

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

Nineteenth Congress
Second Regular Session



House Bill No. 10231

Introduced by Honorable Roy M. Loyola

EXPLANATORY NOTE

Local planning plays a vital role in shaping the development and sustainability of communities within Local Government Units (LGUs). Beyond the required comprehensive plans like the Provincial Development and Physical Framework Plan, Comprehensive Development Plan, and Comprehensive Land Use Plan, LGUs must also submit other sectoral and thematic plans, such as the Gender and Development Plan and Local Climate Change Action Plan, to various National Government Agencies.

Local planners act as the think tanks behind LGUs, crafting these plans that form the foundation for policy-making and development initiatives. They cover all sectors and facilitate coordination between departments and agencies to realize the LGU's goals and vision.

The devolution of functions, services, and facilities, alongside increased National Tax Allotment, has significantly increased local planners' workload. With greater financial resources, there's a growing need for precise and relevant development plans to tailor government services to the people's needs, placing more demands on Local Planning departments.

Furthermore, local planners, particularly those engaged in fieldwork, face risks like harassment and accidents. Despite their crucial role, they often encounter threats to their job stability and tenure during administrative changes post-local elections. Additionally, when municipalities become cities or LGUs merge, some planners may find themselves in roles unrelated to their expertise.

Moreover, additional requirements, such as being a Registered and Licensed Environment Planner, can disrupt incumbent Local Planning and Development Coordinators who have dedicated years of service to the LGU.

This bill seeks to safeguard the rights and welfare of local planners as civil servants. It also aims to provide them with opportunities for professional growth through further studies to formulate more effective development plans tailored to their communities, ultimately serving the people better.

In this context, with the expected knowledge and expertise, local planners advocate for study leave entitlement, whether self-funded or through locally or internationally awarded scholarship grants, to enhance or upgrade their academic qualifications.

In this light, the passage of this Bill is earnestly sought.



HON. ROY M. LOYOLA
Representative
Fifth District, Cavite

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

Nineteenth Congress
Second Regular Session

HOUSE BILL NO. 10231

Introduced by Representatives Roy M. Loyola

AN ACT
PROVIDING FOR THE MAGNA CARTA OF LOCAL PLANNERS

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

I. DECLARATION OF POLICY AND COVERAGE

Section 1. Title. This Act shall be known as the “***The Magna Carta for Local Planners.***”

Section 2. Declaration of Policy. The state recognizes the vital role of public planners in the economic, political, and social development of the communities, in the formulation and implementation of policies and programs essential to regional growth and progress, and as instruments for local government units to become self-reliant communities and effective partners in the attainment of national goals. To this end, this Act endeavors:

- (a) to promote and improve the social and economic well-being of public planners, their living and working conditions, and the terms of their employment;
- (b) to develop their skills and capabilities in order that they will be more responsive and better equipped to deliver development plans, projects, and programs; and
- (c) to encourage those with proper qualifications and excellent abilities to pursue a career in public development work in government service.

Section 3. Definition of Terms. As used in this Act, the following terms shall mean as follows:

- (a) “LGU” refers to the local government unit;
- (b) “LLPDCPI” – refers to the *League of Local Planning and Development* Coordinators of the Philippines, Inc.;
- (c) “Local planners” refers to all Provincial/ City/ Municipal Planning and Development Coordinators and to those persons holding permanent positions under the Local Planning and Development Office in LGUs;
- (d) “Local Planning and Development Office” refers to the Provincial/ City/ Municipal Planning and Development Office;
- (e) “Local Planning and Development Coordinator” refers to the heads of the Office of the Provincial/City/Municipal Planning and Development Coordinator of an LGU;

Section. 4. – Coverage.- This Act shall cover all Provincial/ City/ Municipal Planning and Development Coordinators and to those persons holding permanent positions under the Local Planning and Development Office in LGUs;

II. RECRUITMENT AND CAREER

Section 5. *Recruitment and Qualifications.* The selection and appointment of local planners shall be in accordance with the merit and fitness principle. Recruitment policy and minimum requirements with respect to the selection and appointment of a local planner shall be developed and implemented by the appropriate government agencies concerned in accordance with policies and standards of the Civil Service Commission. Provided, that the appointment under a permanent status prior to the affectivity of R.A. No. 10587 of the incumbent Local Planning and Development Coordinator who is not a registered and licensed environmental planner shall no longer be disturbed.

Section 6. *Security of Tenure.* Stability on employment and security of tenure shall be assured the local planners as provided under existing laws.

No local planner holding a permanent position shall be terminated except for cause: *Provided*, that, in the event the local planner is found to be unjustly dismissed by the Civil Service Commission, he/she shall be entitled to reinstatement without loss of seniority rights and back wages with twelve per centum (12%) interest to be computed from the time his/her compensation was withheld from him/her up to the time of reinstatement.

In case of conversion of a municipality into a city, the incumbent Municipal Planning and Development Coordinator will automatically be appointed and hold office as the City Planning and Development Coordinator

In case of amalgamation (merging) of two or more LGUs, there shall be no demotion, displacement, termination, retrenchment of Local Planning and Development Coordinator. There shall be a clear provision in the creation of the new LGU on the role of all the Local Planning and Development Coordinators involved.

Section 7. *Code of Professional Conduct for Local Planners.* Within six months from the approval of this Act, the Department of Interior and Local Government in coordination with LLPDCPI shall formulate and prepare a Code of Professional Conduct for Local Planners. A copy of the Code shall be furnished each local planner: *Provided, however*, that where this is not possible by reason of inadequate fiscal resources, a copy of the same Code shall be deposited with the Office of the Local Planning and Development Coordinator in each LGU where they may be accessible for use by the local planners.

Section 8. *Safeguards in Disciplinary Procedure.* Every local planner shall enjoy equitable safeguards at each stage of any disciplinary procedure and shall have:

- a) the right to be informed, in writing, of the charges;
- b) the right to full access to the evidence in the case;
- c) the right to defend him/herself and to be defended by a representative of his/her choice and/or by his/her organization, adequate time being given to the local planner for the preparation of his/her defense; and

1
2 d) the right to appeal to clearly designated authorities.
3

4 No publicity shall be given to any disciplinary action being taken against a local planner
5 during the pendency of his/her case.
6
7

8 **Section 9. *Administrative Discipline.*** Investigation and adjudication of administrative
9 complaints against local planners, as well as their suspension and removal, shall be in
10 accordance with the Local Government Code, civil service law and rules, and other
11 pertinent laws.
12

13 **Section 10. *No Discrimination.*** There shall be no discrimination whatsoever in
14 entrance to the local planning and development profession, or during its exercise, or in
15 the termination of services, based on other than professional consideration.
16
17

18 **III. HOURS OF WORK AND REMUNERATION**

19

20 **Section 11. *Cost of Living Allowance.*** Local planners' salaries shall, at the very least,
21 keep pace with the rise in the cost of living by the payment of a cost-of-living allowance
22 which shall automatically follow changes in a cost-of-living index. The Department of the
23 Interior and Local Government shall, in consultation with the proper government entities,
24 create a cost-of-living index for purposes of determining the cost-of-living allowance. Such
25 determination shall, upon approval of the President of the Philippines, be binding on the
26 provincial, city, or municipal government, for the purpose of calculating the cost-of-living
27 allowances of local planners under its employ.
28

29 **Section 12. Other Benefits.**

30

31 **(a) Hazard Allowance**

32 All local planners directly involved in frontline services/ field work
33 activities that exposes them to various hazards shall be entitled to
34 hazard pay equivalent to at least twenty per centum (20%) of the monthly
35 basic salary. Such activities but not limited to are as follows:

- 36 a. Data gathering for CBMS, research, and other monitoring
37 systems
 - 38 b. Field work for inspection, monitoring and evaluation of local PPAs
 - 39 c. Onsite assistance for barangay development planning and other
40 planning related functions
- 41

42 **(b) Subsistence/Transportation Allowance-** while on predominantly field jobs for
43 considerable period of time, such as but not limited to, field information
44 survey, community validation interviews and project monitoring activities
45 shall be entitled to daily full subsistence allowance of three meals which
46 shall be computed according to prevailing circumstances and actual
47 transportation allowance shall also be provided. Except those positions
48 already receiving Representation Allowance Travelling Allowance (RATA).
49

Section 13. *Additional Remuneration.* There shall be a corresponding honorarium given to Local Planning and Development Coordinators who are designated to other position.

Section 14. *Deductions Prohibited.* No person shall make any deduction whatsoever from the salaries of local planners except under specific authority of law authorizing such deductions or upon written authority executed by the local planner concerned.

IV. AUTHORITY TO PRACTICE PROFESSION

Section 15. All local planners shall be allowed to practice his/her profession/s subject to approval of the Head of the Agency provided that the practice of such profession shall be done outside office hours and shall not affect the effective performance of his duties and functions.

V. HEALTH MEASURES AND INJURY BENEFITS

Section 16. *Medical Examination and Treatment.* Compulsory medical examination shall be provided free of charge in any government health facility/ies for all local planners before they take up office, and shall be repeated not less than once a year during the local planner's professional life.

In cases of injuries or diseases acquired during the performance of official functions, the LGU where the local planner is working shall provide financial assistance to the concerned local planner.

Section 17. *Compensation For Injuries.* Local planners shall be protected against the consequences of employment injuries in accordance with existing laws. The effects of the physical and nervous strain on the local planner's health shall be recognized as a compensable occupational disease in accordance with existing laws.

VI. LEAVE AND RETIREMENT BENEFITS

Section 18. *Study Leave.* In addition to the leave privileges now enjoyed by local planners, they shall be entitled to study leave not exceeding one year after five years of service. During the period of such leave, local planners shall be entitled to at least sixty per cent of their monthly salary: *Provided, however,* That no local planner shall be allowed to accumulate more than one year study leave, unless he/she needs an additional semester to finish his or her thesis for a graduate study in local planning or allied courses: *Provided, further,* That no compensation shall be due the local planner after the first year of such leave. In all cases, the study leave period shall be counted official government service.

Section 18. *Indefinite Leave.* An indefinite sick leave of absence shall be granted to local planners when the nature of the illness demands a long treatment that will exceed one year at the least, as long as the accumulated official leave credits will be consumed.

Section 19. *Salary Increase upon Retirement.* Local planners having fulfilled the age and service requirements of the applicable retirement laws shall be given one range salary raise upon retirement, which shall be the basis of the computation of the lump sum of the retirement pay and the monthly benefits thereafter.

VII. LOCAL PLANNER'S ORGANIZATION

Section 20. *Discrimination Against Local Planners Prohibited.* The rights established in the immediately preceding Section shall be exercised without any interference or coercion. It shall be unlawful for any person to commit any acts of discrimination against local planners which are calculated to (a) make the employment of a local planner subject to the condition that he/she shall not join an organization, or shall relinquish membership in an organization; (b) to cause the dismissal of or otherwise prejudice a local planner by reason of his/her membership in an organization or because of participation in organization activities outside office hours, or with the consent of the proper authorities, within office hours, and (c) to prevent him/her from carrying out the duties laid upon him/her by his/her position in the organization, or to penalize him/her for an action undertaken in that capacity.

Section 21. *League of Local Planning and Development Coordinators of the Philippines, Inc. (LLPDCPI).* The LLPDCPI shall be consulted in the formulation of planning and development policies and professional standards and in the formulation of national policies governing the social security of the local planners.

VIII. ADMINISTRATION AND ENFORCEMENT

Section 22. *Rules and Regulations.* The Department of Interior and Local Government shall formulate and prepare the necessary rules and regulations to implement the provisions of this Act. Rules and regulations issued pursuant to this Section shall take effect thirty days after publication in a newspaper of general circulation and by such other means as the Secretary of Interior and Local Government deems reasonably sufficient to give interested parties general notice of such issuance.

Section 23. *Penal Provision.* A person who shall willfully interfere with, restrain, or coerce any local planner in the exercise of his/her rights guaranteed by this Act or who shall in any other manner commit any act to defeat any of the provisions of this Act shall, upon conviction, be punished by a fine of not less than five thousand pesos nor more than ten thousand pesos, or by imprisonment, in the discretion of the court.

If the offender is a public official, the court shall order his/her dismissal from the Government service

Section 24. *Repealing Clause.* All Acts or parts of Acts, executive orders, and their implementing rules inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Section 25. *Separability Clause.* If any provision of this Act is declared invalid, the remainder of this Act or any provisions not affected thereby shall remain in force and in effect.

1 **Section 26. *Effectivity.*** This Act shall take effect upon its approval.