

Republic of the Philippines Province of Isabela

MUNICIPALITY OF DELFIN ALBANO

delfinalbano_gc@yahoo.com



Office of the Sangguniang Bayan

Excerpts from the Minutes of the Inaugural Session of the Sangguniang Bayan of Delfin Albano, Isabela held at the SB Session Hall on July 1, 2019.

Present:	Hon. Thomas A. Pua Jr Municipal Vice Mayor
	& Presiding Officer
	Hon. Alex M. Macarilay Jr SB Member
	Hon. Sheila Joy B. Cristobal SB Member
	Hon. Grace M. Gabuyo SB Member
	Hon. Anthony L. Albano SB Member
	Hon. Joel A. Talamayan SB Member
	Hon. Rufidel A. Alaska SB Member
	Hon. Elma M. Galope SB Member
On Leave:	Hon. Elli John G. Cañero SB Member
On Travel:	Hon. Jay B. Caliguiran LMB President
	Hon. Darwin D. Agas SK Federation President

ORDINANCE NO. 38-2019 (Sponsored by All SB Members)

AN ORDINANCE UPGRADING THE SALARY GRADES OF VARIOUS PLANTILLA POSITIONS IN THE MUNICIPALITY OF DELFIN ALBANO, ISABELA AS HEREUNDER IDENTIFIED AND PROVIDING FUNDS THEREOF.

WHEREAS, presented to the Sangguninag Bayan and for its consideration was the letter request from the Municipal Mayor, the Hon. Arnold Edward P. Co, requesting for upgrading of various plantilla positions;

WHEREAS, the request is in pursuance to DBM Circular No. 4, s. 2018 and of the notations made by the Sangguniang Panlalawigan of its review of the Annual Budget for 2019 of this Municipality;

WHEREAS, the Municipal Budget Officer has kindly issued a certification to the effect that adjustment to be made for the upgrade of salaries of the subject plantilla positions are well within the 55% Personal Services Limitation Cap for the 2019 Budget in accordance with the prescription provided for by Republic Act 7160, otherwise known as the 1991 Local Government Code;

WHEREAS, copies of the DBM Circular, the notations of the Sangguniang Panlalawigan, and the certification issued by the MBO and the computations made in this wise are hereto attached as part and parcel hereof;

NOW THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED BY THE SANGGUNIANG BAYAN OF DELFIN ALBANO, ISABELA, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, IN SESSION ASSEMBLED, that:

Section 1. ORDAINING CLAUSE. The upgrading of the plantilla

AN ORDINANCE UPGRADING THE SALARY GRADES OF VARIOUS PLANTILLA POSITIONS IN THE MUNICIPALITY OF DELFIN ALBANO, ISABELA AS HEREUNDER IDENTIFIED AND PROVIDING FUNDS THEREOF.

POSITITONS	NO. OF PLANTILLA POSITIONS	CURRENT SALARY GRADE (as per LBC No. 61, s. 1996)	UPGRADED SALARY GRADE (as per DBM Circular No. 4, s. 2018)
Accountant I	1	11	12
Midwife II (National Rate)	2	8	11
Midwife I (Under Fourth Class)	3	6	9

Section 2. SALARY ADJUSTMENTS. The adjustments in salaries of the upgraded plantilla positions shall be specifically determined and set forth, including the funding source, by a Supplemental Budget to be prepared and submitted by the Office of the Mayor.

Section 3. RETROACTIVE APPLICATION. The adjustments to be determined shall be retroactive beginning January of 2019.

Section 4. EFFECTIVITY. This Ordinance shall take effect as soon as the Supplemental Budget specifically detailing the funding of the position so created is approved.

ATTESTED:

Atty. RUBEN M. DUMLAO
Sangguniang Bayan Secretary

CERTIFIED CORRECT:

THOMAS A. PUA JR.

Municipal Vice Mayor and Presiding Officer

APPROVED:

ARNOLD EDWARD P. CO
Municipal Mayor



PROVINCE OF ISABELA

City of Ilagan

Office of the Sangguniang Panlalawigan

EXCERPT FROM THE MINUTES OF THE 95" REGULAR SESSION OF THE 95" SANGGUNIANG PANLALAWIGAN OF ISABELA HELD AT PROVINCIAL CAPITOL, ILAGAN CITY, ISABELA ON MAY 23, 2019.

PRESENT:

KIRYLL S. BELLO NAPOLEON M. HERNANDEZ, JR.

RIC JUSTICE E. ANGOBUNG RANDOLPH JOSEPH P. ARREOLA MANUEL A. ALEJANDRO ABEGAIL V. SABLE ALFREDO V. ALILI EDWARD S. ISIDRO DAX PAOLO C. BINAG VILINDA J. HAMOR MARCELINO I. ESPIRITU

O.B. :

ANTONIO T. ALBANO ROLANDO L. TUGADE FAUSTINO U. DY, IV ED CHRISTOPHER S. GO FAUSTINO A. DY, V

ABSENT:

KAREN G. ABUAN

Member (1st District)) & Presiding Officer Protempore Member, Agricultural /Industrial Workers / Labor Sector Representative & Floor Leader Protempore Member (1st District)

Member (1st District)
Member (3rd District)
Member (3rd District)
Member (4th District)
Member (4th District)

Member, PCL Federation President Member, SK Federation President Member, Women's Sectoral Personal

Member, Women's Sectoral Representative Member, Indigenous Cultural Communities, Sector Representative

Provincial Vice Governor Member (1st District) Member (2nd District) Member (2nd District)

Member, Liga ng mga Barangay, Fed. President

Member (3rd District)

RESOLUTION NO. 313 SERIES OF 2019

A RESOLUTION DECLARING APPROPRIATION ORDINANCE NO. 46-2018 (2019 ANNUAL BUDGET) IN THE AMOUNT OF ONE HUNDRED TWENTY FIVE MILLION THREE HUNDRED SEVENTY SEVEN THOUSAND EIGHT HUNDRED ONE PESOS (P125,377,801.00) OF THE MUNICIPALITY OF DELFIN ALBANO, ISABELA OPERATIVE IN ITS ENTIRETY SUBJECT TO SOME CONDITIONS

Sponsor: HON. ROLANDO L. TUGADE Chairman, Committee on Municipal Appropriation

WHEREAS, Ordinance No. 46-2018, an Ordinance authorizing the Annual Budget of Delfin Albano, Isabela in the total amount of ONE HUNDRED TWENTY FIVE MILLION THREE HUNDRED SEVENTY SEVEN THOUSAND EIGHT HUNDRED ONE PESOS (P125,377,801.00) covering various expenditures for the operation of the Municipal Government for Fiscal Year 2019, and appropriating the necessary funds for the purpose pursuant to the provisions of Section 327 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 and endorsed to the Provincial Budget Office for review, comment and recommendation on January 08, 2019 and finally acted upon on April 22, 2019 and hereby approved by the Sangguniang Panlalawigan;

WHEREAS, the subject Appropriation Ordinance shows substantial compliance with the budgetary requirements, general limitations and other provisions set forth under Republic Act No. 7160:

A RESOLUTION DECLARING APPROPRIATION ORDINANCE NO. 46-2015 (2019 ARRUAL SUDGET) IN THE AMOUNT OF ONE HUND TWENTY FIVE MILLION THREE BUNDRED SEVENTY SEVEN THOUSAND EIGHT HUNDRED ONE PESOS (P125,377,801.00) OF THE MUNICIPALITY OF DELFIN ALBANO, ISABELA OPERATIVE IN ITS ENTIRETY SUBJECT TO SOME CON

NOW THEREFORE, on motion of SP Member NAPOLEON M. HERNANDEZ, JR., duly seconded:

THE SANGGUNIANG PANLALAWIGAN IN SESSION DULY ASSEMBLED:

RESOLVED, to declare Appropriation Ordinance No. 26-2017 (2018 Annual Budget) of the Municipality of Delfin Albano, Isabela OPERATIVE IN ITS ENTIRETY subject to the posting requirements under Section 59 of R.A No. 7160 and subject

1. The Salary Rate per Annum and the upgrading of the affected position should be implemented in accordance with the guidelines of DBM Local Budget Circular No. 2009-92 (Annex "B") dated September 3, 2009, to wit:

Item	Position an	d Salary Grade
No.	From	То
9.9	Accountant I SG-11	Accountant SG-12
13.4	Midwife III SG-11	Midwife III SG-13
13.5, 13.6 & 3.13	Midwife II SG-8	Midwife II SG-11
3.8 & 3.9	Midwife I SG-6	Midwife I SG-9

2. The DBM Local Budget Memorandum No. 77, additional instruction No. 3 of LBP Form No. 3 states that only funded vacant positions shall be included in the plantilla. All unfunded positions shall be removed/deleted from the plantilla.

We noted that there is One (1) unfunded vacant position (Item No. 13.4 the Position of Midwife III under the Municipal Health Office) as shown in the Personnel Schedule of said office. Please be informed that vacant positions are deemed not properly created if such had not fully provided with corresponding appropriations for basic salary and other compensation (Item 5.3 of DBM Local Budget Circular No. 98 dated October 14, 2011). Since there is no appropriation to back up its legal existence, its abolition is hereby recommended;

3. The following Position Titles and Salary Grades from different Offices of the Local Government Unit of Delfin Albano, Isabela should be in accordance with DBM LBC No. 61 dated March 18,1996 on the revised Index of Occupational Services, Position Titles and Salary Grades (IOCV) in Annex "A-1" similar to the percentage applied in item 5.3 of the said circular.

- 6. The appropriation for Awards/Rewards and Capital Outlay (Purchase of Office Equipment) should be properly classified to specific Object of Expenditures in accordance with COA Circular No. 2015-009 dated December 1, 2015, on Prescribing the Revised Chart of Accounts for LGUs;
- 7. The appropriation for Discretionary Fund exceeded by Two Thousand Eight Hundred Ninety Five Pesos & 84/100 (P2,895.84). Section 325 (h) of Republic Act No. 7160 provides that the Annual Appropriation for Discretionary purposes of the Local Chief Executive shall not exceed two (2) percent of the actual receipts derived from basic real property taxes in the next preceding Calendar Year;
- The utilization of the appropriation for Capital Outlay Expenditure in the amount of Eight Hundred Forty Thousand Pesos (P840,000.00) must be governed by the provisions of Republic Act 9184, the Government Procurement Reform Act (GPRA) and Its Implementing Rules and Regulations;
- The appropriation for LDRRMF in the amount of Six Million Two Hundred Sixty Eight Thousand Eight Hundred Ninety Pesos & 05/100 (P6,268,890.05) shall adhere to the provisions of Republic Act 10121, DILG Memorandum Circular No. 2012-73 dated April 17, 2012 and NDRRMC-DBM-DILG JMC No. 2013-1 dated March 25, 2013;
- 10. The appropriation for the following projects under the 20% Development Fund shall be identified or broken down into specific/project component indicating the activities/programs to be undertaken and the project site/location in accordance with the DILG-NEDA-DBM and DOF Joint Circular No. 1, s. 2007 and that the appropriation for the 20% Development Fund shall strictly cover only the development projects prescribed and authorized under DILG-DBM Joint Memorandum Circular No. 2017-1 dated February 22, 2017:
 - Construction/Expansion/Rehabilitation of Delfin Albano Water Supply System (DAWSS) for P1,500,000.00
 - Construction of Material Recovery Facility (MRF) for P500.000.00
 - Installation of Street Lights for P100,000.00
 - Construction of Roads for P1,500,000.00
 - Establishment of Public Cemetery for P1,000,000.00
 - Establishment of Central Transport Terminal for P1,000,000.00

Furthermore, the following projects are disallowed:

- Construction of Motorpool and Stockroom for P1,000,000.00
- 2. Construction of GenSet Housing & Stockroom for P300,000.00
- 3. Purchase of Potable Water Source for P309,000.00
- Purchase of Sanitary Toilet Bowl for P300/000.00
- Purchase of Shredder for P650,000.00

A RESOLUTION DECLARING APPROPRIATION ORDINANCE NO. 45-2018 (2019 ANNUAL BUDGET) IN THE AMOUNT OF ONE HUNDRED TWENTY FIVE MILLION THREE HUNDRED SEVENTY SEVEN THOUSAND EMGHT HUNDRED ONE PESOS (P125,377,801.00) OF THE MUNICIPALITY OF DELFIN ALBANO, ISABELA OPERATIVE IN ITS ENTIRETY SUBJECT TO SOME CONDITIONS

> in the Local Government, and DBM BC No. 2004-3 dated March 6, 2004 the Conversion of Positions Performing Staff/Non Technical Functions, to wit:

OFFICE	ITEM NO.	POSITION TITLE IN THE	PROPER CLASSIFICATION AS PER GUIDELINES		
		LGU AND SG	LBC No. 61 IOS	BC 2004-3 CONVERSION	
MAYOR'S OFFICE	1.12	Administrative Aide III (Utility Worker I) SG-3	Utility Worker II SG-3		
	1.26	Administrative Aide IV (Driver II) SG-9	Driver II SG-4	Administrative Aide IV SG-4	
	1.27	Administrative Aide IV (Driver II) SG-7	Driver II SG-4	Administrative Aide IV SG-4	
ACCOUN TANT 9.4 Administrative Aide IV (Accounting Clerk II) SG-4		Accounting Clerk I SG-4			

- 4. The Creation of the Plantilla Position of Municipal Government Department Head I (Municipal Human Resource Management Officer) with Salary Grade-24 must be in accordance with Civil Service Commission Memorandum Circular No. 19, s. 1992, on the Guidelines and Standards in the Establishment of Organizational Structures and Staffing Patterns in Local Government Units;
- 5. The implementation of Salary Rates for Public Health Workers must be in accordance with Item 5.5 of DBM Local Budget Circular No. 118 dated January 15, 2019 states that:

"The salaries of Public Health Workers (PHWs) shall be determined by the sanggunian after considering and balancing the impact of the relevant provisions of EO No. 201, s. 2016, RA no. 7160, s. 1991 and RA no. 7305, s. 1992 on the fiscal discipline , prioritization of expenditures, financial capability, and improvement of service delivery. The sanggunian may adopt any of the following options

- 5.5.1 Adopt the salary rates authorized for personnel of Special Class Provinces and Cities (Annex "A-1") Cities/First for the PHWs of the LGU.
- 5.5.2 If LGU funds are not sufficient adopt a modified salary

A RESOLUTION DECLARING APPROPRIATION ORDINANCE NO. 46-2018 (2019 ANNUAL BUDGET) IN THE AMOUNT OF ONE BUSINEED TWENTY FIVE MULION THREE BUNDRED SEVENTY SEVEN THOUSAND EIGHT BUNDRED ONE PESOS (P125,377,601.00) OF THE MUNICIPALITY OF DELFIN ALBANO, ISABELA OPERATIVE IN ITS ENTIRETY SUBJECT TO SOME CONDITIONS

- Construction of Multi-Purpose Hall for the Legislative Department for P1,865,200.00
- Purchase of Equipment for the Delfin Albano Skills Training Center for P150,000.00

Said projects are not covered by said JMC, however same can be re-appropriated in the General Fund Account provided the no less than 20% requirement for EDF shall be observed or can be re-programmed with programs/projects activities covered by said Joint Memorandum Circular.

All projects under the 20% Development Fund shall be governed by the provisions of Republic Act No. 9184, the Government Procurement Reform Act (GPRA) and its Implementing Rules and Regulations.

RESOLVED FURTHER, to require the Municipality of Delfin Albano, Isabela to comply with the herein review findings and/or conditions and notify this body of actions taken thereon.

RESOLVED FURTHERMORE, to furnish the Municipality of Delfin Albano, Isabela that this review action does not authorize any item of appropriation that is specifically prohibited by or inconsistent with the provisions of law and that compliance with all the existing laws, rules and regulations shall be the responsibility of the Local Government Unit and disbursement of funds shall be subject to the usual budgeting, accounting and auditing rules and regulations.

RESOLVED FINALLY, to furnish a copy of this Resolution to the Sangguniang Bayan of the Municipality of Delfin Albano, Isabela through the Honorable ARNOLD EDWARD P. CO, Municipal Mayor.

Approved and Adopted, May 23, 2019.

HEREBY CERTIFY TO THE CORRECTNESS of the foregoing Resolution:

MANUEL PU SANTOS

Secretary, Sangguniang Panlalawigan

ATTESTED / APPROVED:

Board Member District & Presiding Officer Protempore





REPUBLIC OF THE PHILIPPINES DEPARTMENT OF BUDGET AND MANAGEMENT BONCODIN HALL, GENERAL SOLANO STREET, SAN MIGUEL, MANILA

BUDGET CIRCULAR

No. 2018 - 4 October 16, 2018

TO

All Heads of Departments, Bureaus, Offices and Other Agencies of the National Government, Including Commissions/Offices under the Constitutional Fiscal Autonomy Group, State Universities and Colleges: Government-Owned or -Controlled Corporations (GOCCs); Local

Government Units (LGUs); and All Others Concerned

SUBJECT:

Index of Occupational Services, Occupational Groups, Classes and Salary Grades, CY 2018 Edition

- Pursuant to Sections 6 and 9 of Republic Act (RA) No. 6758 dated August 21, 1989 entitled, "An Act Prescribing a Revised Compensation and Position Classification System in the Government and for Other Purposes" and Section 3(b) of Congress Joint Resolution (JR) No. 4 dated July 28, 2009 entitled, "Joint Resolution Authorizing the President of the Philippines to Modify the Compensation and Position Classification System of Civilian Personnel and the Base Pay Schedule of Military and Uniformed Personnel in the Government, and For Other Purposes," an updated Index of Occupational Services, Occupational Groups, Classes and Salary Grades, is hereby issued.
- 2.0 The Index of Occupational Services, Occupational Groups, Classes and Salary Grades (IOS for brevity) is a component of the Compensation and Position Classification System (CPCS).

Specifically, the IOS_a contains the list of classes or position titles existing in the government that are grouped by occupation. The IOS is being used by national government agencies as well as GOCCs and LGUs as a guide in determining the appropriate positions that will comprise their respective staffing pattern.

3.0 While the IOS CY 2018 Edition partly contains classes or position titles unique to LGUs, a separate updated IOS shall be issued for LGUs in view of the peculiarity of their position classification plan.

- 4.0 The DBM shall issue advisories whenever there are modifications in the IOS as a result of the approved creation, abolition, retitling or reallocation of classes or position titles.
- 5.0 The CY 2018 IOS is available for downloading at the DBM website, http://www.dbm.gov.ph.
- 6.0 This Circular shall take effect immediately.

BENJAMIN E, DIOKNO Secretary

2 / 2013

Occupational	Occupational			
Service	Group	Class		Salary
Code	Code	ID	Class	Grade
	******	*****	***************************************	

02-FS FINANCIAL SERVICE

This Service includes occupations concerned with the generation, allocation and management of government financial resources through a systematic and organized process of recording, examination and interpretation of financial records and reports; the evaluation, formulation and installation of accounting, auditing and management control systems; and budget evaluation, planning, forecasting and execution. It also includes occupations concerned with revenue, customs, tariff and treasury administration; cashlering; processing of financial claims; property appraisal; loan and assessment examination; assets liquidation; credit collection; and license inspection.

AC	Accounting	ng	
	A1	Accountant I	12
	A2	Accountant II	16
	A3	Accountant III	19
	A4	Accountant IV	22
	CACT	Chief Accountant	24
	AA	Accounting Analyst	11
	Positions	to be converted to generic class titles	
	AC1	Accounting Clerk I a	4
	AC2	Accounting Clerk II ^a	6
	AC3	Accounting Clerk III ^a	8
	AMO1	Accounting Machine Operator I a	5
	AMO2	Accounting Machine Operator 11 a	7
	AMO3	Accounting Machine Operator III a	10
	BKP	Bookkeeper a	8
	SRBK	Senior Bookkeeper ^a	9
	FINA1	Financial Analyst I ^a	11
	FINA2	Financial Analyst II a	15
	FINA3	Financial Analyst III a	18
	FINA4	Financial Analyst IV a	22
	FINAS	Financial Analyst V ^a	24
AL	Accounts	s Liquidation	
	ALA	Accounts Liquidation Assistant	8
	ALO1	Accounts Liquidation Officer I	11
	ALO2	Accounts Liquidation Officer II	15
	ALO3	Accounts Liquidation Officer III	18
	ALO4	Accounts Liquidation Officer IV	22
	ALO5	Accounts Liquidation Officer V	24
AM	Assessm	ent	
	ASCL1	Assessment Clerk I	4
	ASCL2	Assessment Clerk II	6
	ASCL3	Assessment Clerk III	9
	LA001	Local Assessment Operations Officer I	11

For deletion once converted to generic administrative class titles

Service Code	Occupational Group Code	Class		Class		Salary Grade
		MDTK3	Medical Techno			18
		MDTK4	Medical Techno	logist IV		20
		MDTK5	Medical Techno	logist V		22
		RT1	Radiologic Tech	nologist I		11
		RT2	Radiologic Tech	nologist II		15
		RT3	Radiologic Tech	nologist III		18
		RT4	Radiologic Tech	nologist IV		20
		RT5	Radiologic Tech	nologist V		22
	М	Medical				
		MDOE	Madient Office			16
		MUOFI	Medical Officer			16
		MDOF2	Medical Officer			18
		MDOF3	Medical Officer			21
		MDOF4	Medical Officer			23
		MDOF5	Medical Officer			25
		RHP	Rural Health Ph			24
		MDL01	Medico-Legal O			18
		MDL02	Medico-Legal O			20
		MDL03	Medico-Legal O			22
		MDL04	Medico-Legal O			24
		MDL05	Medico-Legal C		*	25
		MDSP1	Medical Special		121	22
		MDSP2	Medical Special			23
		MDSP3	Medical Special			24
		MDSP4	Medical Special			25 26
		MDSP5	Medical Special			
		MDSP6	Medical Special			28 30
		MDSP7	Medical Special			
		COMPS1	And the second of the second o	al Professional Staff I		25 26
		CHO1		al Professional Staff II		24
			City Health Off			25
		CHO2	City Health Off City Health Off			26
		DHO1	District Health			25
		DHO2	District Health			26
		PHO1	Provincial Heal			25
		PHO2	Provincial Heal			26
	N	Nursing				
		MDWF1	Midwife I			9
		MDWF2	Midwife II			11
		MDWF3	Midwife III			13
		MDWF4	Midwife IV			15
		MDWF5	Midwife V			17
		MDWF6	Midwife VI		*	19
		MWSP1	Midwifery Sch			21
		MWSP2		ool Principal II		23
		NATT1	Nursing Attend			4
		NATT2	Nursing Atten	dant II		6





Republic of the Philippines Province of isabela MUNICIPALITY OF DELFIN ALBANO

Office of the Municipal Budget

CERTIFICATE OF APPROPRIATION

This is to certify that the adjustment of the proposed salary upgrade of the below positions in accordance with DBM Budget Circular No. 2018 – 4 dated October 16, 2018 is within the 55% Personal Services Cap Limitation for the 2019 Budget of the municipality. This is in accordance with the PS limit prescribed in the Republic Act 7160 for a fourth class municipality.

No. of Plantilla Positions	Current Salary Grade as per approved 2019 Plantilla	Proposed Salary Upgrade as per DBM Budget Circular No 2018 - 4
1		2018 - 4
-	11	12
3	6	9
2	8	11
	Plantilla	Plantilla as per approved 2019

This is to certify further that the necessary appropriation for the salary upgrade will be included in the Supplemental Budget for the year.

Attached with this certification is the computation of the PS Cap Limitation with the estimated budget adjustment for the year.

Certified |

06-20-19

VINON MINADDAWIN, CI

Municipal Budget Officer

DECEMBED TO THE



Republic of the Philippines Province of Isabela MUNICIPALITY OF DELFIN ALBANO

Office of the Municipal Budget

PERSONAL SERVICES CAP LIMITATION COMPUTATION

18.4	
IRA	91,418,579.00
Regular Income (Local Source)	17,552,552.88
Total Regular Income 2017	108,971,131.88
Percentage Limit for 4th Class Municipality	55%
PS CAP LIMITATION for 2019	59,934,122.53
Personal Services excluding TLB	
Personal Services (Approved 2019 Budget)	61,661,343.28
Terminal Leave Benefits	-6,500,595.59
Newly created position for Sectoral Representative (6 months)	576,924.60
Salary Upgrade for Accounting I	25,560.99
Salary Upgrade for Midwife I	117,879.69
Salary Upgrade for Midwife II	78,555.57
Total Personal Services excluding TLB	55,959,668,54

PROPOSED POSITIONS FOR SALARY UPGRADE

ACCOUNTANT I (Item 9.9)	Approved Budget (SG 11/1)	Proposed Salary Upgrade (SG 12/1)	Budget Adjustment
Salaries and Wages - Regular	186,792.00	206,448.00	19,656.00
Personal Economic Relief Allowance (PERA)	24,000.00	24,000.00	19,030.00
Clothing/Uniform Allowance	6,000.00	6,000.00	
Other Bonuses & Allowances (Mid Year Bonus)	15,566.00	17,204.00	1,638.00
Cash Gift	5,000.00	5,000.00	1,030.00
Year End Bonus	15,566.00	17,204.00	1,638.00
Retirement & Life Insurance Premiums	22,415.04	24,773.76	2,358.72
Pag-IBIG Contributions	1,200.00	1,200.00	2,336.72
Philhealth Contributions	2,568.39	2,838.66	270.27
Employees Compensation Insurance Premiums	1,200.00	1,200.00	270.27
Terminal Leave Benefits		2,200.00	
Other Personnel Benefits-Performance Enhancement Incentive (PEI)	5,000.00	5,000.00	
Total			25,560.99

PROFESSION 2 0 4 200



Republic of the Philippines Province of Isabela MUNICIPALITY OF DELFIN ALBANO

Office of the Municipal Budget

PROPOSED POSITIONS FOR SALARY UPGRADE

MIDWIFE II (Item 13.5)	Approved Budget (SG 8/6)	Proposed Salary	Budget
Salaries and Wages - Regular		Upgrade (SG 11/6)	Adjustment
Personal Economic Relief Allewance (PERA)	210,348.00	240,612.00	30,264.00
Clothing/Uniform Allowance	24,000.00	24,000.00	
Other Bonuses & Allowances (Mid Year Bonus)	6,000.00	6,000.00	
Cash Gift	17,529.00	20,051.00	2,522.00
Year End Bonus	5,000.00	5,000.00	2,522.00
Retirement & Life Insurance Premiums	17,529.00	20,051.00	2,522.00
Pag-IBIG Contributions	25,241.76	28,873,44	3,631.68
Philhealth Contributions	1,200.00	1,200.00	3,031.00
Employees Compensation Insurance Premiums	2,892.29	3,308.42	416.13
Other Personnel Benefits-Performance Enhancement In	1,200.00	1,200.00	420.13
Total	5,000.00	5,000.00	
			39,355.81

MIDWIFE II (Item 13.6)			
Salaries and Wages - Regular Personal Economic Relief Allewance (PERA) Clothing/Uniform Allowance Other Bonuses & Allowances (Mid Year Bonus) Cash Gift Year End Bonus Retirement & Life Insurance Premiums Pag-IBIG Contributions Philhealth Contributions Employees Compensation Insurance Premiums Other Personnel Benefits-Performance Enhancement in	Approved Budget (SG 8/5) 208,464.00 24,000.00 6,000.00 17,372.00 5,000.00 17,372.00 25,015.68 1,200.00 2,866.38 1,200.00 5,000.00	Proposed Salary Upgrade (SG 11/5) 238,608.00 24,000.00 6,000.00 19,884.00 5,000.00 19,884.00 28,632.96 1,200.00 3,280.86 1,200.00 5,000.00	Budget Adjustment 30,144.00
			39,199.76





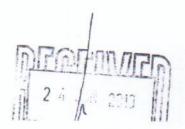
Republic of the Philippines Province of Isabela MUNICIPALITY OF DELFIN ALBANO

Office of the Municipal Budget

PROPOSED POSITIONS FOR SALARY UPGRADE

MIDWIFE I (Items 13.8 and Item 13.13)	Approved Budget (SG 6/1)	Proposed Salary Upgrade (SG 9/1)	Budget Adjustment
Salaries and Wages - Regular	267,240.00	323,544.00	The state of the s
Personal Economic Relief Allewance (PERA)	48,000.00	48,000.00	56,304.00
Clothing/Uniform Allowance	12,000.00	12,000.00	-
Other Bonuses & Allowances (Mid Year Bonus)	22,270.00	26,962.00	4 502 00
Cash Gift	10,000.00	10,000.00	4,692.00
Year End Bonus	22,270.00	26,962.00	4 502 00
Retirement & Life Insurance Premiums	64,137.60	77,650.56	4,692.00
Pag-IBIG Contributions	2,400.00	2,400.00	13,512.96
Philhealth Contributions	3,674.55	4,448.73	-
Employees Compensation Insurance Premiums	2,400.00	2,400.00	774.18
Other Personnel Benefits-Performance Enhancement	10,000.00		•
Total	10,000.00	10,000.00	-
			79,975.14

MIDWIFE I (Item 13.9)	Approved Budget (SG 6/4)	Proposed Salary Upgrade (SG 9/4)	Budget Adjustment
Salaries and Wages - Regular	136,728.00	165,876.00	The state of the s
Personal Economic Relief Allewance (PERA)	24,000.00	24,000.00	29,148.00
Clothing/Uniform Allowance	6,000.00	6,000.00	
Other Bonuses & Allowances (Mid Year Bonus)	11,394.00	13,823.00	2,429.00
Cash Gift	5,000.00	5,000.00	Land Land Control of the Control of
Year End Bonus	11,394.00	13,823.00	2,429.00
Retirement & Life Insurance Premiums	16,407,36	19,905.12	2010/04/04/04
Pag-IBIG Contributions	1,200.00	1,200.00	3,497.76
Philhealth Contributions	1,880.01	2,280.80	400.79
Employees Compensation Insurance Premiums	1,200.00	1,200.00	400.79
Other Personnel Benefits-Performance Enhancement		5,000.00	
Total		5,000.00	37,904.55





Republic of the Philippines Province of Isabela

MUNICIPALITY OF DELFIN ALBANO

delfinalbano_gc@yahoo.com



Office of the Sangeriang Bayan

Excerpts from the Minutes of the Regular Session of the Sangguniang Bayan of Delfin Albano, Isabela held at the SB Session Hall on April 1, 2019.

Present:	Hon. Thomas A. Pua Jr Municipal Vice Mayor
	& Presiding Officer
	Hon. Ruben P. Furigay SB Membergguniang Panlalawigan
	Hon. Francisco A. Cristobal Jr SB Member
	Hon. Francisco A. Cristobal Jr SB Member Hon. Clemente S. Dumlao Jr SB Member
	Hon. Juanito C. Ranchez SB Member 2019 -07- 25
	Hon. Alex I. Macarilay Sr SB Member 2013-07-23
	Hon. Elma M. Galope SB Member 1
	Hon. Grace M. Gabuyo SB Member BY KAPINEN
	Hon. Michael C. Taccad SB Member PROVINCE OF ISABELA
	Hon. Jay B. Caliguiran LNB President
	Hon. Darwin D. Agas SK Federation President
Absent:	NONE

ORDINANCE NO. 39-2019

(Sponsored by the Committee on Rules, Privileges, Ordinances, and Legal Matters)

AN ORDINANCE PRESCRIBING FOR THE INTERNAL RULES OF PROCEDURES IN THE CONDUCT OF ADMINISTRATIVE INVESTIGATION AND HEARING INVOLVING ELECTIVE BARANGAY OFFICIALS OF THE MUNICIPALITY OF DELFIN ALBANO, ISABELA.

WHEREAS, pursuant to Sections 60 to 68, Chapter IV, Title Two (Elective Officials), Book One (General Provisions) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, providing among other things the mechanism for the conduct of disciplinary actions against elective barangay officials;

WHEREAS, Item (c), Section 61, Chapter IV, Title Two (Elective Officials), Book One (General Provisions) of Republic Act No. 7160 mandates that complaints against any elective barangay official shall be filed before the Sangguniang Bayan concerned whose decision shall be final and executory;

whereas, such mandate is the basis of the power and authority of the Sangguniang Bayan in the exercise of its quasi-judicial functions, specifically in hearing, trying, and deciding complaints against any elected barangay official;

WHEREAS, necessary to the performance of said quasi-judicial function of the Sangguniang Bayan, this collegial body shall hereby implement these succeeding guidelines prescribing among other things the mechanics and protocols to be followed in the conduct of administrative investigations;

WHEREAS, these rules are promulgated within the context of the Local Government Code of 1991 and its Implementing Rules and Regulations;

AN ORDINANCE PRESCRIL 4G FOR THE INTERNAL RULES OF PROCEDURES IN THE CONDUCT OF ADMINISTRATIVE INVESTIGATION AND HEARING INVOLVING ELECTIVE BARANGAY OFFICIALS OF THE MUNICIPALITY OF DELFIN ALBANO, ISABELA.

NOW, THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED BY THE SANGGUNIANG BAYAN OF DELFIN ALBANO, ISABELA, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, IN SESSION ASSEMBLED, THAT:

Section 1. Enactment Clause. These Rules for the investigation and hearing of administrative cases against elective barangay officials are hereby prescribed and approved.

Section 2. Scope and Coverage. This Ordinance shall cover all administrative cases filed against elective barangay officials within the territorial jurisdiction of the Municipality of Delfin Albano;

Section 3. Definition of Terms. The following terms as used in this Ordinance are to be understood and defined as follows:

- (3.1) Prima Facie implies legal sufficiency in both form and substance of a complaint which establishes with certainty a fact or case.
- (3.2) Complaint a formal allegation against a party.
- (3.3) Affidavit a sworn statement in writing made especially under oath or an affirmation before an authorized magistrate or officer.
- (3.4) Complainant the party who makes the complaint in a legal action or proceeding.
- (3.5) Amicable implies a state of place and desire to settle difference among the contending parties.
- (3.6) Rebut to contradict or oppose by formal legal argument, plea or countervailing proof an allegation(s).
- (3.7) Rebuttal means an act of rebutting especially in a legal suit.
- (3.8) Rebutter means the answer of a defendant in matter of fact to a plaintiff surrejoinder.
- (3.9) Surrebutter the reply in common law pleading of a plaintiff to a defendant's rebutter.
- (3.10) Counter means to oppose, offset, nullify or to meet attacks or arguments with defensive or retaliatory steps.
- (3.11) Counsel refers to a lawyer appointed to advice and represent in legal matters any of the parties involved in the case.
- (3.12) Evidence means something that furnishes proof; TESTIMONY; specifically: something legally submitted to a tribunal to ascertain the truth of the matter.
- (3.13) Respondent one who responds or the named individual required to make an answer in a legal action or suit.
- (3.14) Subpoena Ad Testificandum a writ commanding a named individual to appear before a duly authorized body at a fixed time to give testimony.
- (3.15) Subpoena Duces Tecum a writ commanding a named individual to produce certain designated documents or evidence.
- (3.16) Waiver the act of intentionally relinquishing or abandoning a known right, claim or privilege; also: the legal instrument evidencing such an act.

AN ORDINANCE PRESCRIE 3 FOR THE INTERNAL RULES OF PROCEDURES IN THE CONDUCT OF ADMINISTRATIVE INVESTIGATION AND HEARING INVOLVING ELECTIVE BARANGAY OFFICIALS OF THE MUNICIPALITY OF DELFIN ALBANO, ISABELA.

(3.17) Testimony - a solemn declaration usually made orally by a witness under oath in response to interrogation by a lawyer or authorized public official.

(3.18) Cross-examination - the examination of a witness who has already testified in order to check or discredit the witness's testimony, knowledge, or credibility.

Section 4. Separability Clause. If, for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, the other parts or provisions which are not affected shall remain in full force and effect.

Section 5. Repealing Clause. Any Ordinance or Resolution of this Municipality inconsistent with this ordinance is deemed repealed, amended or modified accordingly.

Section 6. Effectivity. This Ordinance shall take effect upon its approval and requisite publication

ENACTED:

Atty. RUBEN M. DUMLAO
Sangguniang Bayan Secretary

CERTIFIED CORRECT:

THOMAS A. PUA JR.

Municipal Vice Mayor and Presiding Officer

APPROVED:

ARNOLD EDWARD P. CO
Municipal Mayor



Republic of the Philippines Province of Isabela

MUNICIPALITY OF DELFIN ALBANO

delfinalbano_gc@yahoo.com



Office of the Sangguniang Bayan

INTERNAL RULES OF PROCEDURES IN THE CONDUCT OF ADMINISTRATIVE INVESTIGATION INVOLVING ELECTIVE BARANGAY OFFICIALS OF THE MUNICIPALITY OF DELFIN ALBANO, ISABELA

RULE 1 PRELIMINARY PROVISIONS

- SECTION 1. Title. This regulation shall be known as the "Rules of Procedures in the Conduct of Administrative Investigation Involving Elective Barangay Officials."
- **SECTION 2.** Coverage. These rules of procedures shall apply to administrative cases filed against elective barangay officials within the territorial jurisdiction of the Municipality of Delfin Albano;
- **SECTION 3.** Rules and Interpretation. In the interpretation of these rules of procedures, the Sanggunian shall not be strictly bound by the technical rules of evidence as found under the amended Rules of Court.
- **SECTION 4. Disciplining Authority.** The Municipal Mayor and the Sangguniang Bayan as a quasi-judicial body shall be designated as the Disciplining Authority in the conduct of investigation against elective barangay officials.
- **SECTION 5. Investigating Authority.** All administrative complaints duly verified against elective barangay officials shall be acted upon by the Sangguniang Bayan hereinafter referred to as the Investigating Authority.
- SECTION 6. Implementing Authority. The Local Chief Executive and the Sangguniang Bayan shall be referred to as the Implementing Authority.
 - 6.1. Preventive Suspension. To be determined by the Sangguniang Bayan but to be imposed by the Municipal Mayor.
 - **6.2. Penalty.** To be imposed by the Sangguniang Bayan and to be implemented by the Municipal Mayor.

RULE 2 GROUND FOR ADMINISTRATIVE DISCIPLINARY ACTION

- **SECTION 1. Grounds.** An elective barangay official may be disciplined, suspended, or removed from office on any of the following grounds:
 - 1.1. Disloyalty to the Republic of the Philippines;
 - 1.1.1. espionage
 - 1.1.2. treason
 - 1.1.3. conspiracy and proposal to commit treason
 - 1.1.4. inciting to war or giving motives to reprisals
 - 1.1.5. correspondence with hostile country
 - 1.1.6. piracy and mutiny on the high seas
 - 1.1.7. qualified piracy

- 1.2. Culpable violation of the Constitution;
 - 1.2.1. arbitrary detention or expulsion
 - 1.2.2. delay in the delivery of detained person
 - 1.2.3. violation of domicile
 - 1.2.4. searching domicile without witnesses
 - 1.2.5. interruption of religious worship
 - 1.2.6. offending the religious feelings
 - 1.2.7. prohibition, interruption and dissolution of peaceful meetings
- Dishonesty, oppression, misconduct in office, gross negligence, or dereliction of duty;
 - 1.3.1. bribery
 - 1.3.2. malversation
 - 1.3.3. conniving with or consenting to evasion
 - 1.3.4. removal, concealment, or destruction of documents
 - 1.3.5. open disobedience
 - 1.3.6. refusal of assistance
 - 1.3.7. usurpation of powers
 - 1.3.8. abuses against chastity
 - 1.3.9. simulation of birth and usurpation of civil status
 - 1.3.10. frauds
- 1.4. Commission of any offense involving moral turpitude or any offense punishable by at least *prision mayor*, which is from six (6) years and one (1) day to twelve (12) years imprisonment;
 - 1.4.1. rape
 - 1.4.2. adultery or concubinage
 - 1.4.3. act of lasciviousness
 - 1.4.4. seduction, corruption of minors and white slave
- 1.5. Abuse of authority;
 - **1.5.1.** Unauthorized absence for fifteen (15) consecutive working days in case of local chief executives and four (4) consecutive sessions in the case of members of the Sanggunian;
 - 1.5.2. Application for, or acquisition of, foreign citizenship or residence of the status of an immigrant of another country; and
 - 1.5.3. Such other grounds as may be provided by the Local Government Code of 1991, Republic Act No. 6713, Republic Act No. 3019, Civil Service Law, Revised Penal Code and all other applicable general and special laws.
- **SECTION 2.** An elective barangay official may only be removed from office on the grounds enumerated above by order of the proper court.

RULE 3 COMPLAINT

- SECTION 1. How Initiated. An administrative case may be initiated by any private individual or any government officer or employee by filing a verified or sworn written complaint against any elective local official enumerated under Section 2, Rule 1, and for commission of any of the grounds enumerated in Section 1, Rule 2 hereof.
 - 1.1. It may also be initiated *motu propio* by any local government official or agency duly authorized by law to ensure that local government units (LGU's) act within their prescribed powers and functions.
 - 1.2. The same is also understood to be initiated when a case is remanded to the Sangguniang Bayan by any courts or quasi-judicial bodies pursuant to Section 23 of RA 6770.

- **SECTION 2.** Form of Complaint. No complaint against any local elective official shall be given due course unless the same is in writing and verified or under oath and duly notarized.
 - **2.1.** The complaint, accompanied by the affidavits of witnesses or evidences in support of the charge, shall be addressed to the Sanggunian.
 - 2.2. The complaint shall be drawn in clear, simple, and concise language and in methodical manner as to apprise the respondent of the nature of the charge against him and to enable him to prepare his/her defense.
 - 2.3. The party filing the complaint shall be called the Complainant while the official against whom the complaint is filed shall be called the Respondent.
 - 2.4. The complaint shall also contain the following:
 - 2.4.1. Full name and address of the complainant;
 - 2.4.2. Full name and address of the respondent as well as his position and office:
 - 2.4.3. A narration of the relevant and material facts which show the acts or omissions allegedly committed by the respondent. Documentary evidence and sworn statements or affidavits of witnesses, if any, should be attached as annexes;
 - 2.4.4. A certification by the complainant that no other administrative action or complaint against the same party involving the same acts or omissions and issues has been filed before any agency or administrative body performing quasi-judicial functions;
 - **2.5.** Non-compliance with the foregoing requirements shall cause the dismissal of the complaint, at the discretion of the Sanggunian.
- SECTION 3. Where Filed. Two (2) copies of the complaint plus additional copies corresponding to the number of respondent/s and the number of the members of the Sangguniang Bayan shall be filed with the Office of the Secretary to the Sanggunian.
 - **3.1.** A copy of the complaint shall likewise be furnished by the complainant to each of the following:
 - 3.1.1. The Office of the Mayor;
 - **3.1.2.** The Municipal Local Government Operations Officer (MLGOO) of the DILG assigned at the Municipality;
 - No complaint shall be accepted unless the foregoing requirements are complied, with proof of service that copies were furnished to the Mayor and the MLGOO.
- Secretary shall immediately enter the complaint in the dockets and assign the corresponding administrative case number, and shall likewise immediately include such administrative case in the calendar of business for the next immediately following regular session of the Sangguniang Bayan, which, in no case, shall be more than seven days after the complaint shall have been filed; provided, that if no regular session may be held within a period of seven days, a special session shall be called for the purpose of entertaining such complaint.
- SECTION 5. Duty of the Sangguniang Bayan. On the basis of the complaint and of the affidavits accompanying the same, the Sangguniang Bayan shall make a preliminary determination whether to dismiss the case outright for any of the following reasons:
 - 5.1. for being patently without merit;

- 5.2. for failure to comply with the substantial or formal requirements in filing a complaint;
 5.3. for lack of jurisdiction;
 5.4. for failure to state cause of action; and
 5.5. for being moot and academic;
 5.6. or to require further proceedings to be taken.

 SECTION 6 Complaint Filed with Other Agency. If a complaint is filed with another government agency, the same may Sanggunian, provided, it complies with all the requirements as provided in Sections 1.3 of Puls 2.
- Sanggunian, provided, it complies with all the requirements as provided in Sections 1-3 of Rule 3.

 SECTION 7. Anonymous Complaint. No action shall be taken on an anonymous complaint
- for non-compliance of the requirements; unless there is obvious truth or merit to the allegations made therein or supported by documentary or direct evidence, in which case, the person complained of may be required to comment (Sec. 8, Par. 2, Rule II, Uniform Rules).
- **SECTION 8. 90-Day Ban.** No complaint shall be accepted within ninety (90) days immediately prior to any local election.
- **SECTION 9. Filing Fee.** The amount One Thousand Pesos (PhP 1,000.00) shall be collected as filing fee for each of the administrative complaint filed before the Sangguniang Bayan.

RULE 4 ANSWER

- SECTION 1. Summon. Within seven (7) days after the complaint is filed, the Sanggunian, in its regular session, shall determine if the complaint complies with all the requirements under Sections 2 and 3 of the preceding Rule and shall issue a summon requiring the respondent to submit his verified answer within a non-extendible period of fifteen (15) days from receipt thereof.
 - **1.1** The seven (7) day period shall commence from the moment the Sanggunian Secretary has formally received the complaint.
- **SECTION 2.** Form of Answer. The verified and notarized answer, accompanied by affidavits of witnesses or evidences in support of the defense, shall be addressed to the Sanggunian, and shall be drawn in clear, simple, and concise language.
- **SECTION 3.** In the event the answer is not verified, the case shall proceed as if there is no answer filed.
- **SECTION 4.** Where filed. Two (2) copies of the answer shall be submitted to the Office of the Sanggunian Secretary in 11 copies for disposition in the same manner provided for in **Section 3 of Rule 3**, with proof of service of a copy of such answer to the complainant or his counsel.
 - **4.1.** Failure to file the required number of copies or to serve copy thereof to the complainant or his counsel is considered as if no answer is filed and shall be proceeded accordingly.
- SECTION 5. A copy of the answer shall be furnished to each of the following:

- 5.1. the office of the Mayor; and
- 5.2. the MLGOO.
- **SECTION 6.** No answer shall be accepted unless the foregoing requirements are complied, with proof of service that copies were furnished to the foregoing parties/persons/entities.
- **SECTION 7.** Failure to Answer. Unreasonable failure of respondent to file his verified answer within fifteen (15) days from receipt of the complaint against him shall be considered as waiver of his right to present evidence in his behalf.
- SECTION 8. No motion shall be allowed in lieu of the answer.

RULE 5 EVALUATION

- **SECTION 1. Evaluation.** Upon receipt of the answer, the Sanggunian Bayan shall, in its regular session, determine the existence of a prima facie (probable cause), and within ten (10) days commence the investigation.
- **SECTION 2.** If there exists no *prima facie* evidence against respondent, the Sanggunian may *motu propio* dismiss the case.

RULE 6 PREVENTIVE SUSPENSION

- SECTION 1. Determination. After the issues are joined, when the evidence of guilt is strong, and given the gravity of the offense, there is great probability that the continuance in office of the respondent could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence, the Sanggunian may recommend that respondent be placed under preventive suspension which shall not extend beyond sixty (60) days; provided, that in the event that several administrative cases are filed against the respondent, he cannot be preventively suspended for more than ninety (90) days within a single year on the same ground or grounds existing and known at the time of the first suspension.
- **SECTION 2. Imposition.** Upon receipt of the Resolution of the Sanggunian of preventive suspension to respondent, the Mayor shall issue the order imposing the preventive suspension to the respondent without delay.
 - **2.1.** A copy of the order duly served shall be furnished the Sanggunian, and other departments of the Municipality for their information and appropriate action.
- **SECTION 3. 90-Day Ban.** No preventive suspension shall be imposed within ninety (90) days immediately prior to any local election. If the preventive suspension has been imposed prior to the 90-day period immediately preceding a local election, it shall be deemed automatically lifted upon the start of the aforesaid period.
- SECTION 4. Automatic Reinstatement. Upon expiration of the preventive suspension, the suspended barangay official shall be deemed reinstated in office, without prejudice to the continuation of the proceedings against him, which shall be terminated within one hundred twenty (120) days from the time he was formally notified of the case against him. However, if the delay in the

proceeding of the case is due to his fault, or request, other than the appeal duly filed, the duration of such delay shall not be counted in computing the time of termination of the case.

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

RULE 7 PRELIMINARY CONFERENCE

- **SECTION 1. Preliminary Conference.** The Sanggunian shall, within ten (10) days of its receipt of the answer, summon the parties to a preliminary conference to consider the following:
 - 1.1. Whether the parties could agree on an amicable settlement:
 - 1.2. Whether the parties desire a formal investigation or are willing to submit the case for resolution upon submission of their respective position papers together with their documentary evidences;
 - 1.3. If the parties desire a formal investigation, to consider the simplification of issues, the possibility of obtaining stipulation or admission of facts and of documents, specifically affidavits and depositions, the limitation of the number of witnesses, dates of hearing, and such other matters as may aid the prompt disposition of the case.
- **SECTION 2. Preliminary Conference Brief.** The parties may submit their respective preliminary conference brief containing the matters found in the foregoing section and such other matters that will aid the Sanggunian in the expeditious resolution of the case, at least three (3) days before the date of the scheduled preliminary conference, and a copy furnished to the other party.
- **SECTION 3. Amicable Settlement, Compromise and Arbitration.** The Sanggunian shall encourage the parties and their counsels to enter, at any stage of the proceedings into amicable settlement, compromise or arbitration.
- SECTION 4. Preliminary Conference Order. After the preliminary conference, the Sanggunian shall issue an order reciting the matters taken up thereon, including the facts stipulated and the evidences marked, if any. Such order shall limit the issues for hearing to those not disposed of by agreement or admission of the parties, and shall schedule the formal investigation within ten (10) days from its issuance, unless a later date is mutually agreed upon by the parties concerned.
- **SECTION 5. Presence of the Parties and Counsel.** The parties and their respective counsels, if represented, are required to attend the preliminary conference.
 - **5.1.** In case of the absence of the complainant and his counsel, if represented, without any justifiable reason, the case shall be dismissed.
 - 5.2. In case of the absence of the respondent and his counsel, if represented, without any justifiable reason, it shall be deemed as waiver of his right to present evidence in his favor and the investigation/hearing may proceed ex-parte.

RULE 8 FORMAL INVESTIGATION

- SECTION 1. Procedural Due Process. The respondent shall be accorded full opportunity to appear and defend himself in person or by counsel, to rebut, confront and cross-examine the witnesses against him, and to require the attendance of witnesses and the production of documents through the compulsory process of subpoena ad testificandum and subpoena duces tecum.
- **SECTION 2.** Who Conducts the Hearing. The formal administrative investigation shall be conducted by the Sanggunian.
- Orders. The Sanggunian is hereby authorized to take testimony or receive evidence relevant to the administrative proceedings, which authority shall include the power to administer oaths, summon witnesses, and require the production of documents by issuing subpoena and subpoena duces tecum pursuant to Book I, Chapter 9, Section 37 of the Administrative Code of 1987.
 - 3.1. Anyone who, without lawful excuse, fails to appear upon summons issued under authority of the preceding paragraph or who, appearing before the Sanggunian exercising the power therein defined, refuses to make oath, give testimony or produce documents for inspection, when lawfully required, shall be subject to discipline as in case of contempt of court and, upon application by the Sanggunian, shall be dealt with by the judge of the proper regional trial court in the manner provided for under Book II, Chapter 3, Section 13, in relation to Chapter 1, Section 2(1), of the Administrative Code of 1987.
 - 3.2. The Sanggunian is also authorized to issue interlocutory orders.
- **SECTION 4. Notice of Hearing.** The parties and their witnesses shall be notified of the scheduled hearing at least five (5) days before the date thereof, stating the date, time and place of the hearing.
- **SECTION 5. Venue of Hearing.** The formal investigation as contemplated in this rule shall be conducted in the session hall of the Sanggunian.
- **SECTION 6. Request for Subpoena.** If a party desires the attendance of a witness or the production of documents, he should formally request for the issuance of the necessary subpoena or *subpoena duces tecum* at least three (3) days before the scheduled hearing.
- **SECTION 7. Postponement.** No postponement shall be allowed unless for meritorious grounds, which in no case be more than once during the entire proceeding.
- SECTION 8. Audio and/or Video Record of Proceeding. The testimony of each witness and the manifestation of the parties and counsels during an investigation shall be tape-recorded or any other mode of recording. A transcript of the proceedings made by the personnel assigned to record the proceedings, and duly certified by him/her shall be prima facie a correct statement of such proceedings.
 - The personnel assigned to record the proceedings shall immediately transcribe the same and prepare the transcript thereof without any delay.

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

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

- 9.1. Both complainant and respondent and their witnesses appearing before the Sanggunian shall be administered an oath in where they signify that they are bound in conscience to act and/or testify truthfully and faithfully;
- 9.2. After the oath, the complainant shall produce the evidence on his part;
- 9.2. The respondent shall offer evidence in support of his defense; and
- 9.3. The parties may then respectively offer rebutting evidence unless the Sanggunian for good reasons and in the furtherance of justice, permits them to offer evidence upon their original case.

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

- 10.1. Direct examination by the complainant:
- 10.2. Cross-examination by the respondent:
- 10.3. Re-direct examination by the complainant; and
- 10.4. Re-cross examination by the respondent.

SECTION 11. Affidavits and Counter Affidavits

- 11.1. The affidavits submitted by the complainant shall serve as the testimony on direct examination subject to the cross-examination by the respondent and clarificatory questions by the Sangguniang Bayan.
- 11.2. The counter-affidavits submitted by the respondent shall serve as his testimony on direct examination subject to the cross examination by the complainant and clarificatory question by the members of the Sangguniang Bayan.
- 11.3. The parties are required to furnish each other copies of the affidavits of their respective witnesses at least five (5) days before the scheduled hearing, unless said affidavits are attached to the complaint and the answer.
- 11.4. The affidavits required to be submitted under this Rule shall state only facts or direct personal knowledge of the affiant(s) which are admissible in evidence as provided for under the Revised Rules on Evidence, and shall show their competence to testify to the matters stated therein.
- 11.5. A violation of the requirement shall be cause to expunge the inadmissible affidavit or portion thereof from the record.

SECTION 12. Prohibited Pleadings and Motions. The following pleadings, or motions shall not be allowed:

- Motion to dismiss:
- 2. Motion for a bill of particulars;
- Motion for new trial, or for reconsideration of either interlocutory or final order, or for reopening of trial;
- Motion for extension of time to file pleadings, affidavits or any other paper;
- Motion to declare the respondent in default;

- 6. Motion for postponement, except when the same is grounded on the fact that the counsel or witness who is about to testify for either party is ill as shown in an affidavit that the presence of such counsel or witness at the trial is indispensable and that the character of his illness is such as to render his non-attendance excusable;
- 7. Reply.
- Section 13. Policies on Investigation Calls. In case the complainant does not appear in the first call of hearing, he or she shall be made to explain in writing for his failure of attendance. If the Sanggunian is satisfied with the justification given, the investigation shall go on. However if the second call of investigation is made and again the complainant does not make it, the Presiding Officer outrightly shall declare the case dismissed. Furthermore, if the Sanggunian is not satisfied with the reason given by the complainant for his failure to appear on the first hearing call, the Sanggunian shall outrightly declare the "CASE DISMISSED."
- **SECTION 13. Termination of Formal Investigation.** The formal investigation of the case shall be terminated by the Sanggunian within ninety (90) days from the start thereof, unless there are justifiable grounds for extension.
- SECTION 14. Memorandum. Within fifteen (15) days after the termination of the formal investigation, the parties shall submit their respective memoranda, stating clearly and distinctly the facts and the law upon which they are based, serving each other a copy thereof. These requirements shall likewise apply to motions or applications other than the final decisions.
- **SECTION 15. 90-Day Ban.** No formal investigation shall be conducted within ninety (90) days immediately preceding any local election.

RULE 9 EVIDENCE

- SECTION 1. Rules of Evidence (In Administrative Disciplinary Proceedings). The Sanggunian may admit and give probative value to evidence commonly accepted by reasonably prudent men in the conduct of their affairs. A fact may be deemed established if it is supported by substantial evidence, or that amount of relevant evidence which a reasonable mind might accept as adequate to justify a conclusion;
 - Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available. Upon request, the parties shall be given opportunity to compare the copy with the original. If the original is in the official custody of a public officer, a certified copy thereof may be accepted;
 - The Sanggunian may take notice of judicially cognizable facts and of generally technical or scientific facts within its specialized knowledge. The parties shall be notified and afforded an opportunity to contest the facts so noticed.
- SECTION 2. Marking. All documentary evidence or exhibits shall be properly marked by letters (A, B, C, etc.), if presented by the complainant, and by numbers (1,2,3, etc.), if presented by the respondent. They shall be attached to the records or, if voluminous, kept in a separate folder marked "Folder of Exhibits", which shall be attached to the records.

- **SECTION 3. Offer of Evidence/Exhibits.** Testimony of a witness must be offered at the time the witness is called to testify.
 - 3.1. Documentary and object evidence shall be offered after the presentation of a party's testimonial evidence. Such offer shall be done orally unless allowed by the Sanggunian to be done in writing.
 - The purpose for which the evidence is offered must be specified.
- **SECTION 4. Objection**. Objection to evidence offered orally must be made immediately after the offer is made.
 - 4.1. Objection to a question propounded in the course of the oral examination of a witness shall be made as soon as the grounds therefore shall become reasonably apparent, otherwise, the same shall be considered admitted.
 - **4.2.** An offer of evidence in writing shall be objected to within three (3) days after notice of the offer unless a different period is allowed by the Sanggunian.
 - 4.3. In any case, the grounds for the objections must be specified.
 - 4.4. All objections raised during the hearing shall be resolved by the Sanggunian.
 - 4.5. The Sanggunian shall accept all evidence deemed material and relevant to the case. In case of doubt, the Sanggunian shall allow the admission of evidence or allow the witness to answer, subject to the objection interposed against its admission.

RULE 10 REPORT OF THE COMMITTEE

- SECTION 1. Termination of the Investigation. The investigation shall be terminated within ninety (90) days from the start thereof. In which case, the Sangguniang Bayan shall cause the creation of an ad hoc committee which shall be charged of the drafting of the decision, to be composed of the following members:
 - The Chairman of the Committee on Good Government, Public Ethics, and Accountability and the Chairman of the Committee on Rules, Privileges, Ordinances and Legal Matters as Co-Chair;
 - Three (3) regular members of the Sangguniang as maybe determined by the Sanggunian through a majority vote of all members present during the session.
 - The conclusion in the decision shall be reached in consultation, after which, the ad hoc committee shall assign a member thereof as ponente or writer of the opinion/decision.
 - 4. The ad hoc committee shall submit the draft decision to the Sanggunian, expressly providing therein the findings of the investigation and the committee's recommendations, within twenty (20) days from receipt of the last pleading and evidence by the Sanggunian, if any, in case the respondent does not elect a formal investigation; after the expiration of the period within which to submit the same; or after the termination of the formal investigation; or after the parties have submitted their respective memoranda or after the expiration of the period for their submission.
 - The draft decision shall be signed by at least a majority of the members thereof.

RULE 11 DECISION

- SECTION 1. Rendition of Decision. Immediately upon receipt of the draft decision of the ad hoc committee, the Sanggunian shall calendar the same for deliberation on the next regular session immediately after its receipt.
- **SECTION 2.** A two-third vote of all members present during the session shall validate the decision. A certification of this effect signed by the Presiding Officer of the Sangguniang Bayan shall be issued and a copy thereof attached to the record of the case and served upon the parties.
- SECTION 3. The decision shall be rendered within thirty (30) days from the date of submission for resolution.

SECTION 4. Decision: Form and Substance.

- The decision shall be in writing stating clearly and distinctly the facts and reasons for such decision.
- The decision shall state the concurring, dissenting, abstaining and absent members, and shall bear the signatures of the ponente and members who concur. Any member of the Sanggunian who dissents may write a separate dissenting opinion which shall be submitted within the said 30-day period, which shall be appended to the decision of the majority.
- The Sanggunian may, at its discretion, adopt in toto the recommendation and/or decision submitted by the Committee thru the passage of a resolution.
- Copies of said decision shall immediately be furnished the respondent, the Mayor, the MLGOO, and all interested parties after it has been signed as mentioned above.
- SECTION 5. Required Number of Votes for the Decision. All decisions of the Sanggunian, be it with sanction or dismissal, shall be approved by at least a majority of all the members duly elected and qualified.
- **SECTION 6.** Finality of Decision/Order. The decisions and final orders of the Sanggunian shall become final and executory after the lapse of thirty (30) days from receipt of a copy thereof by the complainant or the respondent as the case may be.

RULE 12 MOTION FOR RECONSIDERATION

- **SECTION 1. Motion for Reconsideration.** A motion for reconsideration may be filed within the period to appeal and shall be entertained only on any of the following grounds:
 - New evidence has been discovered which materially affects the order, or decision; or
 - Errors of law or irregularities have been committed prejudicial to the interests of the movant/respondent.
 - Only one motion for reconsideration shall be allowed, which shall be decided within fifteen (15) days from the date of submission for resolution. No other pleading shall be allowed other than the motion for reconsideration and opposition thereto.

- A motion for reconsideration shall not toll the running of the period to appeal and the movant/respondent has to perfect his appeal within the period to appeal.
- The motion for reconsideration shall be heard and evaluated by the Sanggunian which shall resolve the same with a resolution/order.
- 6. If the motion for reconsideration has not been resolved within the period to appeal, the same is deemed denied.
- 7. It is incumbent upon the movant/respondent to check with the Sanggunian the status of his motion for reconsideration and to perfect his appeal, in case the said motion has not been resolved within the period to appeal.

RULE 13 PENALTIES

- SECTION 1. Reprimand, Censure or Suspension. A respondent found guilty of any of the offenses enumerated in Rule 2 hereof may be meted the penalty of reprimand, censure or suspension depending on the evidence presented, the gravity of the offense, and the attendant circumstances that may be determined by the Sanggunian, taking into consideration the scale of penalties as provided under the Omnibus Rules Implementing Book V of Executive Order No. 292 and Other pertinent Civil Service Laws.
- **SECTION 2. Suspension.** The penalty of suspension shall not exceed the unexpired term of the respondent, or a period of six (6) months for every administrative offense, nor shall said penalty be a bar to the candidacy of the respondent so suspended as long as he meets the qualifications required for the office.
- **SECTION 3.** When the respondent has meted two (2) or more penalties of suspension for two (2) or more administrative offenses, such penalties shall be served successively.

RULE 14 EXECUTION OF DECISION

- SECTION 1. Execution of Final Decisions and Orders. The Municipal Mayor shall execute all final and executory decisions or orders of the Sanggunian by issuing the corresponding order implementing the same. He may also deputize or call upon any personnel of the Philippine National police (PNP) stationed within the Municipality, to execute the said decisions or orders.
- **SECTION 2.** A copy of the Order implementing the final decisions and orders of the Sanggunian shall be furnished the Office of the Sanggunian, MLGOO and other interested parties for their information and appropriate action.
- SECTION 3. Execution Pending Appeal. An appeal shall not prevent a decision from becoming final or executory. The respondent shall be considered as having been placed under preventive suspension during the pendency of the appeal, which should not be more than the penalty imposed. In the event the appeal results in an exoneration, he shall be paid his salary and such other emoluments during the pendency of the appeal.

RULE 15 ADMINISTRATIVE APPEAL

SECTION 1. Appeal, Where Made. Decisions of the Sanggunian may, within thirty (30) days from receipt thereof, be appealed to the Sangguniang Panlalawigan.

- SECTION 2. How to Appeal. The appeal is undertaken by filing a notice of appeal with the Sanggunian that rendered the decision or final order appealed from. The notice of appeal shall indicate the parties to the appeal, the decision or final order appealed from, and stated the material dates showing the timeliness of the appeal.
 - 2.1. A copy of the notice of appeal shall be served the adverse party and the Sangguniang Panlalawigan.
- SECTION 3. Transmittal of Original Record. Within fifteen (15) days from receipt of the notice of appeal, the Sanggunian whose decision or final order has been appealed shall transmit to the Sangguniang Panlalawigan the complete original record of the case with each page consecutively numbered and initialed by the custodian of the records, together with the exhibits and transcripts, which shall be certified by such custodian as complete. A copy of the letter of transmittal of the records to the Sangguniang Panlalawigan shall be furnished the parties.

RULE 16 MISCELLANEOUS PROVISIONS

- SECTION 1. Docket or Logbook. The Sanggunian shall keep a logbook and/or docket of all administrative cases filed before it and shall assign a case number for each case in the order that it is filed, prefixed with the last two (2) digits of the year of filing, e.g., in the first case filed for the year 2013, it should be numbered as ADM. CASE NO. SB-13-____, etc.
 - 1.1 Important data such as date of filing, date of hearing, status of the case, e.g., when submitted for resolution, date of promulgation of decision, date when the decision becomes final, and other relevant data shall be entered in the said logbook or docket.
- **SECTION 2. Custodian of the Records** The Sanggunian Secretary shall be the custodian of all records pertaining to all administrative cases and shall receive all pleadings and other papers in connection thereto.
- **SECTION 3. Transitory Provision**. All pending administrative cases not yet decided upon the effectivity of this Ordinance shall be heard by the Sanggunian.
- **SECTION 4.** Repealing Clause. All rules and regulations and other issuances in conflict hereof, are hereby repealed.
- **SECTION 5.** Amendments. Any provision of this Rule may be amended, modified or altered by a vote of two-thirds of all the Members of the Sangguniang Bayan.
- **SECTION 6. Separability Clause.** Whenever a part of this Rule may be amended by competent court as unconstitutional or ultra vires, the other provisions which may otherwise be constitutional and valid shall not be affected thereby.
- SECTION 7. Effectivity. These Rules shall take effect after ten (10) days following the posting of copies hereof at the entrance of the Municipal Hall and at the bulletin board of the Sanggunian.



Republic of the Philippines Province of Isabela

MUNICIPALITY OF DELFIN ALBANO

delfinalbano_gc@yahoo.com



Office of the Sangguniang Bayan

Excerpts from the Minutes of the Regular Session of the Sangguniang Bayan of Delfin Albano, Isabela held at the SB Session Hall on July 29, 2019.

Present:	Hon. Thomas A. Pua Jr Municipal Vice Mayor
	Hon. Ruben P. Furigay SB Member Hon. Francisco A. Cristobal Jr SB Member
	Hon. Clemente S. Dumlao Jr SB Member 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
	Hon. Juanito C. Ranchez SB Member Hon. Alex I. Macarilay Sr SB Member 2019 -08- 08
	Hon. Elma M. Galope SB Member By 1920en
	Hon. Michael C. Taccad SB Member PROVINCE OF ISABELA
	Hon. Jay B. Caliguiran LNB President Hon. Darwin D. Agas SK Federation President
Absent:	NONE

ORDINANCE NO. 40-2019

(Sponsored by the Committee on Environmental Protection, Health, and Social Welfare)

AN ORDINANCE PROHIBITING THE USE OF CASH CARDS ISSUED TO HOUSEHOLD BENEFICIARIES OF THE PANTAWID PAMILYANG PILIPINO PROGRAM (4PS) AS COLLATERAL OF A LOAN, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES.

EXPLANATORY NOTE

The Pantawid Pamilyang Pilipino Program, called 4Ps for brevity, is a human development measure that seeks to alleviate the life conditions, specifically on health and nutrition, and the education of the children of the household beneficiaries who are the poorest of the poor, by providing them cash grants.

For this year, the cash grants are facilitated through the issuance of a cash card from the Landbank of the Philippines' nearest branch, which in the case of the Municipality is the LBP's City of Ilagan Branch.

However, reports from other municipalities with previously issued cash and ATM cards had been rife about beneficiaries using the same as collateral of a loan, thus defeating the reasons and purposes for which the 4Ps was instituted. Hence, in order to protect the interest of the household beneficiaries in the Municipality from unscrupulous individuals or entities of unlawful machinations and to preserve the integrity of the program, this legislative measure is enacted.

NOW, THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED BY THE SANGGUNIANG BAYAN OF DELFIN ALBANO, ISABELA, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, IN SESSION ASSEMBLED, THAT:

AN ORDINANCE PROHIBITING THE USE OF CASH CARDS ISSUED TO HOUSEHOLD BENEFICIARIES OF THE PANTAWID PAMILYANG PILIPINO PROGRAM (4PS) AS COLLATERAL OF A LOAN, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES.

Section 1. Short Title. This Ordinance shall be known as the "4Ps Protection Ordinance of 2019".

Section 2. Declaration of Policies.

- (2.1) It is hereby declared the policy of the Municipal Government of Delfin Albano, Isabela to promote the general welfare, as stipulated under Section 16 of the Local Government Code of 1991, of its inhabitants.
- (2.2) It is likewise the policy of the Municipality to protect its inhabitants from deceitful machinations perpetrated by unscrupulous individuals or entities.
- (2.3) It is finally the policy of the Municipality to help the national government in weeding-out the undesirable household beneficiaries of the program.

Section 3. Scope and Coverage.

- (3.1) Individuals offering loan to household beneficiaries of 4Ps requiring Cash Cards as collateral;
- (3.2) Officers or agents of entities like associations, cooperatives, companies, or corporations, with or without juridical personality, offering loan to household beneficiaries of the 4Ps requiring Cash Cards as collateral; and
- (3.3) All household beneficiaries of the program.

Section 4. Prohibited Acts.

- (4.1) It shall be unlawful for any individual or entity mentioned in Section 3, hereof, to offer loan and require the holding of Cash Cards as collateral;
- (4.2) It shall be unlawful for any beneficiary to use the Cash Card as collateral of a loan availed from any individual or entity as mentioned in Section 3, hereof.

Section 5. Penalty Clause. Violation of this Ordinance is penalized as follows:

- (5.1) For persons and entities in Items (3.1) and (3.2) of Section 3, a fine of Two Thousand Five Hundred Pesos (PhP 2,500.00) or imprisonment of not lower than one (1) month but not more than six months (6), or both at the discretion of the court.
- (5.2) For household beneficiaries as stated in Item (4.2) of Section 4, the following penalties shall be meted:

First Offense: written warning;

Second Offense: withholding of grants;

Third Offense: de-listing in 4Ps list of beneficiaries.

AN ORDINANCE PROHIBITING THE USE OF CASH CARDS ISSUED TO HOUSEHOLD BENEFICIARIES OF THE PANTAWID PAMILYANG PILIPINO PROGRAM (4PS) AS COLLATERAL OF A LOAN, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES.

Section 6. Separability Clause. If, for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, the other parts or provisions which are not affected shall remain in full force and effect.

Section 7. Repealing Clause. Any Ordinance or Resolution of this Municipality inconsistent under this ordinance is deemed repealed, amended or modified accordingly.

Section 8. Effectivity. This Ordinance shall take effect upon its approval and requisite posting in at least three (3) conspicuous places in the Municipality.

ATTESTED:

Atry. RUBEN M. DUMLAO
Sangguniang Bayan Secretary

CERTIFIED CORRECT:

THOMAS A. PUA JR.

Municipal Vice Mayor and Presiding Officer

APPROVED:

ABNOLD EDWARD P. CO
Municipal Mayor

7-21-19