



The DBM Bulletin

The official newsletter of the Department of Budget and Management

DBM, PFMP Pilot PFM Certificate Program

Curriculum aims to upskill Government's Public Financial Management (PFM) workforce

A pioneering program that aims to enhance the technical skills and competencies of the PFM workforce in the oversight and spending agencies is in the pilot testing stage, as part of the broader PFM reforms underway in the Government of the Philippines (GOP).

The PFM Certificate Program is an initiative developed by the Department of Budget and Management (DBM), the PFM Committee, and supported by the Philippines-Australia Public Financial Management Program (PFMP). It aims to deliver learning solutions to PFM practitioners to boost their job performance and support their career growth.

The Program's full curriculum is envisioned to have six (6) learning tracks aligned with the GOP's PFM Competency Frameworks and delivered through a network of government and learning providers. It will cover core or foundational PFM competencies, budgeting & performance, procurement, accounting, auditing, and cash management when fully implemented.

For two weeks in April, the program piloted the PFM Foundation Courses (also known as the PFM Boot Camp) and the Budgeting and Performance Program with some 25 technical/professional staff and mid-level managers in attendance. The group was composed of budget analysts, accountants, internal auditors, and finance staff from the DBM, the Department of Environment and Natural Resources (DENR), and the Department of Education (DepEd).

"We are supporting this project to share international best practice in PFM, including our own expertise," said Daniel Featherston, PFMP Team Leader and Department of Foreign Affairs and Trade (DFAT) Counsellor. "It is my hope that this PFM Certificate program will not only strengthen the PFM workforce, but remind us of our civic duty as public servants, to ensure that we are accountable for the responsible, transparent, and efficient use of public funds for the common good."

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DBM Undersecretary Laura Pascua is also a main proponent of the PFM Certificate Program, having been involved in the design of the PFM Competency Framework (PFMCF) and its application to training. "It is important to offer a Program that's relevant and practical, and will make our PFM employees proud because of its top value. We at the PFM Committee set out on this mission by defining the competency frameworks, or Behaviors, Attitudes, Skills and Knowledge (BASK), that are expected or desired of an employee in a specific PFM job role. With the PFMCF, our staff and managers now have a common language to identify training and coaching needs to help them improve

see page 4 ►



Organizers, speakers, and participants pose for a group photo after the training session.

DBM Institutional Strengthening Efforts: Securing DBM's Position as a Leader in Good Governance

Since 2010, the Department of Budget and Management (DBM) has been at the forefront of the Aquino Administration's efforts to enshrine transparency, accountability, and citizen's participation in public institutions.

Over the last five years, the DBM leveraged the National Budget as a tool for good governance. The game-changing budget reforms it introduced—such as Performance Informed Budgeting and Bottom-Up Budgeting—enabled the government to spend within its means, on the right priorities, and with measureable results.

With one year left until the Aquino Administration's term ends, the DBM must ensure that the reforms it introduced become irreversible. Certainly, to sustain and scale-up these reforms, the DBM must strengthen its organization's capacity and nurture its greatest resource—its people.

Through Department Order No. 2015-7, DBM has begun implementing the interim set-up stage of its Institutional Strengthening Efforts. Among the key changes under this stage are:

Budget Preparation and Execution: The agency coverage of **Budget and Management Bureaus (BMBs) A to E** has been regrouped consistent with the five key result areas of the Aquino Social Contract (See table). The

New Agency Coverage of BMBs A to E

BMB for the Economic Development and Food Security Sector DA, DoF, DPWH, DoT, DTI, DoTC, NEDA, FPA, MinDA, Joint Legislative-Executive Councils, <i>Feasibility Studies Fund</i>
BMB for the Human Development Sector DepEd, DoH, DoLE, DSWD, CHED, KWF, FDCP, HLURB, HUDCC, MTRCB, NAPC, NCCA, NCIP, NHCP, National Library, National Archives, PCW, PSC, PCUP, <i>SUCs (policy supervision)</i>
BMB for the Good Governance Sector OP, OVP, Congress, CSC, CoA, ComElec, PCOO, PCDSPO, PLLO, PMS, AMLC, GAB, GCG, NTC, PRC, <i>GOCCs (policy supervision and review of corporate budgets)</i>
BMB for the Security, Peace, and Justice Sector The Judiciary, Ombudsman, CHR, ARMM, DFA, DILG, DoJ, DND (including OCD), CFO, DDB, NCMF, NICA, NSC, OPAPP, PDEA, <i>International Commitments Fund, Allocations to LGUs (administration of IRA, Special Shares, other allocations)</i>
BMB for the Ecological Protection, Climate Change, and Disaster Management Sectors DAR, DoE, DENR, DOST, CCC, ERC, NDRRMC, PRRC, <i>Calamity Fund, E-Government Fund</i>

Note: MMDA remains under the functional jurisdiction of RO-NCR

Artist's Viewpoint

By: Leonardo D. Sunga



Budget Technical Service also has been renamed as the **Budget Technical Bureau** to better reflect the substantive functions that it performs.

Monitoring and Evaluation: To strengthen DBM's ability to monitor and evaluate the results delivered by agencies through their budgets, the functions of BMB-G have been redefined as the **Performance Monitoring and Evaluation Bureau**. An ad-hoc **Strategic Performance Delivery Staff** is also being organized to monitor and fast-track the implementation of the Administration's priority programs and projects.

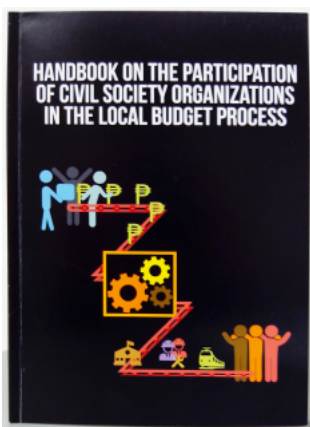
Comptroller General (CG): To strengthen DBM's enforcement of policies and standards for internal control, accounting, and financial reporting, the functions of BMB-F have been recalibrated as the **Public Expenditure Management Bureau**. The **DBM Regional Offices** have also been placed under the CG Group to give emphasis on strengthening PFM practices in local governments. Moreover, a **Technical Working Group (TWG) on the Public Financial Management Institute (PFMI)**, composed of the Training and Information Service (TIS)-Training Division, has been tasked to develop the structure and functions of the PFMI.

Budget Policy & Strategy: The Fiscal Planning Bureau will expand as the **Fiscal Planning and Reforms Bureau** to boost its capacity to incubate budgeting reforms and innovations that strengthen fiscal and budgetary policy and planning.

CSO Participation in Local Budgeting Strengthened

Handbook on CSO Participation in the Local Budget Process Launched

Just a few months after the *Local Government Units Public Financial Management (LGU PFM) Reform Roadmap and Implementation Strategy*¹ were launched, the European Union funded LGU PFM 2 Project, also known as the *Support to the Local Government Units for More Effective and Accountable Public Financial Management*, makes another milestone with the launch of the **Handbook on the Participation of Civil Society Organizations in the Local Budget Process** on June 10, 2015 at the New World Manila Bay Hotel, Manila.



LGU PFM 2's newest baby

The Handbook is a product of months of preparation and series of consultation-workshops with local government units (LGUs) and civil society organizations (CSOs) nationwide guided by the oversight agencies—Department of Budget and Management (DBM), Department of the Interior and Local Government (DILG), Department of Finance (DOF), and National Economic and Development Authority (NEDA).

The Handbook fosters CSO engagement in local budgeting by identifying emerging CSO roles in all the five

¹The Local Government Units Public Financial Management (LGU PFM) Reform Roadmap and Implementation Strategy were formally launched on February 24, 2015 at the Century Park Hotel, Manila. These publications serve as strategic guides for LGUs in identifying, designing and implementing measures that will improve their public financial management, particularly revenue generation and expenditure management. For more details, read the DBM Bulletin's first quarter issue for 2015.

phases of the local budget process (including in the pre-budget preparation stage), and providing information on how LGUs can involve CSOs in the local budget process. It also provides the mechanism to constructively engage CSOs and LGUs for an enhanced, integrated, transparent and accountable public financial management system.

The Handbook was developed by a taskforce from the DBM led by Regional Director Imelda Laceras, and produced under the auspices of the EU-funded PFM LGU 2.

To support the Handbook's implementation, Local Budget Circular No. 106 was issued on June 9, 2015. It encourages all provinces, cities and municipalities to adopt the Handbook as a means of promoting and deepening genuine and meaningful civic engagement in local governance. Trainings on the Handbook for both LGUs and CSOs will be initially conducted by the Regional Inter-Agency Teams of the PFM led by the DBM Regional Offices. (TIS) ■

To our valued readers:

We welcome contributions (e.g. write-ups on the latest happenings in your office and/or original literary works) for possible publication in the third quarter issue of the DBM Bulletin.

If interested, kindly email your contribution(s) not later than August 8, 2015 at tis@dbm.gov.ph.

We hope to hear from you.

Yours truly,

The DBM Bulletin Staff



Distinguished guests and speakers led by DBM Secretary Butch Abad (5th from left) pose for a photo op after the book launch.

DBM, PFMP . . . from page 1

their performance, advance in their job position or careers, or specialize in a PFM function,” she said.

Last year, the PFMCF Dictionary was adopted by the Government to help bridge the gap between where it is now and where it wants to be, thereby ensuring a sound PFM system and practice in the agencies.

“The PFMCF and Certificate Program also complement the Civil Service Commission’s core, management, and leadership competencies in a crucial way. For senior managers like me, these initiatives taken together are helpful in setting common standards and better practices for recruiting, selecting, and training people, and managing performance,” the Undersecretary added.

PFM Boot Camp

The PFM Boot Camp covered topics on the PFM system in the GOP, basic principles of internal control, Information and Communication Technology for PFM, and effective collaboration among users of PFM functions. The boot camp will serve as the foundation program which all personnel new to the PFM sector need to take before moving on to the functional specialist tracks, e.g. budgeting.

A variety of learning methods were utilized throughout the program, from lectures, to case study, group discussion and other structured learning exercises.

Case study and mock technical budget hearing

In the Budget and Performance Program, participants learned analytical tools (value for money, economic and financial analysis, cost benefit, risk and logical framework analysis) and how these can be used to improve the way financial and non-financial information is analysed and presented to make informed spending decisions.

An interesting exercise was the use of a case study to bring together the participants from spending and oversight

agencies. The case study involved a fictional spending department with a proposal to fund a new project.

What followed was a spirited discussion and debate during a mock technical budget hearing (TBH) that had the spending agency team defending their new program and the oversight agency team challenging the proposal. Several issues were taken into consideration during the discussions such as history of underspending, determining risks in procurement, alignment of plans to budget and Government priorities, and M&E systems, among others.

The result of the mock technical budget hearing? The oversight team recommended a “conditional approval” of the project, pending further review of the benefits and cost implications of the proposal. Participants agreed it was a good exercise that challenged their thinking and enabled them to critically analyze the data and defend their arguments, something they need to put into practice in their day-to-day work.

Only a starting point

The PFM Boot Camp and Budget and Performance Program is intended to be only a starting point for building the capacity of the PFM workforce. The intention is to instill the values and skills learned from the courses and have staff put these into practice in the workplace. In the end, the aim is to establish a sustainable culture of learning and doing that will be at par with the rest of the world. (Ms. Reggie U. Olalia, PFMP Communications Specialist)



Staff and mid-level managers from the DBM, DepEd and DENR work on a case study during the pilot testing of the PFM Certificate Program.

The PFM Certificate Program is a project of the Philippine Public Financial Management Committee, supported by the Philippine-Australia Public Financial Management Program, and implemented by WYG International and the Chartered Institute of Public Finance and Accountancy (CIPFA). ■



Participants engage in a spirited discussion and debate during a mock technical budget hearing that had the spending agency team defending their proposal, and the oversight agency team challenging it.

Compensation Compendium

From a compilation prepared by the Organization, Position Classification and Compensation Bureau

Issue:

A Sangguniang Barangay Member was absent for two (2) consecutive sessions at the beginning of the year. The said official has yet to earn any leave credits. Is the official entitled to honoraria?

DBM Response:

Barangay officials are entitled to honoraria and such other emoluments as may be authorized by law or local ordinance by virtue of Section 393 of Republic Act No. 7160 (Local Government Code of 1991).

RA No. 7160 also provides that barangay officials shall be entitled to leave privileges, akin to the benefits enjoyed by other government personnel. Corollary, the Implementing Rules and Regulations of RA 7160 prescribes that each barangay should conduct a minimum of two (2) regular sessions a month.

Under Item 3.3 of Civil Service Commission-Department of Budget and Management (CSC-DBM) Joint Circular No. 1, series of 2004, the number of leave credits earned

by a barangay official shall be based on his/her attendance in the regular sessions. Thus, with 24 mandatory regular sessions per annum, attendance in one (1) regular session would result in 1.25 days of leave credits. The leave credits shall be cumulated up to one year and shall be commuted yearly.

Relatedly, Local Budget Circular No. 63 "Position Classification and Compensation of Barangay Officials and Personnel" prescribes a cap on the rate of honoraria. While a spending ceiling was imposed, the scheme of payment was left to the discretion of the individual LGUs in deference to the exercise of local autonomy.

Hence, while attendance in regular barangay sessions can be used as a factor in rationalizing the grant of honoraria, the LGU is not precluded from adopting other factors as it sees fit. It is thus within the ambit of the authority of the concerned LGU to develop the context on the payment of honoraria to barangay officials. ■

Capacity Building



Lecture on Records Disposition. Ms. Janet A. Francia (left photo), Senior Records Management Analyst of the National Archives of the Philippines (NAP), briefs DBM's records control coordinators on the implementation of the DBM Records Disposition Schedule. Among the topics discussed include general requirements on disposal of valueless records, disposal procedures, disposal of damaged public records, and modes of disposal. The half-day event, which was held on May 19, 2015 from 8:00 a.m. to 12:00 noon at the DBM Library, was organized by the Central Records Division-Administrative Service to support the implementation of the Quality Management System in the department.

SUMMER FIESTA

sa DBM

**Sa aming ika-79 taong anibersaryo,
halina't makilaro . . .**



makikanta .



makirampa . . .



. . . at makisaya!



The Celebration Continues . . .

Hats off to our silver jubilarians . . .

(Central Office) Usec. Mario L. Relampagos, Celia D. Scott, Maria Regina N. Cenino, David B. Mateo, Ramon D. Estrellado, Ma. Cecilia M. Narido, Rodolfo M. Rodriguez, Jimmy J. Atanacio, Maria Lorelei L. Sarmiento, Celso Alejandro S. Estioco, and Roderick M. Suarez



(PS) Rosa Maria M. Clemente, Jorge L. Mendoza III, Rodolfo C. Lazarte, Zosimo P. Abugho, Jelowin B. Gulajer, Nelson M. Taguik, Charlito A. Econg, and Victor S. Martinez

(Regional Offices) Adoracion Q. Mangalino, Jenina M. Pineda, Leoncio A. Arellano, Melba A. Bungcayao, Alexander P. Calma, Josefina P. Escoto, Evelyn R. Japson, and Emily C. Ilaya

. . . and to the winners!

Patintero Champs - Yellow Team (Dinna Marie Estrada, Patrick Placente, Salvacion Axalan, Jan Nikolai Castro, and Jason Tabag)

Batuhang Bola (Quick Throwers) - Blue Team (Arnold Banaay, Edmar Bombase, Albert Mamangun, Ranjev Garcia, and Norman Aboy)

Batuhang Bola (Solid Dodgers) - Green Team (Cherry Cureg, Jus Rex Abejero, Lito Ortega, Jimmy Benavente, and Avelino Buenagua)

Tumbang Preso Topplers - Yellow Team (Crisostomo Ferrer, Johnry Castillo, Marilou Bare, Dulce Vega, and Christer John Quing)

Relay Masters - Red Team (Atty. Ryan Lita, Ralph Mancenido, Angel Ferrer, Jessica Pedro, and Andi Salvador)

Boodle Fighters - Blue Team (Mythical Team: Roderick Lopez, Albert Mamangun, Noram Aboy, Hospicio Nepomuceno, and Joseph Pastrana)

Minute to Win It! Buzzer Beaters - Green Team (Lynie Biaca, Peach Adarna, Dianne Cruz, Jezelle Neth Amante, Diane Irish Pacheco, Jaqueline Cayamanda, and Karen Hernandez)

Videoke Queens (Rosario "Cherry" Dalisay and Heidi Malazzab)

DBM Santacruzian-Yellow Team (Reyna Elena: Ayesa Denise Pascual)

Your Face Sounds Familiar - Green Team (Amelia del Rosario a.k.a. Tina Turner)

DBM Trivia

Did you know that ...

Performance budgeting was introduced in 1954.

Regional budgeting was implemented for the first time in 1977. Presidential Decree 1177 (Budget Reform Decree), issued on July 30, 1977, institutionalized the regional budgeting system. (*Source: Philippine Budget Management, Volume 1, No. 4, December 1977*)

Technical Budget Hearing (TBH) was introduced in 1982 when the Inter-office Coordination Group was installed.

The first **Collective Negotiation Agreement (CNA)** between the DBM (under the leadership of then DBM Secretary Emilia Boncodin) and the Union (Budget Union for the Declaration of the Genuine Employees' Thrusts) was signed in June 2004 after months of meetings and discussions.

In 1997, **Public Expenditure Management (PEM)** reforms were initiated in government. Ten years later, the Organizational Performance Indicator Framework (OPIF) was pilot tested in 20 departments/agencies.

The late **Emilia Boncodin**, who served the DBM in 1998 (OIC), and in 2001 to 2005, held the distinction of being the **first and only female DBM Secretary**.

Director **Mary Anne "Rhea" de la Vega** was adjudged DBM Lakambini in 2007 during the DBM's 71st Anniversary.

Go Green at Work

By: Joy S. Almazan

"Our environment, the world in which we live and work, is a mirror of our attitudes and expectations."- Earl Nightingale

Regardless of our status in life or position at the office, we can do something to help save Mother Earth. All we need to do is think and act 'green'. Here are some green tips to help create an environment-friendly workplace:



Photo taken from <http://brandededucationservices.com/>

Cut paper waste. While we cannot go 100% paperless (yet), we can still reduce our paper consumption (and save trees) by using both sides of the paper (e.g., double-sided/duplex printing), procuring paper

with lower grammage (lighter weight paper requires less raw material), printing multiple pages in a single sheet (applicable for drafts and powerpoint slides), limiting newspaper/magazine subscriptions, and sharing training handouts instead of printing one set per participant, among others.

Be energy-efficient. Even if we are not directly paying the office's electric bills, as public servants and responsible citizens, it is our duty to utilize public funds and resources judiciously. Below are some practical



Photo taken from <http://technologiesreview.com>

pointers to be energy-efficient at the office:

- Turn off lights and other office equipment (e.g., computers, printers, and photocopiers) when not in use.
- If you are the last person to leave the office, switch off the lights and unplug office equipment, if possible.
- Set the air conditioning temperature to 23-25 degrees Celsius.
- Lower the brightness of your monitor since a brighter screen uses more energy.
- Turn off the monitor instead of using a screensaver as the latter does not save energy.



Conserve water. There are a number of ways to conserve water. For us office workers, it could be as simple as using a glass or mug when brushing our teeth. Doing this can help us conserve up to five gallons of water a day per employee.

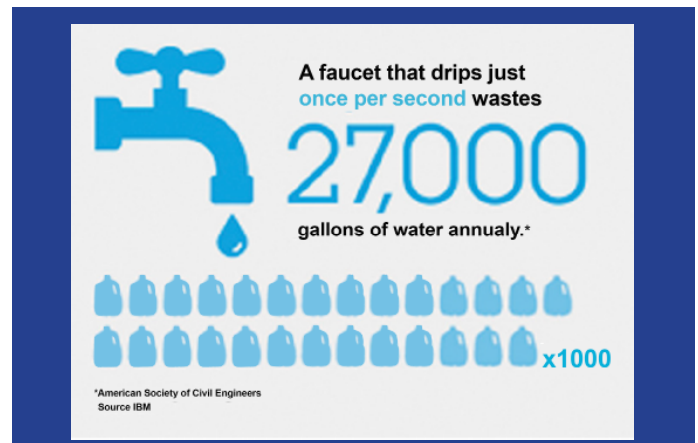


Photo taken from <http://asmarterplanet.com/>

see page 10 ►

Fawn and Bobcat

By: Ariela Cobangbang Dela Trinidad-Murphy, former Director of the Training and Information Service (TIS)

It doesn't really matter whether or not the photo below has been photo-shopped. It's the same thing as it doesn't



Photo taken from www.redgage.com

Fawn and bobcat reportedly took shelter together in an office after a forest fire.

matter whether "photo-shopped" is considered proper English or not. What matters is the message that the photo conveys.

No matter the color of our skin, the gods we worship and the extent of our wealth or poverty; no matter how much we differ, we're just all witting or unwitting passengers on the same ship.

For now we want to make sure that we ourselves do not sink our own ship. And that means making an effort to overcome our tendency to slug each other over our differences. Believe it or not, one of our on-going disagreements precisely has to do with whether or not our ship is really in danger.

The United Nations has this to say:

"Climate change is not a far-off problem. It is happening now and is having very real consequences on people's lives. Climate change is disrupting national economies, costing us dearly today and even more tomorrow. But there is a growing recognition that affordable, scalable solutions are available now that will enable us all to leapfrog to cleaner, more resilient economies."

Conservatives, mostly associated with big business/capital, argue that environmentalists are simply alarmists and that climate change does not exist.

see page 10 ►

Go green . . . from page 9

For our office administrators, aside from asking the maintenance team to regularly check pipes, toilets, and faucets for water leakages (and immediately address the leaks), the office can also use or upgrade to water-saving fixtures (also called low-flow fixtures). Using faucets that have a maximum flow rate of 1.5 gallons per minute (gpm) can reduce flow rate by as much as 32%.

Bring your own (B.Y.O.)

container. For those “suki” or patrons of nearby (office) carinderias, help reduce plastic wastes by bringing your own reusable food containers when buying your take-out lunch or merienda at your favorite carinderia. If a hundred of us in the office will practice B.Y.O.C, we can help lessen wastes by as much as 80,000¹ plastic bags a year. The B.Y.O.C. may be inconvenient at first, but when you realize the benefits it can do for our planet and for the future generation, this practice can be as simple as walking.

*Did you know?*

Every year, a trillion single-used plastic bags are used worldwide or almost two million plastic bags per minute.²

Do you have more green tips to share? Email us at tis@dbm.gov.ph. ■

¹ Assuming that three single-used plastic bags are consumed per working day per employee.
² Larsen, Janet and Venkova, Sabina (2014). The Downfall of the Plastic Bag: A Global Picture. Retrieved from http://www.earth-policy.org/plan_b_updates/2014/update123

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Fawn and Bobcat . . . from page 9

A couple of nights ago, there was a documentary on television about supposedly the “strongest and most unsinkable ship ever built.” Both first class and steerage passengers partied on the ship’s maiden voyage. Nobody had a clue. By the time the ship’s crew realized a huge ice berg was looming on the horizon, it was too late. It only took two hours after its collision for the Titanic to hit the icy cold depths of the Atlantic Ocean.

Do we earthlings have the luxury of time?

We need to stop fighting each other, whether in our own little circles, within our communities, or at the national level, in Washington and in the press. The microcosm is but a reflection of the whole.

If the fawn and the bobcat shown in the photo can co-exist in the face of a common danger, so can we, of much evolved intellect, rise above our own differences to fight for our very own survival. ■

About the author. Ariel Murphy headed the TIS from 1992 to 2002. She resigned in 2003 to migrate to Hawaii where she currently works as a realtor. Aside from being a licensed realtor and a community volunteer, she also maintains a personal blog, *Grains of Sand*. To read more of her articles, go to <http://arielmurphy.blogspot.com/>.



DBM Institutional . . . from page 2

Internal Management – key adjustments are being made to strengthen internal management in DBM. For one, towards this direction, the Corporate Planning and Reforms Service now becomes the **Planning and Management Service**. Also, a **TWG on DBM Knowledge Management (KM)**, composed of the TIS-Information Division and the Strategic Communication Unit, has been organized to strengthen KM systems in the DBM as well as to institutionalize publications such as the People’s Budget.

Stage 2, or the Reorganized Set-Up, will involve the creation of new DBM offices subject to the President’s approval. Parallel human resource development initiatives are also being rolled-out: from developing responsive training programs, to strengthening recruitment.

Management expert Tom Northop said, “all organizations are perfectly designed to get the results they are now getting. If we want different results, we must change the way we do things.” Through its Institutional Strengthening Efforts, the DBM seeks to solidify its position as a leader in good governance be known for its pool of public servants who meet the highest standards of integrity and performance, and continue to make a lasting impact to the lives of Filipinos through the National Budget. (fcapistrano) ■

It's More Fun When We're (Working) Together



MEMORIES OF SUMMER



"Coming together is a beginning; keeping together is progress; working together is success." - Henry Ford

More than just an opportunity to be out of the office and explore the beauty of the country, the annual office assessment/team building helps foster better office performance.

By providing avenues for open communication and for camaraderie through conduct of (fun) team building activities, both staff and bosses get to break the ice; share their ideas,

issues, and concerns; and collaborate on their goals and tasks.

The annual team building, a much-awaited event for most, if not for all, also serves as a 'reward' for good work, wherein employees get a well-deserved break from stress and pressures of work. (TIS)

LS Nook

Prepared by the
Legal Service**Subject:****Query¹ on the Status of Moalboal Water District (MWD)****ISSUE:**

May the status of a local water district as a government –owned or –controlled corporation (GOCC) change in light of the takeover of its facilities and office by a local government unit (LGU)?

DISCUSSION:

The facts presented before us show that the Municipality of Moalboal, pursuant to its police power, took over the MWD operations following a gastroenteritis outbreak. MWD then, filed before the Regional Trial Court of Barili, Cebu a civil case for injunction and damages with prayer for the issuance of a temporary restraining order against the said Municipality to prevent the latter from further taking over MWD's operations.

Subsequently, the trial court held² that said takeover, while valid and justified under the general welfare clause pursuant to Section 16³ of Republic Act (RA) No. 7160⁴, should only be temporary in nature. However, said Municipality continued to take over the operations of MWD despite the end of the outbreak.

This prompted the General Manager of MWD, in its letter⁵ to Department of Budget and Management Regional Office VII, to seek clarification on the status of MWD in view of the continued take over by the Municipality.

At the outset, we note that the takeover by the Municipality of Moalboal of MWD, as held by the trial court, is temporary in nature. As such, it does not affect the status of the MWD as a local water district. A status is a legal personal relationship, not temporary in its nature nor terminable at the mere will of the parties⁶. Applying this in the case at hand, the takeover of the operations of MWD by the Municipality of Moalboal did not transform it into an office under the Municipality neither did it change its status as a local water district created by virtue of Presidential Decree (PD) No. 198⁷.

Moreover, local water districts, once formed, are not under the jurisdiction of any political subdivision, but rather, they are autonomous agencies independent of local governments⁸. Since MWD was created under PD No. 198, and is governed primarily by its provisions, the same cannot be dissolved by a mere takeover of an LGU, but only through the manner provided for by the said special law.

Accordingly, the MWD still retains its status as a GOCC⁹, and not as an office under the Municipality of Moalboal. To reiterate, the temporary takeover by the said Municipality does not dissolve nor change the status of MWD. ■

¹ Through Memorandum dated June 5, 2014 of DBM RO VII Carmela S. Fernan

² Through Order dated May 23, 2005 issued by the Seventh Judicial Region, Branch 60, RTC Barili, Cebu

³ Sec 16. General Welfare. – Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. x x x

⁴ Local Government Code of 1991

⁵ Dated May 12, 2014

⁶ As defined in the Black's Law Dictionary, Sixth Edition

⁷ Declaring a National Policy Favoring Local Operation and Control of Water Systems; Authorizing the Formation of Local Water Districts and Providing for the Government and Administration of such Districts; Chartering a National Administration to Facilitate Improvement of Local Water Utilities; Granting said Administration such Powers as are Necessary to Optimize Public Service from Water Utility Operations, and for Other Purposes

⁸ DILG Memorandum Circular No. 2005-21 dated March 4, 2005 entitled "Operational Autonomy of Local Water Districts"

⁹ The Supreme Court held in the case of Davao City Water District vs. Civil Service Commission (201 SCRA 363) that water districts are considered government-owned or controlled corporations with original charter

**Good News for Women****Premature Marriage no Longer a Crime**

Indeed, good governance is also about promoting gender equality!

Last March 2015, President Benigno Aquino III signed into law Republic Act 10655¹ repealing the crime of premature marriage as contained in Article 351 of the Revised Penal Code.

Under the said Code, "any widow who shall marry within 301 days from the death of her husband, or before having delivered if she shall have been pregnant at the time of his death, shall be punished by *arresto mayor*² and a fine not exceeding 500 pesos. The same penalties shall be imposed upon any woman whose marriage shall have

been annulled or dissolved, if she shall marry before her delivery or before the expiration of the period of 301 days after the legal separation."

The provision was discriminatory as it restricted women's equal rights to marriage.

While the provision sought to prevent doubtful paternity (of a child), this concern has been addressed in the 1987 Family Code of the Philippines as it provides the rule to determine the paternity and filiation of a child born by a woman who contracted another marriage within 300 days from the termination of the previous marriage³. As such, Article 351 is no longer relevant.

The law's repeal is certainly a welcome news not only to women but also to those who aspire for equal opportunities and a better life for all. ■

¹ An Act Repealing the Crime of Premature Marriage Under Article 351 of Act No. 3815, Otherwise Known as the Revised Penal Code

² 1 month and 1 day to 6 months in prison

³ Article 168 of the Family Code of the Philippines