

THIRTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

'04 JUN 30 P5:12

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S E N A T E

S. No. 403

Introduced by Senator S. R. Osmeña III

EXPLANATORY NOTE

This bill seeks to renationalize the devolved personnel, positions, services, facilities and funding sources/appropriations of the Department of Agriculture, the Department of Health and the Department of Social Welfare and Development,

After one whole decade of implementation, Republic Act 7160 otherwise known as the Local Government Code has given rise to problems which remain unresolved and irremediable.

The estimated 20,000 personnel of the Department of Agriculture who were transferred to Local Government Units suffered cuts in salaries/allowances, and were assigned to tasks unrelated to their profession, and lament the lack of opportunities for career advancement. Without the support of LGUs who themselves are faced with financial constraints, agricultural workers have been left demoralized, unable to function, and frustrated with the deterioration of farm extension and other services, with its deleterious effects on agricultural productivity and food security.

Meanwhile in the health sector, the Philippine Public Association representing some 50,000 devolved health workers nationwide, lamented even before devolution that the decentralization of health care management led to : 1) Demoralization among workers, which along with the fragmentation of services weakened the delivery of health services, especially epidemic prevention and control; 2) Health care management is too technical for most local government managers; and 3) most LGUs do not have the resources to run a hospital and other health facilities.

Similar problems hamper the work of some 5,000 personnel who have been devolved from the Department of Social Welfare and Development (DSWD).

Subsequent laws have since been passed mandated additional responsibilities to national government agencies. RA 8435 mandates a 7-year, P120 billion modernization program for agriculture and fisheries to be administered by the Department of Agriculture, which no longer exercises direct administrative authority over the field implementors. RA. 7610 has given the Department of Social Welfare and Development additional tasks for the protection of abused and disadvantaged children. The Department of Health is likewise handicapped in the provision of health care and hospital services.

In view of the foregoing, early passage of this bill is earnestly requested.

S. Osmeña III
SERGIO OSMEÑA III
Senator

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SENATE

S. No. 403

Introduced by Senator S. R. Osmeña III

AN ACT
RE-NATIONALIZING DEVOLVED PERSONNEL, POSITION, SERVICES AND
FACILITIES OF THE DEPARTMENTS OF AGRICULTURE, HEALTH AND SOCIAL
WELFARE AND DEVELOPMENT, APPROPRIATING FUNDS THEREFOR, AND
FOR OTHER PURPOSES

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

1 SECTION 1. **Title.** – This Act shall be known as the “Re-
2 **Nationalization of Devolved Personnel, Positions, Services and Facilities**
3 **Act of 2004.**”

4 SEC. 2. **Re-Nationalization.** – All personnel, positions, services and
5 facilities of the Department of Agriculture (DA), the Department of Health (DOH),
6 and the Department of Social Welfare and Development (DSWD), including their
7 assets, lands, buildings, equipment, records, drugs, medicines, materials,
8 supplies, and liabilities that were devolved to the local government units (LGUs)
9 under Republic Act No. 7160, otherwise known as the Local Government Code
10 of 1991, are hereby returned to their respective national Departments.

11 SEC.3. **Appropriations.** – In the year following the enactment of this Act
12 into law, the cost of the devolved DA, DOH and DSWD personnel, position,
13 services and facilities as of December 31, 1992 shall be deducted by the
14 Department of Budget and Management from the internal revenue allotment of
15 the LGUs concerned and shall be used as funding source for the provisions of

1 this Act. Any deficiency shall be charged against the Organizational Adjustment
2 fund and appropriations savings/reserves. Thereafter, such sums as may be
3 needed for its continued implementation shall be included in the annual General
4 Appropriations Act.

5 The internal revenue allotment of LGUs in the succeeding years shall be
6 net of the cost of devolved DA, DOH and DSWD personnel, position, services
7 and facilities as of December 31, 1992.

8 **SEC. 4. *Implementing Rules and Regulations.*** – The DA, DOH and
9 DSWD shall each formulate the necessary rules and regulations to implement
10 this Act in their respective departments within three (3) months of its enactment
11 into law.

12 **SEC. 5. *Repealing Clause.*** - All laws, presidential decrees, executive
13 orders, rules and issuances or parts thereof inconsistent with the provisions of
14 this Act are hereby repealed, amended, or modified accordingly.

15 **SEC. 6. *Separability Clause.*** If for any reason , any section or
16 provision of this Act is held unconstitutional or invalid, the other sections or
17 provisions thereof not be affected thereby.

18 **SEC. 7. *Effectivity.*** - This Act shall take effect fifteen (15) days after its
19 publication in two (2) national newspapers of general circulation

20 Approved,