

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
Twentieth Congress
First Regular Session

HOUSE BILL NO. **2655**



Introduced by Hon. Rufus B. Rodriguez and Hon. Eulogio "Leo" R. Rodriguez

EXPLANATORY NOTE

This bill seeks to rectify a particular provision in Republic Act No. 11689 or the "Revised Charter of the City of Baguio".

It is proposed that Section 23, paragraph C, number 4 of the Revised Charter be deleted as it makes reference to Section 56 of the Local Government Code of 1991 which only applies to component cities and municipalities.

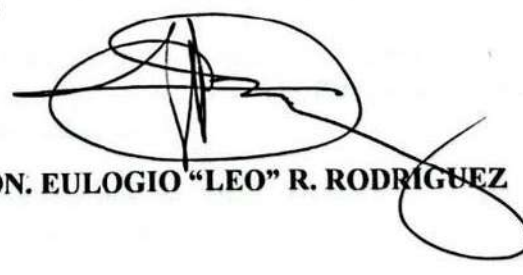
The City of Baguio is a highly-urbanized city, and is independent from any provincial government. As such, the Secretary to the Sangguniang Panlungsod should not be required to forward copies of the approved ordinances of the city government to any Sangguniang Panlalawigan for the review of such ordinances.

In a legal opinion of the Reference and Research Bureau (RRB) of the House of Representatives, it states, "In this particular instance, the inserted provision of forwarding to the *Sangguniang Panlalawigan* copies of duly approved ordinances of Baguio City, an HUC is not within the spirit of the law. Thus, it can never prevail over the spirit or intention of a statute and is not considered part of the statute. To reiterate, the legislative intent for the revised charter of Baguio City is categorical and unequivocal. The intention of Congress is to achieve effectiveness and efficiency in local governance and promote the general welfare of the people of Baguio City. Congress did not intend to revert the status of Baguio City from HUC to a Component City by directing the Secretary of the *Sangguniang Panlungsod* to forward to the *Sangguniang Panlalawigan* copies of duly approved ordinances of Baguio City."

To avoid misinterpretation and confusion on the said provision of RA 11689, deletion of Section 23, par. C, number 4 is deemed necessary and urgent.

Hence, approval of this bill is earnestly requested.


HON. RUFUS B. RODRIGUEZ


HON. EULOGIO "LEO" R. RODRIGUEZ

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AN ACT
AMENDING SECTION 23 OF REPUBLIC ACT NO. 11689, OTHERWISE KNOWN
AS THE "REVISED CHARTER OF THE CITY OF BAGUIO"

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

SECTION 1. Section 23 of Republic Act No. 11689 or the "Revised Charter of the City of Baguio" is hereby amended to read as follows:

"Sec.23. Secretary to the Sangguniang Panlungsod. — (a) There shall be a Secretary to the Sangguniang Panlungsod who shall be a career official with the rank and salary equal to a head of a department or office.

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"(c) The Secretary to the Sangguniang Panlungsod shall take charge of the office of the Sangguniang Panlungsod, and shall:

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~~"[(4) Forward to the Sangguniang Panlalawigan copies of duly approved ordinances in the manner provided in Sections 56 and 57 of the Local Government Code of 1991, as amended;]~~

~~"[(5)]~~ (4) Furnish, upon the request of any interested party, certified copies of records of public character in custody, upon payment to the City Treasurer of such fees as may be prescribed by ordinance;

~~"[(6)]~~ (5) Record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the Sangguniang Panlungsod, with the dates of passage and publication thereof;

~~"[(7)]~~ (6) Keep the office and all non-confidential records therein open to the public during usual business hours;

"[(8)] (7) Translate into the dialect used by the majority of the inhabitants all ordinances and resolutions immediately after their approval and cause the publication of the same together with the original version in the manner provided under the Local Government Code of 1991, as amended;

"[(9)] (8) Take custody of the local archives and where applicable, the local library, and annually account for the same; and

"[(40)] (9) Perform other duties and functions, and exercise such other powers as provided under the Local Government Code of 1991, as amended, and those that are prescribed by law or ordinance."

SEC. 2. Repealing Clause. – All laws, decrees, orders, rules and regulations, or other issuances or parts inconsistent with the provisions of this Acts are hereby repealed or modified accordingly.

SEC. 3. Effectivity. – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,