



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. **2718**

Introduced by Honorable MA. ANGELICA M. AMANTE-MATBA

EXPLANATORY NOTE

Section 1, Article XI of the Constitution expressly provides that *"Public office is a public trust. Public officers must at all times be accountable to the people, serve them with utmost responsibility, integrity, loyalty, and efficiency, act with patriotism and justice, and lead modest lives."* This mandate on public accountability is the main pillar and the anchor of public service; it is sad to note, however, that this very fundamental and significant constitutional provision seems to have become just an empty, if not utterly meaningless cliché.

Most often than not, many newly elected local government executives are saddled with problems involving their provincial, city or municipal treasurers, as the case may be, who have previously incurred unexplained shortages or are even charged with having committed acts of defalcation. It is, however, disheartening that these local executives do not even have power to suspend the erring treasurers. Worse is that despite the pendency of administrative and/or criminal cases filed against the treasurers concerned, they are allowed by the Bureau of Local Government Finance (BLGF) to return to their assignments after their preventive suspension have expired, to the prejudice of the local government units and the general public. And, by dragging the cases against them almost to a halt through the use of every legal delaying tactic and/or elevating their cases to the highest venue, these treasurers are able to continue with their contemptible acts. While the Constitution guarantees the individual's full rights under the law, it must, however, give way to the higher interest of the general public whom all government officials and employees are sworn to serve with utmost integrity and fealty.

This proposed measure will therefore attempt to correct a seeming aberration in Sec. 470(b) of the 1991 Local Government Code by providing for the temporary assignment of treasurers who have pending cases, whether administrative or criminal, and whose preventive suspensions have already expired, to the Bureau of Local Government Finance (BLGF) until their cases have been resolved, with finality, by the court or agency concerned.

For the foregoing reasons, approval of this bill is therefore earnestly sought.



MA. ANGELICA M. AMANTE-MATBA



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AN ACT
AMENDING SECTION 470(b) OF REPUBLIC ACT NO. 7160 OTHERWISE KNOWN AS THE LOCAL
GOVERNMENT CODE, AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

Section 1. Section 470(b) Article Two, Chapter ____ of the Local Government Code is hereby amended to read as follows:

"Sec. 470. Appointment, Qualifications, Powers and Duties. – (a) The treasurer shall be appointed by the Secretary of Finance from a list of at least three (3) ranking eligible recommendees of the governor or mayor, as the case may be, 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 [.] **PROVIDED THAT**, IN CASE OF MALFEASANCE OR MISFEASANCE IN OFFICE, WHERE THE EVIDENCE AGAINST HIM ARE STRONG AND SUBSTANTIAL AS MAY BE INITIALLY DETERMINED BY THE PROVINCIAL OR CITY ATTORNEY, AFTER A SUMMARY HEARING, THE GOVERNOR OR MAYOR, AS THE CASE MAY BE, SHALL HAVE THE POWER AND AUTHORITY TO PREVENTIVELY SUSPEND THE TREASURER PENDING FULL INVESTIGATION OF THE CASE BY THE PROPER AUTHORITIES; **PROVIDED FURTHER**, THAT IN THE EVENT THAT HIS PREVENTIVE SUSPENSION HAS ALREADY EXPIRED BEFORE THE CASE AGAINST HIM IS RESOLVED WITH FINALITY, THE TREASURER SHALL BE TEMPORARILY RE-ASSIGNED TO THE BUREAU OF LOCAL GOVERNMENT FINANCE (BLGF) WHO SHALL LIKEWISE PAY HIS MONTHLY SALARY TO BE TAKEN FROM THE REGULAR BUDGET OF THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT; **PROVIDED FINALLY**, THAT IN CASE OF AN ADVERSE JUDGEMENT AGAINST HIM, EXCEPT THE PENALTY OF DISMISSAL, THE TREASURER SHALL NOT BE ALLOWED TO REASSUME HIS FORMER ASSIGNMENT IN THE LOCAL GOVERNMENT UNIT CONCERNED."

Section 2. This Act shall take effect immediately upon its approval.

Approved,