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SENATE
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Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Local Government Academy (LGA) is tasked to train and improve the managerial skills and technical capability of local government officials and personnel to make local government units more responsive to the demands of decentralization. To advance this objective, the LGA must be clothed with ample and standardized powers, functions and privileges. It must take a proactive response to the development needs of local governments and human resource development programs of the Department of the Interior and Local Government (DILG). Presently, however, the LGA is attached to the DILG with limited powers, functions and privileges, as provided for under Executive Order No. 262, otherwise known as "The Reorganization Act of the Department of Local Government and for other Purposes," and as reiterated under Republic Act No. 6975, otherwise known as "The Department of the Interior and Local Government Act of 1990." As such, it cannot effectively function in accordance with its mandate.

This bill seeks to strengthen the LGA and transform it to a more autonomous corporate body, with the end in view of making its programs and related activities more responsive to the needs of its clients.*

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Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

* This bill was originally filed in the Fourteenth Congress.

Secretary of the Senate
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1 AN ACT
2 STRENGTHENING THE LOCAL GOVERNMENT ACADEMY (LGA)

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

3 SECTION 1. *Short Title.* - This Act shall be known as the "Local Government Academy
4 Charter."

5 SECTION 2. *Declaration of Policy.* - It is hereby declared the policy of the State to
6 develop and enhance the institutional capabilities of local government units (LGUs), including
7 the administrative and technical capabilities of local government officials and employees, the
8 Department of the Interior and Local Government (DILG) personnel, and other government and
9 non-government personnel concerned with local government by enhancing the powers, duties,
10 and functions of the Local Government Academy.

11 SECTION 3. *Name.* - This entity shall be called the Local Government Academy,
12 hereinafter referred to as the Academy or LGA.

13 SECTION 4. *Powers.* -.The Academy shall have the following powers:

- 14 (A) Adopt and alter a corporate seal;
- 15 (B) Take and hold by bequest, devise, gift, purchase or lease, either absolutely or in
16 trust for any of its purpose, any property, real or personal, without limitation as to amount or
17 values; to convey such property and to invest and reinvest any principal in such manner as will
18 promote its objectives;

1 (C) Promote its aims, enhance its operations or rehabilitate any of its physical
2 structure, facilities and purposes herein set out;

3 (D) Contract any obligation, or enter into any agreement necessary or incidental to the
4 proper management of its corporate powers; and

5 (E) Carry out capability-building programs with greater efficiency and effectiveness
6 and perform any activity with all the powers conferred by a law or laws upon private or
7 government owned or controlled corporations; and to do any and all of the acts herein set forth,
8 to the same extent as judicial persons should do, and in any part of the world, as a principal
9 factor, agent or otherwise alone or in syndicate or otherwise in conjunction with any person,
10 entity, partnership, association or corporations, domestic or foreign.

11 SECTION 5. *Functions.* -The Academy shall have the following functions:

12 (A) Design and implement training and human resource development programs for
13 local government units, executives and functionaries and the DILG personnel that will ultimately
14 effect institutional development and organizational effectiveness;

15 (B) Assist the DILG in promulgating policies, rules and regulations and other issues
16 relative to human resource development and training for LGUs that are responsive to their needs.
17 Training activities shall be preceded by training needs assessments to ensure customized and
18 relevant programs and shall also ensure the conduct of progress and impact in its evaluation of
19 LGU training programs;

20 (C) Establish and maintain a mechanism to enable the LGUs to access technical as
21 well as financial assistance in building institutional capabilities to respond to the needs of local
22 governance within the framework of local autonomy;

23 (D) Establish and maintain a continuing linkage and network with different
24 institutions and civil society groups for synergy in local government capability-building and to
25 cope with the technological and institutional needs of LGUs in the context of globalization;

26 (E) Develop a corps of efficient, effective and competent LGA staff provided with all
27 the remuneration and benefits needed for their enhancement and satisfaction; and

1 (F) Undertake rehabilitation, upgrading and expansion of its training center as a
2 venue for conducting efficient and effective capability-building programs.

3 SECTION 6. *Locations and Offices.* -The Academy shall maintain a central office in the
4 Metro Manila area and three training and technical assistance centers: one (1) in Luzon, one (1)
5 in Visayas, and one (1) in Mindanao.

6 SECTION 7. *Board of Trustees.* - The Board of Trustees shall be the policymaking body
7 of the Academy which shall be composed of the Secretary of the Interior and Local Government
8 as *ex-officio* Chairperson and the following members:

- 9 (A) President of the League of Provinces;
10 (B) President of the League of Cities;
11 (C) President of the League of Municipalities;
12 (D) President of the *Liga ng mga Barangay*;
13 (E) President of the League of Vice Governors;
14 (F) President of the League of Vice Mayors;
15 (G) Executive Director of the Academy;
16 (H) A representative from the academe;
17 (I) A representative from the private sector, who shall be appointed by the President
18 of the Philippines upon the recommendation of the Secretary of the Interior and Local
19 Government.

20 The appointive members shall serve for a term of three (3) years without reappointment.
21 Appointment to any vacancy shall only be for the unexpired term of the predecessor. In no case
22 shall any trustee be appointed or designated in a temporary or acting capacity. The Chairperson
23 and members of the Board of Trustees shall be entitled to reasonable honorarium for the
24 performance of their duties and reimbursement and regulations of expenses incurred while
25 discharging their functions as such, subject to applicable civil service and government auditing
26 rules.

1 SECTION 8. *Duties and Functions of the Board.* - The Board of Trustees shall have the
2 following duties and functions:

3 (A) Prepare and or adopt policies, guidelines, rules and regulations necessary for
4 smooth and orderly operations and for the enhancement and development of its personnel;

5 (B) Prepare and/or approve the organizational structure and staffing pattern for its
6 officers and employees; All positions shall be governed by compensation and position
7 qualification system and qualification standards approved by the board based on a
8 comprehensive job analysis and audit of actual duties and responsibilities. The compensation
9 plan shall be comparable to the prevailing compensation plans in the private sector and shall be
10 periodically review by the Board no more than every three (3) years without prejudice to a yearly
11 merit review or increases based on productivity and profitability.

12 (C) Approve courses of training study for LGUs and training fees required for training
13 programs as well as for the rental of LGA facilities;

14 (D) Approve work plans and budget proposals of the Academy for consideration of
15 appropriate agencies and other funding institutions, both local and foreign;

16 (E) Review periodically the administration and programs, performance and
17 accomplishments of the LGA; and

18 (F) Perform such other duties as may be required by law.

19 SECTION 9. *Officers of the Academy.* - The Academy shall be headed by an Executive
20 Director, who shall be assisted by three (3) Deputy Directors for Luzon, Visayas, and Mindanao.
21 The Executive Director and the Deputy Directors shall be appointed by the President of the
22 Philippines upon recommendation of the Board of Trustees. The Executive Director and Deputy
23 Directors shall have passed the Career Executive Service Officers Exam or its equivalent and/or
24 shall satisfy the qualification standards required by the Civil Service Commission.

25 The Executive Director shall have the following duties and responsibilities:

26 (A) Recommend to the Board of Trustees, the measures and policies which he/she
27 believes are necessary to carry out the purposes of the Academy and all matters pertinent to its
28 operations including the enhancement and development of its personnel;

1 (B) Recommend to the Board of Trustees the programs and projects of the Academy
2 and coordinate and administer the same;

3 (C) Direct and supervise the operations and internal administration of the Academy,
4 and delegate administrative responsibilities to the appropriate officer or employee in accordance
5 with its rules and regulations;

6 (D) Submit an annual report to the Board of Trustees setting forth the
7 accomplishments of the Academy during the year, its financial operations and status;

8 (E) Appoint, subject to civil service laws, rules and regulations, all subordinate
9 officers and employees, who shall enjoy security of tenure and may be removed only for cause in
10 accordance with the law;

11 (F) Engage the services of experts/consultants either on full-time or part-time basis,
12 as may be required in the performance of his or her functions and duties; and

13 (G) Exercise such other powers and discharge such other functions as may be vested
14 by the Board. The Executive Director shall be the *ex-officio* secretary of the Board of Trustees
15 and shall head the secretariat of the Board.

16 SECTION 10. *Financial Resources of the Academy.* - The financial resources of the
17 Academy shall comprise of:

18 (A) Funds from the government appropriation for the LGA for its initial operations
19 and funds from international and national organizations, foundations, as well as from the private
20 sector;

21 (B) Voluntary contributions;

22 (C) Income from training and the use of training facilities, sale of publications,
23 materials and other services; and

24 (D) The Academy may also receive non-financial contributions, services, equipment,
25 and vehicles needed for its operations.

26 SECTION 11. *Exemption from Taxes.* - Any provision of existing laws to the contrary
27 notwithstanding, any donation, contribution, bequest, subsidy, or financial aid which may be

1 made to the Academy shall be exempt from taxes of any kind, and shall constitute allowable
2 deductions in full from the income of the donors or givers for income tax purposes.

3 The LGA, its assets, acquisitions, including grants and donations, and income from its
4 operations and transactions shall be exempt from any and all taxes, fees, and assessments, direct
5 or indirect, imposed by the Republic of the Philippines or any of its political subdivision or
6 taxing authority thereof, except import taxes, duties, and fees.

7 SECTION 12. *Appropriation Clause.* - The amount necessary to carry out the provisions
8 of this Act shall be included in the appropriations of the year following its enactment into law.
9 Thereafter, such amount as is necessary for the continued operation of the LGA shall be included
10 in the annual General Appropriations Act as a distinct and separate item.

11 SECTION 13. *Transitory Provisions.* - All functions, powers, duties, and responsibilities
12 of the existing LGA presently attached to the DILG, as well as all assets, properties, funds,
13 indebtedness, or liabilities, including its budgetary appropriations, shall be transferred to the
14 Academy created under this Act, subject to the conditions that may be established by the
15 Department of Budget and Management (DBM), the Commission on Audit (COA), and the
16 Office of the President (OP).

17 Pending full implementation of the LGA organizational structure and staffing pattern
18 under this Act, all officials and employees of the present LGA shall continue to exercise their
19 powers, discharge their duties, functions, and responsibilities, and receive their salaries and
20 allowances until they shall be given notice of separation or position in accordance with Civil
21 Service Laws, Rules and Regulations but shall not exceed one (1) year from the approval hereof.

22 SECTION 14. *Separability Clause.* - If any provision of this Act or part thereof is held
23 invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall
24 remain valid and subsisting.

1 SECTION 15. *Repealing Clause.* – Republic Act No. 6975, Executive Order No. 262,
2 and all other laws, presidential decrees or issuances, executive orders, letters of instruction,
3 administrative orders, rules, and regulations contrary to or inconsistent with the provisions of this
4 Act are hereby repealed, modified, or amended accordingly.

5 SECTION 16. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
6 publication in at least two (2) newspapers of general circulation.

Approved,