



Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE 119TH REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN ON MARCH 14, 2022 HELD AT THE SESSION HALL, THE BUNKER, CAPITOL COMPOUND, BALANGA CITY, BATAAN

PRESENT:

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

FIRST DISTRICT:

Hon. Benjamin C. Serrano, Jr., Board Member
Hon. Jomar L. Gaza J.D., Board Member
Hon. Reynaldo T. Ibe, Jr., Board Member
Hon. Godofredo B. Galicia, Jr., M.D., Board Member
Hon. Maria Khristine G. Dela Fuente, Board Member



SECOND DISTRICT:

Hon. Maria Margarita R. Roque, Board Member
Hon. Manuel N. Beltran, Board Member
Hon. Edgardo P. Calimbas, Board Member
Hon. Jose C. Villapando, Sr., Board Member
Hon. Romano L. Del Rosario, Board Member

Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)
Hon. Doroteo M. Austria, Board Member (FABC President)
Hon. Precious D. Manuel, Board Member (SKF President)
Hon. Rosita N. Sison, Board Member (IPM Representative)

ABSENT:

None

PROVINCIAL ORDINANCE NO. 07 Series of 2022

**AN ORDINANCE CREATING THE BATAAN HUMAN
SETTLEMENT OFFICE DEFINING ITS POWERS AND
FUNCTIONS, AND CREATING THE POSITION OF
PROVINCIAL GOVERNMENT DEPARTMENT HEAD,
PROVIDING FUNDS THEREOF, AND FOR OTHER PURPOSES.**

Sponsored by: Hon. Noel Joseph L. Valdecañas

WHEREAS, Section 9, Article XIII of the 1987 Philippine Constitution states that the State shall, by law, and for the common good, undertake, in cooperation with the public sector, a continuing program of urban land reform and housing which will make available at affordable cost decent housing and

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basic services to underprivileged and homeless citizens in the urban centers and resettlements areas. It shall also promote adequate employment opportunities to such citizens. In the implementation of such program the State shall respect the rights of small property owners.

WHEREAS, the Local Government Code (LGC) of 1991 declared that 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. Section 17 (a) of the same Code states that it is the responsibility of the Province to develop projects and program low-cost housing and mass dwelling;

WHEREAS, Section 76 of the same Code provides that every local government unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission;

WHEREAS, Section 468 (a) (1) (viii) of the same Code provides that the Sangguniang Panlalawigan shall determine the positions and the salaries, wages, allowances and other emoluments and benefits of official and employees paid wholly or mainly from provincial funds;

WHEREAS, the Provincial Human Resource Management Office has endorsed a request for the creation of the Bataan Human Settlement Office (BHSO) and the position of the Provincial Government Head;

WHEREAS, the creation of the BHSO will broaden the community relations services of the Provincial Government of Bataan and open opportunities for the new programs and projects for low-cost housing and other mass dwellings;

WHEREAS, the Local Finance Committee, upon its review, certified that the proposed creation of position in the subsequent creation of the Bataan Human Settlement Office is compliant with the provisions of Section 325 of the LGC;

NOW, THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG PANLALAWIGAN OF BATAAN, IN REGULAR SESSION, DULY ASSEMBLED:

SECTION 1. TITLE. This Ordinance shall be known as "An Ordinance Creating the Bataan Human Settlement Office Defining its Powers and Functions, and Creating the Position of Provincial Government Department Head, Providing Funds Thereof, and for Other Purposes."

SECTION 2. DECLARATION OF POLICY. – Consistent with the declaration of the policy of the State enshrined in the Constitution, the Local Government Code, pertinent national laws and other relevant issuances issued by various government agencies, it is hereby declared that it shall be the policy of the Provincial Government of Bataan to undertake, in cooperation with the agencies of the national government and the private sector, a comprehensive Housing Program aimed to uplift the conditions of the marginalized and homeless Bataños by providing them access not only to

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basic services but likewise opportunity to avail decent housing at affordable cost. The said Program is in furtherance with the Mission and Vision of the Province to have the lowest poverty incidence resulting from quality growth attaining top-level Human Development Index in the Philippines and to provide excellent public services towards a better quality of life for all.

SECTION 3. CREATION OF THE BATAAN HUMAN SETTLEMENT OFFICE. The Bataan Human Settlement Office (BHSO) is hereby created. It shall function as the service arm of the Provincial Government in planning and implementing its comprehensive Housing Program for the people of Bataan.

SECTION 4. CREATION OF POSITION. The following plantilla position is hereby created:

POSITION TITLE	SALARY GRADE
Provincial Government Department Head	SG-26

SECTION 5. ORGANIZATIONAL STRUCTURE OF THE BHSO. The organizational structure of the BHSO shall be as follows:

POSITION TITLE	SALARY GRADE	REMARKS
Provincial Government Department Head	SG-26	VACANT - newly created
Administrative Division		
Administrative Officer III	SG-18	For creation
Administrative Officer II (Administrative Officer IV)	SG-15	VACANT - transfer from PGO-BHSO
Records Officer I (Administrative Officer I)	SG-10	VACANT - transfer from PGO-BHSO
Clerk IV (Administrative Staff II)	SG-8	For creation
Driver II (Administrative Aide IV)	SG-4	For creation
Technical Planning And Development Division		
Project Development Officer IV	SG-22	For creation
Housing and Homesite Regulation Officer III	SG-16	For creation
Housing and Homesite Regulation Officer II	SG-13	VACANT - transfer from PGO-BHSO

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Housing and Homesite Regulation Officer I	SG-7	For creation
Community Affairs And Development Division		
Community Affairs Officer IV	SG-22	For creation
Community Affairs Officer II	SG-15	VACANT - transfer from PGO-BHSO
Community Affairs Assistant II	SG-8	For creation
Community Affairs Assistant I	SG-5	For creation
Real Estate Management Division		
Supervising Home Management IV	SG-22	For creation
Senior Home Management Specialist	SG-18	For creation
Home Management Specialist II	SG-15	For creation
Home Management Technologist	SG-10	For creation

SECTION 6. POWERS AND FUNCTIONS. The BHSO shall exercise and perform the following powers and functions:

- a) Prepare and recommend for the approval of the Provincial Governor the Province's specific Housing Programs on resettlement and housing;
- b) Conduct community survey in close coordination with the concerned Barangay Officials, prepare a profile of prospective beneficiaries of the Province's housing and resettlement projects;
- c) Conduct direct consultations and dialogues with would-be beneficiaries to the Province's housing and resettlement projects;
- d) Coordinate and negotiate with relevant National Government Offices and likewise with the Private Sector and other Non-Government Organizations (NGOs) in order to avail of funding necessary for the implementation of the resettlement and housing projects of the Province;
- e) Identify areas suitable as site for the housing project of the Province, consistent with the land use plan of the Province,;
- f) Coordinate and assist various Offices and Departments both of the National Government and the Local Government of Bataan with the acquisition of areas to be used for housing projects of the Province;
- g) Prepare site development plans, housing designs and

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costing, for the housing and resettlement projects of the Province taking into account the existing policies and standards set forth by the National Government Agencies and the Province's zoning ordinance;

- h) Coordinate and/or secure the assistance of other Government Agencies and Private entities in the implementation of the Province's resettlement and housing projects;
- i) Provide the resettlement/housing beneficiaries with livelihood development assistance such as the conduct of entrepreneurial skills training, extension of credit facilities and other employment opportunities in coordination with other departments of the Provincial Government of Bataan;
- j) Assist in the organization of housing and shelter cooperatives, associations or organizations in establishing linkages with government agencies and NGOs involved in the promotion and integration of the concept of shelter development and generation;
- k) Closely monitor the implementation of regulatory measures which are aimed to effectively contain the proliferation of squatters in the Barangays in coordination with the various LGUs of the Province;
- l) Oversee and coordinate government activities relative to consultation, relocation, and resettlement of underprivileged and homeless poor dwellers in cases where evictions and demolitions affecting them are necessary and allowed under existing laws;
- m) Assist the provincial/city/municipal development councils in the formulation of their respective comprehensive land use plans;
- n) Engage consultants and other technical personnel to assist the Office in implementing its mandate under this Ordinance; and
- o) Perform such other functions that may be prescribed by law or ordinance or that which may be assigned to it from time to time.

SECTION 7. SPECIFIC FUNCTIONS OF THE DIVISIONS/UNITS OF THE BHSO.

A) Administrative Division

- Implement policies, guidelines and procedures related to accreditation, monitoring and evaluation of participating community associations and housing beneficiaries;
- Handle the documentation of all resettlement/housing projects of the Provincial Government of Bataan;
- Keep record of payments made by beneficiaries for updating and reconciliation of credit balances and for the issuance of clearance/certification to fully paid beneficiaries;
- Keep records, files and documents of personnel and consultants working within the BHSO; and
- Handle the request for procurement and delivery of all

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equipment and supplies of the BHSO;

B) Technical Planning and Development Division

- Identify prospective sites suitable for resettlement/housing projects;
- Formulate plans and programs for resettlement/housing projects;
- Prepare plans, lot surveys and conduct on-site inspection to ensure that the structures within the projects conform with the approved specifications and existing regulations;
- Coordinate with various Government Agencies and Departments the demolition of illegally constructed housing units on Government and Private Properties and along danger zones; and
- Prepare the necessary documentation for the implementation of the resettlement/housing project and its award to qualified beneficiaries.

C) Community Affairs and Development Division

- Conduct survey of potential beneficiaries for the resettlement/housing project;
- Assist in providing beneficiaries access to basic service and employment/livelihood opportunities;
- Develop and reviews community affairs programs, materials and practices;

D) Real Estate Management Division

- Oversee the implementation of the project based on the approved housing program, consistent with the implementing rules and regulations of applicable laws, terms of reference, MOA, technical plans and specifications;
- Provide technical assistance designed to enhance and augment LGU capacities in various aspects of housing development, project planning and packaging, works engineering and project supervision, beneficiary selection/awards/disposition, collection and estate management; and
- Facilitate the establishment and maintenance of data bank on the practices, strategies, law/issuances related to real property.

SECTION 8. SOURCE OF FUNDS. The Local Government Unit shall incorporate in its annual budget such amount as may be necessary for the operation and effective functioning of the BHSO.

SECTION 9. QUALIFICATIONS, DUTIES, AND RESPONSIBILITIES. The qualifications, duties, and responsibilities of the newly created position shall be in consonance with pertinent law, rules, regulations, and existing guidelines prescribed by the Civil Service Commission.

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SECTION 10. FUNDING FOR THE CREATED POSITION. The corresponding salaries and other benefits of the created Provincial Government Department Head position shall be appropriated and incorporated in the Annual or Supplemental Budget of the Provincial Government of Bataan.

SECTION 11. SPECIAL HOUSING TRUST FUND – A special account separate from the General Fund of the Provincial Government of Bataan shall be opened in any government bank which shall be exclusively used for the implementation of the resettlement and housing programs of the Province. The said account shall be known as the "Special Housing Trust Fund".

SECTION 12. SEPARABILITY CLAUSE. If for any reason, any section or provision of this Ordinance is declared to be unconstitutional or invalid, the remaining provisions thereof shall not be affected and shall remain in full force and effect.

SECTION 13. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately upon its approval.

ENACTED this 14th day of March 2022, Balanga City, Bataan.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

ATTY. MARK LORENZ C. QUEZON
Secretary to the Sangguniang Panlalawigan

BENJAMIN C. SERRANO, JR.
Board Member

MARIA MARGARITA R. ROQUE
Board Member

JOMAR L. GAZA J.D.
Board Member

MANUEL N. BELTRAN
Board Member

REYNALDO T. IBE, JR.
Board Member

EDGARDO P. CALIMBAS
Board Member

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Provincial Governor


GODOFREDO B. GALICIA, JR., M.D.
Board Member


JOSE C. VILLAPANDO, SR.
Board Member


MARIA KRISTINE G. DELA FUENTE
Board Member


ROMANO L. DEL ROSARIO
Board Member


NOEL JOSEPH L. VALDECAÑAS
Board Member
(PCL President)


PRECIOUS D. MANUEL
Board Member
(SKF President)


DOROTEO M. AUSTRIA
Board Member
(FABC President)


ROSITA N. SISON
Board Member
(IPM Representative)

ATTESTED:


MA. CRISTINA M. GARCIA
Vice Governor & Presiding Officer

APPROVED:


ALBERT S. GARCIA
Provincial Governor
Date: 3-25-2022







