



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF BULALACAO

OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro
sbobulalacaormin@gmail.com/09988546853

File

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE
11TH SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO
HELD ON JANUARY 30, 2023 AT THE SANGGUNIANG BAYAN SESSION
HALL

PRESENT:

- Hon. Ramon G. Magbanua Municipal Vice Mayor/Presiding Officer
Hon. Ederlino C. Aceron Sangguniang Bayan Member
Hon. Edezer F. Aceron Sangguniang Bayan Member
Hon. Jess V. Sapungan Sangguniang Bayan Member
Hon. Felix John C. Templanza Sangguniang Bayan Member
Hon. Kieven E. Cantos Sangguniang Bayan Member
Hon. Elpidio N. Contreras, Jr Sangguniang Bayan Member
Hon. Guillermo G. Salas, Jr. Sangguniang Bayan Member
Hon. Joejie R. Narciso Sangguniang Bayan Member
Hon. Kim Jonh Elco E. Cantos SK Federation President

ABSENT:

- Hon. Enrico C. Villas Pangulo, Liga ng mga Brgy.-O.B.

X-----X

MUNICIPAL ORDINANCE NO. 23-01-341

AN ORDINANCE ENACTING RULES AND PROCEDURES IN THE
CONDUCT OF ADMINISTRATIVE INVESTIGATION AGAINST
BARANGAY ELECTED OFFICIALS OF THE MUNICIPALITY OF
BULALACAO, ORIENTAL MINDORO

Author and Sponsor:

Sangguniang Bayan Member EDEZER F. ACERON
Chairperson, Committee on Rules, Privileges, Ordinances and Legal Matters

Sponsors:

Sangguniang Bayan Member ENRICO C. VILLAS
Chairperson, Committee on Barangay Affairs

Sangguniang Bayan Member GUILLERMO G. SALAS, JR.
Chairperson, Committee on Good Government, Public Ethics and Accountability

WHEREAS, Article XI, Section 1 of the 1987 Constitution of the
Philippines provides that Public Office is a public trust, Public officers and
employees must, at all times, be accountable to the people, serve them with
utmost responsibility, integrity, loyalty, and efficiency; act with patriotism and
justice, and lead modest lives;

Vertical list of names and signatures on the right margin: HON. KIEVEN E. CANTOS, HON. FELIX JOHN C. TEMPLANZA, HON. JESS V. SAPUNGAN, HON. EDEZER F. ACERON, HON. GUILLERMO G. SALAS, JR., HON. RAMON G. MAGBANUA, HON. EDERLINO C. ACERON, HON. ELPIDIO N. CONTRERAS, JR., HON. ENRICO C. VILLAS, HON. JOEJIE R. NARCISO, HON. KIM JONH ELCO E. CANTOS, PERLITA L. SAZ

WHEREAS, Section 60 of Republic Act No. 7160 otherwise known as the Local Government Code of 1991 enumerates certain grounds that can discipline, suspend or remove from office any of the elected local officials;

WHEREAS, the same law also mandates the Sangguniang Bayan to receive administrative complaints and conduct administrative investigation against erring Barangay elected officials;

WHEREAS, the Municipality of Bulalacao is composed of 15 barangays which each has elected officials and appointed employees who are responsible in giving adequate and honest services to their respective residents and communities;

WHEREAS, it is just and ideal to have rules and procedures in conducting administrative investigation against any of the barangay elected officials who might have committed violations of administrative laws and orders that would affect public service and local governance;

NOW, THEREFORE, BE IT ORDAINED, as it is hereby ordained by the Sangguniang Bayan of Bulalacao, Oriental Mindoro, that:

RULE I. PRELIMINARY PROVISIONS

SECTION 1. Title. – This Ordinance is entitled as stated and shall be also known as “2023 Rules and Procedures in the Conduct of Administrative Investigation Against Barangay Elected Officials Ordinance of Bulalacao”

SECTION 2. Coverage. – These rules of procedures shall apply to administrative cases filed against elected barangay officials within the territorial jurisdiction of the Municipality of Bulalacao, Province of Oriental Mindoro;

SECTION 3. Rules and Interpretation. – In the interpretation of these Rules and Procedures, the Sanggunian shall not be strictly bound by the technical rules of evidence as found under the Rules of Court, as amended.

RULE 2. GROUNDS FOR ADMINISTRATIVE DISCIPLINARY ACTION

SECTION 1. Grounds.

- (1) An elected barangay official may be disciplined, suspended, or removed from office on any of the following grounds:
 - a) Disloyalty to the Republic of the Philippines;
 - b) Culpable violation of the Constitution;
 - c) Dishonesty, oppression, misconduct in office, gross negligence, or dereliction of duty;
 - d) Commission of any offense involving moral turpitude or any offense punishable by at least *prison mayor*, which is from six (6) years and one (1) day to twelve (12) years imprisonment;
 - e) Abuse of authority;

HON. KIM E. CANTOS
 HON. FELIX JOHN C. TEMPLANZA
 HON. JESSY S. SAMPAGAN
 HON. EDEZER F. ACERON
 HON. EDERLINO C. ACERON
 HON. ELPIDIO N. CONTRERAS, JR.
 HON. JOEJIE R. NARCISO
 HON. GUILLERMO G. SALAS, JR.
 HON. ERNAN G. VILLAS
 HON. KIM JOHN ELDO E. CANTOS
 PERITO LAZ

- f) Unauthorized absence for fifteen (15) consecutive working days in the case of Punong Barangay and four (4) consecutive sessions in the case of Members of the Sanggunian Barangay;
- g) Application for, or acquisition of, foreign citizenship or residence of the status of an immigrant of another country; and
- h) Such other grounds as may be provided by the Local Government Code of 1991, Republic Act No. 6713, Republic Act. No. 3019, Civil Service Law, Revised Penal Code and all other applicable general and special laws.

(2) An elected barangay official may only be removed from office on the grounds enumerated above by order of the proper court.

RULE 3. COMPLAINT

SECTION 1. How Initiated. – An administrative case may be initiated by any private individual or any government officer or employee by filing a verified or sworn written complaint against any elected local official enumerated under Section 2, Rule 1 hereof. It may also be initiated *motu proprio* by any local government official or agency duly authorized by law to ensure that local government units, (LGUs) act within their prescribed powers and functions.

SECTION 2. Form of Complaint. – No complaint against any local barangay elected official shall be given due course unless the same is in writing and verified or under oath.

The complaint, accompanied by the affidavits of witnesses or evidences in support of the charge, shall be addressed to the sanggunian. It shall be drawn in clear, simple, and concise language and in methodical manner as to apprise the respondent of the nature of the charge against him and to enable him to prepare his defense. The party filing the complaint shall be called the **complainant** while the official against whom the complaint is filed shall be called the **respondent**.

The complaint shall also contain the following:

- (a) Full name and address of the complainant;
- (b) Full name and address of the respondent as well as his position and office;
- (c) A narration of the relevant and material facts which shows the acts or omissions allegedly committed by the respondent. Documentary evidence and sworn statements and affidavits of witnesses, if any, should be attached as annexes;
- (d) A certification by the complainant that no other administrative action or complaint against the same party involving the same acts or omissions and issues, has been filed before any agency or administrative body performing quasi-judicial functions;

HON. KIEVER E. CANTOS
 HON. FELIX JOHN C. TEMPLANZA
 HON. JESS V. SAPUNGAN
 HON. EDEZER F. ACERON
 HON. EDERLINO C. ACERON
 HON. EDWIN S. MAGBANUA
 HON. JOEJIE R. NARCISO
 HON. JOHNNIELO E. CANTOS
 HON. GUILLERMO G. SALAS, JR.
 HON. EMBIRO C. VILLAS
 PERITA L. LAZ

Non-compliance with the foregoing requirements shall cause the dismissal of the compliant, at the discretion of the sanggunian.

SECTION 3. Where filed. – Two (2) copies of the complaint plus additional copies corresponding to the number of the respondent/s shall be filed with the Office of the Secretary to the Sanggunian, which shall be forwarded to the Vice Mayor for appropriate action.

A copy of the complaint shall be furnished by the complainant to each of the following:

- a) The Office of the Municipal Mayor;
- b) The Municipal Local Government Operations Officer (MLGOO) assigned at the municipality;

No complaint shall be accepted unless the foregoing requirements are complied, with proof of service that copies were furnished to the municipal mayor and the MLGOO;

SECTION 4. Complaint filed with another agency. – If a complaint is filed with another government agency, the same may be referred to and accepted by the Sanggunian, provided, it complies with all the requirements as provided in the immediate two (2) preceding sections.

SECTION 5. Anonymous complaint. – No action shall be taken on an anonymous complaint for non-compliance of the requirements.

SECTION 6. 90-day ban. – No complaint shall be accepted within ninety (90) days immediately prior to any local election.



RULE 4. ANSWER

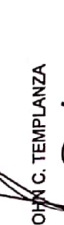
SECTION 1. Notice. – Within seven (7) days after the complaint is filed, the sanggunian or the ad hoc committee created by the sanggunian for this purpose, shall determine if the complaint complies with the requirements under Section 2 and 3 of the preceding Rule and shall issue an order requiring the respondent to submit his verified answer within a non-extendible period of fifteen (15) days from receipt thereof.



The seven (7) day period shall commence from the moment the Secretary to the Sanggunian has formally received the complaint.



SECTION 2. Form of Answer. – The answer must be verified, accompanied by affidavits of witnesses or evidences in support of the defense, shall be addressed to the Sanggunian and shall be drawn in clear, simple and concise language.

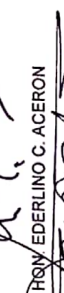

SECTION 3. Where filed. – Two (2) copies of the answer shall be submitted to the Office of the Secretary to the Sanggunian and copy of the same shall be furnished to each of the following:


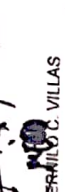
HON. KIEV E. CANTOS

PERNITA L. PZ


HON. FELIX JOHN C. TEMPLANZA

HON. KIM JOHN ELICO E. CANTOS


HON. JESSY SAPUNGAN

HON. JOEIE R. NARCISO


HON. EDEZER F. ACERON

HON. GUILLERMO G. SALAS, JR.


HON. EDERLINO C. ACERON

HON. ELDINAY CORTERAS, JR.


HON. ERIC S. MAGBANUA

HON. ERMILO C. VILLAS


- a) The complaint/s through counsel if represented by counsel;
- b) The office of the Municipal Mayor; and
- c) The MLGOO

No answer shall be accepted unless the foregoing requirements are complied, with proof of service that copies were furnished to the foregoing parties/persons/entities.

SECTION 4. Failure to answer. – Unreasonable failure of respondent to file his verified answer within fifteen (15) days from receipt of the complaint against him shall be considered as waiver of his right to present evidence in his behalf.

No motion shall be allowed in lieu of the answer.

RULE 5. EVALUATION

SECTION 1. Evaluation. Upon receipt of the answer, the Sanggunian shall, in its regular session, determine the existence of a probable cause, and within ten (10) days commence the investigation through the creation of an *ad hoc* committee which shall be composed of the following:

- (a) The Chairman of the Committee on Good Government of the Sanggunian, as chairman; and
- (b) Two regular members of the Sanggunian as maybe determined by the Sanggunian through a majority vote of all the members;

In any other case, the Sanggunian may create an ad hoc committee to conduct the investigation or hear the case as a Committee of the Whole.

If there exist no prima facie evidence against respondent, the Sanggunian *may motu proprio* dismiss the case.

RULE 6. PREVENTIVE SUSPENSION

SECTION 1. Determination. – After the issues are joined, when the evidence of guilt is strong, and given the gravity of the offense, there is great probability that the continuance in office of the respondent could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence, the committee may recommend to the Sanggunian that respondent to be placed under preventive suspension which shall not extend beyond sixty (60) days; Provided, That in the event that several administrative cases are filed against the respondent, he cannot be preventively suspended for more than ninety (90) days within a single year on the same ground or grounds existing and known at the time of the first suspension.

SECTION 2. Imposition. – Upon receipt of the Resolution of the Sanggunian directing the preventive suspension to respondent, the Municipal Mayor shall issue the order imposing the preventive suspension to the respondent without delay.

HON. KISYEVE CANTOS
PERITA LAZ

HON. FELIX JOHN C. TEMPLANZA
HON. RYAN JOHN ELCO F. CANTOS

HON. JESS V. SAPUNGAN
HON. JOEJIE R. NARCISO

HON. EDEZER F. ACERON
HON. GUILLERMO G. SALAS, JR.

HON. EDERLINGO G. AGERON
HON. EPIDIO N. CONTRERAS, JR.

HON. RAYMUNDO M. MAGBANUA
HON. EBANIO C. VILLAS

A copy of the order duly served shall be furnished the Sanggunian, the MLGOO and other offices of the municipality for their information and appropriate action.

SECTION 3. 90-day-ban. – No preventive suspension shall be imposed within ninety (90) days immediately prior to any local election. If the preventive suspension has been imposed prior to the 90-day period immediately preceding a local election, it shall be deemed automatically lifted upon the start of the aforesaid period.

SECTION 4. Automatic reinstatement. – Upon expiration of the preventive suspension, the suspended barangay official shall be deemed reinstated in office, without prejudice to the continuation of the proceedings against him, which shall be terminated within one hundred twenty (120) days from the time he was formally notified of the case against him. However, if the delay in the proceeding of the case is due to his fault, or request, other than the appeal duly filed, the duration of such delay shall not be counted in computing the time of termination of the case.

SECTION 5. Salary of respondent pending suspension. – The respondent who is preventively suspended from office shall receive no salary or compensation during such suspension; but upon subsequent exoneration and reinstatement, he shall be paid his full salary or compensation, including such emoluments accruing during such suspension.

RULE 7. PRELIMINARY CONFERENCE

SECTION 1. Preliminary Conference. – The Committee shall, within ten (10) days from its constitution, summon the parties to a preliminary conference to consider the following:

- a) Whether the parties could agree on an amicable settlement;
- b) Whether the parties desire a formal investigation or are willing to submit the case for resolution upon submission of their respective position papers together with their documentary evidences;
- c) If the parties desire a formal investigation, to consider the simplification of issues, the possibility of obtaining stipulation or admission of facts and of documents, specifically affidavits and depositions, the limitation of the number of witnesses, dates of hearing, and such other matters as may aid the prompt disposition of the case.

SECTION 2. Preliminary conference brief. – The parties may submit their respective preliminary conference brief containing the matters found in the foregoing section and such other matters that will aid the Committee in the expeditious resolution of the case, at least three (3) days before the date of the scheduled preliminary conference, and a copy furnished to the other party.

SECTION 3. Amicable settlement, compromise and arbitration. – The Committee shall encourage the parties and their counsels to enter, at any stage of the proceedings, into amicable settlement, compromise or arbitration, the terms and conditions of which shall be subject to the approval of the Sanggunian.

HON. KIBEN E. CANTOS
 HON. FELIX JOHN C. TEMPLANZA
 HON. JOE R. NARCISO
 HON. EDEZER F. ACERON
 HON. GUILLERMO G. SALAS, JR.
 HON. EDERLINO C. ACERON
 HON. ELPIDIO N. CONTRERAS, JR.
 HON. ERNULFO VILLAS

SECTION 4. Preliminary conference order. – After the preliminary conference, the committee shall issue an order reciting the matters taken up thereon, including the facts stipulated and evidences marked, if any. Such order shall limit the issues for hearing to those not disposed of by agreement or admission of the parties, and shall schedule the formal investigation within ten (10) days from its issuance, unless a later date is mutually agreed by the parties concerned.

SECTION 5. Submission for resolution/decision. – The parties may agree to submit the case for resolution/decision based on the result of the preliminary conference without any need for further hearings.

SECTION 6. Presence of the parties and counsel. – The parties and their respective counsels, if presented, are required to attend the preliminary conference.

In case of the absence of the complainant and his counsel, if presented, without any justifiable reason, the case shall be dismissed.

In case of the absence of the respondent and his counsel, if represented, without any justifiable reason, it shall be deemed as waiver of his right to present evidence in his favor and the investigation/hearing may proceed *ex-parte*.

RULE 8. FORMAL INVESTIGATION

SECTION 1. Procedural due process. – The respondent shall be accorded full opportunity to appear and defend himself in person or by counsel, to confront and cross-examine the witnesses against him, and to require the attendance of witnesses and the production of documents through the compulsory process of *subpoena ad testificandum* and *subpoena duces tecum*.

SECTION 2. Who conducts the hearing. – The formal administrative investigation shall be conducted by the Committee; Provided, that the Sanggunian is not precluded from assuming the conduct of the investigation at any stage of the proceeding, if it may deem necessary.

SECTION 3. Power to take testimony or receive evidence and issue interlocutory orders. – The Committee is hereby authorized to take testimony or receive evidence relevant to the administrative proceedings, which authority shall include the power to administer oaths, summon witnesses, and require the production of documents by issuing a *subpoena duces tecum* pursuant to Book 1, Chapter 9, Section 37 of Presidential Executive Order No. 292 or the Administrative Code of 1987. Anyone who, without lawful excuse, fails to appear upon summons issued under authority of the preceding paragraph or who, appearing before the Committee exercising the power therein defined, refuses to make oath, give testimony or produce documents for inspection, when lawfully required, shall be subject to discipline as in case of contempt of court and, upon application by the Committee, shall be dealt with by the judge of the proper regional trial court in the manner provided for under Book II, Chapter I, Section 2 (1), of the Administrative Code of 1987.

HON. MARIANO E. CANTOS
PERALTA L. JAZ
HON. FELIX JOHN C. TEMPLANZA
HON. KIM JOHN ELCO E. CANTOS
HON. JESS V. SAPULGAN
HON. JOEJIE R. NARCISO
HON. EDEZER F. ACERON
HON. GUILLERMO G. SALAS, JR.
HON. EDERLINO C. ACERON
HON. FELIBIO M. CONTRERAS, JR.
HON. RAMON O. MAGBANUA
HON. ERNILO C. VILLAS

The Committee is also authorized to issue interlocutory orders.

SECTION 4. Notice of hearing. – The parties and their witnesses shall be notified of the scheduled hearing at least five (5) days before the date thereof, stating the date, time and place of the hearing.

SECTION 5. Venue of hearing. – The formal investigation as contemplated in this rule shall be conducted in the session hall of the Sanggunian.

SECTION 6. Request for subpoena. – If a party desires the attendance of a witness or the production of documents, he should formally request for the issue of the necessary subpoena or *subpoena duces tecum* at least three (3) days before the scheduled hearing.

SECTION 7. Postponement. – No postponement shall be allowed unless for meritorious grounds, which is no case be more than once during the entire proceeding.

SECTION 8. Stenographic record of proceeding. – The testimony of each witness and the manifestation of the parties and counsels during an investigation shall be taken in shorthand or stenotype, tape-recorded or any other mode of recording. A transcript of the proceedings made by the official stenographer or stenotypist, and duly certified by him shall be *prima facie* a correct statement of such proceedings.

The stenographer, stenotypist or any personnel assigned to record the proceedings shall immediately transcribe the same and prepare the transcript thereof without any delay.

The transcript of the proceedings shall be paged consecutively and in chronological order, sewed on the left hand side, and properly indexed, showing the page on which the testimony of each witness begins.

All transcripts of the proceedings shall be filed in separate folder. The parties may request copies of the transcripts upon payment of the required fees.

SECTION 9. Order of hearing. – The order of the hearing shall be as follows:

- a) The complainant shall produce the evidence on his part;
- b) The respondent shall offer evidence in support of his defense; and
- c) The parties may the respectively offer rebutting evidence unless the Committee for good reasons and in the furtherance of justice, permits them to offer evidence upon their original case.

SECTION 10. Order of Examination. – The order in which a witness may be examined shall be as follows:

- a) Direct examination by the proponent;
- b) Cross-examination by the opponent; and
- c) Re-direct examination by the proponent; and
- d) Re-cross examination by the opponent.

HON. KENNETH CANTOS
 HON. FELIX JOHN C. TEMPLANZA
 HON. KIM JOHN ELDO E. CANTOS
 HON. JOE JIE R. NARCISO
 HON. JESS V. SAPUNGAN
 HON. EDZER F. ACERON
 HON. GUILLERMO G. SALAS, JR.
 HON. EDERLINO C. ACERON
 HON. ELPIDIO N. CONTRERAS, JR.
 HON. RAYON MAGBANUA
 HON. ERMILO C. VILLAS

The decision shall state the concurring, dissenting, abstaining and absent members, and shall bear the signatures of the majority of all the members who have been elected and qualified. Any member/s of the sanggunian who dissents may write a separate dissenting opinion which shall be submitted within the said 30-day period, which shall be appended to the majority decision.

The Sanggunian may, at its discretion, adopt *in toto* (or wholly) the recommendation and/or decision submitted by the Committee thru the passage of a resolution.

Copies of said decision shall immediately be furnished the respondent, the Municipal Mayor, The MLGOO, and all interested parties after it has been signed as mentioned above.

SECTION 2. Required number of votes for the decision. All decisions of the sanggunian, be it with sanction or dismissal, shall be approved by at least a majority of all the members who have been elected and qualified.

SECTION 3. Finality of decision/order. The decisions and final orders of the sanggunian shall become final and executory after the lapse of thirty (30) days from receipt of a copy thereof by the complainant or the respondent as the case may be, if no appeal has been made within the said period.

RULE 12. MOTION FOR RECONSIDERATION

SECTION 1. Motion for reconsideration- A motion for reconsideration may be filled within the period to appeal and shall be entertained only on any of the following grounds;

- (a) New evidence has been discovered which materially affects the order, or decision; or
- (b) Errors of law or irregularities have been committed pre judicial to the interests of the movant.

Only one motion for reconsideration shall be allowed which shall be decided within fifteen (15) days from the date of submission or resolution. No other pleading shall be allowed other than the motion for reconsideration and opposition thereto.

A motion for reconsideration shall not toll the running of the period to appeal and the movant has to perfect his appeal within the period to appeal. The motion for reconsideration shall be heard and evaluated by the Committee and shall submit its recommendation with the draft resolution/order to the Sanggunian within ten (10) days from submission for resolution.

If the motion for reconsideration has not been resolved within the period to appeal, the same is deemed denied.

HON. KIEVE E. CANTOS

PERITA L. LAZ

HON. FELIX JOHN C. TEMPLANZA

HON. KIM JOHN ELCO E. CANTOS

HON. JESSA V. SAPURGAN

HON. JOE IIE R. NARCISO

HON. EDEGER F. ACERON

HON. GUILLERMO G. SALAS, JR.

HON. EDERLINO C. ACERON

HON. FERDINAND COMTEPERS, JR.

HON. RICHARD S. BAMBAY

HON. ERMILO C. VILLAS

It is incumbent upon the movant to check with the Committee or the Sanggunian the status of his motion for reconsideration and to perfect his appeal, in case the said motion has not been resolved within the period to appeal.

RULE 13. PENALTIES

SECTION 1. Reprimand, censure or suspension. A respondent found guilty of any of the offenses enumerated in Rule 2 hereof may be meted the penalty of reprimand, censure or suspension depending on the evidence presented, the gravity of the offense and the attendant circumstances that may be determined by the sanggunian taking into consideration to scale of penalties as provided under the Omnibus Rules Implementing Book V of Executive Order No. 292 and other pertinent Civil Service Laws.

SECTION 2. Suspension- The penalty of suspension shall not exceed the unexpired term of the respondent, or a period of six (6) months for every administrative offense, nor shall said penalty be a bar to the candidacy of the respondent so suspended as long as he meets the qualifications required for the office.

When the respondent has meted two (2) or more penalties of suspension for two (2) or more administrative offenses such penalty shall be served successively.

RULE 14. EXECUTION OF DECISION

SECTION 1. Execution of final decisions and orders.- The Municipal Vice Mayor shall execute all final and executory decisions or orders of the Sanggunian by issuing the corresponding order implementing the same. He may also deputized or call upon any personnel of the Philippine National Police (PNP) stationed within the municipality, to execute the said decisions or orders.

A copy of the order implementing the final decisions and orders of the sanggunian shall be furnished the Office of the Municipal Mayor, MLGOO and other interested parties for their information and appropriate action.

SECTION 2. Execution pending appeal. - An appeal shall not prevent a decision from becoming final or executor. The respondent shall be considered as having been placed under preventive suspension during the pendency of the appeal, which should not be more than the penalty imposed. In the event the appeal results in an exoneration, he shall be paid his salary and such other emoluments during the pendency of the appeal.

RULE 15. ADMINISTRATIVE APPEAL


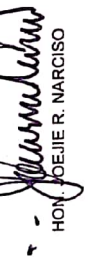
SECTION 1. Appeal, where made. - Decisions of the Sanggunian may, within thirty (30) days from receipt thereof, be appealed to the Sangguniang Panlalawigan whose decision shall be final and executory. An appeal shall not stop the decision from becoming executory. Respondent shall be deemed to be under preventive suspension pending appeal.


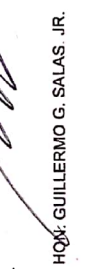

HON. KIPRIEN E. CANFOS

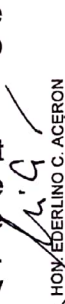

PERLA V. PAZ


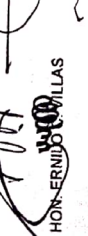

HON. FELIX JOHN C. TEMPLANZA

HON. KIM JASH ELCO E. CANTOS


HON. JESS V. SAPUNAYAN

HON. JOEJIE R. NARCISO


HON. EDEZER F. ACERON

HON. GUILLERMO G. SALAS, JR.


HON. EDERLINO C. ACERON

HON. EDMUNDO CONTRERAS, JR.


HON. RAMON MAGBANUA

HON. ERNIDO VILLAL

SECTION 2. How to appeal. – The appeal is taken by filing a *notice of appeal* with the Sanggunian that rendered the decision or final ordered appealed from. The notice of appeal shall indicate the parties to the appeal, the decision or final order appealed from, and state the materials dates showing the timeliness of the appeal.

A copy of the notice of appeal shall be served the adverse party and the Sangguniang Panlalawigan.

SECTION 3. Transmittal of original record. – Within fifteen (15) days from receipt of the notice of appeal, the Sanggunian whose decision or final order has been appealed shall transmit to the Sangguniang Panlalawigan the complete original record of the case with each page consecutively numbered and initialed by the custodian of the records, together with the exhibits and transcripts, which shall be certified by such custodian as complete. A copy of the letter of transmittal of the records to the Sangguniang Panlalawigan shall be furnished the parties.

RULE 16. MISCELLANEOUS PROVISIONS

SECTION 1. Docket or logbook. – The Sanggunian shall keep a logbook and/or docket of all administrative cases filed with it and shall assign a case number for each case in the order they are filed, prefixed with the last two (2) digits of the year of filing, e.g., in the first case filed for the year 2023, it should be numbered as ADM. CASE NO. SB YY-NN (YY – last 2 digits of the case, NN – chronological order of the case in the year it was filed).

Important data such as date of filing, date of hearing, status of the case, e.g., when submitted for resolution, date of promulgation of decision, date when the decision becomes final, and other relevant data shall be entered in the said logbook or docket.

SECTION 2. Custodian of the records. – The Secretary to the Sanggunian shall be the custodian of all records pertaining to all administrative cases and shall receive all pleading and other papers in connection thereto.

SECTION 3. Transitory provision. – All pending administrative cases not yet decided upon the effectivity of this Ordinance shall be heard by the Committee.

SECTION 4. Repealing clauses. – All rules and regulations and other issuances in conflict hereof, are hereby repealed.

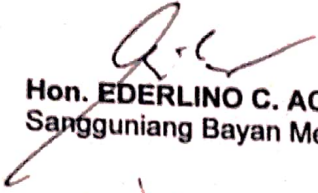
SECTION 5. Effectivity. – This Ordinance shall take effect after ten (10) days following the posting of copies hereof at the entrance of the Municipal Hall and at the bulletin board of the Sanggunian.

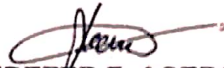
ENACTED this 23rd day of January 2023 Bulalacao, Oriental Mindoro.

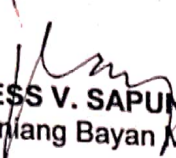
HON. JESS V. SAPUNGA
HON. JOELIE R. NARCISO
HON. EDILMO C. ACERON
HON. FELIX JOAN C. TEMPLANGA
HON. EDUARDO C. VILLAS
HON. EDEZER F. ACEVEDO
HON. QUILLERMO G. SALAS, JR.
HON. ALFONSO M. CONTRERAS, JR.
HON. SERAFIN L. BAGAWAN
HON. SERAFIN C. VILLAS

H
R
O

B

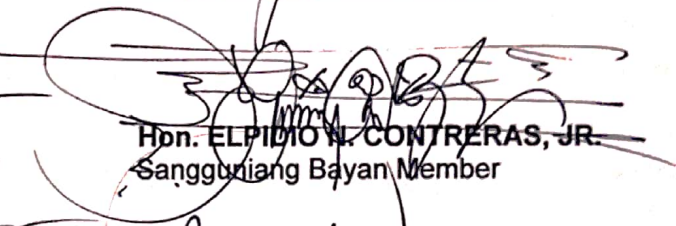

Hon. **EDERLINO C. ACERON**
Sangguniang Bayan Member



Hon. **EDEZER F. ACERON**
Sangguniang Bayan Member



Hon. **JESS V. SAPUNGAN**
Sangguniang Bayan Member


Hon. **FELIX JOHN C. TEMPLANZA**
Sangguniang Bayan Member


Hon. **KIEVEN E. CANTOS**
Sangguniang Bayan Member

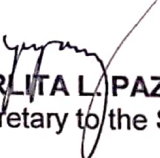

Hon. **ELPIDIO N. CONTRERAS, JR.**
Sangguniang Bayan Member


Hon. **GUILLERMO G. SALAS, JR.**
Sangguniang Bayan Member

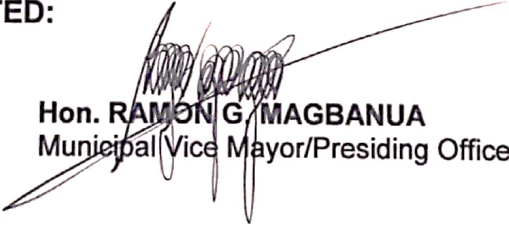

Hon. **JOEJIE R. NARCISO**
Sangguniang Bayan Member


Hon. **KIM JONH ELCO E. CANTOS**
SK Municipal Federation President


CERTIFIED TRUE AND CORRECT:


PERLITA L. PAZ
Secretary to the Sanggunian

ATTESTED:


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

APPROVED:


Hon. **ERNILO C. VILLAS**
Municipal Mayor
Date Signed: _____