

January 26, 2011

HON. DIONISIO D. BALITE
Member
Sangguniang Panlalawigan of Bohol
Provincial Capitol
Tagbilaran City
Bohol

Sir:

This has reference to your letter dated January 20, 2011, requesting legal opinion on the establishment of or setting up of sub-offices by the Governor and Vice Governor and on official travel of sanggunian members with the expenses incurred in connection therewith charged against sanggunian appropriations.

As regards the authority of the Governor and Vice Governor to establish or set up sub-offices outside of the Provincial Capitol, the Local Government Code of 1991 is silent on the matter. However, it is expressly provided in the Code, Section 464, that all elective and appointive provincial officials shall hold office in the provincial capital; provided, that upon resolution of the sangguniang panlalawigan, elective and appointive provincial officials may hold office in any component city or municipality within the province for a period of not more than seven (7) days for any given month.

On the concerns raised in Part B of your letter, it is our considered view that sanggunian panlalawigan members can go on official travel in order to follow up on projects undertaken in the municipality or barangay located in their respective districts, and the expenses incurred therewith chargeable against sanggunian appropriations; provided the provisions of the General Accounting and Auditing Manual (GAAM) and other COA rules and regulations are followed, such as Travel Order issued by the Governor in connection with the travel and the submission of a Certificate of Appearance after the completion of the travel, among others. The Vice Governor shall recommend the issuance by the Governor of the travel order.

Truly yours,

PEDRO A. NOVAL, JR.
Regional Director