

The Role of

Local Government in Development



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Presenter



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PA 101 Local Governance and Administration

1. What is a Local Government?

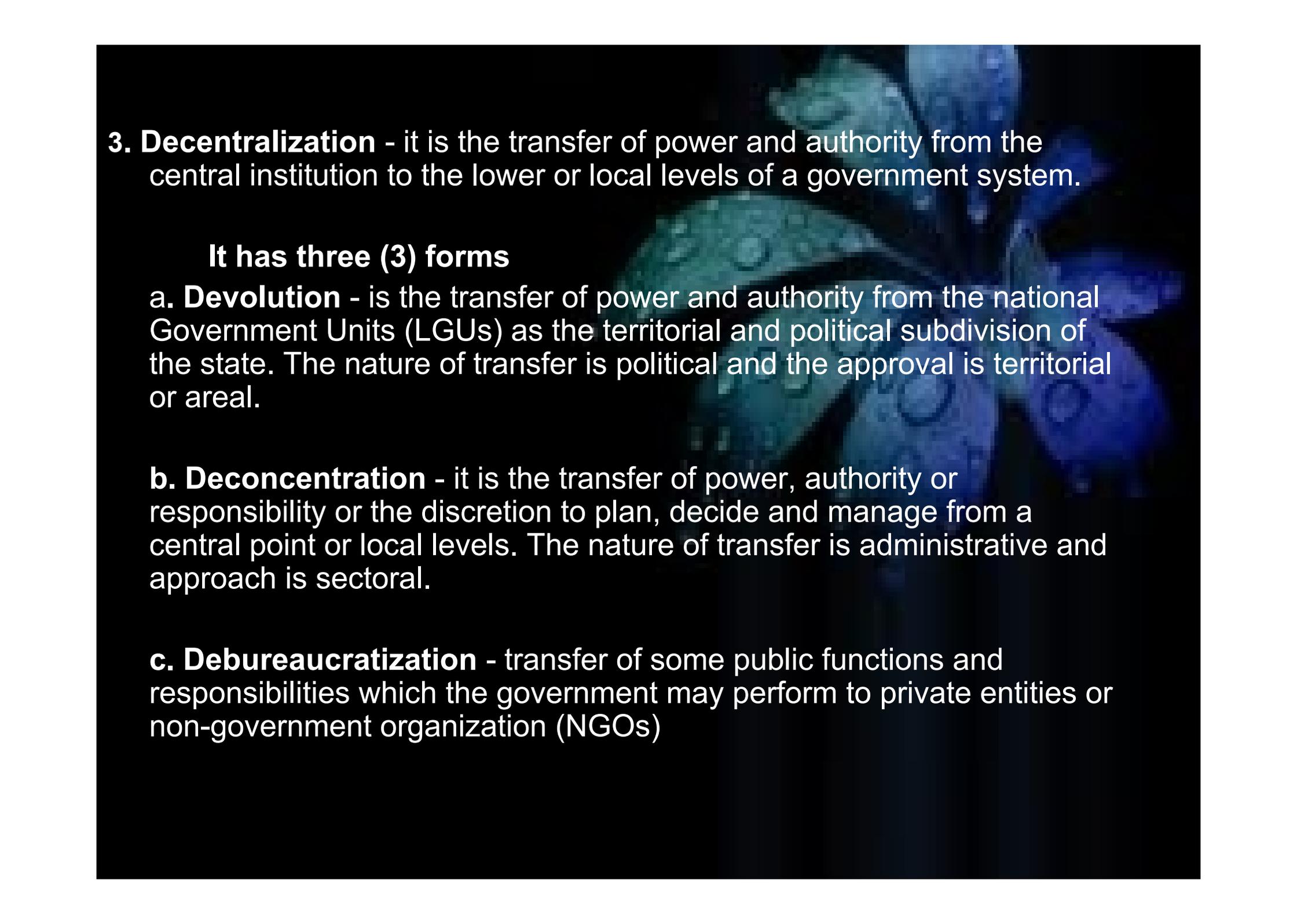
As defined by the Code, the Local Government refers to the political subdivision of a nation which is constituted by law and has substantial control of local affairs with officials elected as otherwise locally selected.

2. The Legal Bases of the Local Government

It is the enactment of Republic Act 7160 known as the Local Government Code of 1991

It categorically specifies that the state shall provide for a system of decentralization whereby LGUs shall be given more powers, authority, responsibility and resource.

RA 7160- is meant to transform Local Government Units into a self-reliant communities and active partners in nation building by giving them more powers, authority, responsibilities and resources.



3. Decentralization - it is the transfer of power and authority from the central institution to the lower or local levels of a government system.

It has three (3) forms

a. Devolution - is the transfer of power and authority from the national Government Units (LGUs) as the territorial and political subdivision of the state. The nature of transfer is political and the approval is territorial or areal.

b. Deconcentration - it is the transfer of power, authority or responsibility or the discretion to plan, decide and manage from a central point or local levels. The nature of transfer is administrative and approach is sectoral.

c. Debureaucratization - transfer of some public functions and responsibilities which the government may perform to private entities or non-government organization (NGOs)



4. What does Decentralization hope to achieve?

- a. It hopes to achieve the economic development at the regional and local levels.
- b .The local Chief Executives are given more freedom in carrying out their own programs that are suitable to the conditions in their respective area.

5. How does Local Autonomy enhance the governmental and corporate powers of LGUs

- a. Full autonomy in the exercise of proprietary rights and management of economic enterprise.
- b. Full authority to secure domestic or oreign grants without the approach of the national government agencies concerned.
 - a. Financial undertaking for LGUs for mutual advantage thru loans and assistance to calamity stricken LGUs.

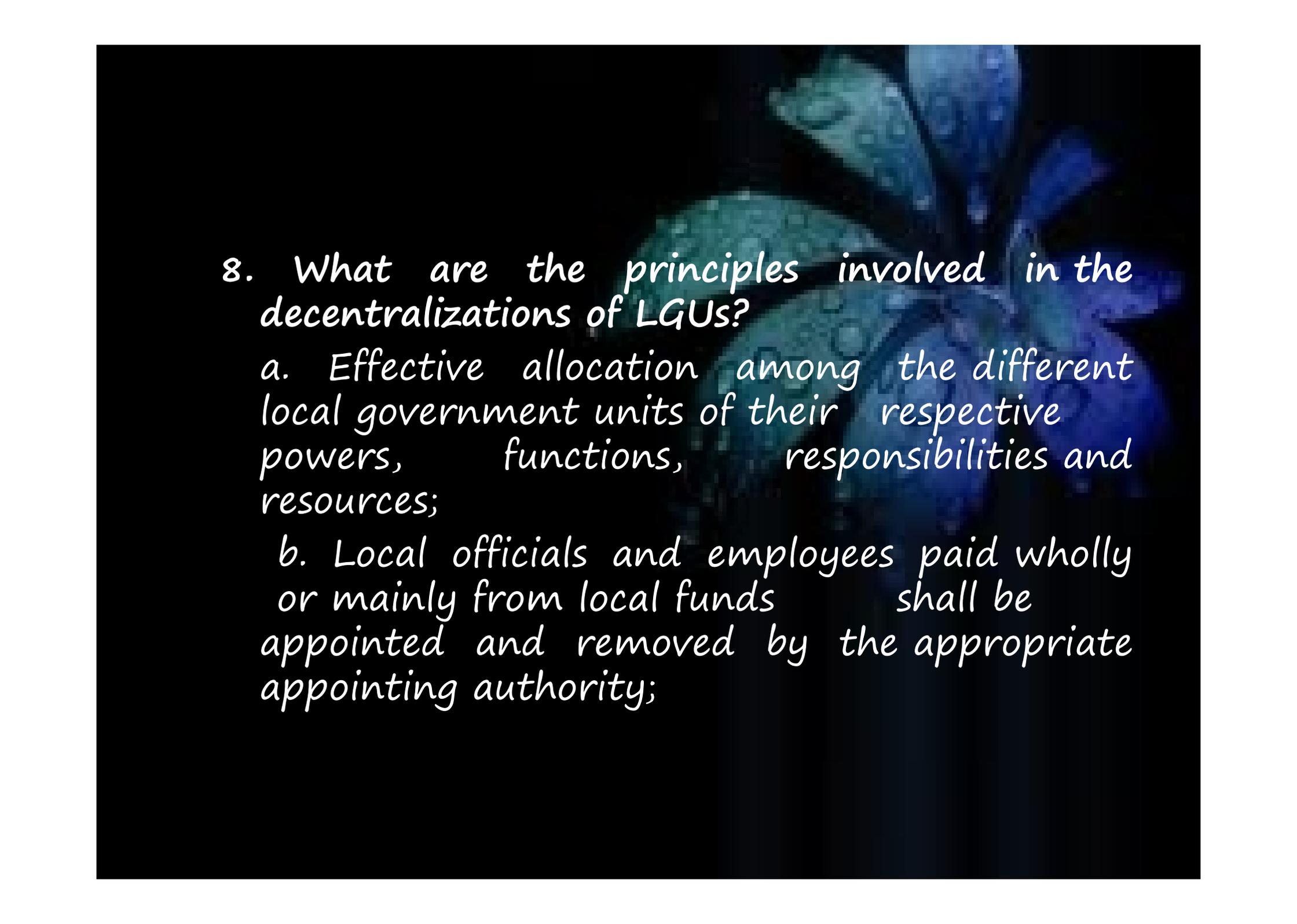
6. What basic services and facilities were transferred to LGUs as a result of devolution?

- Agricultural extension and on-site research of the Department of Agriculture (DA);
- Community-based forestry projects of the Department of Environment and Natural Resources (DENR);
- Field health and hospital services and other tertiary health services of the Department of Health (DOH);
- Public works and infrastructure projects funded out of local funds of the Department of Public Works and Highways (DPWH);
- The school building program of the Department of Social Welfare and Development (DSWD);
- Social Welfare Services of the Department of Social Welfare and Development (DSWD);

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- Tourism facilities and tourism promotion and development of the Department of Tourism (DOT);
 - Telecommunication services for provinces and cities of the Department of Transportation and Communications (DOTC);
 - Housing projects for provinces and cities, and Other services such as investment support.

7. What are the regulatory powers that were devolved to the LGUs?

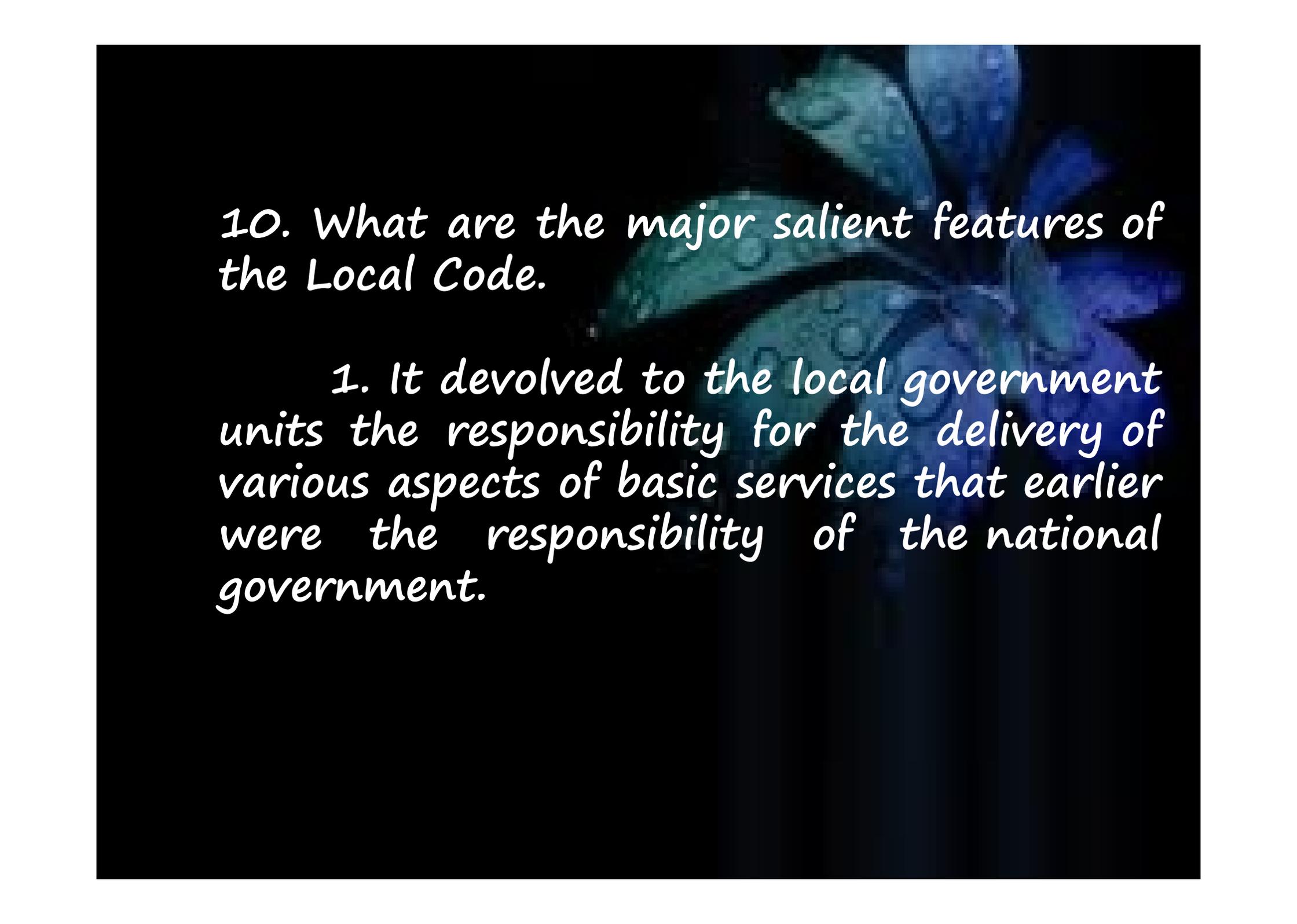
- a. The reclassification of agricultural lands- (DAR);
- b. Enforcement of environmental laws- (DENR);
- c. Inspection of food products and quarantine- (DOH);
- d. The enforcement of the National Building Code- (DPWH);
- e. The operation of tricycles- (FLTFRB-DOTC);
- f. Processing and approval of subdivision plans- (HLURB);
- g. The establishment of cockpits and holding of cockfights (Philippine Game fowl Commission)



8. What are the principles involved in the decentralizations of LGUs?

a. Effective allocation among the different local government units of their respective powers, functions, responsibilities and resources;

b. Local officials and employees paid wholly or mainly from local funds shall be appointed and removed by the appropriate appointing authority;



10. What are the major salient features of the Local Code.

1. It devolved to the local government units the responsibility for the delivery of various aspects of basic services that earlier were the responsibility of the national government.

c. Effective mechanisms for ensuring the accountability of local government units to their respective constituents shall be strengthened;

d. local autonomy shall be facilitated through improved coordination of national government policies and programs and extension of adequate technical and material assistance to less developed local units; and

e. The participation of the private sector in local governance shall be encouraged.

9. What are the mechanisms involved in the operationalization of the five general principles of decentralization.

- a. Devolution of five basic services from the national government's regional offices to the local government units;
- b. Strengthening of people's participation through local governmental mechanisms;
- c. Increase in revenues for local units by the provision of increased shares in nationally imposed taxes; and in effect; and
- d. Strengthening the powers of local executive officials and councils.

10. What are the major salient features of the Local Code.

1. It devolved to the local government units the responsibility for the delivery of various aspects of basic services that earlier were the responsibility of the national government.

These basic services include the following: health (field health and hospital services and other tertiary services); social services (social welfare services); environment (community-based forestry projects); agriculture (agricultural extension and on-site research); public works (funded by local funds); education (school building program); tourism (facilities, promotion and development); telecommunication services and housing projects (for provinces and cities); and other services such as investment support.

2. It devolved to local governments the responsibility for the enforcement of certain regulatory powers.

These include the following: the reclassification of agricultural lands; enforcement of environmental laws; inspection of food products and quarantine; enforcement of national building code; operation of tricycles; processing and approval of subdivision plans; and establishment of cockpits and holding of cockfights.

3. The Code also provides the legal and institutional infrastructure for the participation of civic society in local governance.

Specifically, it allocates to NGOs and Pos specific seats in local special bodies as mandatory. These special bodies include the local development council (LDC), the Local Health Board (LHB), the Local School Board (LSB), people's law enforcement board (PLEB) and pre-qualifications, ids and awards committee (PBAC). Because of their ability to organize and mobilize the people, one door wide open for NGO and PO participation in governance is in the area of promoting local accountability and answerability, specifically through the recall and people's initiative provisions.

4. The Code increases the financial resources available to local government units (LGUs).

Specifically, the Code: a) broadens their taxing powers; b) provides them with a specific share from national wealth exploited in their area, e.g. mining, fishery, and forestry; and c) increases their share from the national taxes, i.e. from a previously low 11 percent as much as 40 percent share of the internal revenue allotments (IRA). The code also increases the elbow room of local governments to generate revenues from local fees of charges.

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5. Finally, the Code laid the foundation for the development and evolution of more entrepreneurial oriented local governments.

It provided the foundations for local government to enter into build operated-transfer arrangements with the private sector, float bonds, and obtain loans from local private institution, etc. all within the context of encouraging them to be “ more businesslike “ and competitive in their operations and contradiction to “ traditional ” government norms and operations.

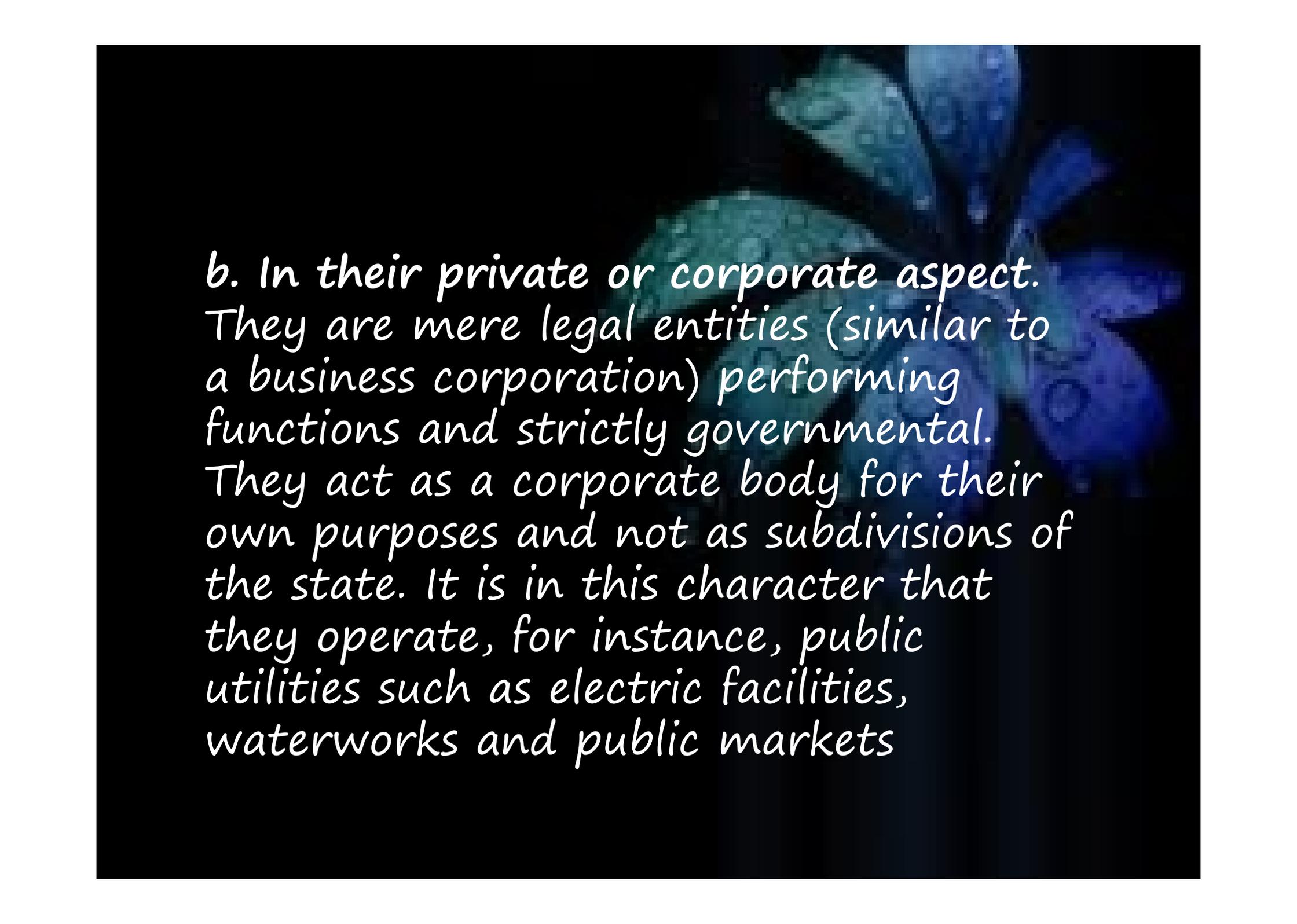
11. What is the status of the LGU operations under the Local Government Code of 1991?

- It is of dual status

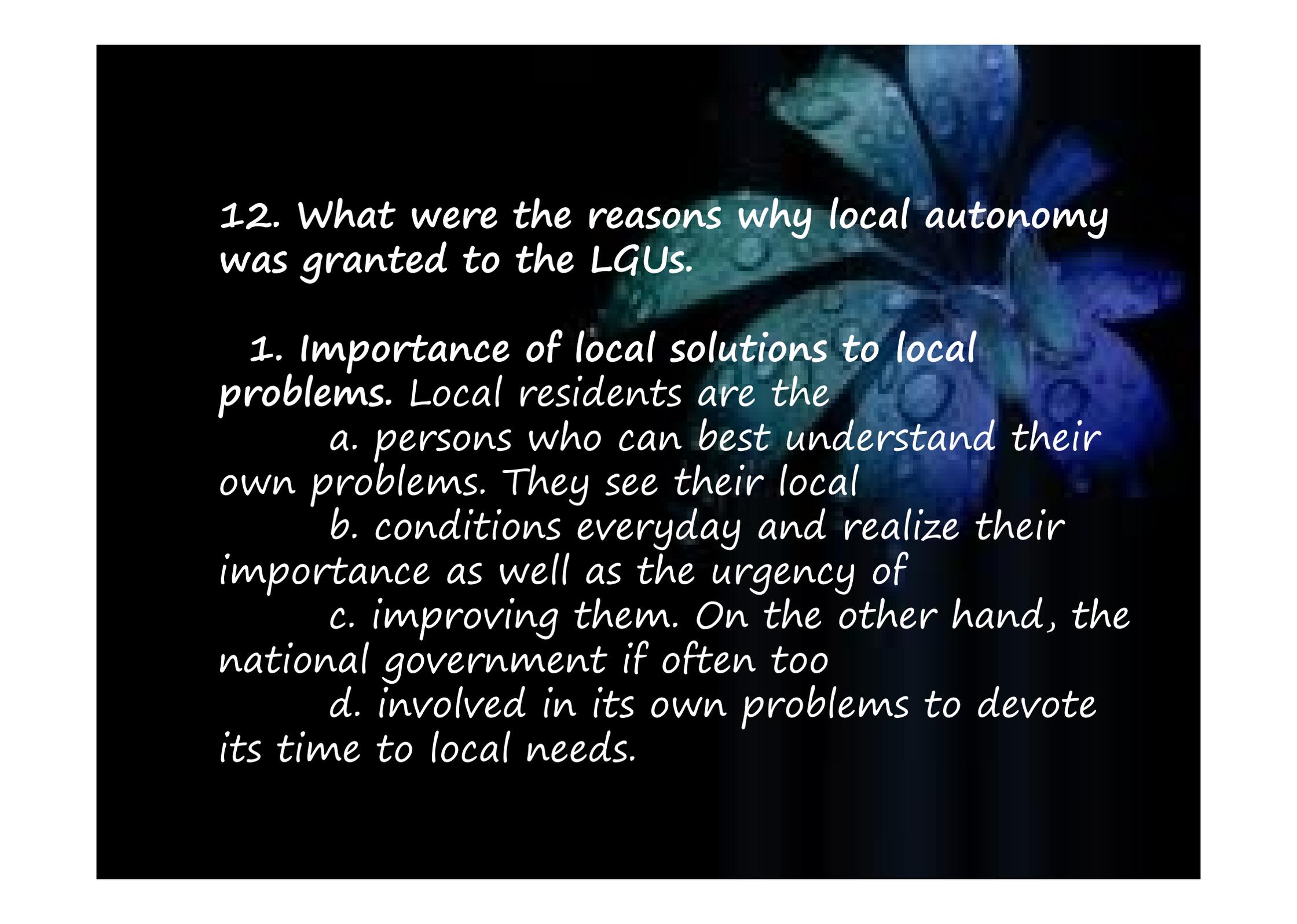
1. As political bodies corporate- By statutory provisions, local governments are considered political bodies corporate for the administration of the affairs of the community within their territorial boundaries.

2. As incorporated or government aspect- They are classified as municipal or public corporations and as such possess dual character.

a. In their public or governmental aspect. They are agents of the State, and for that purpose exercise by delegation a part of the sovereignty of the State, such as in the imposition and collection of taxes, preservation of peace and order, and establishments of schools; and



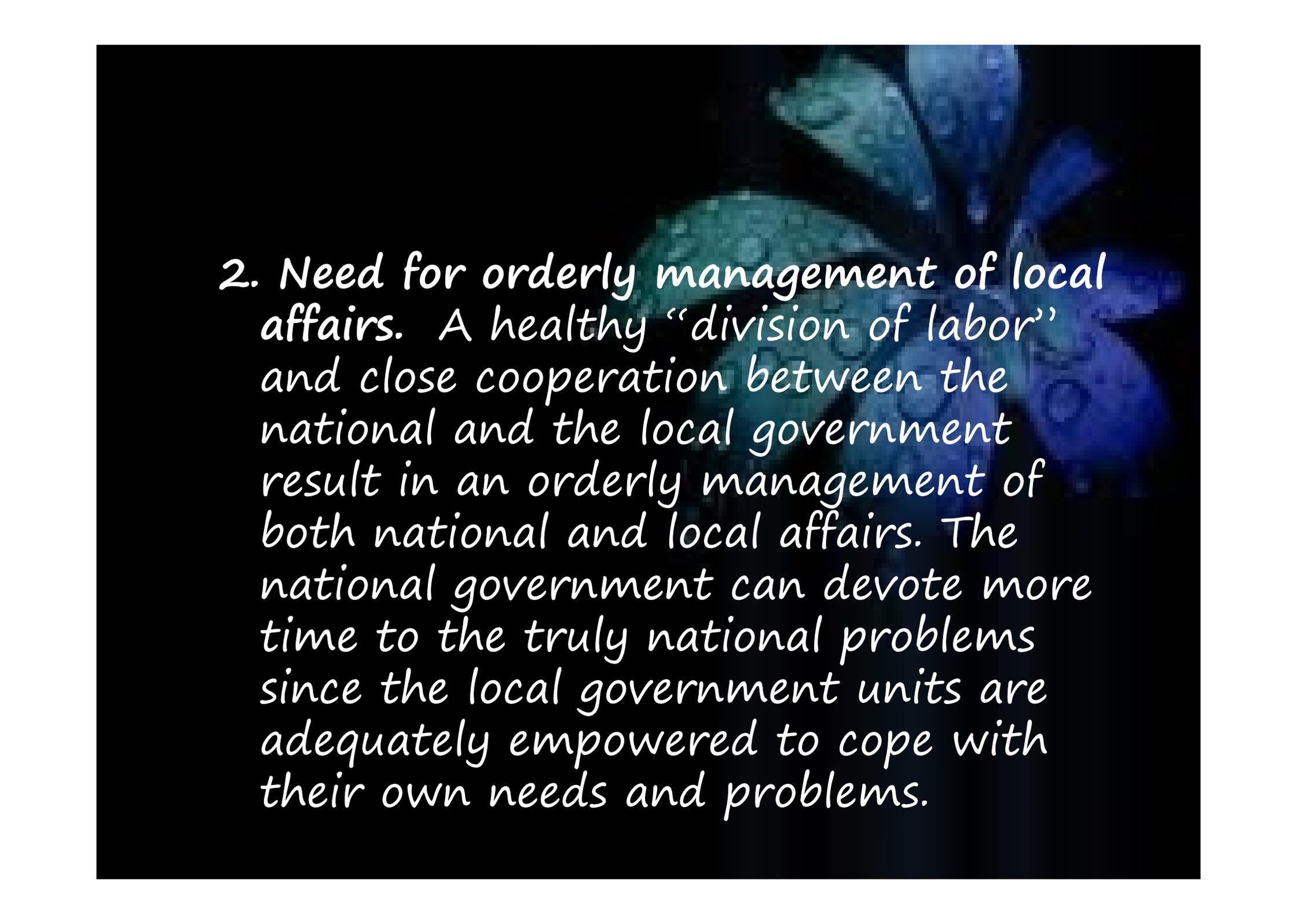
b. In their private or corporate aspect. They are mere legal entities (similar to a business corporation) performing functions and strictly governmental. They act as a corporate body for their own purposes and not as subdivisions of the state. It is in this character that they operate, for instance, public utilities such as electric facilities, waterworks and public markets



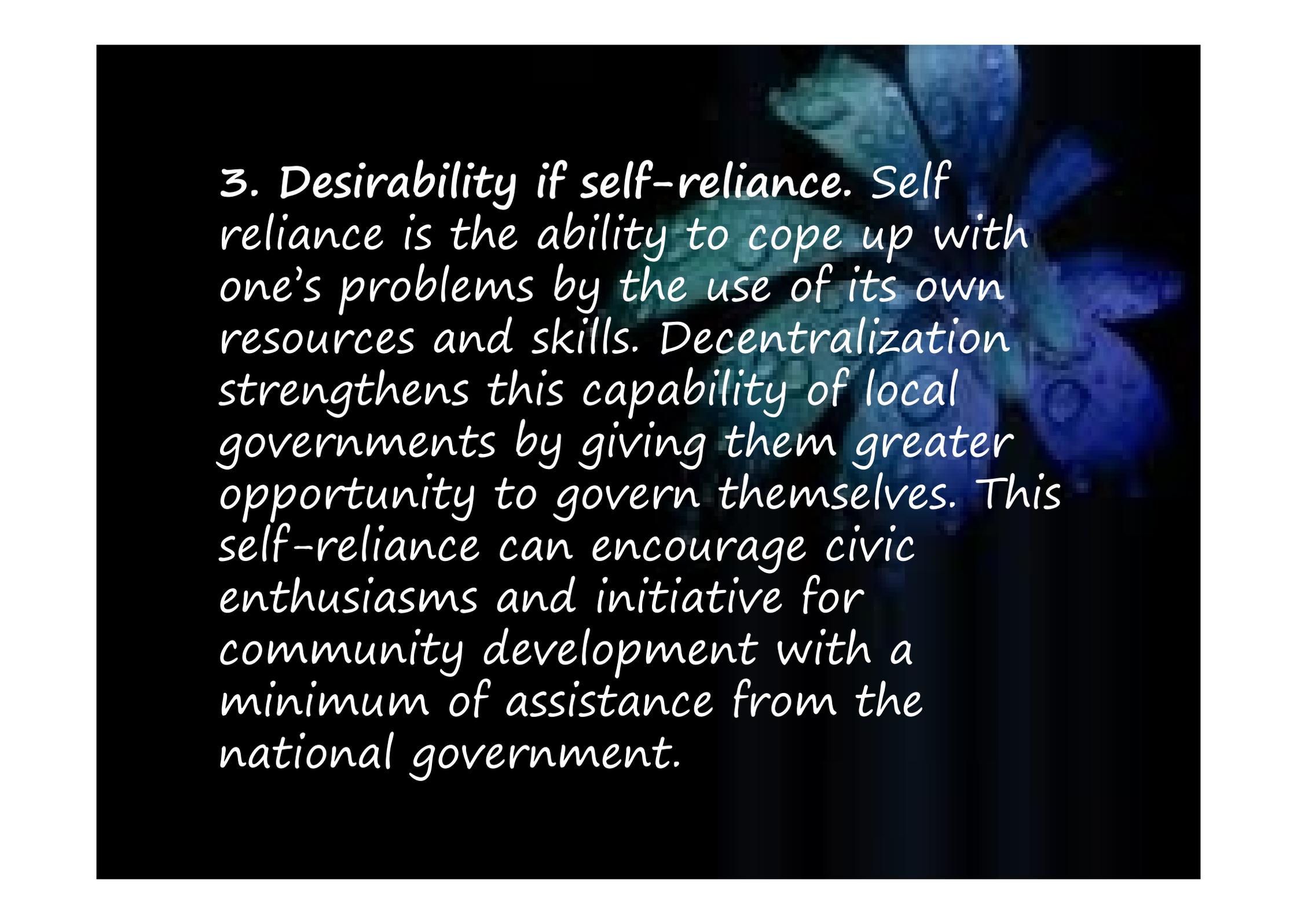
12. What were the reasons why local autonomy was granted to the LGUs.

1. Importance of local solutions to local problems. Local residents are the

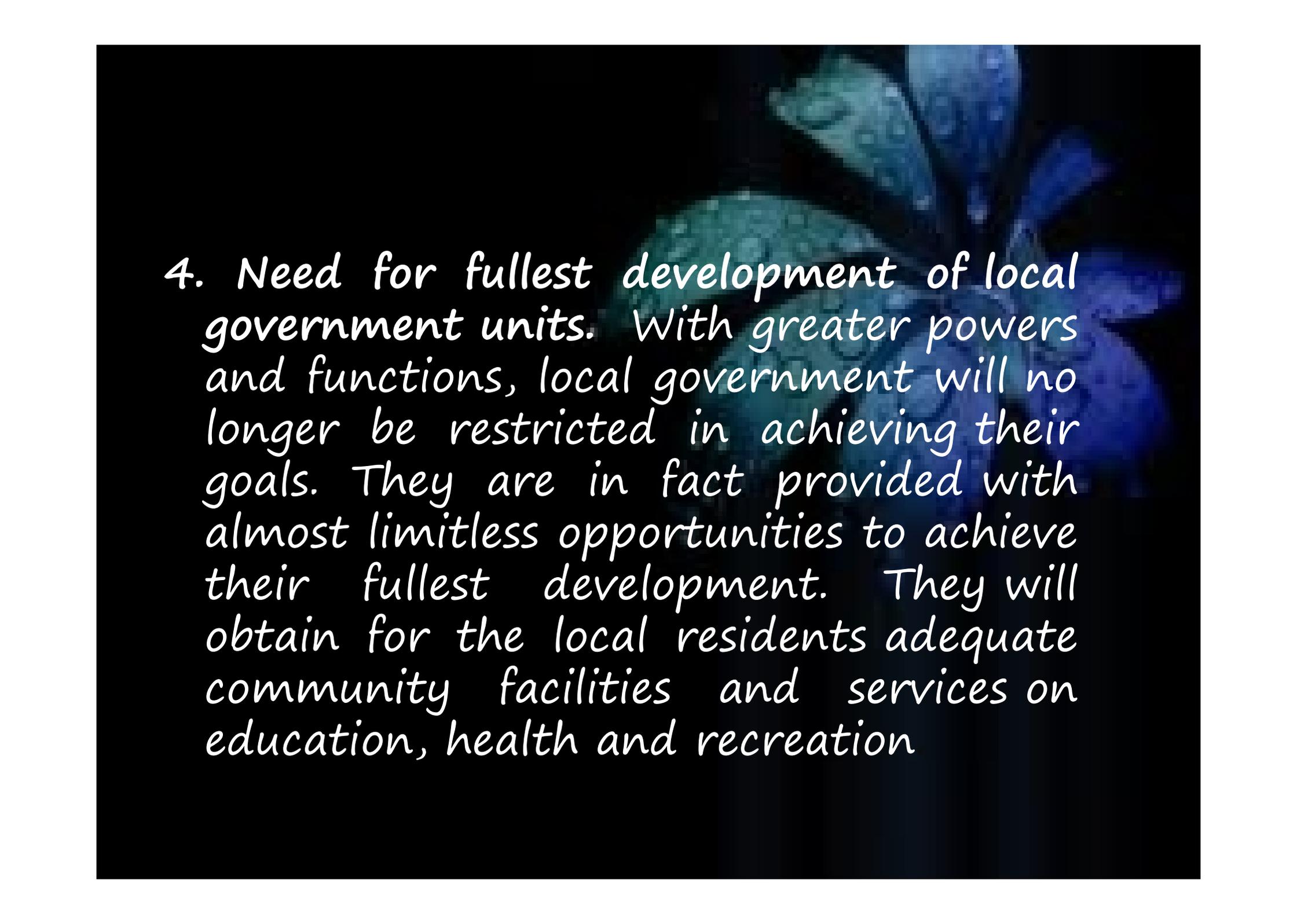
- a. persons who can best understand their own problems. They see their local
- b. conditions everyday and realize their importance as well as the urgency of
- c. improving them. On the other hand, the national government is often too
- d. involved in its own problems to devote its time to local needs.



2. *Need for orderly management of local affairs. A healthy “division of labor” and close cooperation between the national and the local government result in an orderly management of both national and local affairs. The national government can devote more time to the truly national problems since the local government units are adequately empowered to cope with their own needs and problems.*



3. *Desirability of self-reliance.* Self-reliance is the ability to cope up with one's problems by the use of its own resources and skills. Decentralization strengthens this capability of local governments by giving them greater opportunity to govern themselves. This self-reliance can encourage civic enthusiasms and initiative for community development with a minimum of assistance from the national government.



4. Need for fullest development of local government units. With greater powers and functions, local government will no longer be restricted in achieving their goals. They are in fact provided with almost limitless opportunities to achieve their fullest development. They will obtain for the local residents adequate community facilities and services on education, health and recreation

5. Innate desire for self-government.

The desire for self-government has its roots in the past and has always been a national goal. Filipinos used to live in small, self-reliant communities called Barangays before the Spanish era. Even the Malolos Constitution stressed the need for local units functioning upon the basis of the most ample decentralization and administrative autonomy.

The purely unitary system was imposed upon us by our colonizers as politically necessary to have effective control and administration of the country. While rejecting full federalization, the constitution however provided the maximum local self-rule possible, consistent with the policy to grant genuine and meaningful autonomy local governments including autonomous regions (art 11 - sec. 25.)

13. What were the inherent problems, issue and concerns in the implementation of the local government code.

a. The lack/limited financial resources at the local level and the need to generate alternative means and mechanisms to supplement them.

b. Dislocation or displacement of personnel.

c. Low level of competencies among local officials

d. Passive participation of the civil society on planning and decision-making.