

CHANGING THE NAMES OF PROVINCIAL BOARDS AND CITY OR MUNICIPAL BOARDS OR COUNCILS INTO SANGGUNIAN BAYAN, AND INCREASING THE MEMBERSHIP THEREOF.

PRESIDENTIAL DECREE NO. 826, November 14, 1975

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WHEREAS, there has been an increasing demand for greater participation of the citizenry in the affairs of the government;

WHEREAS, in the pursuit of such participation, barangays all over the country have, through their Barangay Federation, communicated their desire for the broadening of citizen participation in local policy-making by increasing the present membership of provincial boards and city or municipal boards or councils, as the case may be; and

WHEREAS, it is deemed necessary to give the people greater voice in the administration of their local affairs, and a better perception of the problems and the solutions thereof geared toward accelerating national growth and progress;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree and order, as part of the law of the land, the following:

SECTION 1. Creation and Organization of Sangguniang Bayan.—There shall be a Sangguniang Bayan in every province, city and municipality and for this purpose, the existing provincial boards and city or municipal boards or councils in every province, city or municipality shall be renamed and henceforth be known as "Sangguniang Bayan."

SEC. 2. Membership.—In the provinces, the Sangguniang Bayan shall be composed of the incumbent members of the existing provincial boards, including the vice-governors (all of whom shall become members of the Sangguniang Bayan upon promulgation of this Decree and until December 31, 1975) and a representative from each of the municipalities within the territorial jurisdiction of the province and the President of the Katipunan ng Mga Kabataang Barangay in the province.

The representative from each of the municipalities in the Sanggunian shall be chosen by and among the members of the Sangguniang Bayan in these municipalities.

In the cities and municipalities, it shall be composed of the members of the existing municipal or city councils, including the vice-mayors (who shall become members of the Sangguniang Bayan upon the promulgation of this Decree and until December 31, 1975) and as many barangay captains and representatives from other sectors of the community as there are members of the existing city or municipal board or council to be appointed by the President or his duly authorized representative, upon the recommendation of the local unit concerned, through the Secretary of Local Government and Community Development and the President of the Katipunan ng Mga Kabataang Barangay in the city or municipality.

The provincial governors, city or municipal mayors shall be the presiding officers of the Sangguniang Bayan in

their province, city or municipality.

SEC. 3. Allowances of Members.—Existing provisions of law to the contrary notwithstanding, members of the Sangguniang Bayan shall not collect salaries or compensation except per diems and reasonable allowances, on reimbursement basis, as may be determined by the particular Sangguniang Bayan and subject to approval of the Secretary of Local Government and Community Development.

SEC. 4. Meetings of the Sanggunian.—Each Sangguniang Bayan shall prescribe with the approval of the Secretary of Local Government and Community Development, the number of regular or special sessions it holds; the frequency of which shall be based on the necessity therefor. The meetings of the Sangguniang Bayan shall, unless impracticable, be open to the public.

SEC. 5. Powers and Functions.—Except as herein provided, the Sangguniang Bayan shall exercise the powers, duties and functions now vested in the provincial boards, city councils and municipal councils, as the case may be.

SEC. 6. Revealing Clause.—Nothing in this Decree shall be construed as amending, modifying or otherwise repealing any and all of the provisions of Presidential Decree No. 824, creating the Metropolitan Manila and the Metropolitan Manila Commission.

All other laws or parts of laws, as well as all executive orders or regulations inconsistent herewith are hereby repealed or modified accordingly.

SEC. 7. Effectivity.—This Decree shall take effect upon approval.

Done in the City of Manila, this 14th day of November, in the year of Our Lord, nineteen hundred and seventy-five.

(Sgd.)

FERDINAND E. MARCOS

President

Republic of the Philippines

By the President:

(Sgd.)

ALEJANDRO MELCHOR

Executive Secretary

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