

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

OFFICE SECRETARY

10 JUL -6 18:59

SENATE

S. No. 210

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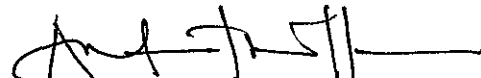
Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

The Philippines has indeed a very rich culture. Its rich cultural heritage, however, varies from place to place. Furthermore, due to the number of the local historical events and heroes worth commemorating, not all of them are given tribute by the national government. Hence, a legislation which purpose is to authorize local sanggunians to declare special holidays in their localities in order to commemorate significant historic events and honor local heroes is substantially needed.

This bill aims to provide the local government units power to ensure and support the preservation and enrichment of their local culture and history. The proposed measure is also intended to unclog the legislative mill of bills where the subject matter can be appropriately delegated to the local sanggunian to legislate. Given this, the Congress would be given ample time to tackle more urgent legislative proposals.

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



ANTONIO "SONNY" F. TRILLANES IV
Senator

FIFTEENTH CONGRESS OF THE)
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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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. *Short Title.*** – This Act shall be known as the "*Local Holidays Act*
2 *of 2010.*"

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

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

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

6

7 **SEC. 4. *Guidelines for the Declaration of Local Special Holiday.*** – The
8 sanggunian shall observe the following guidelines when declaring special holidays within
9 their respective locality:

- 10 a) There must be prior certification by the NHI as to the historical significance of
11 the occasion;
- 12 b) There must be prior information from the DOLE as to the number of workers
13 and establishments to be affected by the declaration of local holiday, including
14 the effect in terms of possible loss in wages of daily wage earners;
- 15 c) The sangguniang panlalawigan, by a three-fourths (3/4) vote of all its
16 members, shall have the authority to declare special holidays covering the
17 entire province or in more than one of its component cities or municipalities.
18 In no case shall the sangguniang panlalawigan declare more than one
19 nonworking holiday in the province or in any of its component cities or
20 municipalities;
- 21 d) The sangguniang panlungsod or sangguniang bayan in the city or
22 municipality, as the case may be, by a vote of three-fourths (3/4) of all its
23 members shall have the authority to declare special holidays in the city or
24 municipality concerned or in more than one of its component barangays. In no
25 case shall the sangguniang panlungsod or sangguniang bayan declare more
26 than one non-working holiday in any city or municipality, as the case maybe,
27 or in any of its component barangays;

- 1 e) local non-working holidays declared prior to the effectivity of this Act shall
2 continue to be observed until otherwise changed, discontinued or reduced by
3 the local sanggunian concerned; *Provided*, That no local holiday can be
4 changed oftener than once every ten (10) years and by three-fourths vote of all
5 members of the sanggunian concerned;
- 6 f) Local sanggunians in provinces, cities and municipalities with at least one
7 special non-working holiday already shall no longer have the authority to
8 declare an additional special non-working day, except to exercise the
9 prerogative specified in paragraph e) hereof;
- 10 g) The local sanggunian, including the sangguniang barangay may declare as
11 many local special working holidays as they deem appropriate, following the
12 guidelines prescribed in this section.
- 13

14 **SEC.5. Authority of the President to declare special local holidays.** - Nothing
15 herein shall be construed to limit the power of the President to declare special days,
16 pursuant to Section 28, Chapter 7, of Executive Order 292 otherwise known as the
17 Administrative Code of 1987.

18

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

1 already submitted the master list to the Congress of the Philippines and the office of the
2 President.

3

4 **SEC. 7. *Implementing Rules and Regulations.*** - The Secretary of the DILG, in
5 consultation with the respective heads of the NHI, DOLE and the leagues of provinces,
6 cities, municipalities and barangays, shall issue the necessary rules and regulations for the
7 effective implementation of this Act.

8

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

14

15 **SEC. 9. *Reduction in School Days or Hours.*** - Nothing herein shall be construed
16 to reduce the number of school days below the minimum allowed by the Department of
17 Education (DepEd) and the Commission on Higher Education (CHED). Additional class
18 days or hours may be scheduled to cover the lost class day or hours due to the celebration
19 of local nonworking holiday, as may be determined by the local division of the DepEd or
20 the CHED, as the case may be.

21

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

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

4

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

7

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

Approved,