



Republic of the Philippines
PROVINCE OF ISABELA
City of Ilagan

Office of the Governor

EXECUTIVE ORDER NO. 34 -2019

DIRECTING ALL LOCAL GOVERNMENT UNITS THRU THEIR LOCAL CHIEF EXECUTIVES TO SUBMIT APPROVED PROGRAMS OF WORK OF ALL INFRASTRUCTURE PROJECTS AWARDED TO PRIVATE CONTRACTORS IMPLEMENTED WITHIN THEIR RESPECTIVE TERRITORIAL JURISDICTION AND ENJOINING THE HEADS OF NATIONAL OFFICES WITHIN THE PROVINCE PARTICULARLY THE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, DEPARTMENT OF AGRICULTURE, NATIONAL IRRIGATION ADMINISTRATION, DEPARTMENT OF HEALTH AND DEPARTMENT OF EDUCATION TO SUBMIT TO THE PROVINCIAL GOVERNMENT COPIES OF PROGRAM OF WORK/BILL OF MATERIALS OF AWARDED BIDDED PROJECTS AND AFTER ASSESSMENT SHALL ENSURE COLLECTION BY DEDUCTING FROM ALL FINAL PAYMENT OF THE CONTRACT THE ASSESSED AMOUNT UNLESS CONTRACTOR IS ABLE TO PRESENT PROOF OF PAYMENT OF SAND, GRAVEL AND QUARRY FEES

Whereas, Section 129 of Republic Act 7160 also known as the Local Government Code of 1991 mandates that each local government unit shall exercise its powers to create its own sources of revenue and to levy taxes, fees and other charges subject to the provisions herein stated consistent with the basic policy of local autonomy;

Whereas, such taxes, fees and charges shall accrue exclusively to the local government units;

Whereas, Section 138 of the same law provides that the province may levy and collect not more than ten percent (10%) of the fair market value in the locality per cubic meter of the stones, sand, gravel, earth and other quarry resources, as defined under the National Internal Revenue Code as amended, extracted from public lands or from the beds of seas, lakes, rivers, streams, creeks and other public waters within its territorial jurisdiction;

Whereas, the permit to extract sand, gravel and other quarry resources shall be issued exclusively by the Provincial Governor, pursuant to the Local Government Code of 1991 and to the duly enacted ordinance of the Sangguniang Panlalawigan;

Whereas, the proceeds of the tax on sand, gravel and other quarry resources shall be distributed as follows:

1. Province - Thirty percent (30%)
2. Component City or Municipality where the sand, gravel and other quarry resources are extracted- Thirty percent (30%)
3. Barangay where the sand, gravel and other quarry resources are extracted- Forty Percent (40%)

Whereas, Ordinance No. 05 series of 2014 was enacted to regulate the extraction, disposition, utilization, processing of quarry and other mineral resources within the territorial jurisdiction of the Province of Isabela and imposing various taxes and fees therefore;

Whereas, Article V Section 27 of Ordinance No. 05 provides that monitoring of sand, gravel and other quarry and mineral resources by the Provincial Government thru the DENR Office as its implementing arm on ENR concerns is tasked to effectively carry out the enforcement of pertinent laws on small scale mining and quarrying operations for proper collection of taxes and fees on sand, gravel and other quarry resources by the Provincial Treasurer's Office;

Nagkaisa para sa Isabela

WHEREAS, Section 2 of Republic Act 7942 also known as the Philippine Mining Act of 1995 states that all mineral resources in public and private lands within the territory and exclusive economic zone of the Republic of the Philippines are owned by the State. It shall be the responsibility of the State to promote their rational exploration, development, utilization and conservation through the combined efforts of government and the private sector in order to enhance national growth in a way that effectively safeguards the environment and protect the rights of affected communities.

WHEREAS, the Local Government Code of 1991 grants the governor, in aid of his executive power and authority, to require all national officials and employees stationed in the province to make available for him such books, records and other documents in their custody, except those classified by law as confidential;

WHEREAS, the Department of Public Works and Highways, National Irrigation Administration, Department of Agriculture, Department of Health and Department of Education are national government agencies primarily responsible for the implementation of infrastructure projects that will contribute to the economic growth of the Province of Isabela;

WHEREAS, the PGI recognizes the integral participation of the Department of Public Works and Highways, National Irrigation Administration, Department of Agriculture and Department of Health in the collection of taxes due to the government and its effect in the development of the province;

NOW, THEREFORE, and in consideration of the foregoing premises and by virtue of the power vested in me by law, I, **Rodolfo T. Albano III**, Governor of the Province of Isabela, do hereby direct all local government units thru their Local Chief Executives (LCEs) in the Province of Isabela to submit to this Office their approved Programs of Work (POW) awarded to private contractors for projects being implemented in their respective territorial jurisdiction and enjoining the heads of national offices within the Province of Isabela particularly the Department of Public Works and Highways, Department of Agriculture, National Irrigation Administration, Department of Health and Department of Education to submit to the provincial government copies of Program of Work/ Bill of Materials of awarded/bidder project and after assessment shall ensure collection by deducting from all final payment of the contract the assessed amount unless contractor is able to present proof of payment of sand, gravel and quarry fees.

REPEALING CLAUSE. All orders, memoranda, rules and regulations and other issuances or parts thereof that are inconsistent herewith are hereby repealed, modified or amended accordingly.

Let copies hereof be furnished to all Local Chief Executives in the Province of Isabela and all offices concerned for their compliance, information, reference and guidance.

EFFECTIVITY. This Executive Order shall take effect immediately, until otherwise revoked or repealed.

Done in the Province of Isabela this 11th day of September 2019.



HON. RODOLFO T. ALBANO III
Governor

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