COMMITTEE REPORT

COMMITTEE ON LABOR, MANPOWER, EMPLOYMENT AND GOVERNMENT SERVICES

Our committee received a referral concerning the following matter:

Agenda No. 360 – Letter from **Hon. Jose Enrique S. Garcia, III, Provincial Governor of Bataan, RE:** REQUEST FOR A RESOLUTION CONCURRING IN THE APPOINTMENT OF MR. JEFFREY T. CALMA AS PROVINCIAL GOVERNMENT DEPARTMENT HEAD UNDER THE BATAAN HUMAN SETTLEMENT OFFICE (BHSO).

Mr. Jeffrey T. Calma has deptly discharge the duties of his office as Provincial Government Department Head, contributing much to the effective management of the Governor's Office. His experience in his field, having worked as Officer-in-Charge of the Provincial General Services Office for years and his length of service in City Government of Balanga and in Provincial Government of Bataan as Department Head proved his efficiency in discharging the functions of his office. Mr. Calma has been re-appointed as the PGDH-BHSO whose duties are collaborating and cooperating with various national agencies/LGU's in constructing sustainable housing for Bataeños.

After careful study and thorough evaluation made during our committee meeting held last September 14, 2022, we find the said request proper. Therefore, we move for the passage of resolution concurring the appointment of Mr. Jeffrey T. Calma as Provincial Government Department Head under the Bataan Human Settlement Office, upon suspension of the rules.

PREPARED BY:

BENJAMIN C. SERRANO, JR.
CHAIR

NOEL JOSEPH L. VALDECAÑAS
VICE CHAIR

JORGE S. ESTANISLAO, M.D.
VICE CHAIR

PRECIOUS D. MANUEL
MEMBER

ROMAN HAROLD R. ESPELETA
MEMBER

ANGELITO M. SUNGA
MEMBER

ROMANO L. DEL ROSARIO
MEMBER

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Draft v.1	Introduced by Board Member Antonino B. Roman, III, J.D., LL. M.

Ordinance No. _____
Series of 2022

AN ORDINANCE ESTABLISHING THE PROVINCIAL LEGAL AWARENESS GROUP (PLAG) IN THE PROVINCE OF BATAAN AND APPROPRIATING FUNDS THEREFOR.

WHEREAS, Article III, Section 11, of the Constitution, states, "free access to the courts and quasi-judicial bodies and adequate legal assistance shall not be denied to any person by reason of poverty";

WHEREAS, under Section 3 of R.A. No. 9406, "An Act Reorganizing and Strengthening the Public Attorney's Office (PAO), Amending for the Purpose Pertinent Provisions of Executive Order No. 292, Otherwise Known as the 'The Administrative Code of 1987,' as amended, Granting Special Allowance to PAO Officials and Lawyers, and Providing Funds Therefor," the PAO shall "render, free of charge, legal representation, assistance, and counselling to indigent persons in criminal, civil, labor, administrative and other quasi-judicial cases";

WHEREAS, the PAO is subject to conflict-of-interest rules limiting its capacity to fully serve the public;

WHEREAS, some Bataeños are not qualified to avail any of the services offered by the PAO due to the indigency test implemented by the agency;

WHEREAS, *pro bono* service by lawyers is merely encouraged and not required by the Supreme Court;

WHEREAS, the Legal Aid Program of the Integrated Bar of the Philippines merely provides civil and criminal defense to indigent clients;

WHEREAS, Article XIV, Section 3, of the Constitution directs "[a]ll educational institutions [to] include the study of the Constitution as part of the curricula";

WHEREAS, study of the Constitution is introduced only at the high school level;

WHEREAS, the public has the right to know and should be given access to legal information affecting them;

WHEREAS, there is a need for the Provincial Government of Bataan to reach out to its constituents, especially those in remote areas, to provide free legal seminars and legal aid clinics to educate Bataeños on their legal rights and legal procedures.

NOW THEREFORE, be it ordained by the Sangguniang Panlalawigan in Regular Session Assembled:

Section 1. Short Title. – This Ordinance shall be known as the "Provincial Legal Awareness Ordinance of Bataan."

Section 2. Purpose. – The Provincial Government of Bataan believes in transparency and an informed citizenry, and supports the directive under Article XIV, Section 3, of the Constitution that the Constitution be taught in all educational institutions. It also believes that indigents should have access to justice, in particular, affordable or free legal instruction and assistance.

Section 3. Provincial Legal Awareness Group (PLAG). – The PLAG, is established under the Office of the Provincial Governor, to be headed by the Provincial Legal Office.

The Chairperson of the Sangguniang Panlalawigan Committee on Justice, Human Rights, and Legal Matters shall be *ex-officio* co-head of the PLAG. The rest of the

members of the Comittee on Justice, Human Rights, and Legal Matters shall be *ex-officio* members of the PLAG.

Section 4. Duties and Responsibilities. – The PLAG shall have the following duties and responsibilities:

a) To provide free legal instruction on the Constitution;

b) To raise awareness regarding key national and local legislative measures and executive orders;

c) To stage events (seminars, workshops, clinics, or forums) addressing common legal problems; and

d) To explore collaboration and partnerships with the Public Attorneys' Office, Office of the Provincial Prosecutor, Integrated Bar of the Philippines and its members, other lawyer groups, *Lupon Tagapamayapa*, the Judiciary, law schools, and other institutions in discharging the aforementioned duties and responsibilities.

Section 5. Implementing Rules and Regulations. – The Provincial Legal Office shall coordinate with the Public Attorneys' Office, Office of the Provincial Prosecutor, Integrated Bar of the Philippines and its members, *Lupon Tagapamayapa*, the Judiciary and law schools in formulating the necessary Implementing Rules and Regulations for this Ordinance. The same shall be submitted to the Sangguniang Panlalawigan for its approval not later than thirty (30) days from the adoption of this Ordinance.

Section 6. PLAG Online Information Hub. – The PLAG shall explore the feasibility of creating and maintaining a Facebook Page and/or website for constituents to serve as an online hub for legal information, such as but not limited to select local and national laws, primers on select laws, executive orders, ordinances, and regulations, video blogs on common legal problems, and sample legal forms. All efforts shall be made to automate the provision of PLAG services where economically feasible.

Section 7. Appropriations. - The Provincial Government of Bataan shall, subject to the availability of funds, cause the appropriation or allocation of funds necessary to frugally, efficiently and effectively carry out the provisions of this Ordinance.

Section 8. Repealing Clause. – All Ordinances, Resolutions, Orders, Memoranda, and Other Issuances inconsistent with this Ordinance, are hereby altered, amended, or repealed accordingly.

Section 9. Separability Clause. – In case any provision of this Ordinance shall be found to be invalid or unconstitutional, all other provisions not affected thereof shall remain in force and effect.

Section 10. Effectivity Clause. – This Ordinance shall take effect after compliance with the relevant requirements under the Local Government Code of 1991.