

NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Second Regular Session* )



24 MAR 19 A11 :50

**SENATE**

**S. No. 2622**

RECEIVED BY

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**Introduced by SENATOR JOSEPH VICTOR G. EJERCITO**

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**AN ACT  
PROVIDING FOR THE MAGNA CARTA OF LOCAL PLANNING AND  
DEVELOPMENT COORDINATORS**

**EXPLANATORY NOTE**

Local planning is crucial to the development and sustainability of the communities in the Local Government Units (LGUs). Aside from the mandated comprehensive and multi-sectoral development plans such as Provincial Development and Physical Framework Plan, Comprehensive Development Plan and Comprehensive Land Use Plan, the Local Government Units are required to submit other sectoral and thematic plans e.g. Gender and Development Plan and Local Climate Change Action Plan to different National Government Agencies.

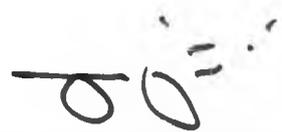
The local planners are the think tank of LGU, they formulate these plans that will be basis for policy-making and other development initiatives. Their scope encompasses all sectors, they initiate inter-department and inter-agency coordination to work on the goal and vision of the LGU.

The full devolution of certain functions, services and facilities; and the increase in National Tax Allotment also escalated the workload of the local planners. Due to the increase in financial resources of the LGUs, careful and relevant development plans are needed in order to tailor the government services that can now be available to the people. Thus, demanding more from the Local Planning departments. Moreover, the local planners, especially those doing field work activities, are exposed to risks such as harassment and accidents.

In spite of this, the local planners may still face threats against the stability of their positions and security of their tenure in the event of change of administration after local elections, which prompted others to resign or file early retirement as planners. In cases of conversion from municipality to city and likewise in the case of merging of two or more LGUs, other planners are placed in the position that might not be relevant to their expertise.

This bill aims to protect the rights and to provide welfare and benefits to the local planners in the fulfilment of their duties as civil servants. It also has a provision to seek further studies for the development of their capabilities, in order to formulate effective development plans relevant to their local communities and to serve the people better.

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



**JOSEPH VICTOR G. EJERCITO**

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

1 Section 1. Title. - This Act shall be known as the "The Magna Carta of Local  
2 Planners."

3 Sec. 2. Declaration of Policy. - The state recognizes the vital role of public  
4 planners in the economic, political, and social development of the communities, in  
5 the formulation and implementation of policies and programs essential to regional  
6 growth and progress, and as instruments for local government units to become  
7 self-reliant communities and effective partners in the attainment of national goals.  
8 To this end, this Act endeavors: to promote and improve the social and economic  
9 well-being of public planners, their living and working conditions, and the terms of  
10 their employment; to develop their skills and capabilities in order that they will be  
11 more responsive and better equipped to deliver development plans, projects, and  
12 programs; and to encourage those with proper qualifications and excellent  
13 abilities to pursue a career in public development work in government service.

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

16 (a) "LGU" refers to the local government unit;

17 (b) "LLPDCPI" refers to the League of Local Planning and  
18 Development Coordinators of the Philippines, Inc.;

1 (c) "Local planners" refers to all Provincial/ City/ Municipal Planning and  
2 Development Coordinators and to those persons holding permanent  
3 positions under the Local Planning and Development Office in LGUs;

4 (d) "Local Planning and Development Office" refers to the Provincial/ City/  
5 Municipal Planning and Development Office;

6 (e) "Local Planning and Development Coordinator" refers to the heads of  
7 the Office of the Provincial/City/Municipal Planning and Development  
8 Coordinator of an LGU;

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

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

21 Sec. 6. Security of Tenure. – Local Planners holding permanent positions  
22 shall not be terminated except for cause as may be provided by law and after due  
23 process: Provided, That any local planners found by the CSC to be unjustly  
24 dismissed from work shall be entitled to reinstatement without loss of seniority  
25 rights and back wages with twelve per centum (12%) interest computed from the  
26 time the compensation was withheld up to the time of reinstatement.

27 In case of conversion of a municipality into a city, the incumbent Municipal  
28 Planning and Development Coordinator will automatically be appointed and hold  
29 office as the City Planning and Development Coordinator. In case of merging of  
30 two or more LGUs, there shall be no demotion, displacement, termination,  
31 retrenchment of Local Planning and Development Coordinator. There shall be a

1 clear provision in the creation of the new LGU on the role of all the Local Planning  
2 and Development Coordinators involved.

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

11 Sec. 8. Safeguards in Disciplinary Procedure. - Every local planner shall  
12 enjoy equitable safeguards at each stage of any disciplinary procedure and shall  
13 have:

- 14 a) the right to be informed, in writing, of the charges;
- 15 b) the right to full access to the evidence in the case;
- 16 c) the right to defend him/herself and to be defended by a representative  
17 of his/her choice and/or by his/her organization, adequate time being  
18 given to the local planner for the preparation of his/her defense; and
- 19 d) the right to appeal to clearly designated authorities.

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

22 Sec. 9. Administrative Discipline. - Investigation and adjudication of  
23 administrative complaints against local planners, as well as their suspension and  
24 removal, shall be in accordance with the Local Government Code, civil service law  
25 and rules, and other pertinent laws.

26 Sec. 10. Discrimination Prohibited. - A local planner shall not be  
27 discriminated against with regard to gender, civil status, creed, religious or  
28 political beliefs, and ethnic groupings in the exercise of his profession.

29 Sec. 11. Cost of Living Allowance. - The Department of the Interior and  
30 Local Government shall, in consultation with the proper government entities,  
31 create a cost-of-living index for purposes of determining the cost-of-living  
32 allowance. Such determination shall, upon approval of the President of the

1 Philippines, be binding on the provincial, city, or municipal government, for the  
2 purpose of calculating the cost-of-living allowances of local planners under its  
3 employ.

4 Sec. 12. Other Benefits. -

5 (a) Hazard Allowance- All local planners directly involved in frontline  
6 services/ field work activities that exposes them to various hazards shall  
7 be entitled to hazard pay equivalent to at least twenty per centum  
8 (20%) of the monthly basic salary. Such activities but not limited to are  
9 as follows:

- 10 i. Data gathering for CBMS, research, and other monitoring  
11 systems
- 12 ii. Field work for inspection, monitoring and evaluation of local PPAs
- 13 iii. Onsite assistance for barangay development planning and other  
14 planning related functions

15 (b) Subsistence/Transportation Allowance - while on predominantly field  
16 jobs for considerable period of time, such as but not limited to, field  
17 information survey, community validation interviews and project  
18 monitoring activities shall be entitled to daily full subsistence allowance  
19 of three meals which shall be computed according to prevailing  
20 circumstances and actual transportation allowance shall also be  
21 provided. Except those positions already receiving Representation  
22 Allowance Travelling Allowance (RATA).

23 Sec. 13. Additional Remuneration. - There shall be a corresponding  
24 honorarium given to Local Planning and Development Coordinators who are  
25 designated to other position.

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

30 Sec. 15. Practice of Profession. - All local planners may be allowed to  
31 practice his/her profession/s subject to approval of the Head of the Agency

1 provided that the practice of such profession shall be done outside office hours  
2 and shall not affect the effective performance of his duties and functions.

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

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

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

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

24 Sec. 19. Right to Self-Organization. – Local planners shall have the right to  
25 freely form their own organization, to affiliate with or assist other organizations or  
26 government workers for purposes not contrary to law, in order to defend and  
27 protect their mutual interests and to obtain redress of their grievances through  
28 peaceful concerted activities: Provided, That under no circumstances shall they be  
29 allowed to declare, stage or join any strike or cessation of services. Sec. 21.  
30 League of Local Planning and Development Coordinators of the Philippines, Inc.  
31 (LLPDCPI). - The LLPDCPI shall be consulted in the formulation of planning and

1 development policies and professional standards and in the formulation of  
2 national policies governing the social security of the local planners.

3       Sec. 20. Rules and Regulations. - The Department of Interior and Local  
4 Government shall formulate and prepare the necessary rules and regulations to  
5 implement the provisions of this Act. Rules and regulations issued pursuant to this  
6 Section shall take effect thirty days after publication in a newspaper of general  
7 circulation and by such other means as the Secretary of Interior and Local  
8 Government deems reasonably sufficient to give interested parties general notice  
9 of such issuance.

10       Sec. 21. Penal Provision. - A person who shall wilfully interfere with,  
11 restrain, or coerce any local planner in the exercise of his/her rights guaranteed  
12 by this Act or who shall in any other manner commit any act to defeat any of the  
13 provisions of this Act shall, upon conviction, be punished by a fine of not less than  
14 five thousand pesos nor more than ten thousand pesos, or by imprisonment, in  
15 the discretion of the court.

16       Sec. 22. Separability Clause. - If any provision of this Act is declared  
17 invalid, the remainder of this Act or any provisions not affected thereby shall  
18 remain in force and in effect.

19       Sec. 23. Repealing Clause. - All laws, decrees, orders, rules and regulations  
20 or other issuances or parts inconsistent with the provisions of this Act are hereby  
21 repealed, amended, or modified accordingly.

22       Sec. 24. Effectivity. - This Act shall take effect fifteen (15) days after its  
23 publication in at least two (2) newspaper of general circulation.

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25       Approved,