

FIFTEENTH CONGRESS OF THE REPUBLIC
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First Regular Session

OFFICE OF THE SECRETARY

10 JUL -7 1956

SENATE

Senate Bill No. 714

RECEIVED BY 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

The authority to declare local holidays, whether working or non-working, is presently vested with the Congress of the Philippines or the President. The Administrative Code of the Philippines provides that, "The President may proclaim any local special day for a particular date, group or place." However, the authority of the President appears to be limited. It lacks permanence, thus, declaration need to be made yearly.

In order for the local government unit (LGU) concerned to celebrate working or non-working holidays on a regular basis, the declaration has to be done by Congress. However, since the proposal has to go through the whole legislative process, it normally takes some time to enact laws declaring local holidays. There are times that preparations had already been made to commemorate a significant event, except the law which declares it a public holiday in the locality concerned.

To address the foregoing concerns, this bill seeks to empower the LGUs to declare holiday in their respective jurisdictions, subject to certain guidelines provided therein. Congress however, is not precluded from declaring non-working or special working days covering two or more provinces and those covering one or more cities or municipalities that are not part of just one province.

The proposed measure is intended to unclog the legislative mill of bills where the subject matter can be appropriately delegated to the local Sanggunian to legislate. Thus, Congress would be given ample time to tackle more urgent legislative proposals.

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



JINGGOY EJERCITO ESTRADA
Senator

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AN ACT
AUTHORIZING THE SANGGUNIANG PANLALAWIGAN, SANGGUNIANG
PANLUNGSOD OR SANGGUNIANG BAYAN, TO DECLARE WORKING OR
NON-WORKING SPECIAL HOLIDAYS IN THEIR RESPECTIVE LOCALITIES
TO COMMEMORATE SIGNIFICANT HISTORIC EVENTS PROVIDING
GUIDELINES THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. Short Title. – This Act shall be known as the “*Local
Holidays Act of 2010*”.

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the
State that the territorial and political subdivisions shall enjoy genuine, true and
meaningful autonomy to enable them to attain their fullest development as self-
reliant communities and as effective partners in the attainment of national goals.
Towards this end, the local government units herein provided shall exercise the
power, to ensure and support the preservation and enrichment of their local
culture and history. Thus, the Sangguniang Panlalawigan, Sangguniang
Panlungsod or Sangguniang Bayan shall be authorized to declare working or
non-working special holidays to commemorate local historical events and
memorable dates in the creation and existence of their localities.

SEC. 3. Authority to Declare Working and Non-Working Holidays. –
The Sangguniang Panlalawigan, Sangguniang Panlungsod or Sangguniang
Bayan is hereby authorized to declare, by ordinance, working or non-working
special holidays to commemorate significant historic events in their respective
locality, subject to the guidelines provided under this Act and upon prior
consultation with the National Historical Institute (NHI) and the Department of
Labor and Employment (DOLE).

**SEC. 4. Guidelines for the Declaration of Non-Working Public
Holiday.** – The Sanggunian shall observe the following guidelines when
declaring holidays within their respective locality:

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

- (b) there must be prior consultation with the DOLE as to the economic viability of the holiday;
- (c) the Sangguniang Panlalawigan shall have the authority to declare one non-working holiday covering the entire province or in more than one of its component cities or municipalities. In no case shall the Sangguniang Panlalawigan declare more than one non-working holiday in any of its component cities or municipalities;
- (d) the Sangguniang Panlungsod or Sangguniang Bayan in the city or municipality, as the case may be, shall have the authority to declare one non-working holiday in the city or municipality concerned or in more than one of its component barangays. In no case shall the Sangguniang Panlungsod or Sangguniang Bayan declare more than one non-working holiday in any of its component barangays;
- (e) existing local non-working holidays will continue to be observed until otherwise changed, discontinued, or reduced by the local Sanggunian concerned, provided that no change shall be effected within ten (10) years and by $\frac{3}{4}$ vote of the members of the Sanggunian concerned;
- (f) local Sanggunian in provinces, cities and municipalities with at least one special non-working holiday already existing shall no longer have the authority to declare an additional special non-working day, except to exercise the prerogative specified in paragraph (e) hereof.

SEC. 5. Authority to Declare Special Working Holidays. – The local Sanggunian including the Sangguniang Barangay may declare as many special working holidays as they deem appropriate.

SEC. 6. Authority of Congress to Declare Working and Non-Working Holiday. – Congress shall continue to declare working and non-working special holidays covering two or more provinces and one or more cities or municipalities that are not part of such provinces.

SEC. 7. Separability Clause. – If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SEC. 8. Repealing Clause. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified or amended accordingly.

SEC. 9. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,