materials or publications, and such other activities inimical to general welfare and public morals
- ☐ Provision of sites for police and fire stations, and city jail, as well as police and fire services and facilities
- ☐ Safety measures in all gasoline stations
(RA 8479, DILG MC No. 66, s. 2006)

-  Public safety, and peace and order during the conduct of any public assembly or rally in any designated freedom park [DILG MC Nos.42 and 79, s. 2006]
-  Organization, re-organization or activation of the People's Law Enforcement Board and inclusion in the local annual budget a corresponding appropriation for its operation [DILG MC No. 59, s. 2006]
-  Republic Act No. 9287 entitled, "An Act Increasing the Penalties for Illegal Numbers and Its Implementing Rules"
-  Enforcement of the National Building Code, particularly Section 2001, Chapter 20 – that no advertising billboard, signage or display media shall be constructed in the city that:
 - endangers the safety of a person or property, or harms the public interest;
 - hinders public order or violates sound social morals;
 - contains information which suggests obscenity, indecency, or violence, both in textual and graphical forms;
 - conveys vague and double-ended messages to the public;
 - contains messages that mislead or deceive consumers;

- carries racially, sexually or ethnically abusive, offensive or objectionable content, or promotes social discrimination and prejudice against gender, beliefs and convictions;
- obstructs the public view on natural scenery and hinders the enjoyment thereof; and
- detracts from the picturesque view of a scenery due to lack of coordination with its environmental surroundings by way of colors and tones used, structure, size and location [DILG MC No. 158, s. 2004]

 Financial support to Barangay Tanods [DILG MC No. 104, s. 2002]


 Safety of residents and transients, and the prevention of a freak accident from occurring in any construction project like:


- requiring every contractor to take full responsibility for the proper safekeeping of construction materials and equipment used for the entire duration of the construction project and to assume liability for any untoward accident that may result from failure to observe the necessary precautionary measures, which are to be stipulated in the contract between the city government and the contractor;
- requiring every contractor to clear all construction debris away from the area that may be possibly tripped on by a passerby; and
- providing visible marks or signs on accident-prone

areas such as open canals, manholes and the like, lighting facilities in the construction site, and other precautionary measures [DILG MC No.87, s. 19 95]






 Adoption of a Disaster Risk Management Plan embodying the following:

- Establishment of Command Operations Center during times of calamity/emergencies/disaster.
- warning and communication systems
- early evacuation from high-risk areas
- rescue and emergency operations
- distribution of relief goods and services
- reporting of situations and actions taken
- post-calamity clean-up
- medical assistance
- rehabilitation of agricultural and livelihood programs
- housing assistance
- burial service
- loan assistance [DILG MC No. 94, s. 1998]

 Selling and publishing of obscene and pornographic materials, publications, pictures, literatures and other similar articles, including the exhibition or giving away of indecent, immoral or obscene plays, scenes, acts or shows, whether live or in film [DILG MC No. 213, s. 1999, Article 201 of the Revised Penal Code]

 Display of signs, signboards, or billboards at the place or places where a profession or business advertised


 Maintenance and sanitation in buildings and premises within the city

-  Establishment and inspection of every steam boiler or any heating device in buildings and the storage of inflammable and highly combustible materials
-  Impounding of stray animals
-  City Engineer should be directed to conduct inspection of structures and compliant with the National Building Code and the Fire Code.
-  Regulation on traffic on all streets and bridges and removal of encroachments and illegal obstructions in public places
-  Franchising of tricycles

Enact, amend or supplement a tricycle franchise ordinance in consideration of the following:

- Physical Requirements – no tricycle shall be issued a franchise unless applicable physical requirements are complied with and certified by duly authorized authority;
- Fares – should be established at a level that provide the operator a reasonable return of profit, and affordable to the general public;
- Load or Capacity Limit – no tricycle should be allowed to carry more passengers and goods than what it is designed for;
- For safety reasons, no tricycle should operate on national highways;
- Zones must be established within the city; and


- A common color may be imposed on tricycles operating in the same zone [DILG MC No. 07-01, s. 2007]

 Franchise shall provide that the same shall be revoked for failure to comply with the rules set in the issuance of the franchise.

PHYSICAL REQUIREMENTS FOR TRICYCLES

1. Clean windshield
2. Garbage receptacle
3. Functional horn that does not emit exceptionally loud or startling sound
4. Functional two signal lights, front and back for turning right or left or for emergency purposes
5. Functional tail light, including license plate light
6. Top chain extending to the rear wheel
7. Functional white head light in front and functional red tail light at the rear, visible at least 50 meters from the front and rear of the tricycle and functioning under all weather conditions
8. Functional light installed inside the sidecar and kept lighted while plying a designated route
9. Functional anti-noise equipment
10. Sticker containing the body number of the vehicle and placed prominently and identifiable from a distance
11. Fully-operational mufflers
12. Roadworthiness of the tricycle unit.

4. HOUSING AND BASIC UTILITIES

 Low-cost housing and other mass dwellings, except those funded by Social Security System, Government Service Insurance System, and the Home Development Mutual fund

- ☐ Waterworks, drainage and sewerage, reclamation projects, and similar facilities

NOTE: THE CITY PEACE AND ORDER COORDINATING COUNCIL AND THE CITY DISASTER COORDINATING COUNCIL SERVE AS ADVISORY COMMITTEES TO THE SANGGUNIANG ON MATTERS CONCERNING PEACE AND ORDER AND PUBLIC SAFETY.

- ☐ Water supply services and facilities like:

- maintenance, repair and operation of an efficient waterworks system to supply water for the inhabitants
- construction, maintenance, repair and use of hydrants, pumps, cisterns and reservoirs
- purity and quantity of the water supply of the city
- consumption, use or wastage of water

NOTE: THE CITY HOUSING BOARD, HOUSING TASK FORCE OR HOUSING COORDINATING UNIT ASSISTS THE SANGGUNIANG ON MATTERS CONCERNING LOW COST HOUSING AND MASS DWELLINGS.

5. WOMEN, CHILDREN AND SOCIAL WELFARE IN GENERAL

- ☐ General welfare and well-being of vulnerable groups in the city like:

- caring for the disabled persons, paupers, the aged, the sick, persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents, abused children and other needy and disadvantaged persons, particularly children and youth below 18 years of age.

- providing appropriate funds for the subsistence of the city jail inmates

☐ Republic Act 9344, otherwise known as the Juvenile Justice and Welfare Act of 2006

☐ Human trafficking [DILG MC Nos. 26, s. 2005 and 172, s. 2006]

☐ *Republic Act 9710 otherwise known as the Magna Carta of Women, a comprehensive women's human rights law that seeks to eliminate discrimination against women by recognizing, protecting, fulfilling and promoting the rights of Filipino women, especially those in the marginalized sectors.*

☐ Migrant Advisory and Information Network, i.e., procedures in filing cases and programs that address trafficking, legal protection and other services [DILG MC No. 26, s. 2005]

☐ Special Drug Education Center for out-of-school youth (OSY) and street children

☐ Senior Citizens Affairs [DILG MC No.63, s. 2005]

☐ Indigenous Peoples Rights Act [DILG MC No. 89, s. 2002]

☐ Persons with disabilities [DILG MC No. 74, s. 1998]

☐ Republic Act 9262, otherwise known as the Anti-Violence Against Women and Their Children Act of 2004

- ☐ Republic Act 7877, otherwise known as the Anti-Sexual Harassment Act of 1995 [DILG MC No. 37, s. 2001]
- ☐ Commercial sexual exploitation of children [DILG MC No. 164, s. 1999]

6. OTHER SOCIAL CONCERNS

- ☐ Establishment, operation, and maintenance of cockpits, as well as cockfighting and commercial breeding of gamecocks
- ☐ Cruelty to animals, and enforcement of the Animal Welfare Act [DILG MC No. 91, s. 2000]
- ☐ Establishment, operation and maintenance of cafes, restaurants, beerhouses, hotels, motels, inns, pension houses, lodging houses, and other similar establishments
- ☐ Selling, giving away or dispensing of any intoxicating malt, vino, mixed or fermented liquors at any retail outlet
- ☐ Establishment, operation, and maintenance of any entertainment or amusement facility,

NOTE: A CITY COUNCIL FOR THE ELDERLY IS EXPECTED TO RECOMMEND POLICIES AND MEASURES MUTUALLY BENEFICIAL TO THE ELDERLY AND TO THE COMMUNITY.





Proposed Updates on the Duty to Intensify Action against Illegal Drugs

- ◆ Ensure the mandatory inclusion in the Local Annual Budget of a substantial appropriation that can adequately assist in or enhance the enforcement of RA 9165, giving priority to preventive or educational programs and the rehabilitation or treatment of drug dependents;
- ◆ Ensure that the provisions of Sections 51-53 of RA 9165 shall be strictly and faithfully enforced;
- ◆ Initiate the formulation of prevention and rehabilitation programs in their respective local government units;
- ◆ Initiate the conduct of symposia and dialogues with school authorities and students, owners and employees of business establishments, government officials and employees and the general public;
- ◆ Ensure the sustainability of rehabilitation or treatment program of drug dependents;
- ◆ Cause the enactment of an ordinance complementing the Comprehensive Drugs Act of 2002, if none has yet been passed, or to amend the same, to be consistent with the pertinent provisions of the said Act, and ensure the effective enforcement thereof;
- ◆ Ensure the Anti-Drug Abuse Councils at all levels perform their functions and responsibilities as embodied in relevant Department issuances (DILG MC No. 2009-09, s. 2009);







III. LEGISLATIVE ACTIONS ON ECONOMIC GOVERNANCE




The continuing tasks and responsibilities of the Sangguniang Panlungsod towards effective economic governance revolve on the enactment, amendment or supplementation of legislative measures relating to:

1. AGRICULTURE AND FISHERY DEVELOPMENT

-  Extension and on-site research services and facilities related to agriculture and fishery activities, i.e., dispersal of livestock and poultry, fingerlings, and other seeding materials for aquaculture; palay, corn, and vegetable seed farms; medicinal plant gardens; fruit tree, coconut, and other kinds of seedling nurseries; demonstration farms; quality control of copra and improvement and development of local distribution channels, preferably through cooperatives; inter -Barangay irrigation system; water and soil resource utilization and conservation
-  Organization of farmers' and fishermen's cooperatives and provide incentives
-  Joint ventures and other cooperative arrangements with people's and nongovernmental organizations relative to agriculture and rural industrialization
-  Replication of the Maunlad Model Farms [DILG MC No. 62, s. 2000]

2. TOURISM, TRADE, BUSINESS ENTERPRISES, AND INDUSTRY PROMOTION

-  Construction and maintenance of tourism facilities and other tourist attractions, and acquisition of equipment, regulation and supervision of business concessions, and security services for such facilities
-  Construction or provision of basic infrastructure and facilities in areas zoned for business and industry, such as:
 - physical infrastructure such as roads, bridges or ports
 - communications infrastructure whether landline or mobile
 - port or similar facility
 - solid waste disposal facility
 - waste water treatment facility
 - road networking to connect barangays
-  Livelihood opportunities for the city residents
-  Employment opportunities for the willing, able and unemployed residents of the city in public works projects, either locally, nationally or foreign-funded [DILG MC No. 167, s. 2000 and RA No. 6685]
-  Advocacy, promotion and development of Small and Medium Enterprises [DILG MC Nos. 13, s. 1996 and 47, s. 1997]
-  Operation of any business or practice of profession within the city

-  Operation of any public utility by the city government, or by a cooperative, private person or entity
-  Granting of a franchise to any person, partnership, corporation, or cooperative to do business within the city
-  Establishment of city-operated markets, slaughterhouses or animal corrals, and regulation on the construction and operation of private markets or other similar buildings and structures

Proposed Updates on Legislative Matters (Levy, Imposition and Collection of Illegal Fees or Charges)

- ◆ Strictly adhere to the fundamental principles, limitations and requisites of the exercise of the taxing powers by Local Government Unit (DILG MC Nos. 2009-42 and 2009-76, s. 2009)
- ◆ Rectify defective tax ordinances charging fees on passing through vehicles, especially those carrying agricultural goods and products (DILG MC Nos. 2009-42 and 2009- 76 s. 2009)
- ◆ Cause the immediate repeal of ordinances authorizing the levy and collection of fees, taxes and other charges on transporting goods and passengers carried into or out of, or passing through, the territorial jurisdiction of the local government unit concerned (Sec. 133 (e), LGC)

IV. LEGISLATIVE ACTIONS ON ENVIRONMENTAL GOVERNANCE


The continuing tasks and responsibilities of the Sangguniang Panlungsod towards effective environmental governance revolve on the enactment, amendment or supplementation of legislative measures relating to:

1. WASTE MANAGEMENT


- ☐ Solid waste collection and disposal
- ☐ Ecological Solid Waste Management Act of 2000, to include the:
 - creation of the City Solid Waste Management Board
 - approval of the Solid Waste Management Plan
 - establishment of Multi-Purpose Environment Cooperatives or Associations

2. NATURAL RESOURCES MANAGEMENT

- ☐ Forest Management [DILG MC No. 166, s. 2004]
- ☐ DENR-DILG-LGU partnership on devolved and other forest management functions (Joint DENR-DILG Memorandum Circular No. 98-01)
- ☐ National Integrated Protected Areas System Act of 1992, and Wildlife Resources Conservation and Protection Act [DILG MC No. 44, s. 2004]

 Protection of environmental and natural resources such as :

- establishment, maintenance, protection, and conservation of communal forests and watersheds, tree parks, greenbelts, mangroves, and other forest development projects
- demolition of illegal structures along rivers and estuaries which impede normal water flow
- prevention of city waters, fish ponds, and fish pens from overcrowding and congestion
- enforcement of the Code of Practice for Aquaculture [DILG MC No. 64, s. 2002]

 Grant of an exclusive privilege of constructing of fish corrals or fish pens, or the taking or catching of bangus fry, prawn fry or kawag-kawag, or fry of any species, or fish within city waters

ROLE OF THE LGUs IN THE CLIMATE CHANGE AND VARIOUS ENVIRONMENT ISSUES

R.A. 9729 (Climate Change Act of 2009)

Sec. 14. Local Climate Change Action Plan. — The LGUs shall be frontline agencies in the formulation, planning and implementation of climate change action plans in their respective areas, consistent with the provisions of the Local Government Unit, the Framework and the National Climate Change Action Plan.

Barangays shall be directly involved with municipal and city governments in prioritizing climate change issues and in identifying and implementing best practices and other solutions. Municipal and city governments shall consider climate change adaptation, as one of their regular functions. Provincial governments shall provide technical assistance, enforcement and information management in support of municipal and city climate change action plans. Inter-local government unit collaboration shall be maximized in the conduct of climate-related activities.

LGUs shall regularly update their respective action plans to reflect changing social, economic, and environmental conditions and emerging issues. The LGUs shall furnish the Commission with copies of their action plans and all subsequent amendments, modifications and revisions thereof, within one (1) month from their adoption. The LGUs shall mobilize and allocate necessary personnel, resources and logistics to effectively implement their respective action plans.

The local chief executive shall appoint the person responsible for the formulation and implementation of the local action plan.

It shall be the responsibility of the national government to extend technical and financial assistance to LGUs for the accomplishment of their Local Climate Change Action Plans.

The LGU is hereby expressly authorized to appropriate and use the amount from its Internal Revenue Allotment necessary to implement said local plan effectively, any provision in the Local Government Code to the contrary notwithstanding.

Memorandum Circular 2009-168 (October 27, 2009)

All Local Chief Executives are directed to strictly comply with the mandate of Republic Act No. 9003 (Ecological and Solid Waste Management Act of 2000), especially on the establishment of solid waste and materials recovery facilities, to wit:

Solid Waste Facility

- Closure of existing dump sites.
- Development and operation of sanitary landfill sites as final disposal sites for solid, and, eventually, residual wastes of a municipality or city or a cluster of municipalities or cities.

Pursuant to Section 44 of the Act, in relation to Section 33 of the Code, provinces, cities, municipalities and barangays, through appropriate ordinances, may consolidate, or coordinate their efforts, services, and resources for purposes of jointly addressing common solid waste management problems or establishing common waste disposal facilities

Materials Recovery Facility

- Establishment of LGU Materials Recovery Facility (MRF) in every barangay or cluster of barangays in a barangay owned or leased land or in any suitable open space to be determined by the barangay through its Sanggunian.
- Allocation of a certain parcel of land by the barangay or cluster of barangays for the MRF.

The MRF includes a solid waste transfer station or sorting station, drop-off center, a composting facility, and a recycling facility. Memorandum (June 2, 2009) Re: Manila Bay Clean Up, Rehabilitation and Preservation Addressed to All Mayors of Metropolitan Manila, the Governors, City Mayors and Municipal Mayors of and in Rizal, Laguna, Cavite, Bulacan, Pampanga and Bataan.

In compliance with a Supreme Court EN BANC decision promulgated on December 18, 2008, said LGUs are hereby directed to:

1. Immediately inspect all factories, commercial establishments, and private homes along the banks of major river systems, and other minor rivers and waterways that eventually discharge water into the Manila Bay, including lands abutting the bay, within our jurisdictions to determine whether they have wastewater treatment facilities or hygienic septic tanks as prescribed by existing laws, ordinances, and rules and regulations; and
2. Require non-complying establishments and homes to set up said facilities or septic tanks within a reasonable time to prevent industrial wastes, sewage water, and human wastes from flowing into these rivers, waterways, esteros, and the Manila Bay, under pain a closure or imposition of fines and other sanctions.

Memorandum Circular No. 2008-69 (April 28, 2008)

In order to address the various disaster concerns, all Local Chief Executives as Chairperson of the Local Disaster Coordinating Councils are encouraged to:

- mainstream climate change adaptation and disaster risk reduction measures into local policies, plans, budgets and investment programs as a priority concern;
- promote research and extension work on climate change adaptation thru local research institutions, the academe and other relevant stakeholders;
- engage in programs, projects and activities particularly in land and water use, land use change and forestry, reducing emissions from deforestation and degradation, coastal zones and fisheries, industry, facilities, farming practices, and indigenous clean energy;

- encourage greater participation of the local media, inter-faith groups and local schools in disseminating information on climate change adaptation, within the overall framework of sustainable development, to local communities, at the grassroots level;
- promote dialogues between workers and employers (when applicable) to realize the potential for green and decent jobs through positive support from workers and employers in the transition towards environmentally sustainable patterns of production and consumption; and
- vigorously collaborate with the provincial government and the Regional Development Council to push for more aggressive emission reduction targets and expeditious implementation of adaptation programs, projects and activities that will ensure direct benefits to the local communities.

Memorandum Circular No. 2007-131 (October 2, 2007

In support of Philippine Clean Air Act of 1999 and the launching of the Linis Hangin Siudad / Munisipyo Program, all Local Chief Executives are hereby encouraged to actively participate in the said celebration by adopting or initiating appropriate measures to ensure the success thereof such as the following:

1. Issuance of city / municipal resolution or enactment of an ordinance on air pollution control
2. Inclusion of clean air policies in their respective local development plans.
3. Conduct of information campaign on the value smoke- free communities
4. Encouraging community leaders, civic organizations, religious organizations and school institutions to actively support the campaign against air pollution in their localities.

Part 3

Common Issues on Local Legislation:

Excerpts from Legal Opinions

1. What is the effect of the non-action by the Sanggunian on a vetoed Appropriations Ordinance by the Local Chief Executive?

The non-action by the sanggunian on the veto of certain items in the Appropriations Ordinance shall render the vetoed item without force and effect until the veto is overridden by the sanggunian.

The **vetoed item or items shall not take effect** unless the sanggunian overrides the veto in the manner provided in Rules VII of the LG Code Implementing Rules and Regulations. Otherwise the item or items in the appropriations ordinance of the previous year corresponding to those vetoed, if any, shall be deemed reenacted.

(Excerpt from DBM Legal Opinion No. L-B-2001-01)

2. Whether or not the Annual Budget as submitted by the LCE is deemed approved in totality when the Sangguniang Panlungsod fails to override the veto within 15 days.

The appropriations Ordinance enacted by the sanggunian and approved by the Local Chief Executive authorizing the Annual Budget is deemed approved, except for the vetoed items which shall no force and effect until the veto is overridden.

The item or items in the appropriations ordinance of the previous year corresponding to those vetoed, if any, shall be deemed reenacted.

(Excerpt from DBM Legal Opinion No. L-B-2001-01)

3. Whether or not the power of the Sanggunian to approve and appropriate annual and supplemental budgets carries with it the power to slash/ reduce the same, as proposed by the Local Chief Executive

The power of the sanggunian to approve and appropriate annual and supplemental budget carries with it the power to slash/reduce the same, as proposed by the LCE.

This can be clearly inferred from Section 319 of the Local Government Code - Legislative Authorization of the Budget, and Article 415 of the IRR on Budget Authorization, as well as on Limitations on Legislative Action, which says that –

“The sanggunian may not increase the proposed amount in the executive budget nor include new items except to provide for statutory and contractual obligations that may not have been considered in the preparation of the budget, or that the amounts provided may be deficient. In no case, however, shall such additional provision result in the excess of the total appropriations over the proposal in the executive budget.”

Those provisions of the Code expressly prohibit the sanggunian to increase or include new provisions/ items in the executive budget, except for statutory and contractual obligations. The purpose thereof is to avoid possible excesses over the budgetary ceilings recommended and prescribed by the Local Finance Committee as adopted by the LCE in the Executive Budget. On the other hand, **there is no prohibition on the reduction of the appropriations in the executive budget.**

(Excerpt from DBM Legal Opinion No. L-B-2001-06)

- 4. Whether or not the item of appropriation for Extraordinary and Miscellaneous Expenses (EME) in the Office of the Mayor already forms part of the Discretionary Fund of the Mayor and therefore, should not have a separate appropriation.**

Section 325 (h) of R.A. 7160 expressly provides:

“The annual appropriations for discretionary purposes of the local chief executive shall not exceed two percent (2%) of the actual receipts derived from basic real property tax in the next preceding calendar year. Discretionary funds shall be disbursed only for public purposes to be supported by appropriate vouchers and subject to such guidelines as may be prescribed by law. No amount shall be appropriated for the same purpose except as authorized under this Section”

The law clearly states that no amount shall be appropriated for the same purpose as that of Discretionary Fund. Hence, as the appropriation for extraordinary and miscellaneous expenses serves the same purpose as that of the Discretionary Fund.

What is specifically authorized by law to be appropriated is the Discretionary Fund for the local chief executive. There is no specific provision in the Code which authorizes appropriation for EME, separate and distinct from the Discretionary Fund, as both have the same purpose.

(Excerpt from DBM Legal Opinion No. L-B-2001-1, s. 2001)

5. Whether or not appropriations for projects to be funded out of the 20% DF can be spent fully and exclusively for salaries, wages and honoraria of casual and “job order” employees.

Appropriations for projects to be funded out of the 20% Development Fund (IRA) cannot be used and spent fully and exclusively for salaries, wages and honoraria of casual and “job order” employees. Labor costs are merely part of the local development project costs.

(Excerpt from DBM Legal Opinion No. L-B-2001-13, s. 2001)

PART 4 OFFICER - IN - CHARGE

OIC-MAYOR as distinguished from ACTING MAYOR

Acting Mayor is governed by Section 46 (a) of the Local Government Code, while OIC Mayor is governed by Section 46(c) of the same code.

When the City Mayor is temporarily incapacitated to perform his duties for physical or legal reasons, such as but not limited to, leave of absence, travel abroad and suspension from office, the City Vice-Mayor shall automatically exercise the powers and perform the duties and functions of the Local Chief Executive concerned, except the power to appoint, suspend, or dismiss employees which can only be exercised if the period of temporary incapacity exceed thirty (30) working days

In this case, the automatic assumption by the City Vice-Mayor, even on the first day of incapacity of the City Mayor, is automatic and as such, he is properly defined as Acting City Mayor. As Acting City Mayor, he can perform all the functions, powers and duties of the City Mayor except the limitations provided for in cases of appointment, suspension or dismissal of employees.

On the other hand, Section 46 (c) of the Code provides that when the City Mayor is travelling within the country but outside his territorial jurisdiction for a

period of not exceeding three (3) consecutive days, he may designate in full writing the OIC. Such authorization shall specify the powers and functions that the local official concerned shall exercise in the absence of local chief executive, except the power to appoint, suspend or dismiss employees.

In this case, it may be noted that the City Mayor can designate any official of the City Government as OIC for three (3) consecutive days while he is outside his territorial jurisdiction but within the country. It should be further noted that in case of designation of OIC, there is really, in contemplation of law, no temporary vacancy to speak of in the Office of the City Mayor. The City Mayor may designate the City Vice-Mayor or any member of the Sanggunian or any appointive official of the city as OIC. But such designation can not exceed (3) days. Hence, on the 4th day, if the City Mayor failed to return to his station, Section 46 (d) of the same Code will now apply, in which case, the City Vice-Mayor shall assume as Acting City Mayor on the 4th day of absence of the City Mayor.

Who may be authorized to act as an OIC City Mayor?

Per section 46 (c) of the Local Government Code, the City Mayor may designate in writing any City Official to act as OIC during his absence for three (3) days. The authorization shall specify the powers and functions that the local official concerned shall exercise.

How shall an OIC City Mayor assume his functions?

With regards to OIC City Mayor, upon presentation of a valid designation in writing, he can assume as OIC City Mayor. (Section 46 (c), Local Government Code). Accordingly, he must issue a memorandum addressed to all city officials and officials of his designation as OIC.

With regard to Acting City Mayor, upon the occurrence of any event leading to the temporary incapacity of the City Mayor, either for physical or legal reasons, the City Vice-Mayor automatically assumes as Acting City Mayor. (Section 46 (a), Local Government Code)

When shall an OIC City Mayor cease to act as such?

An OIC City Mayor shall stop performing his or her functions as such on the 4th day of absence of the City Mayor. This has to be so because his or her designation as OIC is effective only during the three (3) consecutive days absence of the City Mayor, who is outside his or her jurisdiction but is within the country. On the 4th day of absence of the City Mayor, designation of OIC ceases to exist by operation of law and the City Vice-Mayor shall now automatically assume as Acting City Mayor pursuant to Section 46 (d) of the Local Government Code.

May the City Vice-Mayor, acting as Acting City Mayor continue to preside over the session of the Sangguniang Panlungsod?

In the case of *Gamboa vs. Aguirre* (G.R. No. 134213, July 20, 1991), the Supreme Court ruled that the City Vice-Mayor, who is now acting as Acting City Mayor, cannot anymore continue to preside over the session as this would violate the principle of separation of powers and functions. The City Vice-Mayor, in his capacity as Acting City Mayor, is expected to perform full-time executive functions which would include approval of ordinances. This pronouncement of the Supreme Court equally applies to provinces and municipalities.

May the City Vice-Mayor, acting as OIC, continue to preside over the session of the Sangguniang Panlungsod?

The situation is different between the OIC and Acting. As earlier noted, in the acting capacity, there is temporary vacancy in the Office of the City Mayor, while in OIC capacity, there is no temporary vacancy in the Office of the City Mayor. Moreover, OICs exercise only limited powers as may be contained in the letter-authorization designating him as such. Hence, if incidentally, the City Vice-Mayor as the one designated as OIC, he can still continue to preside over the session of the Sanggunian since the ruling in the *Gamboa* case will not apply.

As a mere OIC, he has no power to perform all the functions and powers of the City Mayor and more importantly, he or she is now empowered to approve ordinances. Such being the case, the violation of separation of powers and functions, the evil sought to be avoided in the Gamboa ruling, is not present. Since, anyway, as OIC he has no power to approve ordinances enacted by the Sanggunian.

May the City Vice-Mayor, acting as OIC, appoint officials?

No. Under CSC rules on appointment, an OIC cannot issue an appointment.

Annex A: The State of Local Legislation in Cities An Excerpt from the State of Cities Report

The Local Governance Performance Management System, or LGPMS for brevity, is a self-assessment, management and development tool that enable local governments – provinces, cities and municipalities – to determine their overall administrative capabilities, their service delivery performance and their development conditions.

The core of LGPMS's mission regarding local legislation is to ensure high quality service delivery and to enable sustainable development. The attainment of such mission depends on the effective legislative mechanisms, systems and procedures in place, and on the relevant measures enacted.

ADMINISTRATIVE CAPACITIES

Effective Legislative Agenda and Effectiveness of the Legislative Tracking System (LTS) are indicators of the legislative capacities in cities.

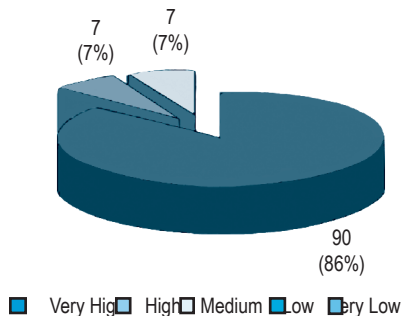
Legislative Agenda. Webster defines agenda as a list of things to do, subjects to discuss, or business to transact. As applied to the local level, the Legislative Agenda is a package of lawmaking initiatives or reforms aimed to address the short and long-term needs and demands of governance and development, ideally it is a desired output of an executive-legislative-private sector partnership to set socio-economic development priorities and policy directions in the short-medium-, and long-terms.

Based on LGPMS's standards, the Legislative Agenda is effective only if it satisfies the following performance elements:

- ☑ It complements the Executive Agenda;
- ☑ It incorporates the inputs, reactions, and suggestions of all the stakeholders;
- ☑ It outlines clear and well-defined legislative intentions during the prescribed period;
- ☑ It provides legislative actions on the Comprehensive Development Plan; and
- ☑ It promotes provincial, regional, and national priorities.

During the performance year under review, 90 of the 104 cities had *very high* capacity level relative to the Legislative Agenda (see Figure 2.1). Such was a result of satisfying all the performance elements that are descriptive of an effective Legislative Agenda. The other 14 cities had only *medium* to *high* capacity levels. That is, there was an absence of two or more of the performance elements for an effective Legislative Agenda.

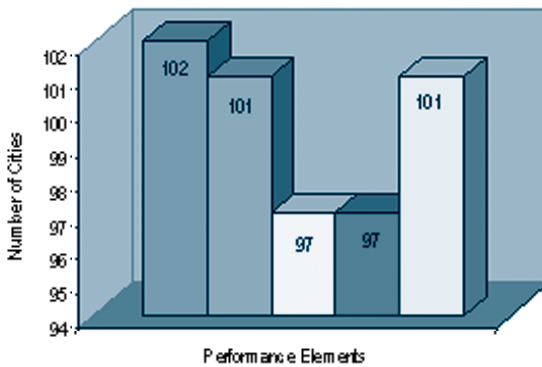
Figure 2.1 Capacity Levels of 104 Cities Regarding Effective Legislative Agenda, PY 2004



Moreover, there seem to be a need for the said 14 cities to revisit the performance elements for an effective Legislative Agenda (see Figure 2.2). This is to determine which performance elements were adequately addressed or poorly satisfied.

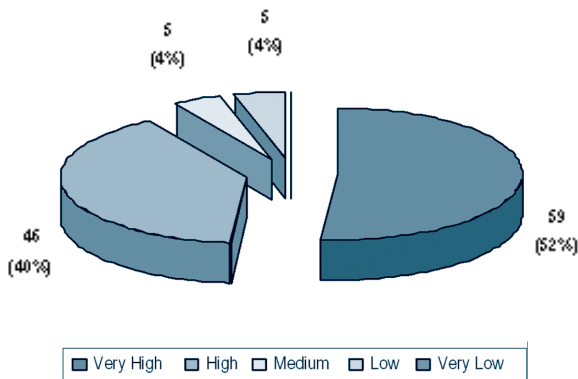
Legislative Tracking System. On a higher level, tracking in-aid of legislation goes beyond the stage of enactment and approval. It is, however, not limited to process monitoring. LTS is a tool used to assess the effectiveness of the implementation or enforcement of an ordinance or a resolution. Legislative tracking assumes an important role in generating information on the following cases:

Figure 2.2 Performance Elements Present in an Effective Legislative Agenda Met by 104 Cities, PY 2004



- It complements the Executive Agenda
 - It incorporates the inputs, reactions, and suggestions of all the stakeholders
 - It outlines clear and well-defined legislative intentions during the prescribed period.
 - It provides legislative actions on the Comprehensive Development Plan.
 - It promotes provincial, regional, and national priorities
-
- ☑ Whether an enacted and subsequently approved measure satisfies the specific needs of the target groups in the community for which such measure is intended to;
 - ☑ On a legislative measure that may require further action; and
 - ☑ On the degree of enforceability of a legislative enactment.

Figure 2.3 Capacity Levels of 115 Cities Regarding the Effectiveness of Legislative Tracking Systems, PY 2004



According to LGPMS, however, the effectiveness of the LTS is assessed through the following performance elements:

- ☑ Full history of all ordinances is on file;
- ☑ Ordinances are indexed by title and date;
- ☑ Index is updated, complete, and codified;
- ☑ Hard copy of ordinances can be retrieved by inquiry within a reasonable period of time;
- ☑ Index can be searched and copied by the staff; and
- ☑ Index and copy are computer-based.

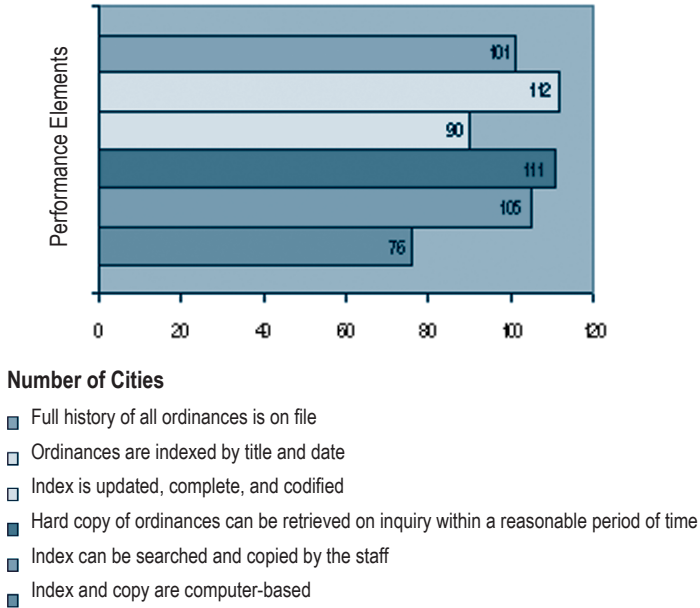
As of 2004, there were 115 cities in the country with LTS. The effectiveness of LTS in each city, however, varies based on the

abovementioned elements. Of the 115 cities, 105 had *high* to *very high* capacity levels while the rest had *low* to *medium* capacity levels (see Figure 2.3).

Based on the information gathered, there were only 76 cities in 2004 that had computer-based LTS, and the rest used manual tracking (see Figure 2.4).

PRODUCTIVITY

Figure 2.4 Performance Elements Present in an Effective Legislative Tracking System Met by 115 Cities, PY 2004

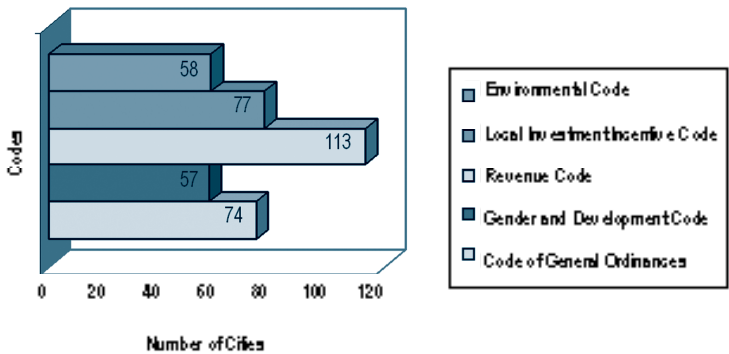


Legislative enactments are categorized as administrative in intent, regulatory in focus, developmental in purpose, and corporate in nature. The presence of ordinances or resolutions in a city is the principal criterion of legislative productivity.

As of 2004, improvements in financial and economic development conditions were results of the presence of respective Revenue Codes in 113 cities in the country (see Figure 2.5). Also, Local Investment and Incentive Codes (LIICs), and Codes of General Ordinances (CGOs) were in place in 77 and 74 cities, respectively.

Based on the data collected, more than 50 cities had to work on their respective Environmental Codes, and Gender and Development (GAD) Codes, because only 58 cities had the former while merely 57 cities had the latter.

Figure 2.5 Presence of Relevant Codes in 113 Cities. PY 2004



Legislation is an essential and exclusive power of the government. The people expect their government to act wisely based on the formulated public policy. The acts of the local legislature are presumed to be the voice of the people and therefore, are the direct by-products of the political will. This is what quality legislation is all about.

Annex B Useful Links in Local Legislation

This section highlights web-links and publications of agencies that may be useful when doing a research, or answering relevant queries on local legislation.

1. Department of the Interior and Local Government

Website address: www.dilg.gov.ph

Publication: 1996 Legal Opinions on Local Administration and Other Related Concerns

What's in there?

Compilation of Legal Opinions on:

- ❖ Administrative Complaints
- ❖ Administrative Disciplinary Action
- ❖ Amending an Ordinance
- ❖ Appointment: Sanggunian Membersh
- ❖ Creation of a New Office
- ❖ Local Legislation
- ❖ Permanent Vacancy
- ❖ Practice of Profession
- ❖ Resignation of Elective Local Officials
- ❖ Review of Sanggunian Resolutions and Ordinances
- ❖ Sessions
- ❖ Succession
- ❖ Temporary Vacancy

Publication: Local Legislative Toolkit **What's in there?**

Local legislative processes, dynamics on parliamentary procedures, tests for effective local legislations, and other vital information concerning local legislation

2. Department of Budget and Management

Website Address: www.dbm.gov.ph

What's in there? Digest of Legal Opinions on:

- ❖ Annual Budget and Supplemental Budget
- ❖ Appropriations and Re-Appropriations
- ❖ Reenacted Budget
- ❖ 20% Development Fund
- ❖ Extraordinary and Miscellaneous Expenses or Discretionary Fund
- ❖ Calamity Fund
- ❖ Internal Revenue Allotment

3. Local Governance Resource Center **(Host: Local Government Academy)**

Website Address: <http://lgrc.lga.gov.ph>

What's in there?

A portal that supports the knowledge needs of the local governance sector in the Philippines. Relevant publications include:

- ❖ Executive and Legislative Agenda Toolkit
(produced under the Local Governance Support Programme)
- ❖ A Guide to Effective Local Legislation
(Author: Laurora, Antonio R.)
- ❖ Compendium of Decisions, Rulings, Resolutions and Opinions on Local Autonomy and Local Government
(Author: Agra, Alberto C.)
- ❖ Handbook on Local Legislation
(Author: Dihan, Reverendo M.)

4. Congress of the Philippines House of Representatives

Website address: www.congress.gov.ph

What's in there?

List of House Bills and Resolutions, Republic Acts, Legislative Researches, Policy Papers, etc.

Annex C References Used in This Publication

1. Local Government Code of 1991 (popularly used sections – Section 17 – Basic Services, and Section 458 – Functions of the Sangguniang Panlungsod)
2. DBM, DOF, DILG, NEDA Joint Memorandum Circular No.1 Series of 2007, [Synchronized Local Planning and Budgeting Calendar](#)
3. DILG Memorandum Circulars
4. Executive Orders and Republic Acts
5. Local Legislative Toolkit
6. Criteria for Local Legislative Awards
7. Local Governance Performance Management System
8. State of City Governance Report



Philippines Development Forum
Working Group on Decentralization and
Local Government



Department of the Interior and Local Government
LOCAL GOVERNMENT ACADEMY