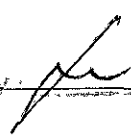


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE CLERK)
JUN 22 1936

SENATE
S. No. 1934

RECEIVED BY: 


Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Republic Act No. 7160, otherwise known as the Local Government Code of 1991, provides for the following: 1) In case of doubt, any question shall be resolved in favor of devolution of powers and of the local government unit (Section 5 [a]); 2) The general welfare provisions shall be liberally interpreted to give more powers to local government units in accelerating economic development and upgrading the quality of life for the people in the community (Section 5[c]); and 3) The policy of the State to require all national agencies and offices to conduct periodic consultations with appropriate local government units, nongovernmental and people's organizations, and other concerned sectors of the community before any project or program is implemented in their respective jurisdiction (Section 2 [c]).

In consonance with the said provisions of the Local Government Code, this bill seeks to amend the Local Government Code by giving local governments the power to decide whether gambling shall be allowed in their respective localities.


This bill strengthens the national policies that local government units "shall enjoy genuine and meaningful local autonomy" (Sec. 2, R.A. 7160) and that the national government shall only exercise "general supervision" and not control over local government units (Sec. 25 [a]).*


MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed during the Thirteenth Congress, First Regular Session.

10 JUL 22 1937

SENATE
S. No. 1934

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 PROVIDING FOR LOCAL AUTONOMY IN THE DETERMINATION OF STATE POLICY
3 ON GAMBLING, AMENDING FOR THIS PURPOSE THE LOCAL GOVERNMENT CODE,
4 REPUBLIC ACT NO. 7160, SECTIONS 2, 27 AND 133 (O)

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

5 SECTION 1. Republic Act No. 7160, otherwise known as the Local Government Code,
6 Section 2 is hereby amended to read as follows:

7 "Section 2. Declaration of Policy. - (a) It is hereby declared the policy of
8 the State that the territorial and political subdivisions of the State shall enjoy
9 genuine and meaningful local autonomy to enable them to attain their fullest
10 development as self-reliant communities and make them more effective partners
11 in the attainment of national goals. Toward this end, the State shall provide for a
12 more responsive and accountable local government structure instituted through a
13 system of decentralization whereby local government units shall be given more
14 powers, authority, responsibilities and resources. The process of decentralization
15 shall proceed from the national government to the local government units.

16 (b) It is also the policy of the State to ensure the accountability of local
17 government units through the institution of effective mechanisms of recall,
18 initiative and referendum.

19 (c) It is likewise the policy of the State to require all national agencies and
20 offices to conduct periodic consultations with appropriate local government units,
21 non-governmental and people's organizations, and other concerned sectors of the

1 community before any project or program is implemented in their respective
2 jurisdictions.

3 (D) IT IS FURTHER THE POLICY OF THE STATE TO OBSERVE
4 LOCAL AUTONOMY IN THE DETERMINATION OF STATE POLICY
5 ON GAMBLING. CONFORMABLY WITH THIS POLICY, NO
6 GAMBLING ENTERPRISE OPERATED BY TNDIVIDUALS OR
7 CORPORATIONS, OR CONTRACTED OUT BY THE NATIONAL
8 GOVERNMENT TO FOREIGN OR DOMESTIC INDIVIDUALS,
9 CORPORATIONS OR ENTITIES, OR OPERATED BY ANY OF ITS
10 INSTRUMENTALITIES OR AGENTS, SHALL BE OPERATED,
11 IMPLEMENTED, OR OTHERWISE UNDERTAKEN UNLESS THE
12 CONSULTATIONS MENTIONED IN SECTION 2 (C) & 26 HEREOF
13 HAVE BEEN CONDUCTED AND WITH A MAYOR'S PERMIT, AS
14 APPROVED BY THE SANGGUNIANG BAYAN OR SANGGUNIANG
15 PANLUNSOD CONCERNED, IS OBTAINED.”

16 SECTION 2. Section 133 of the same law is hereby amended to read as follows:

17 “Section 133. *Common Limitations on the Taxing Powers of Local*
18 *Government Units.* - Unless otherwise provided herein, the exercise of the taxing
19 powers of provinces, cities, municipalities, and barangays shall not extend to the
20 levy of the following:

xxx

21 (O) Taxes, fees or charges of any kind on the National Governments, its
22 agencies and instrumentalities, and local government units. **PROVIDED,**
23 **HOWEVER, THAT THIS LIMITATION SHALL NOT APPLY TO**
24 **GAMBLING ENTERPRISES OPERATED BY THE NATIONAL**
25 **GOVERNMENT OR ITS AGENTS OR INSTRUMENTALITIES, OR**
26 **CONTRACTED OUT BY ITS FOREIGN OR DOMESTIC**

1 **CORPORATIONS, INDIVIDUALS OR ENTITIES, WHICH HAVE BEEN**
2 **GIVEN PERMITS BY THE LOCAL GOVERNMENT UNITS.”**

3 SECTION 3. *Repealing Clause.* - Any law, presidential decree or issuance, executive
4 order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent
5 with, the provisions of this Act is hereby repealed, modified or amended accordingly.

6 SECTION 4. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
7 publication in at least two (2) newspapers of general circulation.

Approved,