



Republic of the Philippines
Province of Davao del Sur
Municipality of Hagonoy

OFFICE OF THE MUNICIPAL MAYOR

EXECUTIVE ORDER NO. 26-A, S - 2021

CREATION OF A COMMITTEE ON DEVOLUTION TRANSITION PLAN

WHEREAS, Section 6, Article X of the Constitution provides that local government units (LGU) shall have a just share, as determined by law, in the national taxes which shall be automatically released to them;

WHEREAS, in *Mandanas, et al. v. Executive Secretary, et. al.* (G.R. Nos. 199802 and 208488) (“Mandanas”), the Supreme Court held that all collections of national taxes, except those accruing to special purpose funds and special allotments for the utilization and development of the national wealth, should be included in the computation of the base of the just share of LGUs;

WHEREAS, considering the prospective character of the Mandanas ruling, and in keeping with Section 284 of Republic Act (RA) No. 7160 or the “Local Government Code of 1991,” which states that the share of LGUs in national taxes is based in the collections in the third year preceding the current fiscal year, the adjusted national tax allocations of LGUs shall only start in Fiscal Year (FY) 2022;

WHEREAS, given the revenue collections of the National Government in FY 2019, the total shares of the LGUs from the national taxes is expected to significantly increase starting FY 2022 in line with the implementation of the Mandanas ruling;

WHEREAS, the substantial increase in the shares of the LGUs from the national taxes will empower the LGUs in providing basic services and facilities to their constituents, and aid them in the effective discharge of other duties and functions devolved to them under Section 17 of RA No. 7160;

WHEREAS, Section 3 of RA No. 7160 provides that the operative principles of decentralization that shall guide the formulation of policies and measures on local autonomy;

WHEREAS, under Section 24(a), Rule V of the Implementing Rules and Regulations of RA No. 7160, the provision for the delivery of basic services and facilities shall be devolved to the municipality so that the LGU shall be responsible for a minimum set of services and facilities in accordance with established national policies, guidelines and standards;

WHEREAS, with the full devolution of the provision of the basic services and facilities of the LGU to assume more strategic and steering functions to address persistent development issues;

WHEREAS, the Municipality shall prepare the devolution transition plans (DTPs) which conforms to the guidelines to be jointly issued by the Department of Budget and Management (DBM) and the Department of the Interior and Local Government (DILG).

WHEREAS, The LGU's Devolution Transition Plans shall identify and clarify the functions and services devolved to our unit and other relevant laws, and the strategy for and phasing of devolution. It shall also include the definition of standards for the delivery of devolved services; strategy for the capacity development of our unit's framework for monitoring and performance assessment to strengthen the municipality in assuming "steering functions" as part of the devolution efforts.

NOW, THEREFORE, I, FRANCO MAGNO CALIDA, Municipal Mayor of Hagonoy, by virtue of the powers vested in me by the Constitution and existing laws, do hereby create the Committee on Devolution Transition Plan.

Section 1. Committee on Devolution. A Committee on Devolution Transition Plan hereby created to be composed of the following:

Chairperson	:	FRANCO MAGNO CALIDA - Municipal Mayor
Members	:	DANTE C. AZNAR - SB Member DENNIS S. LASAT III - ICO-Mun. Planning & Dev't. Coord. ELVIRA B. ESPINA - Municipal Budget Officer RUTH J. DIEZ - Municipal Treasurer AGNES C. LABADAN - AO IV/HRMO Designate ROLAN E. FERNANDEZ - Liga ng Barangay President MA. ALMA L. MARAVILLAS - CSO Rep. (UPSFIA) CATALINA B. SURPOSA - Hagonoy Federation of Senior Citizen Association

The Committee on Devolution Transition Plan Chairperson, Co-Chairperson and Members shall be responsible in the implementation of this Order.

The Chairperson shall assign secretariat services to the Committee on Devolution Transition Plan.

Section 2. Functions of the Committee on Devolution Transition Plan shall perform the following functions:

- a. Oversee and monitor the implementation of administrative and fiscal decentralization goals of this Order consistent with RA No. 7160, as amended;
- b. Evaluate the status and monitor the implementation of the DTP of the LGU, and ensure compliance of the LGU or personnel, and initiate appropriate action(s) as may be warranted;
- c. Resolve issues and concerns that may arise in the implementation of this Order, without prejudice to the respective mandates in individually resolving the same;
- e. Adopt mechanisms to ensure continuous delivery of public services of the LGU during the transition period to full devolution;
- h. Submit to the Office of the LCE an annual report on the implementation of this Order. The report shall include the status of implementation of the DTP, as well as the recommendations of the Committee on DTP based on the annual assessments thereof;

Section 3. Separability Clause. Should any part or provision of this Order be held unconstitutional or invalid, the other parts or provisions not affected thereby shall continue to be in full force or effect.

Section 4. Repealing Clause. All other orders, rules and regulations, issuances, or any part thereof, inconsistent with the provisions of this Order are hereby repealed, amended or modified accordingly.

Section 5. Effectivity. This Order shall take effect immediately.

Done this 12th day of August 2021 at the Municipal Hall of Hagonoy, Davao del Sur.


FRANCO MAGNO CALIDA
Municipal Mayor