

Republic of the Philippines
Province of Iloilo
Municipality of Tigbauan
Office of the Sangguniang Bayan
Tigbauan Municipal Hall, Tigbauan, Iloilo 5021 Philippines
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EXCERPT FROM THE MINUTES OF THE 4TH REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON JANUARY 24, 2018 AT 4:00 O'CLOCK IN THE AFTERNOON

PRESENT:

HON. VIRGILIO T. TERUEL,	Vice Mayor & Presiding Officer
HON. DENNIS T. VALENCIA	- S.B. Member
HON. JOHN GERSHWIN C. TUERES	- S.B. Member
HON. ARIEL I. BERNARDO	- S.B. Member
HON. SUZETTE MARIE HILADO-BANNO	- S.B. Member
HON. JULIUS T. LEDESMA	- S.B. Member
HON. NERI T. CAMIÑA	- S.B. Member
HON. MA. GERRYLIN SANTUYO-CAMPOSAGRADO	- S.B. Member
HON. JERRY T. TUARES	- S.B. Member
HON. RONNIE T. PAGUNTALAN	- Liga President

ABSENT: NONE

Resolution No. 2018-020

RESOLUTION AUTHORIZING MUNICIPAL MAYOR, ATTY. SUZETTE TENEFRANCIA-ALQUISADA, FOR AND IN BEHALF OF THE MUNICIPALITY OF TIGBAUAN, TO MEET, STUDY AND DISCUSS WITH THE NATIONAL GOVERNMENT, ITS AGENCIES AND INSTRUMENTALITIES (NG), THE SPECIFIC TERMS OF THE IMPLEMENTATION OF THE DECISION OF THE SUPREME COURT ON THE PETITION FILED BY THEN CONGRESSMAN MANDANAS ET. AL. UNDER SC-G.R. NO. 199802 FOR CERTIORARI, PROHIBITION AND MANDAMUS WITH THE PRAYER FOR PRELIMINARY INJUNCTION AND/OR TEMPORARY RESTRAINING ORDER (TRO) INVOLVING THE UNRELEASED INTERNAL REVENUE ALLOTMENT (IRA) TO LOCAL GOVERNMENT UNITS (LGUS).

WHEREAS, on January 10, 2012 then Congressman Hermilando I. Mandanas, as lead petitioner, filed with the Supreme Court a Petition (SC-G.R. No. 199802) for Certiorari, Prohibition and Mandamus with Prayer for Preliminary Injunction and/or Temporary Restraining Order against Respondents Executive Secretary Paquito N. Ochoa Secretary Cesar V Purisima-Department of Finance (DOF), Secretary Florencio H. Abad - Department of Budget and Management (DBM), and Treasurer Roberto B. Tan - Bureau of Treasury (BTr);

WHEREAS, the said Petition was filed to seek the automatic release of the full share of the LGUs, also known as Internal Revenue Allotment (IRA), in the national internal revenue taxes collected by the National Government its agencies and instrumentalities (NG) as provided for in the Constitution and determined by law;

WHEREAS, the 1987 Philippine Constitution and the Local Government Code of 1991 mandate that the National Government should fully, automatically and directly release the IRA to the LGUs without any further action or condition, as ruled by the Supreme Court in the case of the Province of Batangas vs. Romulo, G.R. No. 152774, May 27, 2004;

WHEREAS, the unreleased amount of IRA collected by the Bureau of Customs (VAT and excise taxes) as agent of the BIR due to the Provinces, Cities, Municipalities and Barangays from 1992 up to the present has already reached EIGHT HUNDRED BILLION PESOS (Php800 Billion);

WHEREAS, compliance by the National Government with the provisions of the 1987 Philippine Constitution and existing laws as regards the full and automatic release of the (abovementioned amount of) IRA to LGUs would enable the latter to hasten delivery of much needed services to their constituents such as: Health, Education, Livelihood, Environment Protection, Housing, Roads and Bridges, Agriculture, Safe drinking water, Disaster preparedness, etc.;

WHEREAS, the full and automatic release of the abovementioned amount of IRA will strengthen local autonomy and prepare the LGUs towards Federalism;

WHEREAS, there is a need for representation on behalf of the (LGU concerned – Province/City/Municipality/Barangay) to discuss and determine with the National Government the terms of implementation of what is expected to be a positive Decision in SC-G.R. No. 199802 (based on jurisprudence) in favor of the LGUs;

WHEREAS, the Regional Development Council as provided for in the Constitution is mandated to strengthen the autonomy of the units therein and to accelerate the economic and social growth and development of the units in the region;

WHEREAS, HON. ATTY. SUZETTE TENEFRANCIA-ALQUISADA, Municipal Mayor, a lawyer and certified public accountant, is in the best position to represent LGU Tigbauan because of her expertise and experience in finance and public service;

NOW, THEREFORE, on motion of HON. DENNIS T. VALENCIA, Chairman, Committee on Appropriations, Budget, Finance, Accounts and Ways and Means and duly seconded by Hon. John Gershwin C. Tueres, Hon. Ariel I. Bernardo, Hon. Suzette Marie Hilado-Banno, Hon. Neri T. Camiña, Hon. Julius T. Ledesma, Hon. Ma. Gerrylin Santuyo-Camposagrado, Hon. Jerry T. Tuares and Hon. Ronnie T. Paguntalan,

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, to authorize Municipal Mayor, ATTY. SUZETTE TENEFRANCIA-ALQUISADA, for and in Behalf of the Municipality of Tigbauan, to Meet, Study and Discuss with the National Government, its Agencies and Instrumentalities (NG), the Specific Terms of the Implementation of the Decision of the Supreme Court on the Petition Filed by then Congressman Mandanas Et. Al. Under SC-G.R. No. 199802 for Certiorari, Prohibition and Mandamus with the Prayer for Preliminary Injunction and/or Temporary Restraining Order (TRO) Involving the Unreleased Internal Revenue Allotment (IRA) to Local Government Units (LGUs);

RESOLVED FURTHER, that the Regional Development Council will be the coordinating body to assist in the implementation of the decision of the Supreme Court. It is also clear and understood that Mayor Atty. Suzette Tenefrancia-Alquisada, through the Regional Development Council, will report to LGU Tigbauan the specific terms and

conditions arrived at in the negotiations with the National Government, its Agencies and Instrumentalities for the LGU's final decision.

APPROVED.

CERTIFIED CORRECT:


MARLENE TAYO-NAVA
S.B. Secretary

ATTESTED:


VIRGILIO T. TERUEL
Vice Mayor & Presiding Officer

HON. VIRGILIO T. TERUEL, LAWYER
Municipal Vice Mayor

Sangguniang Bayan Members:

Hon. Dennis T. Valencia	Hon. Suzette Marie Hilado-Banno, <i>M.D.</i>	Hon. Ma. Gerrylin Santuyo-Camposagrado, <i>LLB,MPA</i>
Hon. John Gershwin C. Tueres, <i>LLB</i>	Hon. Neri T. Camiña	Hon. Jerry T. Tuares, <i>Civil Engineer</i>
Hon. Ariel I. Bernardo	Hon. Julius T. Ledesma, <i>O.D.</i>	Hon. Ronnie T. Paguntalan (LnB-Pres.)

"Public office is a public trust. Public Officials must at all times be accountable to the people."