

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

SIXTEENTH CONGRESS

Second Regular Session

House Bill No. **4945**



Introduced by Representative Guillermo A. Romarate, Jr.

EXPLANATORY NOTE

The Local Government Code enunciates the policy of the State to bestow genuine and meaningful local autonomy for the territorial and political subdivisions of the State. The thrust is to empower the local government units to attain their fullest development as self-reliant communities and in the process to make them more effective partners in the attainment of national goals. Toward this end, the State shall provide for a more responsive and accountable local government structure instituted through a system of decentralization whereby local government units shall be given more powers, authority, responsibilities, and resources. The process of decentralization shall proceed from the national government to the local government units.¹

This bill proposes to amend Section 470 and 471 of the Local Government Code providing for the appointment, qualifications, powers and duties of the Provincial, City or Municipal Treasurer and the Assistant Treasurer. This measure proposes that the appointment of the Provincial, City and Municipal Treasurer and Assistant Treasurer be vested to the Governor of the Province, or the City or Municipal Mayor concerned. It will allow direct supervision and accountability of the Treasurers and their Assistant Treasurers to the Governor of the Province, or the City or Municipal Mayor concerned.

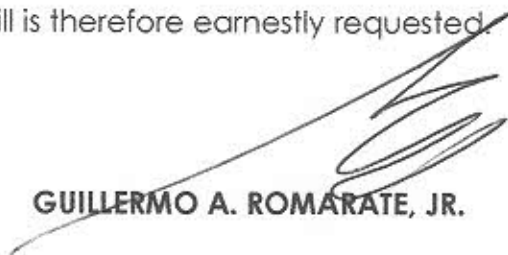
¹ Section 2(a), Local Government Code.

From a legal standpoint, this measure is more consistent with the concept of local autonomy and the system of decentralization as both provided by the Constitution and the Local Government Code.

From political and administrative standpoints, it is more appropriate that such power of appointment be vested upon the Governor of the Province, or the City or Municipal Mayor concerned because the local chief executives are in the best position to assess and continuously examine the merit and fitness of the appointed local treasurers.

It must be stressed as well that the local treasurers are paid wholly from local government funds. For this reason, the power to discipline, suspend or dismiss the treasurer should be reposed to the local government executives and not to the Secretary of Finance. As it stands now, the Local Government Code prevents the Governor of the Province, or the City or Municipal Mayor concerned from exercising disciplinary powers over the local treasurers. This is clearly in itself an anomaly.

Immediate passage of this bill is therefore earnestly requested.



GUILLERMO A. ROMARATE, JR.

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AN ACT

AMENDING TITLE V, SECTION 470 (A), (8) AND SECTION 471 (A) OF RA 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 RA 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 Treasurer shall be appointed by the GOVERNOR OF THE PROVINCE, OR THE CITY OR MUNICIPAL MAYOR CONCERNED, AS THE CASE MAY BE, subject to civil service law, rules and regulations.

Section 2. Section 470 (B) of RA 7160, otherwise known as the Local Government Code of 1991, is hereby amended to read as follows:

Section 470. (b) The treasurer shall be under the DIRECT CONTROL AND 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.

Section 3. Section 471 (A) of RA 7160, otherwise known as the Local Government Code of 1991, is hereby amended to read as follows:

Section 471. Assistant Treasurer. - (a) An assistant treasurer may be appointed by the GOVERNOR OF THE PROVINCE, OR THE CITY OR MUNICIPAL MAYOR CONCERNED, AS THE CASE MAY BE, subject to civil service law, rules and regulations.

Section 4. Repealing Clause. All laws, rules and regulations, decrees, issuance or any part or parts thereof inconsistent with this Act are hereby repealed, modified or amended accordingly.

Section 5. *Separability Clause.* - If any provision of this Act is held invalid or unconstitutional, the other provisions not affected hereby shall remain valid and subsisting.

Section 6. *Effectivity Clause.* This Act shall take effect 15 days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation, whichever comes first.

Approved,