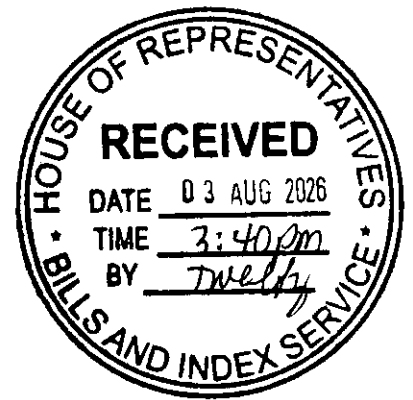


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 10522



Introduced by Representative Jaime R. Fresnedi

EXPLANATORY NOTE

This bill strengthens local autonomy, promotes appreciation of local history and heritage, and fosters civic pride among communities by recognizing the authority of local governments to commemorate milestones of genuine historical significance, while maintaining appropriate safeguards against abuse. While Congress may declare special non-working holidays through statute, there is presently no express authority under the Local Government Code allowing local legislative bodies to declare a recurring local public holiday in observance of their own foundation day.

Every province, city, and municipality has a distinct historical origin that forms part of its identity and cultural heritage. Across the country, many local government units (LGUs) commemorate their foundation or charter day through civic activities and community celebrations. Foundation days and charter days are matters of local history and identity. Instead of asking Congress to pass hundreds of individual holiday laws that consume committee and plenary time despite being purely local matters, these proposed amendments to the Code would empower local governments to determine their own commemorative day. It will also give Congress a significant institutional benefit as it will help reduce its legislative workload. In effect, Congress delegates the authority once through a general law rather than legislating piecemeal for every LGU. This is consistent with the philosophy of the Local Government Code.

This measure authorizes the Sangguniang Panlalawigan, Sangguniang Panlungsod, and Sangguniang Bayan to declare, by ordinance, a single recurring local public holiday in commemoration of the official foundation or charter day of their respective local government units. To preserve historical integrity, the concerned Sanggunian shall first obtain the written comments of the National Historical Commission of the Philippines on the historical basis of the proposed commemorative date. This bill likewise limits each province, city, or municipality to only one such local public non-working holiday, thereby balancing local autonomy with the need to avoid an excessive number of local holidays that could hamper the *local economy*.

In view of the foregoing, immediate passage of this bill is earnestly sought.

JAIME R. FRESNEDI
Representative
Lone District of Muntinlupa

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session

HOUSE BILL NO. 10522

Introduced by Representative Jaime R. Fresnedi

AN ACT

AMENDING SECTIONS 447, 458, AND 468 OF REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991," AUTHORIZING THE SANGGUNIANG BAYAN, SANGGUNIANG PANLUNGSOD, AND SANGGUNIANG PANLALAWIGAN, TO DECLARE A LOCAL NON-WORKING PUBLIC HOLIDAY IN COMMEMORATION OF THE FOUNDATION DAY OF THEIR RESPECTIVE LOCAL GOVERNMENT UNITS, SUBJECT TO CERTAIN CONDITIONS, AND FOR OTHER PURPOSES

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

Section 1. *New Paragraph under Section 447.* – A new paragraph is hereby inserted under Section 447(a) of Republic Act No. 7160, otherwise known as the *Local Government Code of 1991*, to read as follows:

"Section 447. Powers, Duties, Functions and Compensation. –

(a) Xxx

(1) Xxx

(6) DECLARE, BY ORDINANCE, ONE (1) LOCAL NON-WORKING PUBLIC HOLIDAY IN COMMEMORATION OF THE OFFICIAL FOUNDATION DAY OF THE MUNICIPALITY. *PROVIDED*, THAT PRIOR TO THE ENACTMENT OF SUCH ORDINANCE, THE SANGGUNIANG BAYAN SHALL OBTAIN THE WRITTEN COMMENTS OF THE NATIONAL HISTORICAL COMMISSION OF THE PHILIPPINES (NHCP) AS TO THE HISTORICAL BASIS AND ACCURACY OF THE PROPOSED COMMEMORATIVE DATE."

[(6)] (7) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

Sec. 2. *New Paragraph under Section 458.* – A new paragraph is hereby inserted under Section 458(a) of the same Code to read as follows:

“Section 458. *Powers, Duties, Functions and Compensation.*

(a) Xxx

(1) Xxx

(6) DECLARE, BY ORDINANCE, ONE (1) LOCAL NON-WORKING PUBLIC HOLIDAY IN COMMEMORATION OF THE OFFICIAL FOUNDATION DAY OR CHARTER DAY OF THE CITY. *PROVIDED*, THAT PRIOR TO THE ENACTMENT OF SUCH ORDINANCE, THE SANGGUNIANG PANLUNGSOD SHALL OBTAIN THE WRITTEN COMMENTS OF THE NATIONAL HISTORICAL COMMISSION OF THE PHILIPPINES (NHCP) AS TO THE HISTORICAL BASIS AND ACCURACY OF THE PROPOSED COMMEMORATIVE DATE.”

[(6)] (7) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

Sec. 3. *New Paragraph under Section 468.* – A new paragraph is hereby inserted under Section 468(a) of the same Code to read as follows:

“Section 468. *Powers, Duties, Functions and Compensation.*

(a) Xxx

(1) Xxx

(5) DECLARE, BY ORDINANCE, ONE (1) LOCAL NON-WORKING PUBLIC HOLIDAY IN COMMEMORATION OF THE OFFICIAL FOUNDATION DAY OF THE PROVINCE. *PROVIDED*, THAT PRIOR TO THE ENACTMENT OF SUCH ORDINANCE, THE SANGGUNIANG PANLALAWIGAN SHALL OBTAIN THE WRITTEN COMMENTS OF THE NATIONAL HISTORICAL COMMISSION OF THE PHILIPPINES (NHCP) AS TO THE HISTORICAL BASIS AND ACCURACY OF THE PROPOSED COMMEMORATIVE DATE. ”

[(5)] (6) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

Sec. 4. *Effect of Local Public Holiday.* – A local public holiday declared pursuant to this Act shall be observed only within the territorial jurisdiction of the concerned province, city, or municipality. The declaration of such local public holiday shall not diminish employee

benefits or compensation under existing labor laws and shall be subject to the rules of the Civil Service Commission, the Department of Labor and Employment, and other applicable laws.

Any amendment to the designated commemorative date must likewise comply with this Act and shall only be made upon newly discovered historical evidence and a formal recommendation from the NHCP.

Sec. 5. Publication. – The ordinance declaring the local public holiday shall take effect only after compliance with the publication requirements under this Code.

Sec. 6. Separability Clause. – If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall remain in full force and effect.

Sec. 7. Repealing Clause. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 8. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,