

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

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 5043



INTRODUCED BY: DEPUTY SPEAKER GWENDOLYN F. GARCIA

EXPLANATORY NOTE

Republic Act No. 7160, also known as the Local Government Code of 1991, Section 469 (a) provides that "There shall be a Secretary to the Sanggunian who shall be a career official with the rank and salary equal to a head of department or office." The Civil Service Commission, in Resolution No. 92-1111 dated 20 August 1992, interpreted this provision to mean that a Secretary to the Sanggunian, whether of a municipality, city or province, is not a department head but only occupies a position "equal to a head of department or office."

It is our belief, however, that the Secretary to the Sanggunian is the head of the office of the Sanggunian, as a separate department of the local government. The Vice Governor or the Vice Mayor is the second highest-ranking officer of the entire local government after the Governor or Mayor, as the case may be. To consider the Vice Governor or Vice Mayor as a department head is tantamount to demoting him or her in rank and stature, as he or she is assigned a salary grade higher than that given a local government department head and is the acknowledged assistant chief executive of the local government unit.

The relegation of the position of a Secretary to the Sanggunian to a level other than that of a department head when all his or her qualifications, powers, and functions relate to a department head lowers his or her morale as it constitutes a virtual source of discrimination. This bill places the position of Secretary to the Sanggunian to the level of a local government department head.


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AN ACT
AMENDING REPUBLIC ACT NO. 7160, ALSO KNOWN AS THE LOCAL
GOVERNMENT CODE, ON THE LEVEL OF THE POSITION OF SECRETARY TO THE
SANGGUNIAN

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

SECTION 1. Republic Act No. 7160, also known as the Local Government Code, Book 3, Title V, Article 1, Section 469, is hereby amended to read as follows:

"Section 469. Qualifications, Powers and Duties. - (a) There shall be a secretary to the Sanggunian who shall be a career official with the rank and salary [equal to] of a head of department or office."

SECTION 2. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rules or regulations or part thereof, contrary to or inconsistent with the provision of this Act is hereby repealed, modified, or amended accordingly.

SECTION 3. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,