

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 AUG -4 A9 :33

SENATE
S. No. 1023

RECEIVED BY: _____

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Introduced by Senator Jinggoy Ejercito Estrada

**AN ACT
AMENDING REPUBLIC ACT 9184, OTHERWISE KNOWN AS THE
GOVERNMENT PROCUREMENT REFORM ACT, WITHDRAWING FROM ITS
APPLICATION ALL REFERENCES TO THE LOCAL GOVERNMENT UNITS**

EXPLANATORY NOTE

The Constitution of the Philippines recognizes the importance of local governments. It provides a policy that "the State shall guarantee and promote the autonomy of the local government units –especially the barangays—to ensure their fullest development as self-reliant communities."

Republic Act 9184, otherwise known as the Government Procurement Act, poses a threat to the autonomy on the procurement process of local government units (LGUs). Procurement regulations for LGUs conforms to Republic Act 9184 instead of the Local Government Code of the Philippines turning the latter's provisions without authority.

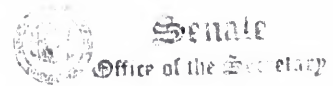
To ensure the autonomy of local government units, this bill seeks to amend Republic Act 9184, otherwise known as the Government Procurement Act, by withdrawing from its application and coverage all references to the local government units. This would reduce legal conflict and would ensure harmony between two laws.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



JINGGOY EJERCITO ESTRADA

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*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 Section 1. All references to the local government units under the provisions
2 of Republic Act 9184, otherwise known as the Government Procurement Reform Act,
3 are hereby withdrawn from its application and coverage.

4 Sec. 2. Procurement of infrastructure projects, goods and consulting services
5 by the local government units shall be governed by Title Six, Book Two of Republic
6 Act 7160, otherwise known as the "Local Government Code of 1991".

7 Sec. 3. *Repeal.* – All laws, decrees, executive orders, rules and regulations or
8 parts thereof which are inconsistent with the provisions of this Act, are hereby
9 repealed and/or modified accordingly.

10 Sec 4. *Separability Clause.* – In case any provision of this Act is declared
11 unconstitutional or invalid, the other provisions hereof which are not affected
12 thereby shall continue in full force and effect.

13 Sec. 5. *Effectivity.* – This Act shall take effect thirty (30) days after its
14 publication in two (2) newspapers of general circulation.

Approved,