



Republic of the Philippines
OFFICE OF THE CITY MAYOR
City of Davao

EXECUTIVE ORDER NO. 54
Series of 2021

**AN ORDER CREATING THE DEVOLUTION TRANSITION COMMITTEE,
PROVIDING FOR ITS FUNCTIONS AND FOR OTHER PURPOSES**

WHEREAS, Section 25, Article II of the 1987 Philippine Constitution provides that the State shall ensure the autonomy of local governments;

WHEREAS, Section 6, Article X of the Constitution provides that the Local Government Units shall have a just share, as determined by law, in the national taxes which shall be automatically released to them;

WHEREAS, Section 2 paragraph (a) of the Republic Act No. 7160, otherwise known as the Local Government Code explicitly provides that it is declared the policy of the State that the territorial and political subdivisions of the State shall enjoy genuine and meaningful local autonomy to enable them to attain their fullest development as self-reliant communities and make them more effective partners in the attainment of national goals. Toward this end, the State shall provide for a more responsive and accountable local government structure instituted through a system of decentralization whereby local government units shall be given more powers, authority, responsibilities, and resources. The process of decentralization shall proceed from the National Government to the local government units”;

WHEREAS, Section 3 paragraph (d) of the same Code further provides that the vesting of duty, responsibility, and accountability in local government units shall be accompanied with provision for reasonably adequate resources to discharge their powers and effectively carry out their functions; hence, they shall have the power to create and broaden their own sources of revenue and the right to a just share in national taxes and an equitable share in the proceeds of the utilization and development of the national wealth within their respective areas;

WHEREAS, the Supreme Court (SC) decision in the consolidated cases of *Congressman Hermilando I. Mandanas, et al. vs. Executive Secretary Paquito N. Ochoa, Jr. et al. and Honorable Enrique T. Garcia, Jr. vs. Executive Secretary Paquito Ochoa, et al.* (G.R. Nos. 199802 and 208488) clarifies the basis for the computation of local government shares and ordered the national government to include all collections of national taxes in the computation of the base amount for the just share of LGUs;

WHEREAS, Executive Order No. 138, s. 2021 orders the full devolution of functions, services, and facilities by the national government (NG) to local governments (LGUs) no later than the end of FY 2024. These shall include those devolved responsibilities indicated in Section 17 of RA 7160 and in other existing laws which subsequently devolved functions of the NG to LGUs. These fully devolved responsibilities shall be funded from the share of the LGUs in the proceeds of the national taxes and other local revenues;

WHEREAS, Section 4.1 of Department of Budget (DBM) and Department of the Interior and Local Government (DILG) Joint Memorandum Circular (JMC) No. 2021-1 dated

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August 11, 2021, to formulate the organization of the Local Government Unit Devolution Transition Committee which shall be responsible for the preparation of the LGU Devolution Transition Plan (DTP) and in monitoring the implementation thereof;

NOW, THEREFORE, I, SARA Z. DUTERTE, Mayor of the City of Davao, by virtue of the powers vested in me by law, do hereby order the following:

SECTION 1. CREATION AND COMPOSITION. There is hereby created the **"DEVOLUTION TRANSITION COMMITTEE"** ("DTC" for brevity), and the same shall be composed of the following persons and/or heads of the following offices, to wit:

Chairperson : **SARA Z. DUTERTE**, City Mayor
Co-Chairperson : **MS. VICKY P. SARCENA**, DILG City Director
Regular Members :

COUNCILOR MELCHOR B. QUITAIN, JR., SP Committee Chairperson on Rules, Privileges, Laws and Ordinances

COUNCILOR EDGAR R. IBUYAN, SR., President of the Liga ng mga Barangay

ATTY. ZULEIKA T. LOPEZ, City Administrator

ENGR. IVAN C. CORTEZ, ENP, City Planning and Development Coordinator

ATTY. LAWRENCE D. BANTIDING, City Treasurer

MS. ERMELINDA F. GALLEGO, City Budget Officer

MS. VINGELIN A. BAJAN, CPA, City Accountant

MR. LEO BRIAN D. LEUTERIO, City Agriculturist's Office

DR. ASHLEY G. LOPEZ, City Health Office

ENGR. MARIVIC L. REYES, CENR Office

ATTY. JOSEPH DOMINIC S. FELIZARTA, City Engineer's Office

ATTY. MARLISA A. GALLO, City Social Welfare & Dev't Office

MS. REGINA ROSA D. TECSON, City Tourism Operations Office

MS. APRIL MARIE C. DAYAP, DCIPC

MR. CHITO P. MERCADO, City Information Technology Center

MR. LEMUEL G. ORTONIO, Human Resource Management Office
Department Head

MS. HERMINIGILDA D. ESCALANTE, Family Planning Organization of the Philippines

All members of the DTC are hereby directed to name their respective alternate and permanent representatives who shall take their place in case of their absence.

SECTION 2. DUTIES AND FUNCTIONS. The Devolution Transition Committee shall have the following duties and functions:

- a) Oversee and monitor the implementation of administrative and fiscal decentralization goals of EO No. 138 consistent with RA No. 7160, as amended;
- b) Monitor the implementation of the Devolution Transition Plans (DTPs) of within local agencies and ensure compliance of local personnel;
- c) Adopt mechanisms to ensure continuous delivery of public services by the LGUs during the transition period to full devolution; and

- d) Inform the public as well as other stakeholders on the delineation of the functions between the NGAs and LGUs and their respective accountabilities;
- e) Spearhead the preparation of the LGU DTPs;
- f) Assist local agencies in the identification of the functions, services, and facilities to be fully assumed and programs, projects and activities (PPAs) to be devolved by NGAs concerned;
- g) Prioritize devolved PPAs that needs scaling-up; and
- h) Assist local agencies in adopting a phased approach, from FY 2022-2024, toward full assumption of these devolved responsibilities.

SECTION 3. SECRETARIAT. The City Planning and Development Office is hereby directed to serve as the Secretariat of the DTC, and shall be tasked to handle all its secretariat functions.

SECTION 4. FUNDING. All costs pertaining to the operation of DTC shall be charged to available funds of the City Gov't. or the project itself, subject to the usual accounting and auditing rules and regulations.

SECTION 5. SEPARABILITY CLAUSE. If any part or provision of this Executive Order shall be declared invalid, the other portions or provisions hereof which are not affected thereby, shall continue in full force and effect.

SECTION 6. EFFECTIVITY. This Executive Order shall take effect immediately and shall remain effective unless sooner revoked or modified.

DONE on the of OCT 01 2021 2021 in Davao City, Philippines.


SARA Z. DUTERTE
 City Mayor

Attested by:


ATTY. ZULEIKA T. LOPEZ
 City Administrator

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