

FIFTEENTH CONGRESS)
OF THE REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

House Bill No. 358

Introduced by Representative Susan A. Yap

EXPLANATORY NOTE

This bill seeks to strengthen local government units by amending Section 470 of Republic Act 7160, otherwise known as the Local Government Code of 1991.

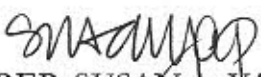
The essence of local autonomy is the decentralization of the local government units for it to enable delegation of powers of the chief executive to its various agencies to be able to address serious concerns of its community, this shall unlock various opportunities in the speedy delivery of basic services to the countryside.

Section 470 of the Local Government Code should be much taken in consideration for amendment, this bill refers to the transferring of the appointment power of the Secretary of Finance to the Provincial Governor in the appointment of their respective provincial, city or municipal treasurer.

This bill seeks further to establish a dynamic and efficient organizational structure. Powers originating from the head executive must have force and effect to its local government units otherwise responsibility cannot be attributed to the local government unit where such responsibility does not emanate from such local government unit.

The appointing power of Local Chief Executives also does not mean delegation alone, it demands having a sphere of utmost trust and confidence, these executives must and should confide in persons whom in their experience and personal knowledge are aware of possible solutions to particular problems.

In view of this, the passage of this bill should be taken with much consideration, wherefore its response is earnestly requested.


REP. SUSAN A. YAP
Representative 2nd District, Tarlac

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House Bill No. _____

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AN ACT
AUTHORIZING THE PROVINCIAL, CITY AND MUNICIPAL CHIEF EXECUTIVES
TO APPOINT THEIR RESPECTIVE LOCAL TREASURER, AMENDING FOR THE
PURPOSE REPUBLIC ACT 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. Section 470 (a) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 is hereby amended to read as follows:

“Section 470. *Appointment, Qualifications, Powers, and Duties.* -

- (a) The PROVINCIAL treasurer shall be appointed by the [Secretary of Finance] PROVINCIAL GOVERNOR from a list of at least three (3) ranking, eligible PERSONS [recommendées of the governor or mayor, as the case may be] UPON RECOMMENDATION OF AND IN CONSULTATION WITH MUNICIPAL AND COMPONENT CITY MAYORS OF THE PROVINCE, subject to civil service law, rules and regulations. THE CITY OR MUNICIPAL TREASURER SHALL BE APPOINTED BY THE CITY, OR MUNICIPAL MAYOR, SUBJECT TO CIVIL SERVICE LAW, RULES AND REGULATIONS.”
- (b) The treasurer shall be under the administrative supervision of the governor or mayor, as the case may be, to whom he shall report regularly on the tax collection efforts in the local government unit.
- (c) No person shall be appointed treasurer unless
 - (1) He/She is a resident of the Philippines;
 - (2) A resident of the local government unit concerned;
 - (3) Of good moral character

(4) A holder of a college degree preferably in commerce, public administration

(5) A first grade civil service eligible or its equivalent

(6) Must have acquired experience in treasury or accounting service for at least five (5) years in the case of the provincial or city treasurer, and (3) years in the case of municipal treasurer.

The appointment of a treasure shall be mandatory for provincial, city and municipal governments.

(d) The treasurer shall take charge of the treasury office, perform the duties provided for under Book II of the Local Government Code: and shall

d1) Advise the governor or mayor, as the case may be, the sanggunian, and disposition of local government funds and on such other matters relative to public finance;

d2) Take custody and exercise proper management of the funds of the local government unit concerned;

d3) Take charge of the disbursement of all local government funds, the custody of which may be entrusted to him by law or other competent authority;

d4) Inspect private commercial and industrial establishments within the jurisdiction of the local government unit concerned in relation to the implementation of tax ordinances, pursuant to Book II of the local government code;

d5) Maintain and update the tax information system of the local government unit;

d6) In the case of the provincial treasurer, exercise technical supervision over all treasury offices of component cities and municipalities;

(e) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

SECTION. 2. *Repealing Clause* – All laws, decrees, executive orders, rules and regulations and other issuances or part thereof, which are inconsistent with this Act, are hereby repealed, amended, or modified accordingly.

SECTION 3. *Effectivity* – This Act shall take fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,