

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 4638

Introduced by **Hon. MEL SENEN S. SARMIENTO**

EXPLANATORY NOTE

This bill seeks to extend the allowable number of days that a local chief executive may leave from his territorial jurisdiction from three (3) to five (5) days. This necessarily adjusts the day when the vice governor, the city or municipal vice mayor, or the highest ranking sangguniang barangay member, as the case may be, shall have the right to assume the powers, duties, and functions of the local chief executive from the 4th day to the 6th day of his absence and refusal to issue an authorization.

This proposed measure takes into consideration the ever-increasing responsibilities of local chief executives which require them to travel outside their territorial jurisdiction. With the more complex duties of a local chief executive, some leeway must be provided in order for them to maximize their travel.

Moreover, with the advent of more effective and reliable means of communication, to include videoconferencing, the local chief executives are still capable to manage the affairs of his office despite not being physically present.

With the reasons above cited, approval of this bill is earnestly sought.


MEL SENEN S. SARMIENTO

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**AN ACT AMENDING SECTION 46 (C) AND (D) OF THE LOCAL
GOVERNMENT CODE**

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

SECTION 1. Section 46 (c) of the Local Government Code is hereby
amended to read as follows:

“SEC. 46. Temporary Vacancy in the Office of the Local Chief
Executive.

(c) When the incumbent local chief executive is traveling within
the country but outside his territorial jurisdiction for a period not
exceeding [three (3)] **FIVE (5)** consecutive days, he may designate
in writing the officer-in-charge of the said office. Such
authorization shall specify the powers and functions that the local
official concerned shall exercise in the absence of the local chief
executive except the power to appoint, suspend, or dismiss
employees.

(d) In the event, however, that the local chief executive concerned
fails or refuses to issue such authorization, the vice-governor, the

city or municipal vice-mayor, or the highest ranking sangguniang barangay member, as the case may be, shall have the right to assume the powers, duties, and functions of the said office on the [fourth (4th)] **SIXTH (6th)** day of absence of the said local chief executive, subject to the limitations provided in subsection (c) hereof."

SECTION 2. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with any provision of this Act is hereby repealed or modified accordingly.

SECTION 3. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever date comes earlier.