

Resolution No. 47, S. 1992

RESOLUTION REQUESTING EVERY SANGGUNIANG BAYAN MEMBERS, OF THIS MUNICIPALITY TO MAKE FULL DISCLOSURE OF HIS/HER FINANCIAL AND BUSINESS INTERESTS, IN COMPLIANCE WITH ARTICLE 104 IRR OF RA 7160 AND WITH SECTION 51 OF RA 7160.

WHEREAS, Section 51 of RA 7160, otherwise known as the Local Government Code of 1991 mandates full disclosure of financial and business interest of Sanggunian Members to wit:

- a.) Every Sanggunian member shall, upon assumption to office, make a full disclosure of hi/her business and financial interests. He/she shall also disclose any business, financial, or professional relationship or any relation by affinity or consanguinity within the fourth civil degree, which he/she may have with any person, firm, or entity affected by any ordinance or resolution under consideration by the sanggunian of which he/she is a member, which relationship may result in conflict of interest. Such relationship shall include:
 - 1.) Ownership of the stock or capital, or investment in the entity or firm to which the ordinance or resolution may apply; and
 - 2.) Contracts or agreements with any person or entity which the ordinances or resolution under consideration may affect.

In the absence of a specific constitutional or statutory provision applicable to this situation, "Conflict of Interest" refers in general to one where it may be reasonably deduced that a member of a sanggunain may not act in the public interest due to some private, pecuniary, or other personal consideration that may tend to affect his/her judgement to the prejudice of the service or the public.

- b.) The disclosure required under this Republic Act No. 7160 shall be made in writing and submitted to the secretary of the sanggunian or the secretary of the committee of which he/she is a member. The disclosure shall, in all cases, form part of the record of the proceedings and shall be made in the following manner:
 - 1.) Disclosure shall be made before the member participate in the deliberations on the ordinance or resolution under consideration:
Provided, that, if the member did not participate during the deliberations, the disclosure shall be made before voting on the ordinance or resolution on second and third readings; and
 - 2.) Disclosure shall be made when a member takes a position or make a privilege speech on a matter that may affect the business interest, financial connection, or professional relationship described herein.

NOW, THEREFORE, on motion of Honorable Jessie Terre, Chairman, Committee on Appropriation and duly seconded unanimously,

RESOLVE, to request every Sangguniang Bayan Member, of this Municipality to make full disclosure of His/Her Financial and Business interests, in compliance with Article 104 IRR of RA7160 and with Section 51 of RA 7160.

RESOLVE FURTHER, to forward copies of this resolution to each member of the Sangguniang Bayan, this Municipality for their information and immediate compliance.

UNANIMOUSLY APPROVED.