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SENATE

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Prepared and submitted by the Committee on Local Government, with  
Senator Lim as author

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AN ACT

**AUTHORIZING THE LOCAL SANGGUNIANs TO DECLARE SPECIAL HOLIDAYS IN THEIR RESPECTIVE LOCALITIES TO COMMEMORATE SIGNIFICANT HISTORIC EVENTS AND TO HONOR LOCAL HEROES, PROVIDING GUIDELINES THEREFOR, AND FOR OTHER PURPOSES**

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

1       **SECTION 1. Title.** – This Act shall be known as the “Local Holidays Act  
2 of 2007”.

3       **SEC. 2. Declaration of Policy.** – It is hereby declared the policy of the  
4 state that the territorial and political subdivisions shall enjoy genuine, true and  
5 meaningful autonomy to enable them to attain their fullest development as  
6 self-reliant communities and as effective partners in the attainment of national  
7 goals. Towards this end, the local government units herein provided shall  
8 exercise the power, to ensure and support the preservation and enrichment of  
9 their local culture and history. Thus, the local sanggunians is hereby  
10 authorized to declare special holidays in their localities to commemorate  
11 significant historic events and honor local heroes.

12       **SEC. 3. Authority to declare special local holidays.** – The  
13 sangguniang panlalawigan, sangguniang panlungsod or sangguniang bayan, is  
14 hereby authorized to declare, by ordinance, working or non-working special

1 holidays to commemorate significant historic events in their respective locality,  
2 subject to the guidelines provided under this Act and upon prior consultation  
3 with the National Historical Institute (NHI) and the Department of Labor and  
4 Employment (DOLE). The sangguniang barangay is hereby authorized to  
5 declare, by ordinance, working special holidays in their respective localities.

6 **SEC. 4. Guidelines for the declaration of local special holiday.** – The  
7 sanggunian shall observe the following guidelines when declaring special  
8 holidays within their respective locality:

9 a) there must be prior certification by the NHI as to the historical  
10 significance of the occasion;

11 b) there must be prior information from the DOLE as to the number  
12 of workers and establishments to be affected by the declaration of local holiday,  
13 including the effect in terms of possible loss in wages of daily wage earners;

14 c) the sangguniang panlalawigan, by a three-fourths (3/4) vote of all  
15 its members, shall have the authority to declare special holidays covering the  
16 entire province or in more than one of its component cities or municipalities.

17 In no case shall the sangguniang panlalawigan declare more than one non-  
18 working holiday in the province or in any of its component cities or  
19 municipalities;

20 d) the sangguniang panlungsod or sangguniang bayan in the city or  
21 municipality, as the case may be, by a vote of three-fourths (3/4) of all its  
22 members shall have the authority to declare special holidays in the city or  
23 municipality concerned or in more than one of its component barangays. In no  
24 case shall the sangguniang panlungsod or sangguniang bayan declare more  
25 than one non-working holiday in any city or municipality, as the case maybe,  
26 or in any of its component barangays;

27 e) local non-working holidays declared prior to the effectivity of this  
28 Act shall continue to be observed until otherwise changed, discontinued or

1 reduced by the local sanggunian concerned; *Provided*, That no local holiday  
2 can be changed oftener than once every ten (10) years and by three-fourths  
3 vote of all members of the sanggunian concerned;

4 f) local sanggunians in provinces, cities and municipalities with at  
5 least one special non-working holiday already shall no longer have the  
6 authority to declare an additional special non-working day, except to exercise  
7 the prerogative specified in paragraph e) hereof;

8 g) the local sanggunian, including the sangguniang barangay may  
9 declare as many local special working holidays as they deem appropriate,  
10 following the guidelines prescribed in this section.

11 **SEC. 5. Authority of the President to declare special local holidays.**

12 - Nothing herein shall be construed to limit the power of the President to  
13 declare special days, pursuant to Section 28, Chapter 7, of Executive Order  
14 292 otherwise known as the Administrative Code of 1987.

15 **SEC. 6. Masterlist of National and Local Special Days.** - Within  
16 ninety (90) days from the effectivity of this Act, the leagues of provinces, cities,  
17 municipalities shall each submit to the NHI a masterlist of existing special local  
18 holidays in their respective member-local government units, stating, among  
19 others the nature, legal basis and date of declaration of such holidays.  
20 Thereupon, the NHI shall immediately furnish the Congress of the Philippines,  
21 the Office of the President, the Department of the Interior and Local  
22 Government (DILG) and DOLE a complete list of regular and special national  
23 and local holidays throughout the country. No valid local special holiday  
24 should be declared in any locality after the NHI shall have issued a certification  
25 that it had already submitted the master list to the Congress of the Philippines  
26 and the office of the President.

27 **SEC. 7. Implementing Rules and Regulations.** - The Secretary of the  
28 DILG, in consultation with the respective heads of the NHI, DOLE and the

1 leagues of provinces, cities, municipalities and barangays, shall issue the  
2 necessary rules and regulations for the effective implementation of this Act.

3       **SEC. 8. Holiday Economics.** - As much as possible, the local  
4 nonworking holiday shall be declared on a Monday. If a local nonworking  
5 holiday falls on a day other than Monday, the local sanggunian concerned shall  
6 have authority to declare its observance on the nearest Monday; *Provided*, That  
7 the local sanggunian concerned shall declare such change not later than six (6)  
8 months prior to its observance.

9       **SEC. 9. No Reduction in School Days or Hours.** - Nothing herein  
10 shall be construed to reduce the number of school days below the minimum  
11 allowed by the Department of Education (DepEd) and the Commission on  
12 Higher Education (CHED). Additional class days or hours may be scheduled to  
13 cover the lost class day or hours due to the celebration of local nonworking  
14 holiday, as may be determined by the local division of the DepEd or the CHED,  
15 as the case may be.

16       **SEC. 10. Applicability of the Labor Code.** - As used in this Act,  
17 “special local nonworking holiday” shall mean “special nonworking day” as  
18 defined in the pertinent provisions of the Labor Code and its implementing  
19 rules and regulations.

20       **SEC. 11. Separability Clause.** - If any provision of this Act is declared  
21 unconstitutional or invalid, other parts or provisions hereof which are not  
22 affected thereby shall continue to be in full force and effect.

23       **SEC. 12. Repealing Clause.** - All laws, decrees, orders, rules and  
24 regulations, or portions thereof, inconsistent with this Act are hereby repealed  
25 or modified accordingly.

1           **SEC. 13. Effectivity Clause.** – This Act shall take effect fifteen (15)  
2 days following its publication in at least two (2) national newspapers of general  
3 circulation.

4           Approved,