



REPUBLIC OF THE PHILIPPINES
PROVINCE OF ORIENTAL MINDORO
MUNICIPALITY OF PINAMALAYAN

OFFICE OF THE SANGGUNIANG BAYAN

Telephone Number: (043) 284-3147

Email Address: vicemayoroffice@pinamalayan.gov.ph

ORDINANCE NO. 05-2019

AN ORDINANCE ADOPTING THE UPDATED EXISTING RULES OF PROCEDURES OF THE SANGGUNIANG BAYAN OF PINAMALAYAN, ORIENTAL MINDORO.

WHEREAS, the Sangguniang Bayan of Pinamalayan, Oriental Mindoro is a legislative body duly organized pursuant to law for the enactment of ordinances and the adoption of resolution for the governance of the Municipality of Pinamalayan, Oriental Mindoro;

WHEREAS, pursuant to the provisions of RA 7160, otherwise known as the Local Government Code of 1991, Chapter 3, Section 50 of its Implementing Rules, Local Sangguniang Bodies have the inherent right and obligation to adopt or updates its own rules of procedure for the proper discharge of legislative functions;

WHEREAS, Resolution No. 073-2013 stipulating the existing rules of procedures need to be updated that may be acceptable to govern the Sanggunian deliberation of the present set of Sangguniang Bayan Members, subject to such limitations and requirements prescribed in the 1991 Local Government Code and to some annotations and amendments affected thereto.

NOW THEREFORE, BE IT RESOLVED by the Sangguniang Bayan of Pinamalayan, Oriental Mindoro to enact –

**RULE I
MEMBERSHIP**

SECTION 1. COMPOSITION – The Sangguniang Bayan shall be composed of the Vice Mayor, as the Presiding Officer, the eight (8) Municipal Councilors and the two (2) Ex – Officio Members – the Liga ng mga Barangay Municipal Federation President and the Sangguniang Kabataan Municipal Federation President.

SECTION 2. FLOORLEADER – There shall be a Floorleader. The Chairman of the Committee on Rules and Privileges of the Sangguniang Bayan shall automatically be the Floorleader.

**RULE II
PRESIDING OFFICER**

SECTION 3. THE PRESIDING OFFICER – The Vice Mayor shall be the Presiding Officer of the Sangguniang Bayan of Pinamalayan, Oriental Mindoro. The Presiding Officer shall vote only to break a tie.

In the event of the inability of the regular Presiding Officer to preside at a Sanggunian session, the Members present and constituting a quorum shall elect from among themselves a Temporary Presiding Officer. He shall certify within ten (10) days from the passage of ordinances enacted and resolutions adopted by the Sangguniang Bayan in session over which he temporarily presided.

SECTION 4. POWERS AND DUTIES OF THE PRESIDING OFFICER – The Presiding Officer shall:

- a) Preside over the sessions of the Sangguniang Bayan;
- b) Preserve order and decorum during sessions, and in case of disturbance or disorderly conduct in the session hall or within the premises, takes measures as he may deem advisable or as the Sanggunian directs;



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- c) Decide all question or order, subject to appeal by any Sanggunian Member in accordance with these rules;
- d) Sign all acts, ordinances, resolutions, memorials, writs, warrants and subpoena issued by or upon order of the Sanggunian;
- e) Exercise such other powers and perform such other functions as may be provided by law, ordinance or resolution.

The regular Presiding Officer shall not be a Chairman of any standing committee, but shall have a voice and vote in all committee deliberations. He may, however, be elected as Chairman of any special or ad hoc committee which the Sanggunian may organize for specific purpose.

RULE III THE SECRETARY

SECTION 5. APPOINTMENT AND COMPENSATION – The Sanggunian Secretary shall be appointed by the Municipal Vice Mayor, with the confirmation of the Sanggunian Members and other emoluments shall be determined by law or ordinance.

The appointment of the Sanggunian Secretary shall be in accordance with Civil Service Law, Rules and Regulations.

SECTION 6. POWER AND DUTIES OF THE SECRETARY – The Sanggunian Secretary shall not have a voice in all Sanggunian and Committee deliberations unless otherwise consulted and recognized by the Chair. The Sanggunian Secretary shall definitely:

- a) Attend meetings of the Sangguniang Bayan and keep the minutes of its proceedings;
- b) Record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the Sangguniang Bayan with the dates of their enactment/passage and publication;
- c) Forward to the Municipal Mayor for appropriate action, ordinance and resolutions enacted or adopted by the Sangguniang Bayan which have been certified as such by the Presiding Officer within ten (10) days after their enactment or adoption;
- d) Keep and affix the Sanggunian seal on all ordinances and resolutions signed by the Municipal Mayor;
- e) Attest all ordinances and resolutions approved by the Sanggunian and signed by the Municipal Mayor;
- f) Forward to the Sangguniang Panlalawigan for review copies of approved resolutions and ordinances within seventy-two (72) hours after their approval;
- g) Translate into the dialect used by the majority of the people of the Municipality all ordinances and resolutions immediately after their approval, and have the translation posted, together with the original at the main entrance of the Municipal building and in two (2) conspicuous public places in the area;
- h) Upon request, furnish certified copies of all records and documents in his charge not otherwise classified as confidential, upon payment to Local Treasurer on the fees prescribed by ordinances;



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- i) Keep his office and all records therein which are not of a confidential character open to the public inspection during the usual business;
- j) Act as a custodian of the public library and archives, if any and annually account for the properties therein;
- k) Ready all the minutes, resolutions and ordinances adopted and enacted for signature of the Sangguniang Bayan Members before session starts. Signing of minutes, ordinances, resolutions and any other papers/documents shall not be done during session hours;
- l) The secretary, at any time necessary, may send notices, communication letters, messages to all concerned as maybe requested by the Sanggunian; and
- m) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance. In addition, the Secretary shall cause the immediate processing and submission of the approved Resolutions and Ordinances within the time frame set by law or ordinance.

RULE IV SESSIONS

SECTION 7. REGULAR SESSIONS – The regular session of the Sangguniang Bayan of Pinamalayan, Oriental Mindoro, shall be four (4) times a month, every **MONDAY** and shall commence at exactly 9:00 o'clock in the morning. The Sangguniang Bayan may conduct its regular session in any barangay in this municipality, at least once in a month, and sequence thereof shall be determined by draw lots.

SECTION 8. SPECIAL SESSION –

- a. When public interest so demands, special sessions may be called by the Local Chief Executive or by a majority of the members of the Sanggunian.
- b. A written notice to the Sanggunian Members stating the date, time and purpose of the meeting shall be served personally or left with a member of his household at his usual place of residence at least twenty-four (24) hours before the special session is held.
- c. Unless otherwise agreed upon by two-thirds (2/3) vote of the members present, these being a quorum, no other matter may be considered at a special session except those stated in the notice.

SECTION 9. CALLING ATTENTION – The Secretary may call the attention of all members of the Sanggunian to rise upon entering of the Regular Presiding Officer.

SECTION 10. CALL TO ORDER – The Presiding Officer shall open the session by calling the Sanggunian to order.

The Invocation, the Singing of the National Anthem, singing of “Martsa Magandang Pinamalayan”, Councilor’s Creed and the Closing Prayer shall be played through a projector monitor.



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SECTION 11. ATTENDANCE IN SESSION – Every member of the Sangguniang Bayan shall be present in all sessions, unless expressly excluded from attending thereto by cause. Any member, who absents himself, except on account of sickness which should be supported by medical certificate and on official travel/business, shall be fined an amount of Five Hundred Pesos (**P500.00**) and an amount of Two Hundred Pesos (**P200.00**) for any member who comes late.

These amount/fines shall be deducted from salary of the concerned SB Members upon the order of the Presiding Officer and shall be entrusted to the designated SB Treasurer for safekeeping and shall be spent only for specific purpose as agreed upon by the members. The Sangguniang Bayan Treasurer shall come from the members of the Sangguniang Bayan.

SECTION 12. OPEN TO PUBLIC – Sanggunian sessions or meetings of any Committee thereof shall be open to the public unless a closed session is decided or 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, or for reasons affecting the dignity of the Sanggunian or any of its members, or when confidential matters are being considered.

On a motion to hold a closed session duly approved, the Presiding Officer shall direct the session hall cleared and door closed.

Only the Secretary and such other person are specifically authorized by the Sanggunian shall admitted to the closed sessions. They shall preserve the secrecy of whatever may be read or said at the session.

SECTION 13. SUSPENSION AND ADJOURNMENT OF SESSION – Session of the Sanggunian shall not be suspended or adjourned except by direction of the Sanggunian itself, but the Presiding Officer may, in his discretion, declare a recess of short intervals.

SECTION 14. OPENING AND ADJOURNMENT TO BE ENTERED IN MINUTES – The exact hour of opening and adjournment of a session shall be entered in in the minutes.

**RULE V
ROLL CALL AND QUORUM**

SECTION 15. QUORUM – A majority of all the elective and appointive Members of the Sanggunian shall constitute a quorum to transact official business.

Should a question of quorum be raised during a session, the Presiding Officer shall immediately proceed to call the roll of the members and thereafter announce the result.

SECTION 16. ABSENCE OF QUORUM – Where there is no quorum in a given session the Presiding Officer may declare a recess until such time as a quorum is constituted, or a majority of the members present may adjourn form day to day and may compel the immediate attendance of any Member absent without good cause by issuing to the Philippine National Police Force/Pinamalayan Municipal Police Station assigned in the area an order for the arrest and presentation of the absent member at the session.

Alipia

[Handwritten signatures and initials]



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If there is still no quorum despite the foregoing, no business shall be transacted. The Presiding Officer, upon proper motion duly approved by the members present, shall then declare the session adjourned to lack of quorum.

SECTION 17. MOTION TO ADJOURN VACATES CALL – At any time after the roll call has been completed, a motion to adjourn shall be in order, and if approved by a majority of those present, all proceedings shall be vacated.

**RULE VI
COMMITTEES**

SECTION 18. STANDING COMMITTEES – The Sangguniang Bayan shall elect the Chairman, Vice Chairman and Members of the following standing committees, the general jurisdiction of which shall be as hereunder provided:

1) **Committee on Rules, Privileges, Legal Matters and Ordinances**

All matters related to Order of Business, the implementation of national laws and enforcement of local ordinances, revision and interpretation of the Sanggunian Internal Rules and Procedure; codification, misfeasance and nonfeasance against local officials and employees; committees and their jurisdiction; privileges and disorderly conduct of the Members of the Sanggunian.

All matters related to the enactment, revision or amendment of all kinds of ordinance except appropriation ordinance; exercise of legislative powers (taxing power, police power, corporate powers and propriety rights); legality of proposed measures to be acted upon by the Sangguniang Bayan; and review of ordinances and resolutions submitted by the Barangays.

2) **Committee on Ways and Means**

All matters related to taxes, fees, charges, loans; study and revision of tax measures; and generation of other sources and forms of revenue from both public and private sectors, including codification and revenue ordinances.

3) **Committee on Finance and Appropriation**

All matters related to the approval of the budget, appropriation of funds or payment of obligations; determination of compensation of personnel; reorganization of local offices; allocation of funds for projects and other services.

4) **Committee on Public Market and Slaughterhouse**

All matters related to the administration/operation of the public market and slaughterhouse; measure pertaining to market rental fees and other market and slaughterhouse charges; improvement of market facilities and its premises, enactment/revision of the Market Code and all other matters related to market and slaughterhouse administration.



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5) **Committee on Health and Sanitation**

All matters related to health, sanitation and hygiene, health centers, medical hospital and clinics; purchase of medicine and other health and sanitary measures.

6) **Committee on Education, Culture and Arts**

All matters related to education, culture and arts; local schools, colleges and universities, libraries and museums, non-formal and community adult education; scientific and advancement, preservation and enrichment of Filipino Arts and culture; promotion and protection on the youth's physical, moral, spiritual, intellectual, and social well-being; inculcation of patriotism and nationalism among the youth and their involvement in public and civic affairs; and competitions; and all other related matters.

7) **Committee on Tourism, Ecology and Environmental Protection and Natural Resources**

All matters related to the development of tourism areas, tourism promotion and services and all matters related to human ecology and settlements; environmental protection, exploration, development, utilization and conservation of natural resources, including flora and fauna; and beautification, cleaning and greening of parks and places of public interest.

8) **Committee on Social Welfare Services, Labor and Employment**

All matters related to the protection of women and family; measures to protect working woman by providing safe and healthful working conditions, taking into account their maternal functions and such facilities and opportunities that will enhance their welfare and potentials; measures to protect the rights of spouses and children, including assistance for proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development; measures to protect the rights of families or family associations to participate in the planning and implementation of policies and programs that affect them; and other assistance that will safeguard the development of women and family.

All matters related to public and social welfare and ameliorative services; public social services for the Lesbian, Gay, Bi-sexual, Transgender, Queer (LGBTQ) Community and for the disadvantage groups in Philippine Society including the elderly, the disabled, street children, Indigenous People (IPs), solo parents, drug dependents, criminal offenders as well as relocation and resettlement of squatters.

All matters related to labor disputes and conciliation, labor employment and manpower development, maintenance of industrial peace and promotion of employer-employee cooperation, labor education, standards and statistics, organization of labor market, including recruitment, training and placement of workers and employment, manpower promotion and development of labor - intensive technology.



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9) Committee on Public Order and Safety and Human Rights

All matters related to police matters maintenance of peace and order; protective services, traffic rules and regulations, fire prevention and control measures, jail management and human rights.

10) Committee on Food and Agriculture

All matters related to agriculture, food production and agri-business, agricultural economic research, soil survey and conservation; agricultural education and extension services; animal industry and livestock quarantine, farm credits; fisheries and aquatic resource preservation and development of fishing grounds; and construction of fish ponds, corals, oyster bed and regulatory measures thereof.

11) Committee on Trade and Industry, Business Promotion and Economic Enterprise

All matters related to, in connect with the promotion, establishment and operation of all kinds of trade and industry and other economic activity.

12) Committee on Public Works and Infrastructure

All matters related to planning, construction, maintenance, improvement and repairs of public buildings, highways, roads and bridges, parks, monuments, playgrounds and other public edifices; drainage, sewerages and flood control and protection; irrigation and water facilities.

13) Committee on Housing and Land Utilization

All matters related to Housing Program; Subdivision development/real estate development; measures pertaining to land uses; Zonification or Zoning Code enactment; and all matters related to housing and land utilization.

14) Committee on Good Government, Ethics and Accountability

All matters pertaining to organizations and management; personnel administration, position, classification and pay plan, 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; and all matters related to good governance.

15) Committee on Youth and Sports and Development

All matters pertaining to sports development and youth welfare and development.



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16) Committee on Barangay Affairs

All matters or questions pertaining to or connected with the creation, division, abolition or alterations of boundaries of barangays; naming or renaming of barangay roads; review of barangay ordinances and executive orders issued by the Punong Barangay; and all other matters pertaining to barangay government affairs.

17) Committee on Cooperatives, Non-Government Organizations and People's Organization

All matters pertaining to cooperatives organizations and developments; incentives to cooperatives; all matters affecting the cooperatives development program of the government.

All matters related to the accreditation of NGO's and PO's; partnership with the local government units; roles in community development.

18) Committee on Games and Amusement

All matters related to the operation/establishment of amusements places; measures that affect 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 amusements.

19) Committee on Transportation, Communication and Public Utilities

All matters related to planning, modernization installation and construction of transportation and communication.

All matters pertaining to the operation of power and water entities and regulation thereof; their projects and activities; community relations and development program; and customers' complaint and satisfaction.

20) Committee on Anti-Poverty and Informal Settlers

All matters pertaining to the reduction of Poverty; formulation of livelihood Programs for the improvement of people's living condition; adoption of measures for reduce unemployment rates; and provisions of decent life.

All matters relative to problems of Informal Settlers; adoption of measures for Relocation Programs; provision of residential units and sources of livelihood opportunities.

SECTION 19. COMPOSITION OF STANDING COMMITTEES – Each standing committee shall have a Chairman with a blanket of authority to appoint the Vice-Chairman and three (3) members of his committee.

SECTION 20. MODES OF SELECTION OF A COMMITTEE CHAIRMAN – The following are the modes of selecting a Committee Chairman, to wit:



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- a) Blanket authority for the Presiding Officer to appoint a Committee Chairman
- b) Viva Voce
- c) Raising of hands; and
- d) Secret balloting

SECTION 21. LIMITATION – No Sanggunian Member shall be a chairman of more than two (2) standing committees. However, a Sanggunian Member maybe allowed to hold three (3) chairmanships provided his third chairmanship has been obtained as a result of vacancy.

SECTION 22. SPECIAL COMMITTEES – The Sanggunian may organize Special Committee as it may deem necessary. The officers and members of special committees, the same shall likewise be elected by the majority vote of all the Sanggunian Members.

SECTION 23. VACANCY ON THE COMMITTEE CHAIRMANSHIP – Whenever a vacancy occurs or is declared to exist in any of the standing committees, the position shall be automatically fille by the Vice Chairman.

SECTION 24. COMMITTEE MEETINGS OR HEARINGS – The Committees shall determine the frequency of their meetings or hearings. A majority of all members of the committee shall constitute a quorum. Committee meetings or hearings shall be held only in a public building. Committee Meetings shall be held every Tuesday, Wednesday and Thursday morning.

Any member, who absents himself, except on account of sickness which should be supported by medical certificate and on official travel/business, shall be fined an amount of Two Hundred Pesos (P200.00). This amount shall be deducted from salary of the concerned SB Members upon the order of the Presiding Officer and shall be entrusted to the designated SB Treasurer for safekeeping and shall be spent only for specific purpose as agreed upon by the members. The Committee Chairman shall submit a list of absent to the Presiding Officer (Vice Mayor) for deduction purposes.

SECTION 25. COMMITTEE REPORTS AND ORDERS – Committee reports and/or Orders (on any ordinance) or resolution shall be considered in formal meetings and shall not be submitted to the Sanggunian unless accompanied by the minutes of the meeting or hearing of the Committee which adopted them.

When a committee submits a report, they shall be precluded from opposing the same, unless they have entered their objection thereto during the committee meeting.

RULE VII
ORDER AND CALENDAR OF BUSINESS

SECTION 26. ORDER OF BUSINESS – The Order of Business of the Sanggunian for very session shall be:

1. Call to Order
2. Prayer followed by the national Anthem and Matrsa Magandang Pinamalayan
3. Philippine Councilors' Creed
4. Roll Call



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5. Reading and Approval of the Minutes of previous meeting
6. Privilege Hour/Question Hour/Citizen Hour
7. First Reading, Reference to corresponding committees of proposed Ordinance, Resolution, Petition, Memorials, Motions and other communications
8. Committee Reports
9. Calendar of Business
 - Unfinished Business
 - Business for the day
 - Unassigned Business
10. Proposed Ordinance and Resolutions for Third Reading
11. Closing Prayer
12. Adjournment

SECTION 27. ADOPTION OF MINUTES – The minutes of each session shall be submitted to the Sanggunian for adoption.

SECTION 28.1 PRIVILEGE HOUR – Every Sangguniang Bayan Member who is planning to avail privilege hour in the ensuing regular session shall submit the written content of his speech, atleast two (2) working days before the regular session, to the floor leader.

SECTION 28.2 CITIZEN HOUR – An opportunity for a person, group, association, cooperative and the like to appear before the session of the Sangguniang Bayan with a purpose requiring legislation, permission, or action from the Sangguniang Bayan, and with other related purposes.

SECTION 29. CALENDAR OF BUSINESS – The calendar of Business shall consist of the following parts:

- a. *Unfinished Business* – Business being considered by the Sanggunian at the time of its adjournment. Its consideration shall be presumed until such unfinished business is disposed of. Thereafter, the Presiding Officer shall call for the Business for the day.
- b. *Business for the day* – Proposed Ordinance, Resolutions and other measures set on the Calendar for consideration on that day, to be considered in the order in which they are listed in the Calendar.
- c. *Unassigned Business* – Proposed Ordinance, resolutions and other measures reported out by the Committees but not calendared earlier. Any business included in this part of the Calendar may be set for consideration on motion of a member with unanimous approval of the Sanggunian Members present at a session, there being a quorum.

SECTION 30. PREPARATION AND DISTRIBUTION OF THE CALENDAR OF BUSINESS – The Committee on Rules shall prepare the Calendar of Business every meeting and shall cause the Secretary to furnish a copy thereof to every member of the Sanggunian not less than one (1) day before every regular session. The urgent measures shall be prepared in consultation with the Mayor thru the Sanggunian Secretary.



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To give ample time in the preparation of the Calendar of Business, petition, proposals, ordinances and resolutions shall be submitted to the Committee on Rules in the 4th day of the week (Thursday). Only those proposals, ordinances and resolutions duly submitted on time shall be included in the Calendar of Business for the following Monday regular session.

SECTION 31. CALENDAR OF BUSINESS – Shall contain a brief description of each item of business to be taken up during the meeting, indicating the sources, in the case of communications, endorsements, petitions, memorials and memoranda; the name of the author or authors, the name of motions, resolutions, and ordinances; and the committee or committees to which they have been referred.

SECTION 32. COMMITTEE REPORTS – Shall be rendered first, by the regular Committees in the order they are listed in the Rules of the Sanggunian, and then by special Committee, in order of their creation.

The report consisting of the findings and recommendations of the majority of the Committees shall be made by its Chairman, or if he consents with the majority opinion, by any Committee member, concurring therein and duly designated for the purpose. If the recommendation is favourable, the Committee on Rules shall calendar it for the second reading; otherwise it shall be considered laid on the table.

SECTION 33. THE CONSIDERATION OF UNFINISHED BUSINESS – Shall be resumed after the Committee reports have been rendered and so on at each succeeding meeting until such finished business is disposed of.

**RULES VIII
ORDINANCES AND RESOLUTIONS**

SECTION 34. ORDINANCES AND RESOLUTIONS – DISTINGUISHED – Legislative actions of a general and permanent character shall be enacted in the form of Ordinances while those which are temporary character shall be passed in the form of Resolutions. Matters relating to a proprietary functions and to private concerns shall also be acted upon by resolution.

SECTION 35. ESSENTIAL PARTS OF ORDINANCES AND RESOLUTIONS – 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 affectivity. 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 and submitted to the Secretary who shall report the same to the Sanggunian at its next session.

SECTION 36. FIRST READING – Submission of measures and proposal should be to the Chairman of the Committee on Rules, at least one (1) day before the regular and special session.

The first reading of a proposed ordinance or resolution shall only be by title and thereafter, the same shall be referred to the appropriate committee.



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Only the Chairman or Vice-Chairman of the Committee to which a proposed Ordinance or Resolution was erroneously referred, as well as the Chairman or Vice Chairman of the Committee claiming jurisdiction over the proposed ordinance or resolution, may move that the referral be declared erroneous and ask for its correction. However, the Presiding Officer may motu proprio rectify an erroneous referral.

SECTION 37. PERIOD TO REPORT – The Committee shall submit a report on the proposed Ordinance or resolution within thirty (30) days after it has been referred to it.

If the Committee action on a proposed Ordinance or resolutions is unfavourable, it shall be laid on the table within ten (10) days, notice of the action taken will be furnished the author or authors concerned stating the reason for such action: Provided, that within five (5) days after receipt of the notice, the Sanggunian may reconsider the Committee recommendation.

SECTION 38. URGENT MEASURES – Any legislative matter duly certified by the Municipal Mayor as urgent, whether or not it is included in the Calendar of Business, may be presented and considered by the Sanggunian in the same session without need of suspending the Rules.

The Sanggunian likewise, may on motion made by the proponent or any member of the Committee concerned, consider a proposed Ordinance or Resolution as urgent and consideration thereof shall be scheduled according to a timetable.

If said motion is approved, the Sanggunian shall forthwith prepare detailed timetable fixing the date on or before with proposed ordinance or resolution must be reported by the Committee concerned, the number of days or hours to be allotted to the consideration of the measure of Second Reading, and the date or hour at which proceeding must be concluded and final vote on said measure taken.

SECTION 39. SECOND READING AND DEBATE – No proposed Ordinance or Resolution for Second Reading, the same shall be read in full with the amendment proposed by the Committee, if any, unless copies thereof have been distributed earlier and such reading is dispensed with. Thereafter, the proposed Ordinance or Resolutions shall be subject to debate and pertinent motions, only after all Sangguniang Bayan Members shall have been given a two-minute views or opinion on the said Ordinance or Resolution.

SECTION 40. DEBATE AND CLOSURE OF MEMBERS – In the discussion of any measure, a motion to close the debate shall be in order two speeches for and one against, or after only one speech has been delivered and none entered against it.

When several members have registered or signified their intention to speak on the matter under consideration and when said matter has been sufficiently and thoroughly discussed by the Member speaking, the Presiding Officer, MOTU PROPIO, or upon motion of a Members may not be deprived of their opportunity to speak.

SECTION 41. FIVE-MINUTE RULE – After the close of the debate, the Sanggunian shall proceed to the consideration of Committee amendments. A member who desires to speak for against an amendment shall have only five (5) minutes to do so.



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The five-minute rule shall apply, likewise, in the consideration of an amendment, or of an amendment by substitution.

SECTION 42. APPROVAL OF MEASURE ON SECON READING – The Sanggunian Secretary shall prepare copies of the proposed Ordinance or resolution in the form it was passed on Second Reading and shall distribute to each Sanggunian Member a copy thereof, except that a measure certified by the Municipal Mayor as urgent may be submitted for final voting immediately after debate and/or amendments during the Second Reading.

After the amendments have been acted upon, the proposed Ordinance or Resolution shall be voted on Second Reading

SECTION 43. THIRD READING – A proposed Ordinance or Resolutions approved on Second Reading shall be included in the Calendar under for Third Reading.

No Ordinance shall be approved unless it has passed three readings, and copies thereof in its final form have been distributed to the Members at least three (3) days before its passage, except when the Municipal Mayor or the Sanggunian certifies to the necessity of its immediate enactment to meet a public calamity of emergency. Upon the Third Reading of a proposed Ordinance or Resolution, no amendment thereto shall be allowed, and vote thereon shall be taken immediately thereafter and the yeas and nays entered in the Minutes.

SECTION 44. APPROVAL OF RESOLUTION – A resolution shall be enacted in the same manner prescribed for ordinances, except that it need not go through a separate Third Reading for its final consideration unless decided otherwise by a majority of all the Sanggunian Members.

SECTION 45. MAJORITY REQUIREMENT – No ordinance or resolution passed by the Sanggunian shall be valid unless approved by a majority of the Members present, there being a quorum. Any Ordinance or Resolution authorizing or directing the payment of money or creating liability, shall require the affirmative vote of a majority of all the Sanggunian and recorded in a book kept for the purpose.

Upon the passage of all ordinance or resolution the Sanggunian Secretary shall record the yeas and nays. Each approved ordinance or resolution shall be stamped with seal of the Sanggunian and recorded in a book kept for the purpose.

SECTION 46. APPROVAL OF THE MUNICIPAL MAYOR – Every ordinance or resolution passed by the Sanggunian, except those resolutions of special concerns or those resolutions which are merely expressions of sentiments, views, or opinions of the Sangguniang Bayan, shall be forwarded to the Municipal Mayor for approval. The Municipal Mayor shall affix initial on each and every page of the Ordinance or Resolution and the word "APPROVED" shall appear with his signature on the last page thereof.

Within ten (10) days after the receipt of the Ordinance or Resolution, the Municipal Mayor shall return the said ordinance or resolution to the Sanggunian with either his approval or his veto. If he does not return it within that time, the ordinance or resolution shall be deemed approved.



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Email Address: vicemayorsoffice@pinamalayan.gov.ph

SECTION 47. VETO POWER OF THE MUNICIPAL MAYOR – The Municipal Mayor may veto any Ordinance or Resolution on the ground that it would be prejudicial to the public welfare particularly stating his reasons thereon in writing.

The Municipal Mayor shall have the power to veto any particular or items of any Appropriation Ordinance, or of an Ordinance or Resolution directing the payment of money or creating liability. In such case, the veto items shall not affect item or an item, which is not objected to. The voted items shall not have effect unless the Sanggunian overrides the veto in the manner hereunder provided otherwise; the items in the Appropriation Ordinance of the previous year corresponding to those vetoed shall be deemed re-enacted.

The Sanggunian may override the veto of the Municipal mayor concerned by two-thirds (2/3) vote of all members thereby making the ordinance or resolution effective,

The Municipal Mayor may veto an Ordinance or Resolution only once.

SECTION 48. REVIEW BY THE SANGGUNIANG BAYAN – Within ten (10) days after the enactment, the Sangguniang Barangay shall furnish copies of the Barangay Ordinance to the Sangguniang Bayan for review, as to whether the ordinance is consistent with law and with Municipal Ordinances.

Failure on the part of the Sangguniang Bayan to take action on Barangay Ordinance within thirty (30) days from receipt thereof, said Ordinance shall presumed consistent with law and with Municipal Ordinances and, therefore valid.

If within thirty (30) days, the Sangguniang Bayan finds the Barangay inconsistent with law or with municipal ordinances, the Sangguniang Bayan shall return the ordinance with its comments and recommendations, to the Sangguniang Barangay for adjustment, amendment or modification in which case, the effectivity of the Ordinance shall be deemed suspended.

SECTION 49. ENFORCEMENT OF DISAPPROVAL MEASURES – Any attempt to enforce, promulgate or execute any ordinance, resolution or executive order after the disapproval thereof shall be sufficient ground to the suspension or dismissal of the officer making such attempt.

SECTION 50. EFFECTIVITY OF ENACTMENT – Unless otherwise stated in the ordinance or resolution, the same shall take effect after the lapse of ten (10) day from the date, a copy thereof is posted in a bulletin board at the entrance of the municipal hall, and in at least two (2) other conspicuous places, such as the public market, church or chapel.

Not later than five (5) days after the passage of the Ordinance or Resolution, the Sanggunian Secretary shall cause the posting thereof in English together with a copy translated in the dialect used by the majority of the people in the area, and shall recorded such facts in a book kept for the purpose, stating the dates of approval and posting thereof.

Alipia

Mato

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RULE IX
DECORUM AND DEBATE

SECTION 51 (A). RULES OF DECORUM –

1. *Formal reference to the Presiding Officer.* Any reference to the Presiding Officer should be stated as “The Chair”. If the Presiding Officer has a ‘title’ he should be addressed as such. If he has none, he may be address as “Mr. Chairman”. Sometimes the term ‘Chairman’ is already a title in itself like when a person is the Chairman of the Board or Chairman of a Committee. (Examples of addressing by ‘title’: “Mr. President”; “Madam President”; “Mr. Governor”; “Mr. Mayor”, etc.)
2. *Formal reference to another member.* Addressing another member by his name should be avoided. Instead, he should be referred to as “The Previous Speaker”; “The gentleman (gentle lady) who spoke before me”; “The distinguished Sponsor”; “The gentleman (gentle lady) from (place of origin)”; “The delegate from (place of origin), or any other appropriate words.
3. *Relevance of statements to issue.* All questions, discussions, or statement by everybody in the group should be germane to the pending question or issue being deliberated on.
4. *Refraining from Personalities.* Personalities shall be avoided at all times. It is the members’ proposal or ‘motion’ that is at issue, not the member himself. Assuming that the other fellow is really wrong in what he is telling the group, it is improper or ‘out of order’ for any member to say: “You are wrong”, or “this gentleman is lying”. This could be better stated instead as: “Mr. Presiding Officer, I have reason to believe that my dear colleague is somewhat mistaken”.
5. *Coursing remarks and questions to the Chair.* All remarks of the speaker, questions to and answers by him, should be coursed thru the Chair.
6. *Speaking against own motion is not allowed.* A proposer of a motion is not allowed to speak against his own motion except when his motion has been amended to such extent that the main substance of it’s no longer his or is entirely different from his original motion. In this instance he may even vote against it.
7. *Observance of Time Limit.* No member shall speak longer than the time allotted to him. In case there is no time fixed, it is understood that the generally accepted “ten-minute rule” shall not be exceeded.
8. *Civility in the Conduct of Members.* Members are expected to manifest proper deportment. When someone has the floor, everybody should be seated. No member shall impugn the integrity or character, nor question the motives of another member.
9. *No monopoly of discussion or debate.* No member shall monopolize any discussion or debate. No member shall speak more than twice on the same subject matter without the consent of the body. No member shall be granted a second turn to speak until all who wish to avail the first opportunity shall have spoken.
10. *Member may change vote.* If the method use is not by ballot, a member may be allowed to change his vote provided that result of the voting has not yet been announced or the votes have not yet been counted.
11. *Recognition first before speaking.* No member shall speak before the body unless he is duly recognized by the Chair, except when he proposes the following motions:



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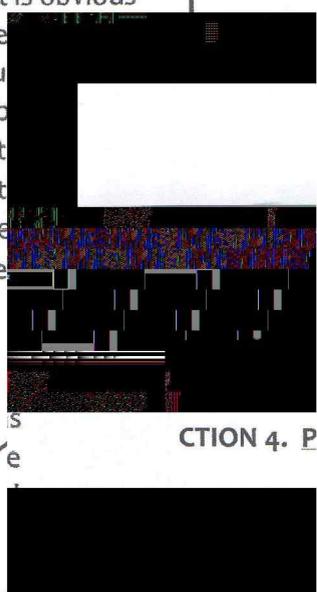
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- a. Raise a 'question of privilege'
 - b. Call for 'Orders for the day'
 - c. Reconsider
 - d. Reconsider and have entered on the minutes
 - e. Raise a point of order
 - f. Raise a parliamentary inquiry
 - g. Raise a point of information
 - h. Appeal from the decision of the Chair
 - i. Divide the assembly (house body)
 - j. Divide the question
12. No 'motion to adjourn' if someone has the floor. A motion to adjourn is 'out of order' if someone has the floor whether or not he is speaking.
13. Motion of a reporting committee member need no second. All motions relating to a committee report. If presented or proposed by a 'reporting member' need no second. It is presumed to be with the concurrence of the majority members of the committee concerned.
14. *Impartiality of the Chair.* The chair is not allowed to participate in the deliberation by taking sides on any question in order to preserve impartiality in the discharge of his duties and functions.
15. *Exercise of right has a limit.* Every member has the right to participate in the discussion of any question or issue except.
- a. when he is assigned as Presiding Officer;
 - b. when propriety (delicadeza) prevents him from doing so;
 - c. when he has pecuniary interest in the matter being discussed; or
 - d. when is he barred by the rules of the organization.

The right of a member to speak may also be curtailed, limited, or suppressed by the Chair or the Body if he transgresses the rules of the organization. The Chair may rule him "out of the order" in such instances.

SECTION 51 (B). RULES IN ASKING QUESTIONS -

1. Be honest in asking question "*Honesty is the best policy*" is a dictum that is applicable in all fields of endeavor. In deliberative bodies, a member is supposed to ask questions primarily to seek clarification on certain issues, proposals, or any other matter being discussed. However, there are instances where is asking questions not for the purpose of seeking clarification but for the purpose of projecting his own self as more knowledgeable than the respondent. It is obvious that, all along, he knew the answer to his own question. This should be
2. Avoid "*embarrassing questions*". Questions that might embarrass or humiliate the respondent, or for that matter any other member in the group should be avoided.
3. Avoid "*fault finding questions*". Sometimes it is only correcting "what is wrong" that should be discussed and not "who is wrong". Hence, all questions propounded should not focus on who is wrong, or who is among the members who committed a wrong. This matter should be referred to the proper committee which will conduct a fact finding investigation.





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4. Avoid questions that tend to “cross-examine” or “interrogate”. The art of “cross-examination” is for lawyers, especially inside a courtroom. The art of “interrogation” is for police or investigative officers usually utilized during inquisition or investigation proceedings. The art of “interpellation” is the one adaptable in deliberative bodies.
5. Avoid asking more than two (2) successive questions at a time. Generally, a member is entitled to ask one (1) question only at a time. However, he may be allowed another one, commonly known as a “follow-up” question. If he has other questions to ask propriety demands that he should first sit down and give others the same opportunity to ask their questions. Afterwards, he may again seek recognition so he could ask his other questions. (In legislative bodies, a member may be allowed to ask many as many questions as he may wish to, subject however, to the internal rules of the body. This happens when two or more groups assigned have their respective spokesman or floor leader who, when his turn comes, may ask two or more questions at a time).
6. Graciously acknowledge the answer. Satisfied or not satisfied with the answer, a member who asked the question should be polite enough to acknowledge it. Say even a simple “Thank You”. At least, by being granted that opportunity to ask question is something that a member should be thankful for.

SECTION 52. MEDIUM OF COMMUNICATION – The Sangguniang Bayan of Pinamalayan adheres to the bilingual policy, that is, to use both the English and the Tagalog Language as means of communication within the session.

SECTION 53. RECOGNITION OF MEMBER TO SPEAK – When two or more Members rise at the same time, the Presiding Officer shall determines and recognizes the member who speaks first.

SECTION 54. THE LIMIT FOR THE SPEECHES – No member shall occupy more than fifteen (15) minutes in debate on any question or speak for more than once on any question without leave of the Sanggunian, except as hereinafter provided. The period or interpellation shall not be counted against the time of the Member speaking.

SECTION 55. SPONSOR TO OPEN AND CLOSE DEBATE – The member reporting a measure under consideration from a committee may open and close the debate thereon. If the debate should extend beyond one session day, he shall be entitled to an additional fifteen (15) minutes to close.

SECTION 56. DECORUM OPEN AND CLOSE DEBATE – In all cases, the member who has obtained the floor shall confine himself to the question under debate, avoiding personalities. He shall refrain from uttering words, or performing acts, which are inconsistent with decorum.

If it is requested that a member be called to order for words spoken in debate, the Member making such request shall indicate the word accepted to, and they shall be taken down in writing by the Secretary and read aloud. The Member who uttered such words shall not be held to neither answer, nor be subjected to censure by the Sanggunian if further debate or other business has intervened.



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SECTION 57. CONDUCT DURING SESSIONS – During the session the Members shall observe proper decorum and be in proper attire as agreed upon by the Sanggunian Members.

- a) While the Presiding Officer is addressing the Sanggunian or putting a question every Member shall remain in his seat and no Member shall walk out of or cross the session hall.
- b) PROPRIETY shall be observed by every SB Member when somebody has the floor is speaking or explaining something.
- c) Official Uniform – The Official Uniform of the SB shall be Barong Tagalog.
- d) Any Member not in uniform shall be fined an amount of **P100.00** to be deposited in the Office of the Sangguniang Bayan Treasurer and to be spent only for specific purposes agreed upon by the Members.

SECTION 58. SMOKING IN SESSION HALL – Smoking shall not be permitted within the Session Hall, and in all portions of the Sangguniang Bayan Building.

SECTION 59. DISCIPLINE OF MEMBERS – The Sanggunian may punish its Member for disorderly behaviour and with the concurrence of two-thirds (2/3) of all its members, suspend or exclude from the session a Member, but if the penalty is suspension, this shall not exceed sixty (60) days. Disorderly behaviour includes, but not limited to the actuation of a member who always goes out of the hall premises without official business and without the consent of the Presiding Officer.

**RULE X
VOTING AND MOTIONS**

SECTION 60. A TIE ON AN APPEAL – A tie on an appeal from the ruling if the Chair sustains the decision of the Chair.

SECTION 61. WHO MAY MOVE – When a motion, report or proposed measure is adopted or lost, it shall be in order for a member who votes with majority to move for the reconsideration thereof on the same or succeeding session day. Such motion shall take precedence over all other questions, except a motion to adjourn, to raise a question of privilege, and a call to order.

If a motion is needed for the passage of a Resolution or Ordinance, the proponent and/or Chairman of the Committee where the measure was referred may move for approval hereof.

SECTION 62. RECORDING OF MOTIONS – Every motion shall be entered in the Minutes with the name of the Member making it, unless it is withdrawn on the same day.

SECTION 63. READING AND WITHDRAWAL OF MOTIONS – When a motion is made the Presiding Officer shall state it before being debated. Except as herein otherwise provided, a motion may be drawn any time before its approval or amendment.

SECTION 64. PRECEDENCE OF MOTION – When a question is under debate, no motion shall be entertained except to adjourn, raise a question of privilege, declare a recess, or lay on the table, or a postpone to a certain day, refer, amend or postpone indefinitely (which motions shall be decided subject to the five minute rule). Said motion shall have precedence in the foregoing order.



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No motion to postpone to any day certain, or refer or postpone indefinitely, having failed passage, shall again be allowed on the same day.

SECTION 65. AMENDMENTS – When a motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order. It shall also be in order further amendment by substitution, but it shall not be voted upon until original motion or proposition is perfected. Any of the said amendments may be withdrawn before a decision is had thereon.

SECTION 66. RIDER PROHIBITED – No motion or proposition on a subject different from under consideration shall be allowed under color of amendment.

SECTION 67. MOTION TO COVER ONE SUBJECT MATTER – No motion shall cover more than one subject matter.

SECTION 68. AMENDMENT OF TITLE – Amendments to the title of a proposed ordinance or resolution shall not be in order until after the text thereof has been perfected. Amendments to the title shall be decided without debate.

SECTION 69. CALL TO ORDER – A motion to read any part of the Rules is equivalent to call to order and takes precedence over any motion other than to adjourn.

SECTION 70. QUESTION OF PRIVILEGE – Question of Privilege are:

- a) Those affecting the rights of the Sanggunian, its safety, dignity and the integrity of its members.
- b) Those affecting the rights, reputation and conduct of the Members individually, in their capacity as such members.

Subject to the five-minute rule, questions of privilege shall have a precedence over all other questions, except a motion to adjourn.

SECTION 71. PRIVILEGE QUESTIONS – Privilege questions are those actions or subject matters which, under the Rules, take precedence over motions and subject matters.

**RULE XI
SUSPENSION OF THE RULES**

SECTION 72. WHO CAN MOVE – Only the Chairman or the Vice-Chairman and the Members of the Committee on Rules can move for the suspension of the Rules.

SECTION 73. VOTE REQUIRED – No Rule shall be suspended except by a vote of two-third (2/3) of the Members, a quorum being presented.

SECTION 74. INTERRUPTION OF MOTION – When a motion to suspend the Rules is pending one motion to adjourn may be entertained. If it is lost no similar motion shall be entertained until the vote is taken on the motion to suspend.



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SECTION 75. EFFECT OF SUSPENSION – If the Sangguniang Bayan votes to suspend the Rules, it shall forthwith proceed to consider the measure. A two-thirds (2/3) vote of the Members presents shall be necessary for the passage of said measure, a quorum being present.

**RULE XII
OFFICIAL SEAL**

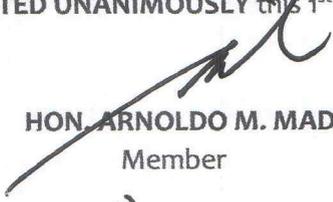
SECTION 76. OFFICIAL SEAL – There shall be an Official Seal of the Sangguniang Bayan of Pinamalayan, Oriental Mindoro.

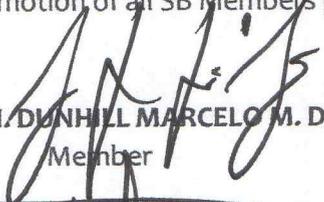
**RULE XIII
AMENDMENTS**

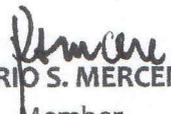
SECTION 77. AMENDMENTS – Any portion of this Rule may be amended by a majority vote of all the Sanggunian Members.

SECTION 78. EFFECTIVITY – This Rule shall take effect on the date of its adoption

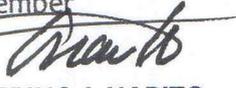
ENACTED UNANIMOUSLY this 1st day of July 2019 on mass motion of all SB Members present.


HON. ARNOLDO M. MADRID
Member

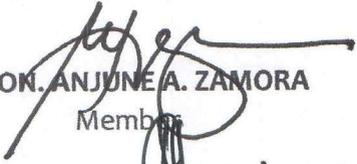

HON. DUNHILL MARCELO M. DELMO, V
Member


HON. RIO S. MERCENE
Member

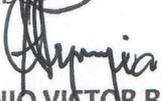

HON. JOSEPH T. RODIL
Member


HON. SEVERINO J. NARITO
Member


HON. NAPOLEON M. MANGARING
Member


HON. ANJUNE A. ZAMORA
Member


HON. LEONARDO L. PEDRAZA
Member


HON. ANTONIO VICTOR R. OLYMPIA
ABC President, Member

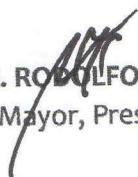

HON. JOVEN S. VELASCO
SKMF President, Member

Attested:

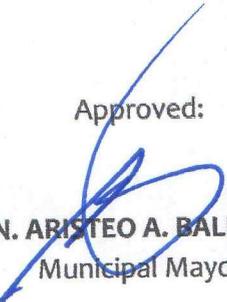

ARNEL G. ABRENICA

Secretary to the Sanggunian

Certified Correct:


HON. RODOLFO M. MAGSINO
Vice Mayor, Presiding Officer

Approved:


HON. ARISTEO A. BALDOS, JR.
Municipal Mayor