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Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
DILG-NAPOLCOM Center, EDSA corner Quezon Avenue, West Triangle, Quezon City
<http://www.dilg.gov.ph>

DILG OPINION NO. 14 S. 2019

25 MAR 2019

DIR. DENNIS S. QUIÑONES
Provincial Director, DILG Negros Oriental
DILG Region VII

Dear Dir. Quiñones:

This has reference to your indorsement dated 10 July 2018 requesting for a legal opinion on the propriety of Office Order No. 616 issued by Mayor Felipe Antonio B. Remolo of the City of Dumaguete, Negros Oriental, creating a Discipline Zone Program and designating Ms. Farah Diba H. Gentuya, Cluster II Head of DILG Negros Oriental, as Executive Director thereof.

May it be respectfully noted that under Section 455 (b)(1)(xvi) of R.A. No. 7160, otherwise known as the "Local Government Code of 1991", a City Mayor may call upon any national official or employee stationed in or assigned to the city to ask for recommendations or for purposes of coordination concerning plans, programs and projects of the government. To wit:

"(xvi) Call upon any national official or employee stationed in or assigned to the city to advise him on matters affecting the city and to make recommendations thereon; coordinate with said official or employee in the formulation and implementation of plans, programs and projects; and, when appropriate, initiate an administrative or judicial action against a national government official or employee who may have committed an offense in the performance of his official duties while stationed in or assigned to the city;"

The foregoing provision, however, should not be construed to include the power of control and supervision over a national official or employee stationed or assigned to the city government, particularly the designation to a certain position such as that of an Executive Director of a city government's program.

May this be a reminder that Local Government Operations Officers (LGOOs) are under the direct supervision and control of this Department and not by Local Government Units (LGUs). Hence, they are the representative of the Department in the LGUs where

they are tasked to carry-out the supervisory function of the Department and the Interior and Local Government therein. Ergo, giving an LGOO a function/position in the LGU will be tantamount to conflict of interest with his/her functions with the Department.

We hope to have addressed your concern on the matter.

Thank you.

Very truly yours,

BY AUTHORITY OF THE SECRETARY



MARIVEL C. SACENDONCILLO, CESO III

Undersecretary for Local Government



CC : DIR. LEOCADIO T. TROVELA, CESO IV
DILG Region VII

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