

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE SESSION HALL, TIGBAUAN MUNICIPAL BUILDING, TIGBAUAN, ILOILO ON JULY 7, 2010 AT 2:00 O'CLOCK IN THE AFTERNOON

PRESENT:

HON. ROEL T. JARINA,	Vice Mayor & Pres. Officer
HON. SUZETTE TENEFRENCIA-ALQUISADA,	Councilor
HON. DENNIS T. VALENCIA,	Councilor
HON. ALFONSO C. BABIERA,	Councilor
HON. AGATON O. TUMABOTABO,	Councilor
HON. JOSE DONEL T. TRASPORTO,	Councilor
HON. ELMER T. TORRATO,	Councilor
HON. LORETA LUNGAY- ARIAS,	Councilor
HON. MARLON R. TERUÑEZ,	Councilor
HON. ORVILLO T. TANGENTE,	Pres., Liga ng mga Brgy.
HON. LEA E. TORREFLORES,	SKMF President

ABSENT: NONE

Resolution No. 2010-038

RESOLUTION APPROVING THE INTERNAL RULES OF PROCEDURE OF THE SANGGUNIANG BAYAN OF TIGBAUAN, ILOILO

WHEREAS, in consonance with the provisions of the Rules and Regulations Implementing the Local Government Code of 1991 governing the Sanggunian's Internal Rules of Procedure, after series of consultations and after an in-depth study and thorough deliberation, it was the unanimous consensus of the members to revise the Internal Rules of Procedure previously adopted by the Sanggunian, this Municipality;

NOW, THEREFORE, on motion of Hon. Jose Donel Trasporto, Chairman, Committee on Rules, Ordinances and Resolutions and duly seconded by Hon. Suzette Tenefrancia-Alquisada, Hon. Dennis Valencia, Hon. Alfonso Babiera, Hon. Agaton Tumabotabo, Hon. Elmer Torratio, Hon. Loreta Lungay-Arias, Hon. Marlon Teruñez, Hon. Orvillo Tangente and Hon. Lea Torreflores,

RESOLVED, to approve the Internal Rules of Procedure of the Sangguniang Bayan, Municipality of Tigbauan, Province of Iloilo, to wit:

RULE I - COMPOSITION

Section 1. The Sanggunian of Tigbauan, Iloilo, shall be composed of the Municipal Vice Mayor as the Presiding Officer, the duly elected regular members of the Sangguniang

Bayan, the President of the Liga ng mga Barangay, and the President of the Pambayang Pederasyon ng mga Sangguniang Kabataan.

RULE II - POWERS, DUTIES AND FUNCTIONS OF THE SANGGUNIAN

Section 1. The powers, duties and functions of this Sanggunian shall be as provided for under Rule XVII, Article 100 of the Rules and Regulations Implementing the Local Government Code of 1991.

RULE III - DUTIES AND RESPONSIBILITIES OF INDIVIDUAL MEMBERS

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

Section 2. Every member shall attend all the sessions of the Sanggunian unless he is prevented from doing so by reason of sickness or the Sangguniang Bayan Member is on vacation leave, official travel or other official business, other unavoidable circumstances provided that, as a general rule, notice thereto shall be sent to the Sanggunian through the Presiding Officer or the Secretary before the session.

Section 3. As a general rule, every member is required to vote on every question or proposed measure being voted upon by the Sanggunian. Abstentions and/or inhibitions may be allowed if it can be shown that the member concerned has a pecuniary interest, conflict of interest or other personal considerations that may tend to affect his judgment to the prejudice of the service or the public, either directly or indirectly, on the matter being acted upon by the body.

Section 4. Every member shall observe proper deportment and decorum during sessions.

Section 5. No member is allowed to carry firearms or any deadly weapon inside the session hall during sessions. All firearms shall be deposited with any member of the PNP on duty for proper safekeeping before the start of the session.

Section 6. Pursuant to a resolution to be passed by the Sanggunian, SB members shall be designated as SB's-of-the Day, who shall serve the following duties and responsibilities:

- a) To act on written request for the use of SB vehicle and any other property of the Office;
- b) To receive visitors and guests and to cater for their request as far as practicable within the mandate of the Sanggunian and the purview of meaningful delivery of public service;
- c) To authorize the release of documents upon proper request of any person, agency or office subject to the existing usual procedures and protocols.

RULE IV - PRESIDING OFFICER

Section 1. The Municipal Vice Mayor shall be the Presiding Officer of this Sanggunian and shall:

- a.) preside over all sessions of the Sanggunian (Section 49 R.A. 7160);
- b.) preserve order and decorum during the session and to exact from all present during the sessions due respect and proper deportment, prevent disturbance and disorder, and to order the session hall cleared of any and all persons behaving improperly;
- c.) enforce the internal rules of procedure of the Sanggunian;
- d.) maintain order during the sessions and to decide all questions of order, subject to appeal by any member;
- e.) sign all the legislative documents, papers or checks requiring his signature (Section 445 R.A. 7160);
- f.) declare a recess for short durations during sessions anytime he deems it necessary.
- g.) 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.) assist in expediting the business of the Sanggunian and shall, for this purpose, to make brief remarks, comments or clarificatory questions on matters pertaining to pending debatable questions without expressing himself for or against the said measures or questions;
- i.) vote but only to break a tie. Hence, he cannot vote in order to create a tie (Section 49 R.A. 7160);
- j.) relinquish the Chair to any member of the Sanggunian who shall act as "Temporary Presiding Officer" in order to:
 1. propose or introduce ordinances and resolutions before said body;
 2. take part in the deliberations of the council;
 3. deliver his privilege speech;
 4. go out of the session hall.

RULE V - TEMPORARY PRESIDING OFFICER

Section 1. In the event of the inability of the regular Presiding Officer to preside at the Sangguniang Bayan session, the members present and constituting a quorum shall elect from among themselves a Temporary Presiding Officer. (Section 49 (b) R.A. 7160).

Section 2. The Temporary Presiding Officer, to be elected from among members of the Sanggunian, constituting a quorum, who without losing his status as a regular member including his rights and prerogatives, shall:

- a) temporarily exercise all the powers, duties and functions of the Presiding Officer whenever the latter is absent during the sessions of the Sangguniang Bayan.
- b) certify within ten (10) days from the passage of ordinances enacted and resolutions adopted by the Sanggunian in the session over which he temporarily presided. (Section 49(b) R.A. 7160)
- c) 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 member.

RULE VI - SECRETARIAT

Section 1. THE SANGGUNIANG BAYAN SECRETARY - The Sangguniang Bayan Secretary shall be appointed by the Vice Mayor with the concurrence of the Sangguniang Bayan in accordance with the Civil Service Law, Rules and Regulations and whose compensation, allowances and other emoluments shall be prescribed by the ordinance. In addition to its duties as prescribed by existing laws, the Secretary of the Sangguniang Bayan shall perform the following:

- a.) Attend meetings of the Sanggunian and to keep a journal of its proceedings;
- b.) Keep the seal of the LGU and affix the same with his/her signature of all ordinances, resolutions and other official acts of the Sanggunian and present the same to the Presiding Officer for his/her signature;
- c.) Forward to the Municipal Mayor for approval copies of the ordinances enacted by the Sanggunian and duly certified by the Presiding Officer;
- d.) Forward to the Sangguniang Panlalawigan copies of the duly approved ordinances;
- e.) Furnish upon request by any interested party or parties certified copies of record of public character in his/her custody upon payment to the local Treasurer of such fees as may be prescribed by ordinance;
- f.) Record in a book kept for such purpose all ordinances and resolutions enacted or adopted by the Sanggunian with the date of passage and publication thereof;
- g.) Keep his/her office and all non-confidential records therein open to the public during the usual business hours;
- h.) Translate into the dialect used by the majority of the inhabitants all ordinances and resolutions immediately after its approval, and cause the publication of the same together with the original version in the manner provided under RA 7160;
- i.) Take custody of the local archives and where applicable, the local library and annually account for the same;
- j.) Prepare the calendar of every session and determine the items to be included in the agenda to be noted by the Chairman, Committee on Rules, Ordinances, Resolutions and Legal Matters and subject to the approval of the Presiding Officer. Minutes of the previous session subject to the approval of the Sangguniang Bayan shall be distributed to the members at least twenty four (24) hours before the session;
- k.) Read or cause to read all communications, motions, resolutions, petitions and other documents when necessary or when required by the Sanggunian or the Presiding Officer during the session;
- l.) Transmit immediately to the proper offices and authorities all matters referred to them by the Sanggunian;
- m.) Send out messages or proper notices of all special sessions, other meetings and public hearings of the Sanggunian or its committees at least twenty four (24) hours before the date of the said occasions;
- n.) Provide the necessary staff and clerical support to all committee hearings and deliberations;
- o.) Certify to the correctness of all resolutions and ordinances acted upon by the Sanggunian and all excerpts of the minutes thereto;
- p.) Publish in the newspaper of general circulation within the Province of Iloilo the gist of all the ordinances with penal sanctions. In the absence of any newspaper, posting of such ordinances shall be made in at least Two (2) conspicuous places in the LGU concerned not later than Five (5) days upon approval thereof;

- q.) Exercise such other powers and perform such other duties and functions relative to his/her position as may be prescribed by law or ordinances which had not been mentioned in this rule. (Section 469, Par. d. RA 7160)

Section 2. The Assistant Sangguniang Bayan Secretary - The Assistant Sangguniang Bayan Secretary shall assist the Sangguniang Bayan Secretary and shall exercise such other duties and functions in the absence of the latter and as the Sanggunian or the Presiding Officer so directs.

RULE VII - REGULAR AND SPECIAL SESSIONS

Section 1. REGULAR SESSION

- (a) The minimum number of regular sessions of this Sanggunian shall be "once a week". (Section 52 (a), R.A. 7160)
- (b) The regular session shall be held every *Wednesday* and shall start promptly at 2:00 o'clock in the afternoon. Provided, however, that if the day falls on a holiday or the session is prevented by insuperable cause the next working day shall be the regular session day.

Section 2. SPECIAL SESSION

- (a) When public interest so demands, special sessions may be called by the Municipal Mayor or by *the Vice Mayor and the* majority of the members of this Sanggunian. (Section 52 (b), R.A. 7160)
- (b) In case of the special session for the Sanggunian, a written notice to the members shall be served personally at the member's usual place of residence at least twenty four (24) hours before the special session is held. (Section 52 (d), R.A. 7160)
- (c) Unless otherwise, concurred in by *two thirds (2/3) vote* of the Sangguniang Bayan members present, there being a quorum, no other matter may be considered at a special session except those stated in the notice. (Section 52 (d), R.A. 7160)

Section 3. VENUE OF SESSIONS - The session of the Sanggunian shall be held at the *SB Session Hall located at the 2nd Floor, left wing of the municipal building of Tigbauan*. A particular session may be held in the barangay within the municipality and such other place, if deemed necessary by the Presiding Officer and with the concurrence of the majority members of the Sanggunian.

Section 4. All Sanggunian sessions shall be open to the public unless a close-door session is ordered by an affirmative vote of a majority of the members present, there being a quorum, in the public interest or for reasons of security, decency, or morality. (Section 52 ©, R.A. 7160)

Section 5. No two (2) sessions, whether regular or special, may be held in a single day. (Section 52 ©, R.A. 7160)

Section 6. Adjourned Session. An "adjourned session" may be held:

- (a) Thru the initiative of the Chair, by using the "assumed motion", or by a majority of the members present in a session where there is NO quorum, wherein they may decide to adjourn from hour to hour, 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 7. Any member of the Sanggunian who shall not be present *after the Roll Call of the last member of the August Body* shall be recorded as "LATE" and the time he/she arrives shall be recorded. A member is considered LATE if he/she arrives 15 minutes after the roll call, otherwise, said member will be marked ABSENT. If he/she is on official business, he/she shall be marked as "O.B." or on vacation leave or sick leave as the case maybe.

RULE VIII - QUORUM

Section 1. A majority of all the members of the Sanggunian who have been "*elected and qualified*" which includes the duly elected regular members of the Sangguniang Bayan, the President of the Liga ng mga Barangay, and the President of the Pambayang Pederasyon ng mga Sangguniang Kabataan, shall constitute a quorum to transact official business. Should a question on quorum be raised during a session, the Presiding Officer shall immediately proceed to call the roll of the members and thereafter announce the results. (Section 53 (a), RA 7160). A request or motion to determine the presence of a quorum is not debatable.

Section 2. Where there is no quorum, the Presiding Officer may declare a recess for 15 minutes, after which, a second roll will be made, if there is still no quorum, the presiding officer, or a majority of the members present may adjourn from day to day and may compel the immediate attendance of any member absent without justifiable cause by designating a member or members of the police force assigned in the territorial jurisdiction of the LGU concerned, to arrest the absent member and present him at the session. (Section 53, par. (b), RA 7160)

Section 3. If there is still no quorum despite the enforcement of the immediate preceding subsection, no business shall be transacted. The Presiding Officer may, "**motu proprio**", or upon proper motion and duly approved by the member present, shall then declare the session adjourned for lack of quorum. (Section 53 ©, RA 7160)

Section 4. No meeting shall be suspended or adjourned except when so directed by the Sanggunian, but the Presiding Officer may, in his discretion, declare a recess in short intervals or suspend or adjourn the session in case of grave emergency or when the same becomes unruly or uncontrollable.

Section 5. 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;
- A member who is on official leave of absence;

- A deceased member;
- A member who has resigned;
- A member who has been suspended;
- A member who was expelled; or removed by final judgment.

RULE IX - ORDER OF BUSINESS

Section 1. ORDER OF BUSINESS - The Order of Business of this Sanggunian for every session shall be as follows:

- I. CALL TO ORDER
- II. PRAYER
- III. PLEDGE OF ALLEGIANCE TO THE FILIPINO FLAG
- IV. LEGISLATORS'S CREED
- V. ROLL CALL
- VI. READING, CONSIDERATION AND/OR ADOPTION OF THE MINUTES OF THE PREVIOUS SESSION
- VII. PRIVILEGE HOUR
- VIII. QUESTION HOUR
- IX. FIRST READING AND REFERENCE OF BUSINESS (REFERRAL TO COMMITTEE/S)
 - A. Proposed Ordinances
 - B. Proposed Resolutions
 - C. Messages and Communications/Petitions
 - c.1 National Matters
 - c.2 Provincial Matters
 - c.3 Municipal Matters
 - c.4 Barangay Matters
- X. COMMITTEE REPORT SUBMITTED
- XI. CALENDAR OF BUSINESS
 - A.) Unfinished Business
 - B.) Business for the Day (Resolutions and Ordinances on second reading, debatable items)
 - C.) Unassigned Business
- XII. BUSINESS FOR THIRD READING
- XIII. ANNOUNCEMENTS (if any)
- XIV. CLOSING PRAYER
- XV. ADJOURNMENT

Section 2. PRIVILEGE HOUR - There shall be a privilege hour, the order of business notwithstanding, at which the member may speak on topics of general public interest or those that affect the interest and welfare of the municipality and its inhabitants.

Any Member desiring to deliver a privilege speech shall have it included in the calendar of business or agenda, upon being recognized by the Presiding Officer. He/She may speak for not more than **30** minutes, unless given by the Chair an extension of not more than ten minutes. If not included in the calendar of business or agenda, privilege speech may be delivered after the calendar of business or agenda is taken up. ***A copy of the Privilege Speech shall be given before delivering said speech. If there is none, the speech will be deferred on the next session.***

Any motion in connection with the subject matter touched upon in the privilege speech may be presented only during the same session under "Unassigned Business."

Section 3. QUESTION HOUR - In case of clarificatory question or inquiry that should be asked to the different department heads, this municipality, or to its invited guest/s, this shall be done on question hour. The question/query that should be asked shall only be confined to the subject matter and shall not resort to personalities.

Section 4. FIRST READING AND REFERENCE OF BUSINESS - Only the title of the measures/proposals shall be presented or read on the first reading. The sponsor/author of the measures/proposals may be allowed not more than five minutes explanatory statement (if there is any). Thereafter, the Presiding Officer shall refer it to the appropriate committee for study and recommendation. No debate is allowed.

Section 5. COMMITTEE REPORT - The Committee Report shall be rendered by its chairman, duly signed by the majority of its members, unless said chairman 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 6. No member of a 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 report. Otherwise, he shall be precluded to oppose it on the floor.

Section 7. In rendering committee reports, priority shall be given to standing committees (e.g. regular committees) to be followed by special committees (e.g. Ad Hoc Committees).

Section 8. If the reporting committee recommends a favorable action on the measure referred to it or if the reporting committee recommends the proposed measure for appropriate action by the Sanggunian, the Committee on Rules shall calendar it for "second reading". If the committee's recommendation is for the Sanggunian not to take action and that recommendation has been adopted by the body, the proposed measure remains shelved in the committee. If the reporting committee's recommendation is for the Sanggunian to file the proposed measure away and that recommendation has been adopted, then it is "filed away" which means in layman's language that the proposal will be filed in archive of the Sanggunian.

Section 9. SUBMISSION OF COMMITTEE REPORT - Every committee to which a particular measure is referred to by the Presiding Officer shall submit its report in writing to the Sanggunian, thru the Secretary within 2 weeks after its referral. All committee reports to be included in the Calendar of Business must be submitted not later than 48 hours, before the session day on which the matter will be discussed.

Section 10. JOINT COMMITTEE OR MULTIPLE COMMITTEE REPORT - When a measure is referred to two or more committees, the committees concerned may submit a "joint committee report" or "multi-committee report" as the case maybe, or a separate report thereon.

Section 11. CONTENT OF COMMITTEE REPORT - The committee report shall contain the following information:

- Name of the reporting committee or committees
- Brief statement of the subject matter referred to it and the action taken thereon including information gathered during the conduct of committee hearings or meetings and other relevant information;
- Findings or conclusions
- Recommendations (either to "file it away" or "to calendar it for second reading")
- Names and signature of concurring members
- Appendices (Minutes of the committee hearings or committee meetings, as the case may be).

Section 12. 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 any member, the said measure can be re-assigned to another committee or submit to the body for proper disposition.

Section 13. 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 returned back to that committee for further study.

Section 14. CALENDARING A MEASURE FOR SECOND READING - After the committee has rendered its report and is recommending favorably the enactment of a proposed ordinance it was "reported out", a copy of the proposed ordinance shall be furnished the Committee on Rules which shall calendar it 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.

Section 15. CALENDAR OF BUSINESS - The Members of the Sanggunian who desire an item to be placed in the agenda or included in the calendar of business shall submit the same to the Secretary of the Sangguniang Bayan on or before 12:00 noon of **Monday** prior to the regular session. The secretary shall record the date and time such item is submitted.

Section 16. The Calendar of Business and the Minutes shall be prepared and distributed among the members not less than twenty four (24) hours preceding the session. (holiday and non-working days excepted) The Sanggunian shall adopt as far as practicable a paperless policy by furnishing a copy of the Calendar of Business through the "internet" or "computer network system". A member can only request for a hard copy of the same under exceptional circumstances as may be determined by a majority vote of the Sanggunian.

Section 17. The Calendar of Business shall contain the following:

- a.) Unfinished Business - Refers to proposal or measures that have been left unacted upon, postponed or left unfinished during the previous meeting or session. This also includes items of business left unfinished or unacted upon at the end of the term of the previous administration.
- b.) Business for the Day - Refers to a list of items that have been reported out by committees and ready for deliberation on "second reading" as

determined by the Committee on Rules. This also includes those items for the body's decision on "third and final reading"

- c.) Unassigned Business - Refers to the pending matters or measures including new ones arising out during the deliberation but not yet assigned or referred to any committee for appropriate action.

Section 18. 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:

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

Section 19. Deviation from the prescribed Order of Business may be done only under the following circumstances:

- a.) ASSUMED MOTION - 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 vote by general consent, a unanimous vote, or at least two-thirds (2/3) vote of the members present.
- b.) URGENT - When the measure to be acted upon by the Sanggunian is "certified by the local chief executive as urgent", and duly signed, it shall have priority over all other items of business, and shall be considered without need of suspending the rules or even if it is not included in the calendar of business.

RULE IX - FLOW OF LEGISLATIVE PROPOSALS IN THE SANGGUNIAN

Section 1. PROPOSED MEASURES FOR LEGISLATION - The following guidelines shall be followed when a member of the Sanggunian proposes an ordinance, resolution and other measures in the form of motions:

- a.) The proposed resolutions, ordinances and other related measures, shall whenever practicable, be signed by the author or authors and shall be filed with the Presiding Officer.
- b.) The proposed measures shall be presented to the Sanggunian for the first reading and shall be referred to the committee concerned for further study and recommendation.
- c.) The committee concerned may conduct a committee hearing, if necessary, to be able to give their findings and recommendations to the proposed measures and present such findings and recommendations to the Sanggunian during their committee report for appropriate action. All committee reports shall be in writing and form part of the minutes of the session.
- d.) Measures which the committee concerned approved, shall be calendared for the second reading, that the same may be subjected to discussion and debate.
- e.) The Secretary of the Sanggunian shall prepare the final printing of the measures for third reading, incorporating therein all amendments that the Sanggunian had discussed and debated upon during the second reading.
- f.) All ordinances that had been approved by the Sanggunian in the third and final reading shall be forwarded to the Chief Executive for approval or for veto.

RULE X - LEGISLATIVE PROCESS (ORDINANCES & RESOLUTIONS)

Section 1. Rules in the Enactment of Ordinances and Adoption of Resolutions - In the enactment of ordinances and adoption of the resolutions including other matters requiring legislative actions, the following rules shall be observed: (Article 107 - Rules & Regulation Implementing The Local Government Code Of 1991 - R.A. 7160)

- a.) Legislative actions of a general and permanent character shall be enacted in the form of ordinances, while those which are of temporary character shall be passed in the form of resolutions. Matters relating to proprietary functions and to private concerns shall also be acted upon by resolution;
- b.) Proposed ordinances and resolutions shall be in writing 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 ordinance shall be accompanied by a brief explanatory note containing the justification for its approval. It shall be signed by the author or authors and submitted to the secretary to the Sanggunian before the start of the regular session.
- c.) A resolution shall be approved/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 the majority of the Sanggunian members present;
- d.) No ordinance or resolution shall be considered on second reading in any regular session 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 session 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 during the second reading and shall distribute to each Sanggunian member a copy thereof, that a measure certified by the Local Chief Executive as urgent may be submitted for final voting immediately after debate and 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 the payment of money or creating a liability, and at the request of any member, the Sanggunian Secretary shall record the ayes and the 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 ORDINANCES - The approval of the ordinance by the Municipal Mayor, shall be governed by the following rules:

- a.) Every ordinance enacted by the Sangguniang Bayan shall be presented to the Mayor for his/her approval. If he/she approves the same, he/she shall affix his/her signature on each and every page thereof, otherwise, he/she *shall* veto it and return the same with his/her objections to the Sangguniang Bayan, which may proceed to reconsider 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. (Section 54 (a) R.A. 7160)

- b.) The veto shall be communicated by the Mayor to the Sanggunian within ten (10) days, otherwise, the ordinance shall be deemed approved as if he/she had signed it. (Section 54 (b) R.A. 7160)

Section 3. VETO POWER OF THE LOCAL CHIEF EXECUTIVE

- a.) The Municipal Mayor may veto any ordinance of the Sangguniang Bayan on the ground that it is "Ultra Vires" or prejudicial to the public welfare, stating the reasons thereof in writing. (Section 55 (a) R.A. 7160)
- b.) The Municipal Mayor shall have the power to veto any particular item or items of an appropriation ordinance, an 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 as provided; otherwise, the item or items in the appropriation ordinance of the previous year corresponding to those vetoed, if any, shall be deemed re-enacted. (Section 55 (b) R.A. 7160)
- c.) The Municipal Mayor may veto an ordinance or resolution (stated on Section 3 (b)) only once. The Sanggunian may override the veto of the Local Chief Executive concerned by two-thirds (2/3) vote of all its members, thereby making the ordinance effective even without the approval of the Local Chief Executive concerned. (Section 55 (c) R.A. 7160)

Section 4. THE 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, 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 is allowed.
- b.) Second Reading - At this stage, any proposed ordinance that has already been reported out by the concerned committee and has been calendared by the Committee on Rules 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
- 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 or co-sponsor if any. 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 5. RESOLUTIONS MAYBE CONSIDERED FOR SECOND READING

- The resolutions which affect the Sangguniang Bayan sentiments or resolution of thanks, or expression of condolences or request of financial assistance or other similar resolutions maybe considered and directly calendared for second reading by the sponsor without need of passing the three-reading principle.

Section 6. Methods of Voting - Unless a different method is prescribed by the Sanggunian for a particular measure, voting shall be either of the following methods:

- a. By voice (Viva Voce);
- b. By Raising of Hand (or showing of hand);
- c. By Rising;
- d. By Ballot; or
- e. By Nominal Voting (or Roll Call)

Section 7 - Putting the Question to a Vote - The Presiding Officer shall rise whenever he is putting a question to a vote. In taking the vote, the Presiding Officer shall take 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 a Question - whenever a nominal voting (or call voting) is being applied, the Secretary shall call the roll of members, 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 call may be requested by any member from the Chair but this time only the names of those who failed to vote shall be called. This is to give another opportunity to 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 on abstention." After the second roll, no other request of the same kind shall be entertained by the Chair.

Section 2. Voting Restriction - No member can vote or be allowed to vote on any measure in which he or any of his/her 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 in the Sanggunian where a member, as a matter of right, can vote for himself.

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

Section 4. Vote by Late-Corner - A member who came 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 Chair.

Section 5. Allowable Motions During Voting - Except for a motion pertaining to a question of quorum, no other motion shall be entertained by the Chair while voting is in progress.

Section 6. Tie Vote - A tie vote resulting from a vote taken on any motion, measure or proposal shall be construed to mean that the particular motion, measure or proposal is defeated, unless the Chair decided to break it. Exception to this rule is when a "motion to appeal from the decision of the Chair" 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 chair.

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

Section 8. Majority Vote of All The Members - As provided for under RA 7160 and its implementing rules and regulations, a "majority vote" of all the members of the Sanggunian is required in the following circumstances:

- a.) Enactment of ordinances levying taxes, fees or charges prescribing the rates thereof for general and specific purposes, and granting tax exemption incentives or relief (Sec. 447, RA 7160 par. 2-ii).
- b.) Adoption of resolution authorizing the Municipal Mayor to negotiate and contract loans and other forms of indebtedness. (par. 2-iii, 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 resolution authorizing the Municipal Mayor to lease to private parties such buildings held in a proprietary capacity subject to existing laws, rules and regulations. (par. 2-v, Ibid)
- e.) Enactment of ordinance granting a franchise to any person, partnership, corporation or cooperative to establish, construct, operate and maintain ferries, wharves, markets or slaughterhouse, 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. 3-vii, Ibid).
- f.) Adoption of Resolution concurring with the appointments issued by the Municipal Mayor to heads of departments and offices as required under RA7160. (Sec. 443, RA 7160, par. D).

Section 9. Majority Vote of the Members Present - (thereby constituting a quorum). Except as provided in Section 8 hereof, all other legislative matters or measures shall require 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 present of this Sanggunian shall be required in overriding the veto of the LCE for any ordinances or resolutions, thereby making the particular ordinance or resolution effective for all intents and purposes. (Sec. 54, RA 7160)
- b. Unless otherwise concurred in by two-thirds (2/3) vote of the Sanggunian members present, there being a quorum, no other matters maybe 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) vote of all the Sanggunian Members." (Sec. 50, b-5, RA 7160)
- d. With the concurrence of at least two-thirds (2/3) vote of all the members of the Sanggunian, grant tax exemptions, incentives or relief to entities engaged in community growth, including industries.
- e. At least a two-thirds (2/3) affirmative vote of the members present, there being a quorum, shall be required for the adoption of the following motions:
 1. Motion to suspend the rules
 2. Motion to expunge
 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 the 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 August Body. 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 XI of this Internal Rules of Procedure.

Abstention, 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 SCRA 567, 1966;)

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 DEBATE 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 all his remarks to the Chair. He shall conduct himself with proper decorum by confining his remarks or arguments to the question under debate 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 amendments 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-minute period allowed to him. If he fails to exercise his option, the Chair may use the "assumed motion" to open or close the debate, or any member may formally move for it. In any case, after a member has rendered a committee report or has finished his sponsorship speech on 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 from the Decision of the Chair

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 it 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 of the Chair.

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 requirement of the preceding Section, if no member moves to close the period of debate, the Chair, 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 question, a two-thirds (2/3) affirmative vote is hereby required.

Section 15. Whenever the Presiding Officer is addressing the Sanggunian, no member shall leave his seat nor 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 seriatim. Under this seriatim 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 Committees - 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 Committee may be created upon the initiative of the Chair or thru a motion by any member, subject however, 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.

The Chairmanship of Committees shall be elected by a majority vote
of all the members of the Sangguniang Bayan.

The Vice Chairman and the members shall be chosen by the Committee Chairman.

The Presiding Officer can be a member of any regular committee. He may also be designated by the body as Chairman of an Ad-Hoc or Special Committee, provided that the purpose or task for which the committee is created does not involve legislative matters or policy-making.

Section 3. Restrictions.

- a.) No person other than members of the Sanggunian shall be made a member of any regular committee.
- b.) No member of the Sanggunian shall be made a Chairman or Vice-Chairman of more than two (2) regular committees.
- c.) No member of the Sanggunian shall be made a member of more than Six (6) regular committees.
- d.) No member shall participate in the committee's deliberation if he has a direct or indirect personal or pecuniary interest on the matter being handled by that committee.
- e.) No member of the Sanggunian shall be made a Chairman of Committee if he/she has vested or conflicting interest in the committee concerned.
- f.) The Committee Chairman, once elected by the majority vote of all members of the Sanggunian, shall not decline except by reason of conflict of interest.

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, a committee hearing is an activity of the Sanggunian, thru its committees, wherein the general public particularly those representing different sectors that may be interested or 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.

Section 7. Quorum - A majority of all the members of the committee shall constitute a quorum to do business.

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/OFFICE IN COMMITTEE MEETINGS. The following rules shall be observed in requesting for the appearance of head of department or office:

- a. Official invitation or request by any committee or by the Vice Mayor to appear before it of any head of department or office, whether local or national. The secretariat office shall then endorse to the head of local or national offices concerned;
- b. The invitation or request shall specify the reason for such appearance or assistance needed, as the case maybe.

Section 11. APPEARANCE OR REPORT OF DEPARTMENT HEADS AND OTHER PUBLIC OFFICIALS. Any department head or any municipal official or employees when the public interest so requires or in aid of the legislative function of the Sangguniang Bayan, may be summoned or asked by the Sanggunian or by any of the regular or Ad Hoc Committee to appear and/or report on any matter pertaining to his department or office. The department head or public official or employee called to appear or report may answer verbally or in writing the questions, clarifications or inquiry propounded to him. The Sangguniang Bayan or the committee concerned may take such action provided for under Republic Act 6713, otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees in case of failure by the summons or request within a reasonable time without proper justification.

Section 12. MANDATORY STANDING COMMITTEES - The Sanggunian shall, thru a resolution, create the following mandatory standing (or regular) committees:

1. COMMITTEE ON RULES, ORDINANCES AND RESOLUTIONS - Shall take charge of all matters related to:

- Sanggunian internal rules of procedure and violation thereof
- Order of business and calendar of business
- Disorderly conduct of members and investigation thereof
- Enactment, revision or amendment of all kinds of ordinances except appropriation ordinance
- Privileges of members
- Exercise of legislative powers (taxing power, police power, corporate powers, and proprietary rights)
- Review of ordinances and resolutions submitted by lower level LGUs.

1. COMMITTEE ON APPROPRIATION, BUDGET, FINANCE, ACOUNTS AND LEGAL MATTERS - Shall take charge of all matters relative to:

- *Appropriations, Budget Finance & Accounts*
- Annual and supplemental budgets

- Appropriation ordinances
 - Review of barangay budgets
 - All other matters related to local taxation and fiscal administration particularly all matters relating to:
 - a. Financial aspect
 - b. Disbursements
 - c. Monitoring, adjustments of accounts
 - d. Expenditures
 - e. Analysis of financial status of municipal funds
 - **Legal Matters**
 - Legality of proposed measures to be acted upon by the Sanggunian
- 2. COMMITTEE ON *WAYS & MEANS*** - Shall take charge of all matters relating to:
- ***Ways & Means*** Measures pertaining to local taxes, fees and charges.
 - Measures pertaining to loan and other sources of local revenue.
 - Measures related to ways and means wherein to increase or improve collection of taxes and licenses
 - Policy formulation on the proper utilization of resources of the municipality as a possible source of income
 - All other matters related to the development of the resources of the municipality
- 3. COMMITTEE ON MARKET AND SLAUGHTERHOUSE** - Shall take charge of all matters relative to:
- Administration/operation of the public market and 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
- 4. COMMITTEE ON EDUCATION** - shall take charge of all matters relative to:
- **Education**
 - Formal and non-formal education
 - Education facilities
 - Promotion of culture and the arts
 - Operation of educational institutions, both public and private
- 5. COMMITTEE ON HEALTH & SANITATION** - shall take charge of all matters relative to:
- **Health & Sanitation**
 - Health, sanitation or hygiene
 - Cleanliness and beautification of the community
 - Proposed measures related to hospitals, health centers and health programs
 - All matters related to health and sanitation

- 6. COMMITTEE ON SOCIAL SERVICES, SENIOR CITIZENS, DISABLED PERSONS, AND CULTURAL MINORITIES** - Shall take charge of all matters relative to:
- ***Social Services, Senior Citizens, Disabled Persons, Cultural Minorities***
 - Self and social enhancement activities and services for the elderly, cultural minorities and disabled persons
 - Disabled persons' welfare program in consonance with DSWD Programs
 - All other matters related to Cultural Minorities, their welfare and well-being their rights and privileges thus giving them a chance to integrate with the mainstream of Filipino Society
 - Implementation of the Rules and Regulations of Section 10, RA 7432, also known as the Senior Citizens Act.
 - Social Welfare Services
 - All matters related to Social Services and Senior Citizens
- 7. COMMITTEE ON INDIGENTS & NGO'S** - Shall take charge of all matters relative to:
- The rights and privileges of the indigent members of the society
 - Social enhancement activity for the non-government organization.
 - Measures that promote the development of non-government organizations
 - Support activities for the indigents and non-government organizations
 - All other measures and matters that affect the indigent and non-government organization
- 8. COMMITTEE ON INFRASTRUCTURE AND GENERAL SERVICES** - Shall take charge of all matters relative to:
- Construction, maintenance and repair of roads, bridges and other government infrastructure projects
 - Measures that pertain to drainage and sewerage system and similar projects.
 - Maintenance or upkeep of public facilities, including but not limited to plaza, parks, jails, and other government buildings owned by this LGU
 - All other measures/matters related to public works/utilities and infrastructure projects
 - Custody and accountability for all properties owned by the municipality
 - Assignment of building or land spaces to officials
 - Janitorial services, security, landscaping and other related services
 - Archival and record management
 - Supply and property administration
 - All other matters related to general services
- 9. COMMITTEE ON GAMES AND AMUSEMENT** - shall take charge of all matters relative to:
- Operation/establishment of amusement places
 - Measures related to the regulation of games and amusements including, but not limited to, the promotion or holding of cockfights, boxing, basketball tournaments and other kinds of games and tournaments,
 - All other measures/matters related to games and amusements.

10. COMMITTEE ON ENVIRONMENTAL PROTECTION, HOUSING, LAND UTILIZATION, ZONIFICATION, ASSESSMENT AND EXPROPRIATION -

Shall take charge of all matters relative to:

- Environmental protection
- Air and water pollution
- Wanton destruction to the environment and its natural resources
- Housing program
- Subdivision development/real estate development
- Measures pertaining to zoning code enactment
- Squatter problems
- All matters related to housing and land utilization
- All other matters or measures affecting the environment

11. COMMITTEE ON PEACE & ORDER AND PUBLIC SAFETY - Shall take charge of all matters relative to:

- Police Matters
- Maintenance of peace and order
- Protective services
- Traffic rules and regulations
- Fire prevention and control measures
- Public Morals
- Municipal Jail
- Juvenile problems
- All matters related to peace and order and public safety

12. WOMEN, FAMILY & HUMAN RIGHTS - Shall take charge of all matters relative to:

- Women's welfare, rights and privilege
- Women's organization
- Family welfare
- Family planning
- Human rights
- Prevention of human rights violation
- All other matters related to human rights, women and family

13. COMMITTEE ON AGRICULTURE, FISHERIES AND COOPERATIVES -

Shall take charge of all matters relative to:

- Agricultural production
- Agricultural inputs
- Agricultural facilities
- Development of agri-business enterprises
- Fish culture
- Farm technology
- All matters relating to agriculture and fisheries
- Cooperatives organization and development
- Incentives to cooperatives
- All matters affecting the cooperatives development program of the government

14. COMMITTEE ON GOOD GOVERNMENT, PUBLIC ETHICS, ACCOUNTABILITY AND CIVIL SERVICE - Shall take charge of all matters relative to:

- Organization and management, personnel 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 other matters related to good governance and civil service

15. COMMITTEE ON BARANGAY AFFAIRS - shall take charge of all matters relative to:

- Naming or renaming of barangays
- Naming or renaming of barangay roads
- Review of barangay ordinances and executive orders issued by the Punong Barangay
- All matters pertaining to barangay government affairs and community development

16. COMMITTEE ON YOUTH AND SPORTS DEVELOPMENT - Shall take charge of all matters relative to:

- Sports development
- Youth welfare and development

17. COMMITTEE ON TRANSPORTATION, COMMUNICATION AND ENERGY

- Shall take charge of all matters relative to:
- Operation/establishment of all kinds of public utilities, including but not limited to transportation and communication system
- Traffic rules and regulations
- All other matters related to transportation, communication and energy

18. COMMITTEE ON TOURISM, HISTORY AND CULTURAL AFFAIRS- Shall take charge of all matters relative to:

- All matters related to the development of tourist consciousness especially the development of local historical spots or potential tourist attraction and all matters pertaining to cultural affairs.

19. COMMITTEE ON TRADE, INDUSTRY AND MANPOWER DEVELOPMENT

- Shall take charge of all matters relative to:
- Establishment/operation of all kinds of trade, industry and manpower development
- Measures that affect trade, commerce, industry and manpower development
- Incentives to promote trade, commerce, industry and manpower development
- All other matters related to trade, commerce, industry and manpower development

RULE XV - JOURNAL AND RECORD OF PROCEEDINGS

Section 1. RECORD OF PROCEEDINGS - The Sanggunian shall keep a "journal and record" of its proceedings which may be furnished 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 PREVIOUS 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 and becomes 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 thereof beforehand. In any case, the minutes submitted by the Secretary shall be acted upon by the members present, 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 the minutes under consideration and those who did not, if any;
- e. Text of every measure (resolution or ordinance, etc) adopted or enacted;
- f. Brief "Ayes" and "Nayes" or "Yes" or "No" vote on every question (measure) and if voting is done thru nominal or roll call vote, the names of those who voted on either side;
- g. All motions presented or proposed, whether lost or carried except those withdrawn;
- h. Full text of the veto message of the local chief executive, if any;
- i. 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 that particular session and the Secretary shall also sign or affix their signature on the said minutes.

Section 6. EXCERPTS - Excerpts to be taken out of the minutes shall be certified correct by the Secretary and attested by the Presiding Officer on that particular session.

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 member, 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, viz:

- a. Appeal from the decision of the Chair
- b. Call for the Orders of the Day
- c. Divide the Body
- d. Divide the question
- e. Object as 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, viz:

- 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 which 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 motion to amend an amendment (amendment of the 2nd degree) may be withdrawn but only before a decision is made thereon.

Section 9. A motion to amend is in order only up to the second degree. Thus, a motion "to amend an amendment to an amendment" is out of order.

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 required.

Section 11. Oral and Written Motions - When an oral motion is only presented, the Presiding Officer may restate the same to the Sanggunian. If the motion is in writing he shall read or cause it to be read by the Secretary. The motions shall then be considered as having been duly brought before the Sanggunian. Comments and general debate on the motion shall then be in order.

Section 12. Classification and Procedure of Motions - The following Rules of Order on motion and procedure shall govern the discussion and debate.

- a) Classes of Motion - Their definition and Rank
 - 1) Privilege Motions - They are motions dealing with matters, not directly related to the principal or main motion, but of such urgency and importance that need immediate attention. They have the highest order of precedence and are in this order:
 1. Motion to fix the time to which to adjourn
 2. Motion to adjourn (if unqualified)
 3. Motion to take a recess
 4. Motion to raise a question of Privilege
 5. Motion to call for orders of the day
 - 2) Subsidiary Motions - Those motions that will help in the consideration and resolution of the main motion, with rank immediately above the main motion and have order of precedence among themselves. They are:
 1. Motion to lay on the table
 2. Motion to call for the previous question
 3. Motion to modify the limits of debate or extend debate
 4. Motion to postpone definitely
 5. Motion to commit or refer to a committee
 6. Motion to amend (unadopted questions)
 7. Motion to postpone indefinitely
 - 3) Main Motions - They are the most important class of motions dealing as they do with the primary and disposed of and have the lowest rank of all the motions in point of precedence.
 - a) General Main Motions
 - b) Special Main Motions
 1. Motion to reconsider

2. Motion to reconsider and have entered on the minutes
 3. Motion to rescind or Repeal
 4. Motion to adopt a report or resolution
 5. Motion to amend (adopted question)
 6. Motion to adjourn (if qualified)
 7. Motion to take from the table
 8. Motion to expunge
- 4) Incidental Motions - They are those that arise only incidentally out of the business that is being considered. They rank in precedence above the subsidiary and below the privilege motions but they have no order of precedence among themselves. They are:
1. Motion to appeal from the decision or rules of the Chair
 2. Motion to divide a question
 3. Motion to divide the body
 4. Motion to raise a parliamentary inquiry
 5. Motion to raise a point of information
 6. Motion to raise a point of order
 7. Motion to suspend the rules
 8. Motion to withdraw a motion or modify the motion
 9. Motion to appeal
 10. Motion relating to voting
 11. Motion to limit debate
 12. Motion to object to the consideration of a question
 13. Motion to ask/request permission to read papers
 14. Motion to reopen or close nominations or polls
 15. Motion to question the quorum
- b) Pending Motions - When a motion is pending, any motion that out-ranks it in precedence may be proposed but not motion of a lower rank may be proposed.
- c) Motion to adjourn - A motion to adjourn, while of the highest rank, is not in order when another person has the Floor, while a vote is about to be taken, or when the main agenda has not been finally disposed and there is still time.
- d) Motion to be and not to be seconded - All motions before consideration have to be seconded, except:
- Motion to take a recess
 - Motion to raise a question of privilege
 - Motion to raise a point of order
 - Motion to ask/request to read papers
 - Motion to withdraw a motion
 - Motion to object to a reconsideration of question
 - Motion to raise a point of information
 - Motion to raise a parliamentary inquiry

Unless any member demands that the motion be put to a debate in which case a second is necessary.

RULE XVII - ENFORCEMENT OF ORDERS,

DECORUM AND DISCIPLINARY ACTION

Section 1. Sanction on Unparliamentary Acts and Words. - No member of the Sangguniang Bayan or person, under any circumstances and during any debate discussion shall use offensive or improper language or innuendos against other members of the Sangguniang Bayan or against any public officer or institution. All acts, words and declarations which personally offend any person or public institution shall be declared unparliamentary. Any member of the Sanggunian who utters any unparliamentary words or commits any unparliamentary deeds maybe sanctioned as follows:

- a.) The Presiding Officer of the Sanggunian shall "motu proprio", or at the instance of another member, may call him to "order". The erring member shall immediately take his seat, whenever he has the Floor. In cases where a point of order is raised and sustained by the Presiding Officer, said member, upon motion approved by the body, shall be prohibited to continue speaking.
- b.) When a member is called to order for using improper or offensive words during the debate, upon motion, such words shall be ordered stricken out from the records/minutes but it shall remain in the record of the proceedings.
- c.) In addition to the foregoing, depending on the seriousness of the violation committed, upon proper motion, the Presiding Officer may reprimand the erring member and such shall form part of the records.
- d.) In case of disorderly behavior or very serious grave offense committed by any member, upon motion by another member of the Sanggunian duly seconded during the session, maybe censured or reprimanded by a majority vote of the members present, there being a quorum.

Section 2. While the session (*regular or special*) is going on, no member is allowed to go out or leave his/her chair without the acknowledgement or permission of the Presiding Officer.

Section 3. Whenever the Presiding Officer is addressing the Sanggunian, no member shall leave his seat or walk out of or cross the session hall nor interrupt the former in his talk.

Section 4. A member of the Sanggunian who maybe found guilty of disorderly behavior or incurring absences without justifiable cause for four (4) consecutive sessions, shall, upon motion by a member of the Sanggunian, duly seconded, be censured or reprimanded by a majority vote of the members present there being a quorum.

Section 5. During *regular sessions* of the Sanggunian, members of the august body shall wear proper uniform/attire, *to wit*:

For male, SB Members

Long or short sleeved Barong Tagalog with I.D. and official pin, slacks and shoes

For female, SB Members

a.) *agreed/approved uniform with I.D. and official pin*

Failure to abide with the above-mentioned provision the erring member shall pay the following corresponding penalties as hereunder prescribed:

- | | |
|---|---|
| • For non-wearing of prescribed uniform | P100 |
| • For non-wearing of I.D. | P100 |
| • For non-wearing of S.B. pin | <u>P100</u> |
| Total Penalty | - P300 (<i>for non-wearing of complete</i>) |

uniform)

Attendance to special sessions of the Sanggunian is not covered by the afore-stated rule. Hence, members of the Sanggunian may wear an *informal attire* during special sessions.

Section 6. Initiation of Action and Conduct of Investigation. The Committee on Rules 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, practices, 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 be the respondent, the Presiding Officer (regular or temporary presiding officer, as the case maybe) 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.

Section 7. Collection of Fines and its Disposition. The Secretary to the Sanggunian shall collect fine as maybe imposed by this Sanggunian and shall take custody thereof as a private trust fund. In the disposition or disbursement of the said fund, the Sanggunian shall convert itself into a "Committee of the Whole" and then decide upon a majority vote of all its members how and for what purpose the said fund would be spent.

RULE XVIII - SUSPENSION OF RULES

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

RULE XIX - AMENDMENTS

Section 1. This "Internal Rules of Procedure" may be amended at any regular session by 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 of the Sanggunian, 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, procedure and parliamentary practices of the Philippine Congress and books dealing on this subject written by Filipino authors, particularly by Dr. Antonio Orendain, Prof. Reynaldo T. 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.

APPROVED.

I HEREBY CERTIFY that the foregoing Resolution No. 2010-038 was approved by the Sangguniang Bayan.

MARLENE TAYO-NAVA
S.B. Secretary

ATTESTED:

ROEL T. JARINA
Vice Mayor & Temporary Presiding Officer