



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF BULALACAO

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 JANUARY 20, 2020 AT THE SANGGUNIANG BAYAN SESSION HALL

PRESENT:

Hon. Ramon G. Magbanua	Municipal Vice Mayor/Presiding Officer
Hon. Dexter R. Gonzales	Sangguniang Bayan Member
Hon. Dennes M. Faner	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. Enrico C. Villas	Pangulo, Liga ng mga Barangay
Hon. Tulay M. Caring	IPM Representative
Hon. Kim Jonh Elco E. Cantos	SK Federation President

ABSENT:

NONE

X-----X

RESOLUTION NO. 20-01-060

**THE REVISED INTERNAL RULES OF PROCEDURE (IRP) OF THE
SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO**

Sponsored by: SB Member Edezer F. Aceron
Chairperson: Committee on Rules and Privileges

Co-sponsors: SB Member Dexter R. Gonzales
SB Member German S. Acosta
SB Member Elpidio N. Contreras, Jr.
SB Member Kieven E. Cantos

BE IT ORDAINED by the Sangguniang Bayan of Bulalacao, Oriental Mindoro: **THAT:**

RULE I – COMPOSITION

SECTION 1. The composition of this Sanggunian shall be as provided by existing law, specifically by RA 7160, otherwise known as the Local Government Code of 1991.

RULE II – POWERS, DUTIES AND FUNCTIONS OF THE SANGGUNIANG

SECTION 1. The powers, duties and functions of this Sanggunian shall be as provided for under Rule XVII of the Rules and Regulations Implementing the Local Government Code of 1991.

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RULE III – DUTIES AND RESPONSIBILITIES OF THE MEMBER OF THE SANGGUNIAN BAYAN

SECTION 1. Every member of this Sanggunian shall make a full disclosure of his financial and business interests as required of him under Art. 104, Rule XVII of the Rules and Regulations Implementing the Local Government Code 1991.

SECTION 2. Every member shall attend all sessions of this Sanggunian unless he is prevented from doing so by reason of sickness or other unavoidable circumstances provided that as a general rule, previous notice of such absence shall be sent to the Sanggunian thru the Presiding Officer or the Secretary to the Sanggunian.

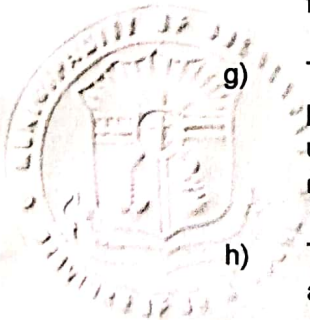
SECTION 3. As a general rule, every member is required to vote on to every question or proposed measure being voted upon by the Sanggunian. Abstentions may only be allowed if it can be shown that the member concerned has a pecuniary interest, either directly or indirectly on the matter being acted by the body.

SECTION 4. Every member shall observe proper deportment and decorum during sessions, committee meetings and committee hearings.

RULE IV – POWERS, DUTIES AND FUNCTIONS OF THE PRESIDING OFFICER

SECTION 1. The Vice Mayor shall be the Presiding Officer of this Sanggunian and as such, shall have the following rights and duties:

- a) To preside over the session of the Sanggunian;
- b) To exact from all the members present during the sessions proper deportment and decorum;
- c) To enforce the Internal Rules of Procedure of the Sanggunian;
- d) To maintain order during session and render a ruling on question of order, subject to appeal by the member concerned to the body for final decision;
- e) To sign all the legislative documents, papers or checks requiring his signature;
- f) To declare a recess during sessions anytime he deems it necessary provided that the duration of the recess is at least fifteen (15) minutes but not to exceed thirty (30) minutes;
- g) To declare the session adjourned to some other date, time and place in cases of extreme emergencies, serious and uncontrollable disorder, public disturbances and other unavoidable circumstances;
- h) To make brief remarks, comments or clarificatory questions on any measure pending deliberation by the body provided that he shall not express himself either for or against the said measure or question;



- i) To vote but only to break a tie, hence he cannot vote in order to create a tie. His right to vote to break a tie is not compulsory. He may or may not exercise it;
- j) To relinquish the Chair to the Temporary Presiding Officer, or, in the latter's absence, to any member of the Sanggunian who shall act as "Temporary Presiding Officer" but only if he is going out of the session hall for whatever reasons. Since the Vice Mayor is not a regular member nor an "ex-officio" member of the Sanggunian he cannot relinquish the Chair in order to participate in the deliberation of the Body, and thus, there is no reason for him to relinquish the Chair but remain idly on the floor.

RULE V – DUTIES AND RESPONSIBILITIES OF TEMPORARY PRESIDING OFFICER

SECTION 1. In the event of the inability of the regular Presiding Officer to preside over a Sanggunian Session, the members present thereby constituting a "quorum" shall elect from among themselves a "Temporary Presiding Officer"

SECTION 2. The Temporary Presiding Officer shall certify within ten days (10) from the passage of Ordinances enacted or Resolutions adopted by the Sanggunian in the session over which he temporarily presided.

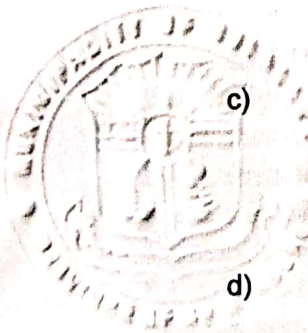
SECTION 3. While presiding, the Temporary Presiding Officer shall have no right to vote even if there is a tie.

SECTION 4. The Temporary Presiding Officer, may, on his own discretion, relinquish the Chair temporarily to any member of the Sanggunian if he would like to go down the floor and participate in the deliberation in his capacity as a regular or constituent member.

RULE VI – DUTIES AND RESPONSIBILITIES OF THE CHAIRMAN ON COMMITTEE ON RULES AND PRIVILEGES

SECTION 1. The Chairman of the Committee on Rules and Privileges shall take charge of all matters relating to the order and decorum of the Sanggunian. He shall have the following duties:

- a) Responsible for everything relating to the Rules of Procedure of the Sangguniang Bayan.
- b) Approve matters for inclusion in the agenda, provided however, that any proposed measure or matter not included in the agenda shall be considered upon his certification to this effect.
- c) Facilitate the coordination of the Calendar of Business and deliberations on the floor. In the absence of the Chairman, the Vice Chairman of the Committee on Rules and Privileges shall act with the same duties and functions.
- d) To present or sponsor the reorganization of the Standing Committees and creation of new committees as recommended by the Presiding Officer.



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- e) Perform such other functions as the Sangguniang Bayan may adopt.

RULE VII - REGULAR AND SPECIAL SESSION

SECTION 1. The regular session of this Sanggunian shall be once a week to be held at the Sangguniang Bayan Session Hall every Monday at nine'o clock in the morning. In case the Monday falls on holiday the regular session shall be conducted on the next regular working day.

SECTION 2. Special sessions may be called by the Mayor or by a majority of the members of this Sanggunian at any place as called for.

SECTION 3. Likewise special session may be conducted at different barangays upon request of the barangay officials for public interest and upon the approval of all the members of the Sangguniang Bayan. The request of the barangay officials shall submitted ten days before such session.

SECTION 4. A written notice to the Sanggunian members stating the date, time and purpose of the session shall be served personally or left with a member of his household at his usual place of residence at least Twenty Four (24) hours before the Special Session is held.

SECTION 5. Unless otherwise agreed upon by two-thirds (2/3) vote of the members present, there being a quorum, no other matter may be considered at a Special Session except those stated in the notice.


SECTION 6. All sessions shall be open to the public unless a closed door session is ordered by an affirmative vote of a majority of the members present, there being a quorum in public for reasons of security, decency or morality.

SECTION 7. No two (2) sessions, whether regular or special may be held in a single day.

SECTION 8. Adjourned session. An adjourned session may be held:

- a) By a majority of the members present in a session where there is no quorum wherein they may decide to adjourn from time to time, or day to day, and compel the attendance of the absent members in order to obtain the necessary quorum;
- b) By a majority vote of the members present in any regular or special session, there being a quorum in order to finish very important business which needs immediate action.

SECTION 6. Paperless Legislation. It is encouraged upon members of this Sanggunian to promote and institutionalize the conduct of paperless sessions/hearings/meetings in order to save funds and conserve environment by minimizing the use of papers. With the paperless system, the members of this Sanggunian will find it the most convenient way of browsing over the session agenda at their fingertips and enables them to electronically access the archived documents such as ordinances, resolutions, committee reports, minutes and session history.

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RULE VIII – QUORUM

SECTION 1. A majority of the members of the Sanggunian who have been elected and qualified shall constitute a Quorum to transact official business.

SECTION 2. Other interpretations to the contrary notwithstanding the term “elected and qualified” shall be construed to include not only the regular member but also the “ex-officio” members and the sectoral representatives of this Sanggunian.

SECTION 3. In computing the presence of a “quorum” the term “majority” shall be based on the actual membership or incumbents in the Sanggunian which shall exclude the following:

- A member who is abroad or on official leave of absence;
- A deceased member;
- A member who has resigned;
- A member who has been suspended or expelled or removed by final judgement

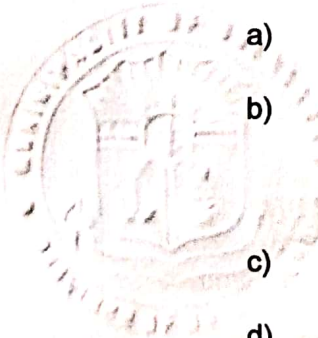
SECTION 4. In the absence of a quorum, the Presiding Officer may declare a recess of not more than one (1) hour and wait for other members to come, or a majority of the members present may adjourn from time to time or day to day and may compel the immediate attendance of any member absent without justifiable cause by designating a member of the Sanggunian, to be assisted by a member or members of the police force, to arrest the absent member and present him at the session hall.

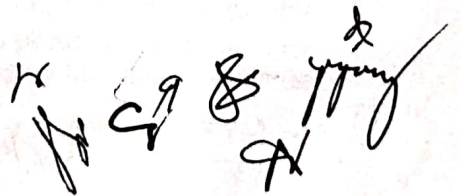
If there is still no quorum despite the enforcement of the above remedial measures, the Presiding Officer may motu proprio or upon proper motion from the floor duly adopted by the body, then declare the session adjourned for lack of quorum.

SECTION 5. Whenever a question on the lack of quorum is raised by any member, the Presiding Officer shall immediately cause the reading of the roll of members and announce the result and then declare whether there exists a quorum or not. A request or motion to determine the presence of a quorum is not debatable.

RULE IX – ORDER OF BUSINESS

SECTION 1. The Order of Business of this Sanggunian shall be as follows:

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- a) Call to order
 - b) Prayer
 - i. National Anthem during first Monday of the month only
 - ii. PCL Creed during second Monday of every month
 - c) Roll call
 - d) Reading and consideration of the minutes of the previous session



- e) Welcome Address from the Punong Barangay in case the special session is held at the Barangay.
- f) Privilege Hour (Maximum of 10 minutes, with the extension of 5 minutes upon simple majority and shall discuss 3 issues/concerns only.) Two members of the Sangguniang Bayan will render privilege speech by session.
- g) Question Hour
- h) Reading and referral of proposed measures (Ordinances, Resolutions, petitions, letters and other communications)
- i) Committee reports
- j) Calendar of Business
 - 1st reading
 - 2nd reading
 - 3rd reading
- k) Other Matters (Urgent resolutions arising from the Privilege Speech and requests/ letters from the Office of the Municipal Mayor requiring urgent actions which are not included in the order of business)
- l) Consultation with the Barangay Officials in case the special session is held in Barangay.
- m) Announcement (if any)
- n) Thanksgiving Prayer
- o) Adjournment

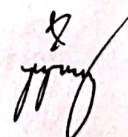
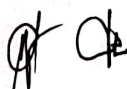
SECTION 2. The Calendar of Business shall be prepared by the Secretary subject to the review of the Committee of Rules and Privileges and a copy thereof shall be furnished to every member of this Sanggunian not less than one (1) day before the date of the regular session.

SECTION 3. The Calendar of Business shall contain brief description of the item of business to be taken up during the regular session including but not limited to the following:

- The title of the proposed ordinance or resolution; name of the sponsor or authors and the committee to which it was referred or the committee sponsoring it;
- In the case of petitions, letters, endorsements and other communications, the source or the name of the senders.

SECTION 5. In rendering committees reports, priority shall be given to regular committees (standing committees) to be followed by special committees (Ad-Hoc).

SECTION 6. As a general rule, committee reports shall be rendered by its Chairman unless he dissents with the majority decision. In his absence, the Vice Chairman shall take his place. If neither of them is present any committee member concurring with the report and duly designated by the said committee shall render the report.



SECTION 7. If the reporting committee recommends a favorable action on the measures referred to it or if the reporting committee recommends the proposed measures for appropriate action by the Sanggunian the chairperson of the concerned committee shall calendar for 2nd reading. If the reporting committee's recommendation is unfavorable the proposed measures shall be considered laid on the table.

If the reporting committee's recommendation is for the Sanggunian not to take any action and that recommendation has been adopted by the Body, the proposed measure remains shelved in the committee. If the reporting committee recommendation has been adopted then it is "file away" which means in layman's language that the proposal will be filed in the archive of the Sanggunian.

SECTION 8. As a general rule, no member of the committee shall oppose or object to the report of his committee unless he submits his dissenting opinion to the majority decision in writing or orally in open session before the said committee renders its reports. Otherwise, he shall be precluded to oppose it on the floor.

SECTION 9. Deviations from the prescribed Order of Business may be done only under the following circumstances:

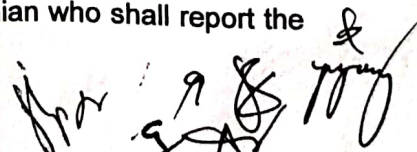
- a) When the Sanggunian decided to suspend the rules thru an "assumed motion" by the Chair or thru a motion to suspend the rules by a member. In any case, the decision to suspend the rules shall require a majority vote of all the members present.
- b) when the measure to be acted upon by the Sanggunian is "Certified by the Local Chief Executive as "urgent" which shall have priority over all other items of business, and shall be provided the Internal Rules of Procedure is suspended

RULE X – LEGISLATIVE PROCESS

SECTION 1. Rules in the enactment of an ordinance and adoption of resolutions.

In the enactment of ordinances and adoption of resolutions including other matters requiring legislative actions, the following rules shall be observed:

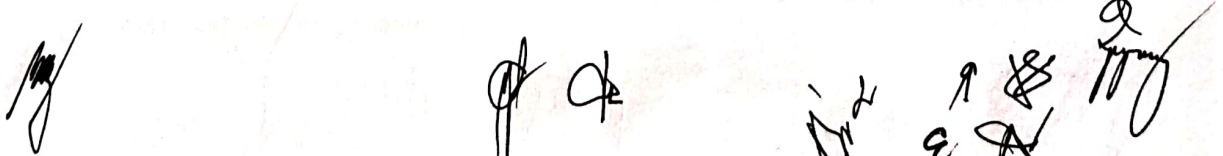
- a) Legislative actions of a general and permanent character shall be enacted in the form of ordinances, while those which are temporary in character shall be passed in the form of resolutions. Matters relating to proprietary – ownership functions and private concerns shall also be acted upon by resolutions.
- b) Proposed ordinances and resolutions shall be in writing or orally submitted through a privilege speech or through a motion, and shall contain an assigned number, a title or caption, an enacting or ordaining clause, and the date of its proposed effectivity. In addition, every proposed ordinances shall be accompanied by a brief explanatory note containing the justification for its approval. It shall be signed by the author or authors and shall be submitted to the Secretary to the Sanggunian who shall report the same to the Sanggunian at its meeting.



- c) A resolution shall be enacted in the same manner prescribed for an ordinance, except that it need not go through a third reading for its final consideration unless decided otherwise by a majority of all Sanggunian Members.
- d) No ordinance or resolution shall be considered on Second Reading in any regular meeting unless it has been reported out by the proper committee to which it was referred or certified as urgent by the Local Chief Executive.
- e) Any legislative matter duly certified by the Local Chief Executive as urgent whether or not it is included in the calendar of business may be presented and considered by the Body at the same meeting without need of suspending the rules.
- f) The Secretary to the Sanggunian shall prepare copies of the proposed ordinance or resolution in the form it was passed on second reading and shall distribute to each Sanggunian members a copy thereof except that a measure certified by the Local Chief Executive as urgent may be submitted for final voting immediately after debate or amendment during the Second Reading.
- g) No ordinance or resolution passed by the Sanggunian in a regular or special session duly called for the purpose shall be valid unless approved by a majority of the members present there being a quorum.
- h) Upon the passage of all ordinances and resolutions directing a liability and at the request of any member of any resolution or motion, the Secretary to the Sanggunian shall record the ayes and nays. Each approved ordinance or resolution shall be stamped with the seal of the Sanggunian and recorded in a book kept for the purpose.

SECTION 2. Approval of Ordinance and Veto Power of the Local Chief Executive. The Approval of Ordinance by the Municipal Mayor and the exercise of his veto power shall be governed by the following rules:

- a) Every ordinance enacted or resolution passed by the Sanggunian shall be presented to the Mayor for his approval. If he approves the same, he shall affix his signature on each and every page thereof, otherwise he shall veto it and return the same with his objection to the Sanggunian, which may proceed to consider the same. The Sanggunian may override the said veto by a two-thirds (2/3) vote of all its members thereby making the ordinance or resolution effective for all legal intents and purposes.
- b) The veto shall be communicated by the Municipal Mayor to the Sanggunian within ten (10) days, otherwise, the ordinance shall be deemed approved as if he had signed it.
- c) The Municipal Mayor may veto any ordinance or resolution of the Sanggunian on the ground that it is "ultra vires" or prejudicial to the public welfare, stating his reasons therefor in writing.

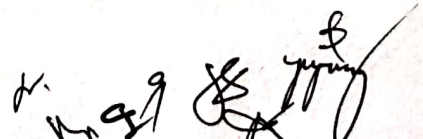
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- d) The Municipal Mayor shall have the power to veto any particular item or items of an appropriation ordinance or resolution adopting a local development plan and public investment program, or an ordinance directing the payment of money or creating liability. In such case the veto shall not affect the item or items which are not objected to. The vetoed item or items shall not take effect unless the Sanggunian overrides the veto in the manner, provided in this section, otherwise the item or items in the appropriation ordinance of the previous year corresponding to those vetoed, if any shall be deemed re-enacted.
- e) The Municipal Mayor may veto an ordinance or resolution only once. The Sanggunian may override the said veto by two-thirds (2/3) vote of all its members, thereby making the ordinance or resolution effective even without the approval of the Local Chief Executive.

SECTION 3. Three-Reading Principle. The so-called "Three-Reading Principle" which is commonly adopted in legislative bodies shall also be followed by this Sanggunian. Hence, as a general rule, before an ordinance is finally enacted, it shall undergo the following stages:

- a) **First Reading** – At this stage the Secretary shall read the number of the proposed draft ordinance (e.g. Draft Ordinance No. _____), its title, name of the author or authors or the name of the members introducing it. Thereafter, the Presiding Officer shall refer it to the appropriate committee with or without instructions. At this stage no debate shall be allowed.
- b) **Second Reading** – At this stage any proposed ordinance that has already been reported out by the concerned Committee and has been calendared for "Second Reading" may be sponsored by the reporting committee chairman or his vice chairman, or any committee member designated for that purpose. Since every member of the Sanggunian is supposed to have been furnished a copy thereof, the proposed ordinance may no longer be read in full unless the sponsoring committee or the Sanggunian itself decided otherwise. After the usual sponsorship speech has been delivered, the proposed ordinance shall be subjected to the following:
- Period of Debate (20 minutes)
 - Period of Amendment
 - Approval on "Second Reading"
- c) **Third Final Reading** – At this stage the Secretary shall read the proposed draft ordinance by its number title and the name of its sponsor/s. Immediately thereafter, the Presiding Officer shall put the proposed ordinance to a vote. The Presiding Officer shall then formally announce the result thereof and directs the Secretary to enter it in the record.

SECTION 4. Methods of Voting. Unless a different method is prescribed by the Sanggunian for a particular measure, voting shall be either one of the following methods:



- a) By voice (viva voce);
- b) By raising of hand (show of hand);
- c) By ballot, or
- d) By nominal voting (roll call vote).

SECTION 5. Putting the Question to a vote. The Presiding Officer shall rise whenever he is putting a question to a vote. In taking a vote, the Presiding Officer shall take place first the affirmative votes and then the negative votes. While still in standing position, the Presiding Officer shall announce the result thereof.

RULE XI – VOTES AND VOTING

SECTION 1. Voting on the Question. Whenever a nominal voting (roll call voting) is being applied, the Secretary shall call the roll of member either in alphabetical order or by rank. As each name is called, the member shall announce his vote by stating “yes” or “no” as the case may be. As a general rule, a member may explain his vote but not to exceed three (3) minutes

A second roll may be requested by any member from the chair but this time only the names of those who failed to cast their vote to exercise their right and also to determine the number of members who might have violated the “Rule of abstention”. After this second roll call no other request of the same kind shall be entertained by the Presiding Officer.

SECTION 2. Voting Restrictions. No member can vote or be allowed to vote on any measure in which he or any of his relatives within the third degree of consanguinity or affinity, has a direct or personal pecuniary interest. This rule, however, does not apply in voting for elective positions of the Sanggunian where a member as a matter of right can vote for himself.

SECTION 3. Change of Vote. A member may change his vote but only when the result of the voting has not yet been announced by the Presiding Officer. Otherwise, he can only change his vote by unanimous consent of the members present. Provided that this rule shall not be applied if voting is by ballot.

SECTION 4. Vote by late-comer. A member who comes in late during the session but who happens to arrive while voting is in progress shall be allowed to vote, provided that the result of the voting has not yet been announced by the Presiding Officer.

SECTION 5. Allowed Motion during Voting. Except for a motion pertaining to a question of a quorum no other motion shall be entertained by the Presiding Officer while voting is in progress.

SECTION 6. Tie Vote. A tie vote resulting from vote taken on any motion, measure or proposal shall be construed to mean that the particular motion, measure or proposal is defeated, unless the Presiding Officer decided to break it. Exception to this rule is when a “motion to appeal from the decision of the Presiding Officer” is put to a vote and it resulted in a tie. In this case, the tie vote is considered to sustain the decision of the Presiding Officer.

SECTION 7. Breaking a Tie. In case of a tie, the Presiding Officer of this Sanggunian is allowed to cast his vote if he so desires. He is, however, prevented under existing laws to cast his vote in order to create a tie.

SECTION 8. Majority vote of all members. As provided for under Republic Act 7160 and its implementing rules and regulations “A majority vote of all the members of the Sanggunian” is required in the following circumstances:

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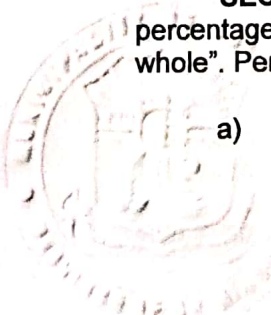
- a) Enactment of Ordinance levying taxes, fees or charges prescribing the rates thereof for general and specific purposes and granting tax exemptions, incentives with all reliefs, (Sec. 447, RA 7160 par 2-11)
- b) Adoption of resolution authorizing the Mayor to negotiate and contract loans and other forms of indebtedness. (par 111, Ibid.)
- c) Enactment of ordinance authorizing the floating of bonds or other instruments of indebtedness for the purpose of raising funds to finance development projects. (par. 2-IV, Ibid.)
- d) Adoption of resolutions authorizing the Mayor to lease to private parties such building held in a proprietary capacity subject to existing laws, rules and regulations. (par. 2-V, Ibid.)
- e) For enactment of ordinance, granting a franchise to any person, partnership, corporation or cooperative to establish, construct, operate and maintain ferries, wharves, markers or slaughterhouses, or such other similar activities within the Municipality as may be allowed by applicable laws; Provided that cooperatives shall be given preference in the grant of such a franchise. (par. 3VII, Ibid.)
- f) Adoption of resolution concurring with the appointments issued by the Mayor to heads of departments and offices as required under RA 7160 (Sec. 443, RA 7160, par. D.)

SECTION 9. Majority of the Members Present (thereby constituting a quorum) Except as provided in Section 8 hereof, all other legislative matters or measure shall require adoption only a "majority vote of the members present therein having a quorum" for its passage, adoption or enactment, as the case maybe.

SECTION 10. Plurality Vote. A decision of the Sanggunian thru a "plurality vote" shall be valid only and enforceable if it is the result of an election of officers of the Sanggunian or members of committees. No legislative proposal or measure of whatever nature shall be passed, adopted or enacted by this Sanggunian thru a mere plurality vote.

SECTION 11. Percentage Vote. For purposes of this Section, a percentage vote shall be construed to mean as a "proportion of a certain whole". Percentage vote shall be applied in the following:

- a) A two-thirds (2/3) vote of all the members of this Sanggunian shall be required in overriding the veto of the Local Chief Executive for any ordinance or resolution, thereby making the particular ordinance or resolution effective for all intents and purposes (Sec. 54, RA 7160).
- b) Unless otherwise concurred by two-thirds (2/3) vote of the Sanggunian members present, there being a quorum no other matters may be considered at a special session except those stated in the notice (Sec. 52 (d), RA 7160).



- c) The penalty of suspension or expulsion that may be imposed or meted out by the Sanggunian to an erring member "shall require the concurrence of at least two-thirds (2/3) of all the Sanggunian Members." (Sec. 50, b-5, RA 7160).
- d) With the concurrence of at least two-thirds (2/3) of all members of the Sanggunian, grant tax exemptions, incentives or reliefs to entities engaged in community growth-inducing industries. (See sec. 447 and Sec. 458 of RA 7160).
- e) At least two-thirds (2/3) affirmative vote of the members present, there being a quorum shall be required for the adoption of the following motion:
 - 1. Motion to suspend the rules
 - 2. Motion to wipe out
 - 3. Motion to extend or limit debate
 - 4. Motion to call for the previous question.
- f) At least a two-thirds (2/3) negative vote of the members present, there being a quorum, shall be required in order to sustain the "motion to object to the consideration of a question"

SECTION 12. Abstentions. Indubitably, a member of this Sanggunian is representing the people and not necessarily his own self and as such he should be required to take a stand, one way or the other, on every issue or measure submitted for decision of this Sanggunian. Hence, it is hereby made as a general rule that no member of this Sanggunian shall abstain from voting, except as provided under Section 2, Rule X of this Internal Rules of Procedure.

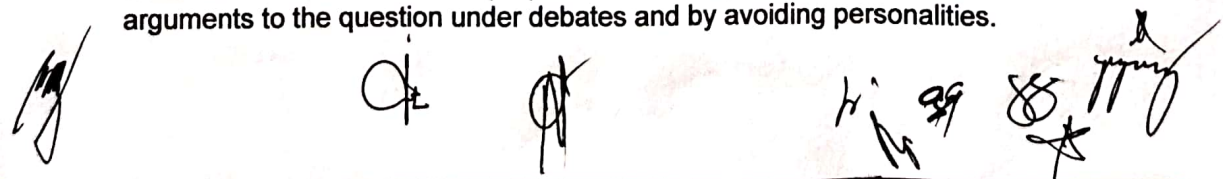
Abstentions if ever allowed to a member shall not be considered in computing the majority vote. Since abstention is not a vote, it does not count either way. Mere silence and abstention are not the equivalent of affirmative votes nor of negative votes. (Quien vs. Serina, 17 SCR, 1966; Ortix vs. Posadas, 55 Phil. 741; CJS, p.761)

This rule does not apply in voting for elective positions, if a member is qualified.

SECTION 13. Simple Majority. Except as otherwise provided in this Internal Rules of Procedure and existing laws, rules and regulations, a vote by a "simple majority" shall prevail on other measures motions or propositions provided there is a quorum. In parliamentary parlance, the term "simple majority" means one-half plus one (1/2+1) of the total votes cast by the members present there being a quorum. It might be less than the majority of the entire membership.

RULE XII – RULES ON DEBATES AND AMENDMENTS

SECTION 1. As a general rule, no member shall speak before this Sanggunian without first "obtaining the floor". A member who has obtained the floor shall address while standing all his remarks to the Presiding Officer. He shall conduct himself with proper decorum by confining his remarks or arguments to the question under debates and by avoiding personalities.



SECTION 2. No member rendering a committee report or delivering the sponsorship speech shall speak for more than twenty (20) minutes unless allowed by a majority of the members present.

SECTION 3. No member shall speak for more than twenty (20) minutes on a particular issue or question being debated upon, unless he is allowed to do so by a majority of the members present.

SECTION 4. During the period of amendment every member shall observe the so-called "five-minute rule", i.e., remarks or argumentation by any member on each proposed amendment shall not exceed five (5) minutes.

SECTION 5. The member rendering a committee report or delivering the sponsorship speech of a proposed measure may move to open or close the debate within the twenty (20) minute period allowed to him. If he fails to exercise his option, the Presiding Officer may use the "assumed motion" to open or close the debate, or any member may formally vote for it. In any case, after a member has rendered a committee report or has finish his sponsorship speech of a proposed measure it shall be considered open to debate.

SECTION 6. While having the floor, a member may be interrupted in his speech or talk by the Presiding Officer to state a point of order, to respond to questions from the floor, to clarify something related to the issue being discussed or to make certain remarks within his privilege.

SECTION 7. The speaker may also be interrupted by another member if the latter desires to ask questions thru his privilege to interpellate and by proposing the following motions:

- Point of order
- Point of information
- Point of parliamentary inquiry
- Call for orders of the day
- Divide the assembly
- Raise a question of privilege
- Reconsider
- Appeal form the decision of the Presiding Officer

SECTION 8. All questions addressed to the speaker or the member having the floor must always be coursed thru the Presiding Officer.

SECTION 9. The Speaker being interpellated may decline to answer questions, if he so desires.

SECTION 10. No member shall speak against his own motion, or proposition. He may however, be permitted to withdraw his motion or proposition and if his request to withdraw is denied he may vote against it.

SECTION 11. While the period of debate is in progress no member shall roam around the session hall or leave the premises without the permission from the Presiding Officer.

SECTION 12. A motion to close the debate is in order if three (3) members have already spoken in the affirmative side and two (2) in the negative side; or only one (1) member has spoken in favor but none against it.

SECTION 13. Subject to the requirements of the preceding Section, if no member moves to close the period of debate, the Presiding Officer motu proprio, may use the "assumed motion" in order to close the period of debate.

SECTION 14. When a motion "to call for the previous question" is proposed by a member which would result in the closing of debate on a pending questions, a two-thirds (2/3) affirmative vote shall be required.

SECTION 15. Whenever the Presiding Officer is addressing the Sanggunian, no member shall leave his seat or interrupt the former in his talk.

SECTION 16. After the period of debate has been closed, the period of amendment shall immediately follow.

SECTION 17. Unless a different method is adopted by the members present, in a particular session, amendments to any proposed measure, or parts thereof, shall be in verbatim. Under verbatim method, the proposed measure is read paragraph by paragraph or section by section and after each one is read, amendments can be proposed and debated upon. Thereafter, a vote is taken on the proposed amendment. Eventually, this process will reach its conclusion and the original measure or proposition is said to have passed the "second reading."

RULE XIII – COMMITTEES

SECTION 1. Creation of Committee. The following rules shall be observed in the creation of committees:

- a) A regular or standing committee may be created or re-organized by a majority vote of all the members of the Sanggunian;
- b) The Presiding Officer may recommend the creation or re-organization of any regular or standing committee. The Sanggunian shall act on his recommendation without debate and vote on it immediately;
- c) Special or Ad-Hoc committees may be created upon the initiative of the Presiding Officer or any members subject to the affirmative votes of a majority of the members present, there being a quorum.

SECTION 2. Composition. Every regular committee to be created shall be composed of not more than five (5) members including the Chairman and Vice Chairman.

SECTION 3. Restrictions.

- a) The Presiding Officer shall not be a member of any regular committee. However, he may be designated by the Body as Chairman of an Ad-Hoc Committee, provided that the purpose or task for which the committee is created does not involve legislative matters or policy-making;
- b) No person other than members of the Sanggunian shall be made a member of any regular committee;
- c) No member of the Sanggunian shall be made Chairman of not more than five (5) regular committees;
- d) No member shall be made a member of more than fifteen (15) regular committees;



- e) No member shall participate in the committee deliberations if he has direct or indirect personal or pecuniary interest on the matter being handled by that committee;

SECTION 4. Committee Hearings or Public Hearings. No tax ordinance or revenue measure shall be enacted by this Sanggunian in the absence of a public hearing duly conducted by the committee concerned.

SECTION 5. Committee Meetings. As a general rule, a committee meeting shall be attended only by committee members unless majority members thereof decided to allow other persons to be present especially invited resource persons or consultants.

SECTION 6. Committee Hearing distinguished from Committee Meeting. For purposes of this Internal Rules of Procedure, a Committee Hearing is an activity of the Sanggunian, thru its committee wherein the general public particularly those representing different sectors that may be interested or to be affected by a proposed measure are invited to attend to hear and be heard on that matter. This is synonymous to the term "public hearing". On the other hand, a committee meeting as the term implies, is a "meeting" of the members of the committee for the primary purpose of decision-making. Since decision-making is a difficult task, the committee is not precluded from inviting and seeking advice from technical persons.

SEC. 7. Quorum. A majority of all the members of the committee shall constitute a quorum to do business. In case of a joint committee hearing the majority of all members of the committees involved shall constitute a quorum to do business. The Presiding Officer shall be the chairman of the lead committee

SECTION 8. Committee as a whole. A committee as a whole may be convened when the Presiding Officer consider that a proposed measure shall be acted upon by all members of the Sangguniang Bayan. The presiding officer of the committee as a whole shall be the vice mayor or any member as duly designated by the Presiding Officer.

SECTION 8. Calling a Committee Meeting. A committee meeting may be called by the following:

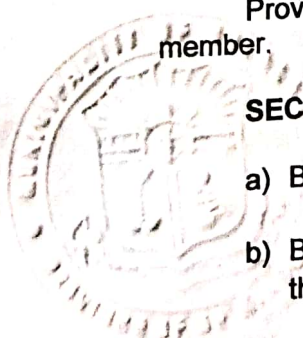
- a) Chairman
- b) Vice Chairman, if he is in the capacity of "Acting Chairman"
- c) Majority of the Committee members;

Provided, that due notice is served upon each and every committee member.

SECTION 9. Vacancy. Vacancy in a committee shall be filled:

- a) By a majority vote of all the members of the Sanggunian, or;
- b) By the Presiding Officer, by general consent (unanimous assent) of the members present, there being a quorum.

SECTION 10. Appearance of Head of Department/Offices in Committee Meetings. The following rules shall be observed in requesting for the appearance of heads of department or offices:



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- a) Official invitation or request by any committee to appear before it of any head of department or offices, whether local or national shall be coursed thru the Presiding Officer. The Presiding Officer shall then endorse it to the Local Chief Executive, in the case of local officials or employees; and directly to the local head of national offices in this Municipality;
- b) The invitation or request shall specify the reason for such appearance or the assistance needed, as the case may be.

SECTION 11. Mandatory Standing Committees. The following Committees are considered Mandatory Standing Committees:

i. Committee on Rules and Privileges, Ordinances and Legal Matters

This Committee shall be composed of not more than five (5) members including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to Order of Business, implementation of national laws and enforcement of local ordinances, revision and interpretation of the Sanggunian Internal Rules of Procedures; codification, misfeasance, malfeasance and nonfeasance against local officials and employees, committees and their jurisdiction and privileges and disorderly conduct of the members of the Sanggunian.

This committee may also be referred with all matters or questions pertaining to or connected with enactment, revision or amendment of all kinds of ordinances (except appropriation ordinances), exercise of the legislative powers (taxing power, police power, corporate power and proprietary rights) legality of proposed measures to be acted upon by the Sanggunian, review of ordinances and resolutions submitted by lower level of Local Government Units.

ii. Committee on Finance, Budget and Appropriation

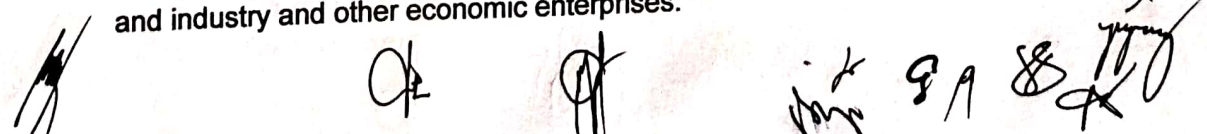
This Committee shall be composed of not more than five (5) members including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to the approval of the budget, appropriation of funds or payment of obligations, determination of compensation of personnel, reorganization of local offices, allocation of funds for project and other services.

iii. Committee on Ways and Means

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to taxes, fees, charges, loans, study and revision of tax measures and generation of other sources and forms of revenue from both public and private sectors, including codification of revenue ordinances.

iv. Committee on Banks, Financial Institutions and Commerce

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which be referred all matters or questions related to or connected with the promotion, establishment and operation of all kinds of trade and industry, banking and finance measures that affect trade, commerce and industry, incentives to promote trade, commerce and industry and other economic enterprises.



v. Committee on Health, Nutrition and Sanitation

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to health, sanitation and hygiene, health centers, medical hospitals and clinics, purchase of medicines, cleanliness and beautification of the community and other health and sanitary measures.

vi. Committee on Education, Arts and Culture

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to education, arts and culture development, i.e. local schools, colleges, and universities, libraries and museums, non-formal and community adult education; scientific and technological research, development and advancement, preservation and enrichment of Filipino arts and culture, promotion and protection of the youth's physical, moral, spiritual, intellectual and social well-being, inculcation of patriotism and nationalism among the youth and involvement in public and civic affairs and all other related matters.

vii. Committee on Women, Children, Family Relations and Gender Equality

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to the protection of women and family, measure to protect working women by providing safe and healthful working conditions, taking into account their maternal functions and such facilities and opportunities that will enhance their welfare and potentials, measures to protect the rights of spouses and children, including assistance for proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development, measures to protect the rights of families or family associations to participate in the planning and implementation of policies and programs that affect them, promotion of gender equality and other assistance that will safeguard the development of women and family.

viii. Committee on Social Welfare and Community Development

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to public and social welfare and ameliorative services, public social services for the disadvantaged groups in the Municipality including the elderly, the disabled, street children, drug dependents, criminal offenders as well as relocation and resettlement of squatters.

ix. Committee on Environment and Forestry

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to human ecology and settlements, zoning and human settlement, planning, environmental protection, exploration, development, utilization and conservation of natural resources, including flora and fauna and beautification, cleaning and greening of parks and places of public interest.

x. Committee on Labor, Employment and Human Resources Development

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This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to labor disputes and conciliation, labor employment and manpower development, maintenance of industrial peace and preparation of employee-employees corporation, labor education, standards and statistics, organization of labor market, including recruitment, training and placement of workers and employment, manpower promotion and development of labor-intensive technology.

xi. Committee on Public Order, Public Safety, Dangerous Drugs and Public Utilities and Facilities

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to police matters, maintenance of peace and order, protective services, traffic rules and regulations, fire prevention and control measures, jail management, public morals and human rights, dangerous drugs, and public utilities and facilities.

xii. Committee on Food and Agriculture

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to agriculture, food production and agri-business, agricultural economic research, soil survey and conservation, agricultural education and extension services, animal industry and livestock quarantine, farm credits, and regulatory measures therefore.

xiii. Committee on Energy and Natural Resources

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to planning, modernization, installation and construction of energy facilities which sources are from natural resources.

xiv. Committee on Public Works and Infrastructure

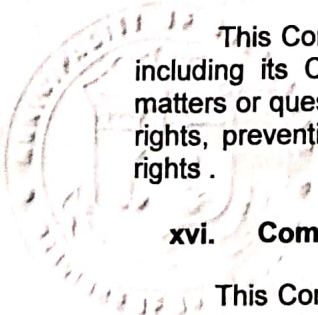
This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions related to planning, construction, maintenance, improvement and repairs of public buildings, highways, roads and bridges, parks, monuments, playgrounds, and other public edifices, drainage, sewerage and flood control and protection, and irrigation and water utilities.

xv. Committee on Justice and Human Rights

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with delivery of justice, human rights, prevention of human rights violation and all matters affecting human rights .

xvi. Committee on Youth and Sports Development

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with sports development, youth welfare and development, all matters affecting the youth and the development of sports.



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xvii. Committee on Cooperatives and Non-Government Organizations

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with cooperative and Non-Government organizations and development, incentives to cooperatives and non-government organizations, all matters affecting the cooperatives development program of the government and accreditation of the same.

xviii. Committee on Investments

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred with all matters or questions pertaining to or connected with businesses that shown interest of investing in the Municipality, providing incentives to investors and other matters affecting the investments of individual or corporate businessmen.

xix. Committee on Good Government, Public Ethics and Accountability

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with organization and management, personal administration, position classification and pay plan and staffing patterns, creation of positions, policy formulation for the economical, efficient and effective local government administration, conduct and ethical standards for local officials and employees, public accountability of local officials and employees, all matters related to good governance.

xx. Committee on Market and Slaughterhouse

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with administration/operation of the public market or slaughterhouse, measures pertaining to market rental fees and other market and slaughterhouse charges, improvement of market facilities and its premises, enactment/revision of the market code, all other matters related to market and slaughterhouse administration.

xxi. Committee on Games and Amusement

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with operation/establishment of amusement places, measures that affect the regulations of games and amusement including but not limited to the promotion or holding of cockfights, boxing, basketball, tournaments and other kinds of games and amusements, all other matters related to games and amusements.

xxii. Committee on Housing and Land Utilization

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with housing program, subdivision development/real estate development, measure pertaining to land uses, zoning code enactment, squatters problems, all other matters related to housing and land utilization.

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xxiii. Committee on Barangay Affairs

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with governance of the barangay and all other matters pertaining to Barangay Government Affairs.

xxiv. Committee on Mangyan Affairs and Cultural Communities

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with Mangyan Affairs and Cultural Communities.

xxv. Committee on Climate Change and Disaster Risk Reduction and Management

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all issues and concerns to address the root causes of vulnerabilities to disasters, strengthening the Municipality's institutional capacity for disaster risk reduction and management and building the resilience of local communities to disaster including climate change impacts.

xxvi. Committee on Tourism Development

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice-Chairman, to which shall be referred all matters or questions related to or connected with the promotion, establishment and operation of all kinds of tourism trade, industry and places this Municipality is well-known of, and all other matters affecting tourism development.

xxvii. Committee on Transportation

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice-Chairman, to which shall be referred all matters or questions pertaining to traffic rules and regulations, installation and construction of transportation facilities, public transport, and all other matters affecting the transportation of goods and the riding public.

xxviii. Committee on Fisheries and Aquatic Resources

This Committee shall be composed of not more than five (5) members. Including its Chairman and Vice-Chairman, to which shall be referred all matters or questions pertaining to fisheries and aquatic resources, preservation and development of fishing grounds, and construction of fish ponds, corrals, oyster beds and regulatory measures thereof.

xxix. Committee on Science and Technology

This Committee shall be composed of not more than five (5) members, including its Chairman and Vice-Chairman, to which shall be referred all matters or questions pertaining to science and technology including scientific and technological research and development, technology transfer and science and technology education.

xxx. Committee on Public Information, Mass Media and Communication

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This Committee shall be composed of not more than five (5) members, including its Chairman and Vice-Chairman, to which shall be referred all matters or questions pertaining to the production and dissemination of information to the public through all forms of mass communications and media such as print and broadcast media, movie and television and the internet, including the regulation thereof, and the rights and responsibilities of persons and entities engaged therein.

RULE XIV – COMMITTEE REPORTS

SECTION 1. Submission of Committee Report. Every committee to which a particular measure is referred by the Presiding Officer shall submit its report in writing to the Sanggunian, thru the Secretary after finishing its task.

SECTION 2. Joint Committee or Multiple Committee Report. When a measure is referred to two or more committee, the Committees concerned may submit a "joint committee report" or "multiple committee report" as the case may be, or as a separate report thereon.

SECTION 3. Contents of Committee Report. The Committee Report shall contain the following information:

- a) Name of the reporting committee or committees.
- b) Brief statement of the subject matter referred to it and the action thereon including information gathered during the conduct of committee hearings or meetings and other relevant information
- c) Findings and conclusion
- d) Recommendation (preferably in the term of Resolutions)
- e) Names and signature of concurring members
- f) Appendices (Minutes of the committee hearings or committee meetings, as the case may be)

SECTION 4. Discharge of Committee. A committee which failed to submit a committee report within the time required may be discharged by the Sanggunian from further consideration of the measure or question referred to it. Upon motion by the member, the said measure can be re-assigned to another committee or submit the measure to the Body for proper disposition.

SECTION 5. Recommitting a Measure. When the Sanggunian is not satisfied with the report of a particular committee on a measure referred to it, the same may be re-committed or return back to that committee for further study.

SECTION 6. Calendaring a Measure for Second Reading. After a committee has rendered its report and is recommending favorably the enactment of a proposed ordinance it has "reported out", a copy of the proposed ordinance shall be furnished the Committee on Rules which shall be calendared for "Second Reading". Before the said proposed ordinance is sponsored on the floor, a copy thereof shall be furnished to every Sanggunian member by the Committee Chairman concerned.

RULE XV – JOURNAL AND RECORD OF PROCEEDINGS

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SECTION 1. Record of Proceedings. The Sanggunian shall keep a "journal and record" of its proceedings which may be published upon resolution of the majority of the members thereof.

SECTION 2. Minutes. In addition to the journal of proceedings which is required by law (RA 7160) to be kept, the Sanggunian thru its Secretary shall also record its proceedings in the form of a "minutes" which shall be submitted by the Secretary to the Sanggunian for appropriate action.

SECTION 3. Reading and Consideration of Minutes. The Minutes of the previous session shall be submitted by the Secretary to the Sanggunian during its succeeding regular session. The Sanggunian shall first determine if there are corrections to be made on the minutes and act on it accordingly before the same is adopted by the body and become its property. Consideration of the Minutes shall not be dispensed with. Reading of the minutes "verbatim" may be dispensed with if the members were already furnished a copy before hand. Being all responsible members of the Sanggunian, they are presumed to have read the minutes already before they come to the session. In any case, the minutes submitted by the Secretary shall be acted upon by the members one way or the other.

SECTION 4. Contents of Minutes. The Minutes shall contain the following information:

- a) Place, date and time of the session;
- b) Whether it is special or regular;
- c) Names of the members present therein and those who were absent;
- d) Action taken on the minutes of the previous session including the correction, if any, names of those who adopted or approved the minutes under consideration and those who did not;
- e) Text of every measure (resolution or ordinance, etc.) adopted or enacted;
- f) Brief resume of the minority opinion, if any;
- g) The "ayes" and "nays" or "yes" or "no" votes on every questions (measure) and of voting is done thru nominal voting or roll call vote the names of those who voted on either side;
- h) All motions presented or proposed whether lost or carried except those withdrawn;
- i) Full text of the veto message of the Local Chief Executive, if any;
- j) Time of adjournment.

SECTION 5. Signing of Minutes. The original copy of the minutes shall be signed by the members who adopted it at the appropriate space therein. The Presiding Officer at the particular session and the Secretary shall also sign or affix their signatures on the said minutes.

Handwritten signatures of the members who signed the minutes, including the Presiding Officer and the Secretary.

Resolution No. 20-01-080...
SECTION 6. Excerpts. Excerpts to be taken out of the Minutes shall be certified and attested to as corrected by the Secretary and the Presiding Officer on that particular session, respectively.

RULE XVI - RULES ON MOTIONS

SECTION 1. All motions relating to a committee report if presented or proposed by the reporting committee Chairman, or the reporting committee members, shall need NO second.

SECTION 2. If someone "has the floor" whether or not he is speaking a "motion to adjourn" shall be ruled "out of order".

SECTION 3. All "privilege motions" may be proposed even if there is a pending motion or question before the Body.

SECTION 4. The following motions can be presented or proposed even if someone has the floor, to wit:

- a) Appeal from the decision of the Presiding Officer
- b) Call for orders of the day
- c) Divide the Assembly, Body
- d) Divide the question
- e) Object to the consideration of a question
- f) Point of order
- g) Point of information
- h) Point of parliamentary inquiry
- i) Reconsider
- j) Reconsider and have entered on the minutes
- k) Raise a question of privilege

In other words, the foregoing enumerated motions can interrupt the speaker.

SECTION 5. When there is no quorum present, a motion to adjourn or to take a recess is "in order" provided that nobody else has the floor.

SECTION 6. Motions or questions which were laid on the table may be taken up thru a motion to that effect during that particular session or during the next regular session but not beyond.

SECTION 7. The following motions require a SECOND, to wit:

- a) Adjourn
- b) Adopt a report or resolution, except when proposed by the reporting committee Chairman or member
- c) Amend
- d) Appeal from the decision of the Chair
- e) Commit or refer to a committee
- f) Expunge
- g) Extend or limit the time for debate
- h) Fix the time to adjourn
- i) Lay on the table
- j) Postpone definitely
- k) Postpone indefinitely
- l) Call for the previous question
- m) Recess

- n) Reconsider
- o) Reconsider and have entered on the minutes
- p) Rescind or repeal
- q) Suspend the rules
- r) Take from the table
- s) All main motions

SECTION 8. A motion to amend (amendment of the 1st degree) and a motion to amend an amendment (amendment of the 2nd degree) may be withdrawn but not only before a decision is made thereon.

SECTION 9. A motion to amend is in order only up to the second degree.

SECTION 10. A motion can be withdrawn only when it is not yet being discussed or debated upon by the Body. Otherwise, any request to withdraw it shall require a vote by general consent and if there is an objection raised for its withdrawal, a majority vote of the members present is needed.

RULE XVII – SUSPENSION OF RULES

SECTION 1. Any part of this "Internal Rules of Procedure" except prescribed by existing laws, may be suspended at any particular session by general consent or by a two-thirds (2/3) vote of the members present therein.

RULE XVIII – DISCIPLINARY ACTIONS

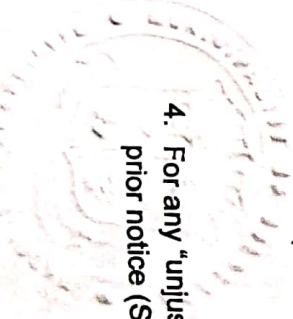
SECTION 1. Penalty. Any member who commits an act in transgression of the foregoing Internal Rules of Procedure shall be punished with the corresponding penalties hereunder prescribed, to wit:

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| 1. For disorderly conduct or behavior during a session, committee hearing or committee meeting. | Penalty
1 st Offense – reprimand
2 nd Offense – exclusion from the membership in the committee concerned
3 rd Offense - suspension to expulsion. |
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| 2. For any "justified" absence with prior notice must be coursed thru the Presiding Officer or the Secretariat. | None (txt, letter, or call) |
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| 3. For any "justified" absence without Notice (Session/Comm. Meeting) | 1 st Offense-written reminder
2 nd Offense – reprimand
3 rd Offense–suspension of one session/meeting |
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| 4. For any "unjustified" absence with prior notice (Session/Comm. Meeting) | 1 st Offense–reprimand
2 nd Offense–unauthorized absence
3 rd Offense–suspension of one session/meeting |
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5. For any "unjustified" absence without prior notice (Session/Comm. Meeting)

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| 1 st Offense-written reminder
2 nd Offense – reprimand
3 rd Offense–suspension of one session/meeting |
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| 6. For "unjustified" absence in four (4) consecutive sessions and meeting | 1 st Offense—reprimand
2 nd Offense – unauthorized absences
3 rd Offense – suspension of one session/meeting without prejudice to the filing of the corresponding administrative charge as per Art. 124 (6) IRR of RA 7160 |
| 7. For coming late in any kind of sessions per hour of being late or a fraction thereof (Session/Committee Meeting) | 1 st Offense—reprimand
2 nd Offense—unauthorized absence proportionate to the number of minutes or hours of being late.
3 rd Offense – suspension of one session/meeting |
| 8. Conviction by final judgement to imprisonment of at least one (1) year for | |
| 9. any crime involving moral turpitude. | Automatic expulsion |
| 10. For refusal without valid excuse to perform the task assigned to him by the Sanggunian or Committee of which he is a member | Fifteen (15) days suspension without renumeration |
| 11. For "unjustified" absence in committee hearing of which he is a composite member | 1 st Offense—written reminder
2 nd Offense – reprimand
3 rd Offense – suspension of one meeting without prejudice to the filing of corresponding administrative charge for neglect of duty |
| 12. For violation of any other provision of this Internal Rules of Procedure not specified herein | 1 st Offense—written reminder
2 nd Offense – reprimand
3 rd Offense – suspension of not more than fifteen (15) days without renumeration |

SECTION 2. Requisites. The penalty of suspension or expulsion to be imposed shall require the concurrence of at least two-thirds (2/3) vote of all the members of this Sanggunian. For other kinds of penalty only a majority vote of all the members of the Sanggunian shall suffice.

SECTION 3. Initiation of Action and Conduct of Investigation. The Committee on Rules and Privileges shall take cognizance of all the offenses enumerated in the preceding section committed by any member of this Sanggunian, both composite member and constituent member, i. e. including the Regular Presiding Officer and shall initiate the necessary disciplinary action. It shall forthwith conduct the necessary fact-finding investigation and thereafter shall submit its committee report together with the corresponding recommendation for consideration of the Sanggunian sitting en banc.



For purposes of this Section, only a fact-finding investigation and NOT an "administrative investigation" shall be conducted, and thus, the technical rules of court practice, procedure and evidence shall not be applied. However, the substantive due process requirement of fairness and reasonableness should be observed.

Should any member of the Committee on Rules and Privileges be the respondent, the Presiding Officer (Regular or Temporary Presiding Officer, as the case may be) shall designate a replacement to complete the membership thereof but only insofar as the conduct of the fact-finding investigation is concerned. In performing the other function of the said committee, the respondent is still a member of that committee.

RULE XIX – AMENDMENTS

SECTION 1. This "Internal Rules of Procedure" may be amended at any regular session by a two-thirds (2/3) vote of all the members of this Sanggunian, provided that prior notice of such proposed amendment is given to all the members and provided further that no provision herein which is based on or prescribed by existing laws shall be amended.

RULE XX – SUPPLEMENTARY RULES

SECTION 1. The rules, procedures and parliamentary practices of the Philippine Congress and books dealing on this subject written by Filipino authors, particularly by Antonio Orendain, Reynaldo Fajardo and Reverendo M. Dihan shall serve as supplementary authorities of this Sanggunian but only in so far as they are not incompatible with the rules and procedure adopted herein.

RULE XXI – EFFECTIVITY

SECTION 1. This Internal Rules of Procedure shall take effect on the date of its adoption.

ADOPTED this 20th day of January, 2020 Bulalacao, Oriental Mindoro.

HON. DEXTER R. GONZALES
SB Member

HON. DENNIS M. FANER
SB Member

HON. EDEZER F. ACERON
SB Member

HON. GERMAN S. ACOSTA
SB Member

HON. KIEVEN E. CANTOS
SB Member

HON. JESS V. SAPUNGAN
SB Member

HON. ELPIDIO N. CONTRERAS, JR.
SB Member

HON. EDWIN C. ACERON
SB 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 Sanggunian

ATTESTED:

HON. RAMON G. MAGBANUA
Municipal Vice Mayor/Presiding Officer
Date Signed: 2-03-20

