

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

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SENATE  
S. No. 1462

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Introduced by Senator Miriam Defensor Santiago

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EXPLANATORY NOTE

Republic Act No. 7160, also known as the Local Government Code, Section 469 thereof provides that: "There shall be a Secretary to the *Sanggunian* who shall be career official with the rank and salary equal to a head of department or office. The Civil Service Commission, in Resolution No. 92-1111 dated 20 August 1992, interpreted the aforesaid provision to mean that a Secretary to the *Sanggunian*, whether of a municipality, city or province, is not a department head but only occupies a position "equal to a head of department or office."

It is believed that the Secretary to the *Sanggunian* is the head of the office of the *Sanggunian*, as a separate department of the local government, the Vice-Governor or Vice-Mayor being the second highest-ranking officer of the entire local government after the Governor or Mayor as the case may be. To consider the Vice-Governor or Vice-Mayor as a department head is tantamount to demoting him in rank and stature as he is assigned a salary grade higher than that given a local government department head and is the acknowledged assistant chief executive of his local government unit.

The relegation of the position of a Secretary to the *Sanggunian* to a level other than that of a department head when all his qualifications, powers, and functions relate to a department head lowers his morale as it constitutes a virtual source of discrimination. This bill restitutes the position of Secretary to the *Sanggunian* to local government department head.\*

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Miriam Defensor Santiago  
MIRIAM DEFENSOR SANTIAGO

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

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1 AN ACT  
2 AMENDING REPUBLIC ACT NO. 7160, ALSO KNOWN AS THE LOCAL GOVERNMENT  
3 CODE, ON THE LEVEL OF THE POSITION OF SECRETARY TO THE SANGGUNIAN

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

4 SECTION 1. Republic Act No. 7160, also known as the Local Government Code, Book 3,  
5 Title V, Article 1, Section 469, is hereby amended to read as follows:

6 "Section 469. *Qualifications, Powers and Duties.* – (a) There shall be a  
7 secretary to the Sanggunian who shall be a career official with the rank and salary  
8 (equal to) of a head of department or office."

9 SECTION 2. Republic Act No. 7160, Book 3, Title VI, Chapter 2, Section 508 is hereby  
10 amended to read as follows:

11 "Chapter 2. – Leagues and Federations of Local (Elective) Officials

12 Section 508. *Organization.* – (a) Vice-governors, vice-mayors, sanggunian  
13 members of barangays, municipalities, component cities, highly-urbanized cities  
14 and municipalities, and other (elective) officials of local government units,  
15 including those of the Metropolitan Manila area and any metropolitan political  
16 subdivisions, may form their respective leagues or federation, subject to  
17 applicable provisions of this title and pertinent provisions of this Code."

18 SECTION 3. *Repealing Clause.* – Any law, presidential decree or issuance, executive  
19 order, letter of instruction, administrative order, rules or regulations or part thereof, contrary to or  
20 inconsistent with the provision of this Act is hereby repealed, modified, or amended accordingly.

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

Approved,