



Republic of the Philippines
Province of Guimaras
8TH SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE 8TH SANGGUNIANG PANLALAWIGAN, PROVINCE OF GUIMARAS HELD AT THE SP SESSION HALL, PROVINCIAL CAPITOL ON JANUARY 17, 2017.

PRESENT:

Atty. John Edward G. Gando	-	Vice Governor/Presiding Officer
Hon. Cyril C. Beltran	-	SP Member/Majority Floor Leader
Hon David G. Gano	-	SP Member/Deputy Majority Floor Leader
Hon. Cresente P. Chavez, Jr.	-	SP Member
Hon. Diosdado G. Gonzaga	-	SP Member
Hon. Josefina G. de la Cruz	-	SP Member
Hon. Aurelio G. Tionado	-	SP Member
Hon. Dan Elby C. Habaña	-	SP Member
Hon. Ma. Sheila G. Gange	-	Ex-Officio Member (PCL Fed. President)

OFFICIAL BUSINESS:

Hon. Rex G. Fernandez	-	SP Member
Hon. Ramon N. Ortiz	-	Ex-Officio Member (ABC Fed. President)

RESOLUTION NO. 16

RESOLUTION ENJOINING ALL NATIONAL GOVERNMENT AGENCIES IN THE PROVINCE OF GUIMARAS TO OBSERVE AND COMPLY WITH THE PROVISIONS OF THE LOCAL GOVERNMENT CODE OF 1991, SPECIFICALLY SECTIONS 26 AND 27 THEREOF AND ARTICLES 54 AND 55 OF THE IMPLEMENTING RULES ON MANDATORY CONSULTATION AND COORDINATION WITH LGUs IN ALL ITS PROGRAMS AND PROJECTS

WHEREAS, Section 2 (c) of the Local Government Code of 1991 states: "It is likewise the policy of the state to require all national agencies and offices to conduct periodic consultations with appropriate local government units, non-governmental and people's organization, and other concerned sectors of the community before any project or program is implemented in their respective jurisdictions";

WHEREAS, Section 26 of the same law provides that: *Duty of National Government Agencies in the Maintenance of Ecological Balance.*- It shall be the duty of every national agency or government-owned or controlled corporation authorizing or involved in the planning and implementation of any project or program that may cause pollution, climatic change, depletion of non-renewable resources, loss of cropland, range land, or forest cover, and extinction of animal or plant species, to consult with the local government units, non-governmental organizations, and other sectors concerned and explain the goals and objectives of the project or program, its impact upon the people and the community in terms of environmental or ecological balance, and the measures that will be undertaken to prevent or minimize the adverse effect thereof;

WHEREAS, Section 27 of the same law also provides that: *Prior Consultations Required.*-No project or program shall be implemented by government authorities unless the consultations mentioned in Sections 2 (c) and 26 hereof are complied with and prior approval of the sanggunian concerned is obtained: Provided, that occupants in areas where such projects are to be implemented shall not be evicted unless appropriate relocation sites have been provided, in accordance with the provisions of the constitution;

WHEREAS, on the other hand, Article 54 (a) of the IRR of the Local Government Code of 1991 provides that: all National Government Agencies shall conduct periodic consultations with appropriate LGUs, people's organizations, NGOs and other concerned sectors of the

community before any project or program is implemented in their respective jurisdictions; (b) NGAs or GOCCs authorizing or involved in planning and implementation of any project or program that may cause pollution, climatic change, depletion of non-renewable resources, loss of cropland, rangeland, or forest cover, extinction of animal or plant species shall consult with LGUs, NGOs, and other sectors concerned and explain the goals and objectives of the project or program, its impact upon the people and the community in terms of environmental or ecological balance, and the measures that will undertake to prevent or minimize the adverse effects thereof;

WHEREAS, Article 55 of the same IRR states: (a) NGAs with project implementation functions shall coordinate with one another and with LGUs concerned in the discharge of these functions. They shall ensure the participation of LGUs both in planning and implementation of said national projects; (b) NGAs and GOCCs with field units or branches in a province, city, or municipality, shall furnish the Local Chief Executive concerned, for his information and guidance, monthly reports, including, duly certified budgetary allocations and expenditures;

WHEREAS, through consultation, Local Government Units, National Government Agencies and other concerned offices may be able to align their respective resources;

WHEREAS, aside from Mandatory Consultation and Coordination, there is also a need for the holding of Infrastructure Summit to be spearheaded by the Provincial Government of Guimaras and all National Government Agencies especially those agencies that have infra component in their functions;

NOW, THEREFORE, on motion of Hon. David G. Gano, duly seconded by Hon. Cyril C. Beltran, Hon. Cresente P. Chavez, Jr., Hon. Dan Elby C. Habaña and Hon. Ma. Sheila G. Gange;

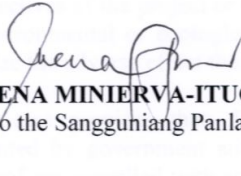
THE 8TH SANGGUNIANG PANLALAWIGAN IN SESSION DULY ASSEMBLED:

RESOLVED, to enjoin all National Government Agencies in the Province of Guimaras to observe and comply with the provisions of the Local Government Code of 1991, specifically Sections 26 and 27 thereof and Articles 54 and 55 of the Implementing Rules on mandatory consultation and coordination with LGUs in all its programs and projects.

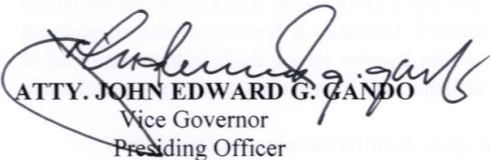
RESOLVED FURTHER, to send a copy of this resolution to the Honorable Governor, NGAs, CSOs, Office of the Congresswoman and all other concerned agencies for information and appropriate action.

APPROVED. January 17, 2017.

I hereby certify that the foregoing is a true and accurate copy of the resolution which was duly adopted by the 8th Sangguniang Panlalawigan of the Province of Guimaras during its regular session held on January 17, 2017.


LORENA MINIERVA-ITUCAS
Secretary to the Sangguniang Panlalawigan

Attested:


ATTY. JOHN EDWARD G. GANDO
Vice Governor
Presiding Officer

Approved:


SAMUEL T. GUMARIN, MD, MPH
Governor