

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

House Bill No. 3796

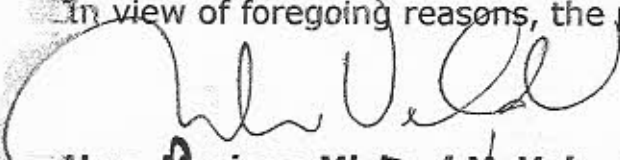
**Introduced by Representatives Mariano Michael M. Velarde Jr. and
William Irwin Tieng (BUHAY Party List)**

EXPLANATORY NOTE

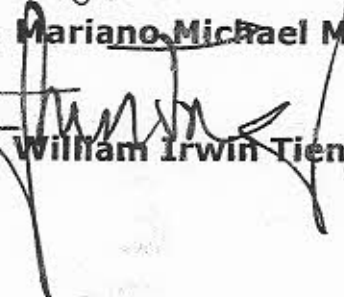
The Philippines has indeed a very rich culture. Its rich cultural heritage, however, varies from place to place. Furthermore, due to the number of the local historical events and heroes worth commemorating, not all of them are given tribute and recognition by the national government. Hence, a legislation whose purpose is to authorize local sanggunians to declare special holidays in their localities in order to commemorate significant historical events and honor local heroes is imperative and necessary.

This bill aims to grant the local government units the power to ensure and support the preservation and enrichment of their local culture and history. This proposed measure is also intended to unclog the legislative mill of bills where the subject matters can be appropriately delegated to the local sanggunians to legislate. Consequently, Congress would have more time to pass laws of national importance and significance to tackle more urgent legislative proposals.

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



Hon. Mariano Michael M. Velarde Jr.



Hon. William Irwin Tieng

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**Introduced by Representatives Mariano Michael M. Velarde Jr. and
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AN ACT
AUTHORIZING THE LOCAL SANGGUNIANs TO DECLARE SPECIAL
HOLIDAYS IN THEIR RESPECTIVE LOCALITIES TO COMMEMORATE
SIGNIFICANT HISTORICAL EVENTS AND TO HONOR LOCAL HEROES,
PROVIDING GUIDELINES THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* - This Act shall be known as the "*Local Holidays Act of 2010.*"

SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State that the territorial and political subdivisions shall enjoy genuine, true and meaningful autonomy to enable them to attain their fullest development as self-reliant communities and as effective partners in the attainment of national goals and objectives. Towards this end, the local government units herein provided shall exercise the power to ensure and promote the preservation and enrichment of their local culture and history. Thus, the local sanggunians are hereby authorized to declare special holidays in their respective localities to commemorate significant historical events and honor their local heroes.

SEC. 3. *Authority to Declare Special Local Holidays.* - The Sangguniang Panlalawigan, Sangguniang Panlungsod or Sangguniang Bayan, as the case may be, is hereby authorized to declare, by ordinance, working or non-working special holidays to commemorate significant historical events in their respective localities, subject to the guidelines provided under this Act and upon prior consultation with the National Historical Commission of the Philippines (NHCP) and the Department of Labor and Employment (DOLE). The Sangguniang Barangay is likewise hereby authorized to declare, by ordinance, working special holidays in their respective localities.

SEC. 4. *Guidelines for the Declaration of Local Special Holiday.* - The Sanggunian shall observe the following guidelines when declaring special holidays within their respective localities:

- a) There must be prior certification by the NHCP as to the historical significance of the event or occasion;
- b) There must be prior information from the DOLE as to the number of workers and establishments to be affected by the declaration of the local holiday, including the effect in terms of possible loss in wages of daily wage earners;
- c) The Sangguniang Panlalawigan, by a three-fourths (3/4) vote of all its members, shall have the authority to declare special holidays covering the entire province or in more than one of its component cities or municipalities; *Provided*, That in no case shall the Sangguniang Panlalawigan declare more than one non-working holiday in the province or in any of its component cities or municipalities;
- d) The Sangguniang Panlungsod or Sangguniang Bayan in the city or municipality, as the case may be, by a vote of three-fourths (3/4) of all its members shall have the authority to declare special holidays in the city or municipality concerned or in more than one of its component barangays: *Provided*, That in no case shall the Sangguniang Panlungsod or Sangguniang Bayan declare more than one non-working holiday in any city or municipality, as the case may be, or in any of its component barangays;
- e) Any local non-working holidays declared prior to the effectivity of this Act shall continue to be observed until otherwise changed, discontinued or reduced by the local Sanggunian concerned: *Provided*, That no local holiday can be changed oftener than once every ten (10) years and by three-fourths vote of all members of the Sanggunian concerned;
- f) Local Sanggunians in provinces, cities and municipalities with at least one special non-working holiday already existing at the time of the effectivity of this Act shall no longer have the authority to declare an additional special non-working day, except to exercise the prerogative specified in paragraph e hereof;
- g) The local Sanggunian, including the Sangguniang Barangay may declare as many local special working holidays as they may deem appropriate, following the guidelines prescribed in this section.

SEC.5. Authority of the President to Declare Special Local Holidays. – Nothing herein shall be construed to limit the power of the President to declare special holidays, pursuant to Section 28, Chapter 7 of Executive Order 292, otherwise known as the "Administrative Code of 1987."

SEC 6. Master List of National and Local Special Days. – Within ninety (90) days from the effectivity of this Act, the leagues of provinces, cities, municipalities and barangays shall each submit to the NHCP, a master list of existing special local holidays in their respective member-local government units, stating, among others, the nature, legal basis and date of declaration of such holidays. Thereupon, the NHCP shall immediately furnish the Congress of the Philippines, the Office of the President, the Department of the Interior and Local

Government (DILG) and DOLE a complete list of regular and special national and local holidays throughout the country. No valid local special holiday should be declared in any locality after the NHI shall have issued a certification that it has already submitted the master list to the Congress of the Philippines and the office of the President.

SEC. 7. Implementing Rules and Regulations. - The Secretary of the DILG, in consultation with the respective heads of the NHCP, DOLE and the leagues of provinces, cities, municipalities and barangays, shall issue the necessary rules and regulations for the effective implementation of this Act.

SEC. 8. Holiday Economics. - As much as possible, the local non-working holiday shall be declared on a Monday. If a local non-working holiday falls on a day other than Monday, the local Sanggunian concerned shall have authority to declare its observance on the nearest Monday: *Provided*, That the local Sanggunian concerned shall declare such change not later than six (6) months prior to its observance.

SEC. 9. Reduction of School Days or Hours. - Nothing herein shall be construed to reduce the number of school days below the minimum allowed by the Department of Education (DepEd) and the Commission on Higher Education (CHED). Additional class days or hours may be scheduled to cover the lost class days or hours due to the celebration of local non-working holiday, as may be determined by the local division of the DepEd or the CHED, as the case may be.

SEC. 10. Applicability of the Labor Code. - As used in this Act, "*special local non-working holiday*" shall mean "*special non-working day*" as defined in the pertinent provisions of the Labor Code and its implementing rules and regulations.

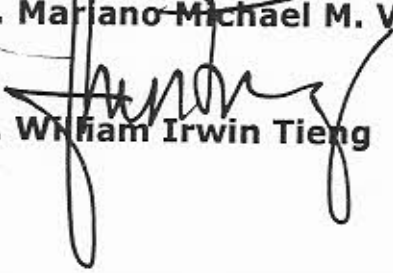
SEC. 11. Separability Clause. - If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 12. Repealing Clause. - All laws, decrees, orders, rules and regulations, or portions thereof, inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 13. Effectivity Clause. - This Act shall take effect fifteen (15) days following its publication in at least two (2) national newspapers of general circulation.

Approved,


Hon. Mariano Michael M. Velarde Jr.


Hon. William Irwin Tieng