



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF BULALACAO

File 268-273

OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE 10TH SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO HELD ON JUNE 8, 2020 AT THE SANGGUNIANG BAYAN SESSION HALL

PRESENT:

- | | |
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| Hon. Ramon G. Magbanua | Municipal Vice Mayor/Presiding Officer |
| Hon. Dexter R. Gonzales | Sangguniang Bayan Member |
| Hon. Edezer F. Acheron | Sangguniang Bayan Member |
| Hon. German S. Acosta | Sangguniang Bayan Member |
| Hon. Kieven E. Cantos | Sangguniang Bayan Member |
| Hon. Jess V. Sapungan | Sangguniang Bayan Member |
| Hon. Elpidio N. Contreras, Jr | Sangguniang Bayan Member |
| Hon. Edwin C. Acheron | Sangguniang Bayan Member |
| Hon. Enrico C. Villas | Pangulo, Liga ng mga Barangay |
| Hon. Kim Jonh Elco E. Cantos | SK Federation President |
| Hon. Tulay M. Caring | IPM Representative |

ABSENT:

- | | |
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| Hon. Dennes M. Faner | Sangguniang Bayan Member-Leave |
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MUNICIPAL ORDINANCE NO. 20-06-268

ORDINANCE PROHIBITING OFFICIALS, EMPLOYEES, OR WORKERS OTHER THAN THE MUNICIPAL TREASURER, ASSISTANT MUNICIPAL TREASURER, AND OTHER AUTHORIZED AND ACCOUNTABLE PERSONNEL TO PAY, DISBURSE, HAND-IN, OR DELIVER ANY CHECK PAYABLE TO ANY LEGITIMATE AND QUALIFIED SUPPLIER, CONTRACTEE, OR CONTRACTOR OF THE LOCAL GOVERNMENT UNIT OF BULALACAO, ORIENTAL MINDORO AND TO PERFORM ACTS INIMICAL AND DISADVANTAGEOUS TO THE INTEREST OF THE GOVERNMENT AND PUBLIC WELFARE

Sponsor and Author:

Sangguniang Bayan Member DEXTER R. GONZALES
Chairperson, Commission on Finance, Budget, and Appropriation
Co-sponsor:

Sangguniang Bayan Member GERMAN S. ACOSTA

WHEREAS, Section 447 of Republic Act No. 7160 or the Local Government Code of 1991 mandates the sangguniang bayan, as the legislative body of the municipality, to enact ordinances, approve resolutions, and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of that Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of that Code;

WHEREAS, Section 470 of the same Code states that it is the duty of the treasurer to take custody of and exercise proper management of funds of the local government unit concerned and to take charge of the disbursement of all local government funds and such other funds the custody of which may be entrusted to such treasurer by law or other competent authority;

HON. JESS V. SAPUNGAN
HON. TULAY M. CARING
HON. KIEVEN E. CANTOS
HON. KIM JONH ELCO E. CANTOS
HON. GERMAN S. ACOSTA
HON. ENRICO C. VILLAS
HON. EDEZER F. ACERON
HON. EDWIN C. ACERON
HON. DEXTER R. GONZALES
HON. ELPIDIO N. CONTRERAS, JR.
HON. RAMON G. MAGBANUA
HON. ENRICO C. VILLAS

WHEREAS, because of the multifarious duties and obligations of the Municipal Treasurer and in order to discontinue the practice of entrusting the check to just anybody in the Local Government of Bulalacao even without fidelity bond, there is a need to enact an ordinance that would provide for clear policies on check disbursements;

NOW THEREFORE, be it ordained by the Sangguniang Bayan of Bulalacao, Oriental Mindoro, that:

Section 1. Short Title. This Ordinance shall be also known as the "Check Disbursement Ordinance of Bulalacao".

Section 2. Declaration of Policy. It is the policy of the Local Government Unit of Bulalacao (LGU of Bulalacao) to ensure that its funds and monies are properly managed, disbursed securely and properly, and free from any form of irregularity.

Section 3. Definition of Terms. As used in this ordinance and in relevant issuances, the following terms shall mean:

Authorized and accountable personnel shall refer to permanent, temporary, or casual employees granted with written authorization by the Municipal Treasurer to pay, disburse, hand-in, or deliver any check payable to any legitimate and qualified supplier, contractee, or contractor of the LGU of Bulalacao, provided they have fidelity bonds pursuant to Treasury Circular No. 02-2009 issued by the Bureau of the Treasury on August 6, 2009.

Check shall refer to a dated, named, and signed document in which the LGU of Bulalacao orders its authorized government depository bank to pay to the receiver a stated amount of money.

Fidelity bond shall refer to the form of insurance that protects the LGU of Bulalacao against losses that may be caused by fraudulent and dishonest actions the effectivity and other features of which are described under Treasury Circular No. 02-2009 issued by the Bureau of the Treasury on August 6, 2009.

Section 4. Prohibited Acts. The following acts shall be prohibited:

- a. paying, disbursing, handing-in, or delivering any check payable to any legitimate and qualified supplier, contractee, or contractor of the LGU of Bulalacao by officials, employees, and workers of such agency other than the municipal treasurer, assistant municipal treasurer, and other authorized and accountable personnel;
- b. exacting commission, percentage of payment, under-the-table and illegal fee, bribe, or unlawful incentive from receivers of checks;
- c. using the check for personal gains;
- d. taking the opportunity to make personal loans from the receivers of checks; and
- e. making any willful deviation from procedures, rules and regulations, and policies related to check disbursement and payment as prescribed by pertinent laws, the Commission on Audit, the Bureau of the Treasury, the Department of Finance, and other government agencies.

Disbursement of check shall not be allowed without any identification card showing that the receiver bears the same name as that of check payee or valid authorization letter from the owner, operator, manager, or president of the supplier. The receiver shall be always required to present valid identification card.

HON. JESSIE SAMPANGAN
PELUFA PAZ

HON. TUDAL M. CARRING

HON. KIBENE CANTOS

HON. JOSE E. CANTOS

HON. GERMAN S. AGOSTA

HON. ENRICO C. VILLAS

HON. EDZEL F. ACERON

HON. EDWIN C. ACERON

HON. DEXTER GONZALES

HON. FLORIDA M. CONTRERAS, JR.

HON. RAMON MAGBANUA
HON. ERNILLO C. VILLAS

Section 5. Penalty and Administrative Provisions. The Municipal Treasurer or Assistant Municipal Treasurer shall initiate the filing of a formal charge against officials, employees, or workers who shall violate the prohibited acts of this Ordinance. The violator shall suffer the penalty of suspension or dismissal from government service at the discretion of the disciplining authority; provided, due process shall have been duly observed.

The Municipal Information Office or the equivalent unit under the Office of the Municipal Mayor shall disseminate the contents of this Ordinance.

The Municipal Budget Office shall ensure that the fund needed for the implementation of this Ordinance shall be charged against the related accounts under the Maintenance and Other Operating Expenses of the Office of the Municipal Mayor and Municipal Treasury Office for the current year and for years thereafter.

Disbursement shall only be allowed upon presentation of necessary documents as may be required by the Municipal Accounting Office.

Any officer or employee of the LGU of Bulalacao who shall disregard or neglect the implementation of this Ordinance shall be administratively dealt with and such shall be a ground for suspension or dismissal subject to pertinent provisions of the Civil Service laws and rules.

Section 6. Repealing Clause. Any ordinance inconsistent with the provisions of this Ordinance is hereby repealed or modified accordingly.

Section 7. Separability Clause. If any provision of this Ordinance is declared invalid, the remainder or any provision hereof not affected thereby shall remain in force and effect. Higher laws or policies inconsistent with the provisions of this Ordinance shall prevail.

Section 8. Effectivity. This Ordinance shall take effect immediately after fifteen (15) days of posting in bulletin board at the entrance of the municipal hall and in at least two (2) other conspicuous places in the Local Government Unit of Bulalacao.

ENACTED this 8th day of June 2020 Bulalacao, Oriental Mindoro.

Hon. DEXTER B. GONZALES
Sangguniang Bayan Member

Hon. EDEZER F. ACERON
Sangguniang Bayan Member

Hon. GERMAN S. ACOSTA
Sangguniang Bayan Member

Hon. KIEVEN E. CANTOS
Sangguniang Bayan Member

Hon. JESS V. SAPUNGAN
Sangguniang Bayan Member

Hon. ELPIDIO N. CONTRERAS, JR.
Sangguniang Bayan Member

Hon. EDWIN C. ACERON
Sangguniang Bayan Member,

Hon. TULAY M. CARING
IPM-Representative

Hon. ENRICO C. VILLAS
Pangulo, Liga ng mga Barangay

Hon. KIM JONH ELCO E. CANTOS
SK Federation President

CERTIFIED TRUE AND CORRECT:

PERLITA L. PAZ
Secretary to the Sangunian

ATTESTED:

Hon. RAMON G. MAGBANUA
Municipal Vice Mayor/Presiding Officer

APPROVED:

Hon. ERNILO C. VILLAS
Municipal Mayor

Date Signed: 07-13-2020