



Republika ng Pilipinas
LUNGSOD NG ILIGAN

Tanggapan ng Sangguniang Panlungsod



REGULAR SESSION HELD ON JULY 5, 2022

OSP FILE COPY

PRESENT:

Marianito D. Alemania,	City Vice Mayor, Presiding Officer
Bernard Y. Pacaña,	Member
Simplicio N. Larrazabal, III,	Member
Rosevi Queenie C. Belmonte,	Member
Michelle E. Sweet-Booc,	Member
Samuel P. Huertas,	Member
Providencio A. Abragan, Jr.	Member
Jesse Ray N. Balanay,	Member
Rhandy Ryan Francis A. Ong,	Member
Marlene L. Young,	Member
Ramil C. Emborong,	Member
Maria Paz Teresa V. Zalsos-Uychiat,	Member
Nhicolle B. Capangpangan,	Member
Cesarve C. Siacor,	Member
Datu Kilala Lanelio T. Sangcoan,	Member
Emily Q. Hynson,	Member



ABSENT:

(NONE)

[Signature]
ZHERADE R. CARA
STAFF COUNCILOR
YOUNG
7/13/22

RESOLUTION NO. 22-385

RESOLUTION ADOPTING AND APPROVING THE INTERNAL RULES OF PROCEDURES OF THE 18TH SANGGUNIANG PANLUNGSOD OF ILIGAN CITY FOR THE TERM BEGINNING JULY 1, 2022 TO JUNE 30, 2025, SUBJECT TO THE AMENDMENTS TO BE INTRODUCED WITHIN NINETY (90) DAYS

WHEREAS, pursuant to the provisions of Section 50 of RA 7160 otherwise known as the Local Government Code and Art. 103 of its Implementing Rules, Local Sanggunian bodies have the inherent right and power to adopt a set of governing rules for the proper and orderly discharge of their legislative functions;

WHEREAS, it is further provided in the same law that such rules of procedure shall be adopted or updated in the first regular session following the election of the members of the sanggunian concerned and/or within ninety (90) days therefrom;

WHEREFORE, on motion of Member Bernard Y. Pacaña, duly seconded by Members Ramil C. Emborong, Rosevi Quennie C. Belmonte and Proviencio A. Abragan, Jr.;

BE IT RESOLVED, AS IT HEREBY RESOLVED, by the 18th Sanggunian Panlungsod of Iligan, in its session assembled, to **ADOPT**, as it hereby **ADOPTS** the hereunder Internal Rules of Procedure (IRP), as follows:

**RULE 1
TITLE**

SECTION 1. TITLE - This resolution shall be known as the **Internal Rules of Procedure of the 18th Sangguniang Panlungsod of Iligan City** for the term beginning July 1, 2022 to June 30, 2025.

RULE II COMPOSITION

SECTION 1. COMPOSITION – The Sangguniang Panlungsod of Iligan City shall be composed of the City Vice Mayor as the Presiding Officer, the regular Sangguniang Members, the President of the City Chapter of Liga Ng Mga Barangay, the President of the Panlungsod Na Pederasyon Ng Mga Sangguniang Kabataan as ex-officio member(s) and such other sectoral representative(s) as may be elected or chosen in accordance with law Sec. 457 (a) of the Local Government Code.

SECTION 2. ORGANIZATION – The Members of the present Sangguniang Panlungsod shall, at the first regular session prescribed by the existing Internal Rules of Procedures adopt the rules following which organization shall proceed with the election of the committee chairmanship as well as all members thereof as provided for in Section 50 (b)(1) of the Local Government Code;

SECTION 3. DISCLOSURE OF INTEREST - Every sanggunian member shall disclose any business, financial, or professional relationship or any relation by affinity or consanguinity within the fourth civil degree, which he may have with any person, firm, or entity affected by any ordinance or resolution under consideration by the sanggunian of which he/she is a member, which relationship may result in conflict of interest and such other requirements of Section 51 of the Local Government Code.

RULE III THE PRESIDING OFFICER

SECTION 1. THE PRESIDING OFFICER – The Vice Mayor shall be the presiding officer of the Sanggunian. He shall vote only to break a tie. [Sec. 49 and 457, Local Government Code]

Section 1.1. – The Presiding Officer shall facilitate and expedite the business of the Sanggunian and shall, for this purpose, be permitted to make brief remarks on matters pertaining to the pending question.

Section 1.2 –. In the event of the inability of the Vice Mayor to act as Presiding Officer at the date and time designated for the commencement of the session, the members present and constituting a quorum shall elect from among themselves a temporary Presiding Officer. [Sec. 49 (b) Local Government Code]. For this purpose any member who has been designated as Officer- In-Charge (OIC) of the Office of the Vice Mayor during the latter's absence shall temporarily preside for the purpose of determining the quorum and electing the temporary Presiding Officer who shall immediately assume the Chair following his election. In the absence of the Officer In-Charge, the sanggunian member obtaining the highest number of votes in the immediately preceding election and present during the session shall preside but only to determine the quorum and the election of the temporary Presiding Officer unless the said member is elected as temporary Presiding Officer.

The said Acting Presiding Officer, upon notice of arrival of the Vice Mayor, shall immediately yield the chair to the latter who shall then proceed to preside over and continue with the pending business of the Sanggunian. The Acting Presiding Officer shall not be entitled to vote in case of tie, unless he/she yields the chair to whoever is, by resolution, designated by the body to replace him temporarily to allow him to cast his vote.

The minutes of the session and all ordinances and/or resolutions enacted by the Sanggunian shall be certified by the Presiding Officer or the Acting Presiding Officer, as the case may be, within ten (10) days from the date of the last session. [Art. 102 (c), Implementing Rules and Regulations]

SECTION 2. PROCEDURAL POWERS AND FUNCTIONS OF THE PRESIDING OFFICER – The Presiding Officer shall:

- a. Subject to matters requested for inclusion in the agenda by the members as well as urgent communications from the Chief Executive, the Vice Mayor shall prepare or cause to be prepared the agenda for the next regular session or special sessions;
- b. Preside over the sessions and caucuses of the Sangguniang Panlungsod;
- c. Preserve order and decorum during sessions, and in case of disturbance or disorderly conduct in the session or within the premises thereof, take measures as may be deemed appropriate or as the body may, upon motion approved. For this purpose, he shall direct the Sergeant-at-Arms to enforce certain measures as maybe proper or necessary;
- d. Rule on questions and sign resolutions, memorandums, writs, orders and notices issued by, or upon orders, of the Sanggunian;
- e. Exercise such powers and perform such other functions as may be provided by law, ordinance and/or regulations;
- f. The regular Presiding Officer shall not be a chairman of any standing committee, but shall have a voice in all committee deliberation, if he so desires to attend. He may, however, be elected as Chairman of any special or ad hoc committee (DILG Op. No. 60, July 19, 2004) which the Sanggunian may organize for specific purposes;
- g. The Presiding Officer or the Secretary of the Sanggunian shall acknowledge the presence of any special guest in attendance, whom any member desires and recommends for recognition, during the session.

**RULE IV
THE SECRETARY**

SECTION 1 – There shall be Sanggunian Secretary whose appointment shall be in accordance with the civil service law, rules and regulations. His compensations, allowances and other emoluments shall be determined by law or ordinance.

SECTION 2. – The Sanggunian Secretary shall:

- a. Attend all meetings of the Sangguniang Panlungsod 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 Sanggunian with the dates of their enactment and publication;

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- c. Forward to the City Mayor for appropriate action all ordinances and resolutions enacted or adopted by the Sangguniang Panlungsod which have been certified as such by the Presiding Officer within ten (10) days after their enactment or adoption except those that pertains to the internal affairs of the Sanggunian;
- d. Keep and affix the Sanggunian seal with his signature on all ordinances and resolutions enacted or adopted by the Sanggunian, with dates of passage and publication thereof;
- e. Upon request, furnish certified copies of all records and documents, in his charge not otherwise classified as confidential, upon payment to the Local Treasurer of the fees prescribed by ordinance;
- f. Keep his office and all records therein which are not of confidential in character open to the public inspection during the usual business hours;
- g. Translate into the dialect used by the majority of the inhabitants, ordinances and resolutions immediately after their approval, and cause the publication of the same together with the original version in the manner provided for by law, as may be necessary and subject to the approval of the body;
- h. Assume custody of the local archives and, where applicable, the local library and annually account for the same;
- i. Transmit official copies of approved ordinances with penal sanctions to the Chief Executive Officer of the Official Gazette in the manner provided for by law;
- j. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance;
- k. To inform/remind the Presiding Officer of the re-appearance of any member who failed to vote in any measure included in the deliberation in which he/she was present. In case of failure to re-appear, said member shall likewise be required to cast his vote on the issue as required by Sec. 1 of Rule XIII.

SECTION 3. SERGEANT AT ARMS – There shall be a Sergeant at Arms under the office of the Sangguniang Secretary who shall perform the following duties:

- a. Ensure the safety and security of the members of the Council, the Staff, visiting dignitaries, guest of the Sangguniang Panlungsod and tourists who may be in attendance during the session;
- b. Maintain peace and order in the sessions or committee hearings of the Council as may be directed by the Chair or Committee Chairman;
- c. Sees to it that firearms and deadly weapons are deposited at his office;
- d. Performs administrative services in support of the members, the staff and visitors associated with the Security and Order in the Sangguniang Panlungsod;

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- e. Performs such other duties and functions as may be requested through the Chair, by the members of the council in the exercise of their privileges.

RULE V SESSION

SECTION 1. PARTICIPATION – Every member shall attend all sessions and proceedings and participate in the exercise of the powers and duties vested in the sangguninan and the members. Circumstances permitting any member desiring to be excused from attendance and/or participation, shall endeavour to notify the Presiding Officer or the Secretary in advance which notice shall be announced to the body during the roll call.

SECTION 2. SCHEDULE, VENUE, OF SESSION – The Sangguniang Panlungsod shall meet in a regular session strictly and exactly at 1:00 in the afternoon and to adjourn not later than 4:00 P.M., every Tuesday of the week, unless otherwise extended for valid reasons by unanimous consent. It shall also meet in a special session on a date and time fixed by the City Mayor in his call for special session or by the majority of the members of the body when public interest so demands.

In the case of a special session, a written notice to the members of the Sanggunian shall be served personally at the members' usual place of residence at least twenty-four (24) hours before the session is held. Unless otherwise concurred in by two-third (2/3) votes of the members present, there being a quorum, no other matters may be considered at a special session except those stated in the notice. [Section 52 (d), LGC].

The minimum number of regular sessions shall be once a week. [Section 52 (c), Local Government Code). No two sessions may be held on the same day.

Unless otherwise fixed, sessions shall be held at its officially designated Session Hall of the Pedro B. Generalao Legislative Building.

Copies of the agenda for the session shall be provided all members not later than noontime of Friday preceding the session or at least 24 hours earlier in the case of Special Session, [Section 52 (d), Local Government Code] said copies may likewise be provided the members electronically, through their respective email.

SECTION 3. NATURE OF SESSION – The session of the Sanggunian shall be opened to the public unless a closed door session is ordered by an affirmative vote of the majority of the members present, there being a quorum, or motu proprio by the Presiding Officer in the public interest or for reasons of security, decency, or morality.

Non-members shall not be permitted to address the body nor discuss with any member thereof any matter during the session. However, this provision may be suspended to enable the body to hear or question any guest for the enlightenment of the body on any matter under consideration during the information hour portion in the order of business.

SECTION 4. EXECUTIVE SESSION – Other than the regular or special session herein provided, the Sanggunian may also meet in an executive session on any day, time and place as specified in the special call either by the City Mayor or the Vice Mayor.

SECTION 5. REGULAR SESSION DAY FALLING ON A HOLIDAY – In case the regular session day falls on a public holiday, the next working day shall be the regular session day, unless the latter is also a public holiday, in which case the regular session shall be held on the next working day immediately following.

SECTION 6. ATTIRE DURING SESSION – All members of the Sangguniang Panlungsod during official sessions shall wear the following:

First Session of the Month:

- Male - Barong or Americana
- Female - Filipiniana or corporate attire

Second, Third and Fourth Session of the Month:

- Male/Female - Semi-Formal/Business Attire

Indigenous People's Representative:

- First and last Session - Higaonon attire

SECTION 7. CARRYING OF FIREARMS OR ANY DEADLY WEAPON IS STRICTLY PROHIBITED INSIDE THE SESSION HALL - Firearms/deadly weapons should be deposited with Council Sergeant at Arms.

SECTION 8. SUSPENSION AND ADJOURNMENT OF THE 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 9. MINUTES OF THE SESSION – The record of the proceedings or journal of the Sanggunian shall be referred to as the MINUTES. It shall contain a clear and orderly accounts of the business for that session day and the action taken thereon, under the following order:

- a. Nature of the session;
- b. Date and place of session;
- c. Statement on whether the minutes of the previous session were approved, reading dispensed with, as the case maybe and the date of said meeting;
- d. Statement regarding the attendance of the member and the presiding officer;
- e. All motions, comments, observations and manifestation made except those withdrawn or ordered deleted;
- f. Point of orders and appeals and result thereof;
- g. Duration of session, stating the time of commencement and time of adjournment;

The minutes of the previous session shall be immediately transcribed and prepared for the signature of the presiding officer and the secretary, the same to be made available for the disposition of the body in the succeeding regular session day.

Each copy of the minutes shall be signed by the presiding officer and the secretary.

The minutes of every meeting shall be read and approved by the majority of the members present during the succeeding session day at which it is read and if necessary, corrected by the same vote or by general or unanimous consent. The reading of the minutes shall not be interrupted or suspended except by the general consent of the body. The reading of the minutes may be dispensed with or postponed to a later time or meeting, and no motion to amend it shall be entertained if it has been read and approved.

RULE VI QUORUM

SECTION 1. QUORUM - A simple majority of all the members of the Sanggunian shall constitute a quorum to transact official business. [Section 53 (a) Local Government Code], There being sixteen (16) members of the 17th Council, the vice mayor included, nine (9) members present shall constitute a quorum.

Should a question of quorum be raised at any time during a session, the presiding officer shall immediately proceed to call the roll of the members and thereafter announce the result. [Section 53 (b) Local Government Code]

SECTION 2. 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 the majority of the members present, may adjourn from day to day and may compel the immediate attendance of any member/s absent without justifiable cause by designating a member of the Sanggunian to be assisted by a member or members of the police force assigned in the territorial jurisdiction of the Local Government Unit to arrest the absent member and present him at the session. [Section 53 (b) Local Government Code]

If there is still no quorum despite the foregoing, no business shall be transacted. The presiding officer, *motu proprio* or upon the proper motion duly approved by the members present, shall then declare the session adjourned for lack of quorum. [Section 53 (C) Local Government Code]

RULE VII COMMITTEES

SECTION 1. Committees of the Sangguniang Panlungsod, regular, special or Ad hoc, shall be composed of a Chairman, a Vice Chairman and three members. The presence of three members with the Chairman or Vice Chairman shall constitute a quorum.

SECTION 2. STANDING AND SPECIAL COMMITTEES - The Sanggunian shall have the following standing committees:

1. **Committee on Peace and Order, Security and Dangerous Drugs**, with *jurisdictional responsibility* over all matters relating, but not limited, to peace and order, implementation of pro-active measures in countering terrorism, including the protection of life, liberty and property, in coordination with various police, military and other security agencies of the government.

Likewise, all matters relating to civil defense, police, military forces, other law enforcement agencies including drug enforcement agency, private security agency, organization and maintenance of Tanods, Civilian Volunteer Organizations (CVOs) and Civilian Home Defense Forces (CAA 1 and II), operation of the City Jail and detention cells and the Bureau of Fire Protection (BFP)

This also includes the enforcement of the City laws and regulations pertaining to the declaration and abatement of public nuisances; jurisdictional responsibility over all matters pertaining to the cultivation, use, sale, acquisition, possession manufacture and distribution of prohibited drug.

2. **Committee on Environment and Solid Waste Management**, with *jurisdictional responsibility* over all matters relating, to policies and programs on the utilization and sustainable management of natural resources that will establish an environmentally sound and sustainable development through bilateral cooperation and the preservation as well as the utilization and enhancement of our environment, to develop potential areas of the city and to protect all the sanctuary's forested areas.

-Likewise, the regulation of the impact of human activities on the same, the promotion of environmental awareness, renewal of resources in damaged eco-systems and other environmental related-issues, as well as concerns on solid waste management.

3. **Committee on Public Works and Infrastructure**, with *jurisdictional responsibility* over all matters relating, but not limited to, public construction and maintenance of buildings, drainage, roads, and improvement thereof as well as all other public construction funded by loans, general fund or grants that may be referred to the committee either by the City Mayor or the Sangguniang Panlungsod. It includes maintenance, operation and use of light and heavy equipment in relation to pursued infrastructure and work on public facilities.

-Likewise, the Committee covers all but not limited to, public works and contracts related thereto, planning, construction, maintenance, improvement of public thoroughfares, soil testing, surveying and the operation and maintenance of public works equipment, buildings and benefits of personnel. It includes any and all public works projects that maybe referred to the committee by the City Mayor or the Sangguniang Panlungsod.

4. **Committee on Research Projects and Feasibility Studies**, with *jurisdictional responsibility* over all matters relating, but not limited to, research and development studies on policies and other actions that will harness opportunities to social and economic development through the cooperation and support of local, regional, national and international financial organization, projects, research, feasibility studies, modes of implementing government projects and fund-sourcing, domestic and international.

5. **Committee on Trade, Commerce & Industry**, with *jurisdictional responsibility* over all matters relating, but not limited, to domestic, foreign trade, patents, trade names and trademarks, standards, weights and measures, designs, quality control, consumer protection, control of prices of commodities, handicrafts and cottage industries and the development, coordination, regulation, diversification and promotion of industry and investment.

6. **Committee on Social Services**, with *jurisdictional responsibility* over all matters relating, but not limited to, public and social welfare, BNS, BHW, DCWs, 4Ps, but also to address structural inequities in society and promote human capital development of the poor thus breaking the intergenerational cycle of poverty (S. 92), to provide a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services and improve quality of life, accelerate social development, to protect the life of mothers and their children. (Sec. 2 Declaration of Policy 4P's of 2010) and care for the poor and destitute and promotion of appropriate social services required to develop, improve, uplift and strengthen individual and community life.
7. **Committee on Marginalized Sector and Differently-Abled Persons**, with *jurisdictional responsibility* over all matters relating, but not limited to, the protection or promotion of rights and privileges of differently-abled persons and other marginalized groups, and all other matters related to the programs and projects of the differently-abled person's and marginalized sector of the city.
8. **Committee on Women and Gender and Development**, with *jurisdictional responsibility* over all matters relating, but not limited to, women's organization, family welfare, family planning, enhancement, promotion and planning of equal opportunities both for men, women and other groups of the society.
9. **Committee on Disaster Risk Reduction and Management**, with *jurisdictional responsibility* over all matters relating, but not limited, policies and plans for the implementation of actions and measures to all aspects of Disaster Risk Reduction & Management as well as risk assessment and early warning to communities, knowledge building and awareness raising, reduction of underlying factors, preparedness for effective response and early recovery, the local government in relation to greater flexibility towards disaster mitigation, preparation, response, rehabilitation and recovery; the allocation and use of local government resources enhancing transparency and accountability in the use of government machineries and funds pursuant to existing memorandum circulars and issuances of the National Disaster Risk Reduction Management Council, as well as, climate change adaptation and all matters relating but not limited to forest, minerals, public lands, of off-shore areas and the development of industries or business on these resources.
10. **Committee on Tourism, Culture and Heritage**, with *jurisdictional responsibility* over all matters relating, but not limited to, tourism and its industry as well as the beautification of the city, focused on tourism capabilities of the city; development of potential tourist spots, upkeep of public utilities including but not limited to plaza, parks, shrines, monuments and other public edifices and all matters related to tourism program, plans, project and activities.

-Likewise, the Committee shall be responsible on all matters pertaining to the preservation and enrichment of history, arts, culture and tradition especially the tangible and intangible heritage of the City; restoration of century old ancestral houses and other related matters.

11. **Committee on Education**, with *jurisdictional responsibility* over all matters relating, to education, schools, colleges and universities, libraries, non-formal and community education and the advancement thereof.
12. **Committee on Energy**, with *jurisdictional responsibility* over all matters relating, but not limited to, the exploration, development, exploitation and conservation of energy, generation, transmission, distribution and supply, rural electrification, street lighting so much as the same is within the power of the Local Government to legislate.
13. **Committee on Land Use Plan and Housing Development and Urban Poor** with *jurisdictional responsibility* over all matters relating, but not limited to, or connected with the uses, reclassification, planning and zoning of lands and comprehensive development plan; *likewise*, responsible in the expropriation or acquisition of real properties for city development and all other matters relating to urban development, subdivisions development and approval of subdivision plans, responsible all other matters relating but not limited to or connected with the uses of housing programs.

Likewise, responsible all other matters related to general welfare, rights and privileges of the urban poor, including the relocation of squatters, calamity victims and the homeless in appropriate relocation sites and resettlement areas and other related housing programs and resettlement.

14. **Committee on Water**, with *jurisdictional responsibility* over all matters relating, but not limited to, the exploration, development, exploitation and conservation of water; public utilities engaged in water production and distribution and determination of applicable water rates.
15. **Committee on Moral Recovery and Rehabilitation**, with *jurisdictional responsibility* over all matters relating, but not limited to the rehabilitation centers and rehabilitation of victims of drug abuse, and other programs and projects of the City as regards to the prevention of drug abuse.

-*Likewise*, covers all matters but not limited to moral recovery program, plans and activities not only for government officials and employees but society in general. It likewise covers measures to protect the family and the promotion of the welfare and well-being of the family as a basic social institution.

16. **Committee on Information and Communication Technology**, with *jurisdictional responsibility* over all matters pertaining to the promotion, development, and regulation of information and communication technology systems, facilities and applications.

17. **Committee on Cooperatives and Livelihood**, with *jurisdictional responsibility* over all matters but not limited to, cooperative development and organization, incentives to cooperative, planning, promotion and execution of programs and activities and all matters related to cooperative advancement and general welfare of members and likewise matters relating to livelihood, small and medium enterprises, Go Negosyo Activity, barangay-based activity and backyard or based opportunity to generate additional income for families and home-based individuals.
18. **Committee on Agriculture and Food**, with *jurisdictional responsibility* over all matters relating, but not limited to, agricultural production, agribusiness, agricultural economics and research; agricultural tourism; agricultural forestry; agricultural facilities, irrigation, agricultural education; fertilizer and pesticides, development of agribusiness enterprises; access to adequate amount of nutritious, safe and culturally appropriate food.

-Likewise, the extension services, animal and livestock industry, farm credit and farm security, crop, fruit and livestock quarantine, insurance and guarantee schemes and all other matters related to agriculture, including plants, and animals and aquatic resources.
19. **Committee on Transportation and Traffic Management**, with *jurisdictional responsibility* over all matters relating, but not limited to, all proposed measures or matters regarding transportation, franchise and routes of public and private vehicles; vehicular traffic and closure of roads, streets and alleys; establishment and operation of public or private terminals and private garage; establishment of street name signage or acquisition of real properties for city development and all other related functions and concerns for transportation and traffic management.
20. **Committee on Economic Enterprise**, with *jurisdictional responsibility* over all matters or questions affecting the use and operation of city government properties and facilities for rent; the interests of the city government in different industrial and commercial enterprises; privatization; and all other matters of applicable policies and legislations and financing, economic activities.
21. **Committee on Health and Sanitation**, with *jurisdictional responsibility* over all matters pertaining to BNS and BHWs to sanitation and public health in the City, maintenance, administration, and the establishment of family clinics, and medical services in the City.
22. **Committee on Games & Amusement**, with *jurisdictional responsibility* over all matters or questions pertaining to or connected with the establishment, operation or maintenance of amusement places and other areas of entertainment, regulation on the holding of events, concerts or similar entertainment activities.

-Likewise, measures that affect the regulation of games and amusements including but not limited to the promotion or holding of cockfights, lotto, horse racing, boxing, basketball tournaments, city theatres, cinemas, night clubs and other related forms and places of recreations, games and amusements.

23. **Committee on Census, Statistics and Population**, with *jurisdictional responsibility* over all matters relating, but not limited to, census, statistics and population; the support of local government to offices, local and national related to census and statistics as well as population, management and control.
24. **Committee on Laws and Good Governance** with *jurisdictional responsibility* over all matters relating to the Internal Rules of the Procedure of the Sangguniang Panlungsod, ordinances and resolutions, their legality, harmony with the established enactments of superior bodies including memorandum circulars affecting pending legislative matters, legal opinions and issuances of established authorities such as, but not limited to the different departments of the national government and jurisprudence of judicial and quasi-judicial bodies.
25. **Committee on Ethics**, with *jurisdictional responsibility* over all matters relating to malfeasance, misfeasance and nonfeasance in office by officials and employees of the city government that may be subject of legislative enactments or investigations in aid of legislations.

-Likewise, the Committee is responsible to all matters directly and principally relating to the duties, conduct, rights, privileges and immunities, dignity, integrity and reputation of the Sangguniang Panlungsod and its Members.
26. **Committee on Government Assets and Properties**, with *jurisdictional responsibility* over all matter relating, but not limited the administration, accounting and disposition of all assets owned by the city as well as registration of land titles and other similar documents; and all other matters related to public and proprietary properties of the city government.
27. **Committee on Youth** with *jurisdictional responsibility* over all matters relating, but not limited to the welfare and interest and development of the youth and the promotion of moral, physical, intellectual and social well being; The development of the youth for local & national leadership and for citizenship building.
28. **Committee on Sports and Recreation**, with *jurisdictional responsibility* over all matters relating, but not limited to, sports development.
29. **Committee on Labor and Overseas Filipino Workers (OFW) Concerns**, with *jurisdictional responsibility* over all matters relating, but not limited to labor problems and illegal recruitment cases brought before the Sangguniang Panlungsod; rights of workers to self-organizations, collective bargaining, security of tenure, worker's protection and just and humane conditions of work, maintenance of industrial peace based on social justice, and the welfare and interests of the Overseas Filipino Workers (OFW).

Likewise, the Committee is responsible to all matters or questions pertaining to appointments of all City Government employees from Department Heads to Rank and File personnel, including organizational structures and functions, pension and gratuity, staffing patterns, reorganization of offices, and human resource development policies and matters pertaining to personnel action, disciplinary measures, career position, standard qualifications and other similar matters involving civil service.

30. **Committee on Justice and Human Rights, with *jurisdictional responsibility*** over all matters pertaining to human rights abuses, dispensation of justice, assistance to victims of human rights violation and their families; and the prevention of or punishment for violations thereof.
31. **Committee on Barangay Affairs, with *jurisdictional responsibility*** over all matters relating, but not limited to the welfare and development of the barangays to include Katarungang Pambarangay, barangay roads and bridges, Barangay Water System, infrastructures and public works in the barangay funded wholly by barangay sources and barangay budgets, and representations for all matters brought to the Sanggunian from any barangay, thru the committee.
32. **Committee on Indigenous People, with *jurisdictional responsibility*** over all matters relating, to Lumads, Indigenous People (IPs), Badjaos and Muslim affairs, their rights, welfares and privileges, their organizations, customs and traditions.
33. **Committee on Domestic and International/ Sister City Relations - with *jurisdictional responsibility*** over all matters relating, but not limited to the establishments of linkages and sister city relations with other cities and countries of the world in the areas of trade, commerce and industry, tourism, education, science and technology and such other fields as are mutually beneficial and agreed upon by the parties; foreign travel and attendance in international conferences including the formulation of guidance/standard operating procedures in connection with such foreign travel and visits of foreign heads of states as well as other foreign dignitaries.
34. **Committee on Finance and Appropriations, with *jurisdictional responsibility*** over all matters relating but not limited to budgeting and appropriation of public funds, Annual and Supplemental budgets, Public expenditures, payment of claims and indebtedness, determination of salaries, allowances and other fringe benefits of city government officials and employees;

-Likewise, matters relating to fiscal; monetary and financial affairs of the city government, including tariff, taxation, revenues, borrowing, credit and bonded indebtedness; payment of indebtedness and the classifications of positions and determination of salaries, allowances and other fringe benefits of the City Government personnel.

Section 1. A- The following, for reasons peculiar to its activities, shall be considered and hereby declared as a **Special Committees**:

1. **Committee on Ways and Means, Franchise, Permits and Licenses**, with **jurisdictional responsibility** over all matters relating to, local taxes, fees, charges, increase of revenues, borrowings, credit and banking indebtedness, generation of other sources and forms of income from both private and public sectors, study and revision of tax measures, codification of revenue ordinances and all other matters pertaining to sourcing funds for the LGU either by ordinance or any other legal means.

-Likewise, all matters relating, but not limited to the grant, amendment, extension or revocation of franchises or permits devolved to cities together with issuance and revocations of license of any and all business operating in the city.

2. **Committee on Public Affairs and Information**, with **jurisdictional responsibility** over all matters or questions pertaining to or connected with the relationship of the Sangguniang Panlungsod with other government offices, private agencies and the general public; dissemination of information regarding official activities of the Sangguniang Panlungsod.

-Likewise, responsible over all matters pertaining to legislative review, evaluation of the City's programs and projects in a manner consistent with legislative intent and determination on how approved ordinances are being implemented.

3. **Committee on Senior Citizens and Veterans Affairs**, with **jurisdictional responsibility** over all matters *relating*, but not limited, to the general welfare, rights and privileges of the Senior Citizens, the aged, the veterans, military retirees upon reaching the age of sixty (60) and their surviving spouse and beneficiaries; and all other matters related to improve the quality of life of the Senior Citizens, veteran's affair, their families and all related issuances from national government, veteran's organization, both national and local.

SECTION 2. Committee on Legislative Enhancement - Other than the Legislative Office Staff of individual legislators, including that of the Presiding Officer, the different committees may adopt a Legislative Enhancement Program thru the employment of job order compliments as may be necessary and supported by the budget under Committee Services.

SECTION 3. The Chairman, Vice Chairman and members of the Committees may be nominated and elected on the floor or by way of a resolution nominating Chairman, Vice Chairman and members thereof which if carried by the majority shall have the same force and effect of an election.

SECTION 4. VACANCY - Whenever a vacancy in the chairmanship of any committee is declared, the Vice Chairman shall automatically assume the chairmanship. Should the vacancy occur in the membership, the chairman may recommend to the Presiding Officer the appointment of a replacement from among the willing members of the sanggunian.

SECTION 5. COMMITTEE MEETINGS OR HEARINGS – The committee shall determine the frequency of their meetings or hearings provided they meet at least once a month. A majority of all the members of the committee shall constitute a quorum.

SECTION 6. COMMITTEE REPORTS AND ORDERS – The committee reports and/or order on any ordinance or resolutions 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 and committee recommendation to the plenary session, the Chairman, the Vice Chairman, and the members of the committee must affix their signatures. In the event that a member or members of the committee hold(s) a contrary opinion, he/she must submit a written dissenting opinion to the plenary.

SECTION 7. ADOPTION/APPROVAL OF COMMITTEE REPORTS – The chairman or any member of the reporting committee shall move for the adoption or approval of the committee report during the session in which it is placed in the order of business. Committee reports in its proper cases shall be defended by the chairman or any designated member of the committee during the discussion of the same.

SECTION 8. - For the purpose of propriety and respect to the elected Chairman of the committee, only the Chairman of the committee or in his absence, his or her Vice-Chairman, is entitled to present, move or introduce a motion pertaining to matters or jurisdiction involving his or her assigned committee. On the other hand, if the Chairman refuses to present, move or introduce a motion pertaining to matter, or jurisdiction involving his or her assigned Committee the Vice-Chairman or the Chairman of the Committee on Laws may present, move or introduce such motion.

In the absence of both the Committee Chairman and his or her Vice-Chairman, and when the **matter at hand is not urgent**, the Chairman of the Committee on Laws shall initiate the motion to defer the matter until their arrival.

In **case of urgent matter** where the absence of both would derail or prevent the passage of a very important resolution or ordinance, the Chairman of the Committee on Laws shall take charge and present, move or introduce the motion.

RULE VIII ORDER AND CALENDAR OF BUSINESS

SECTION 1. ORDER OF BUSINESS – The order of business of the Sanggunian for every session shall be as follows:

- a. Call to Order
- b. Invocation
- c. National Anthem
- d. Sangguniang Panlungsod Hymn
- e. Roll Call of Members
- f. Reading and approval of the minutes of the previous session.

- g. Special Order which shall refer only to any order or appearances of guests, visitors and/or resource persons for purposes of a pending legislative measure. Any other special order not related to a pending legislation shall be referred to the appropriate committee.
- h. Reading and Referral to Committees of proposed ordinance, resolutions, motions, messages, communications, petitions and memorials
- i. Messages from the Honorable City Mayor and/or OIC Certified as "URGENT"
- j. Committee Reports
- k. Calendar of Business
 - Unfinished Business
 - Business of the Day
 - Unassigned Business
 - Measures on second/third reading
- l. Privilege Hour
- m. Information Hour
- n. Question Hour
- o. Announcement
- p. Other matters, and
- q. Adjournment

Other Matters refers to an urgent matter of which time is of the essence that it cannot wait for the next session. Unanimous consent shall first be obtained before the introduction of any urgent business under "Other Matters." The urgency of any matter shall be decided by the Chair or the body in case referred by vote by the Chair.

Any new matter may be moved by any member for inclusion in the agenda of the next session under "Other Matters" subject to the requirements of Section 2 and 3 of Rule IX on drafts and first reading or ordinance and resolutions.

SECTION 2. CALENDAR OF BUSINESS – The calendar of business shall contain a brief description of each item of business to be taken up during the meeting, indicating the source, in the case of communications, endorsements petitions, memorials and memoranda, the name of the author or authors, in the case of ordinance, resolutions and motions, and the committee to which they have been referred. 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 of the day.
- b. ***Business of the Day*** - Proposed ordinances, resolutions and other measures set on the calendar for considerations on that day, to be considered in the order in which they are listed in the calendar.
- c. ***Unassigned Business*** - shall contain and refer to Committee Reports reported out by a Committee and submitted to the Secretary of the Sanggunian for inclusion in the Calendar of Business, copies of the "Report" being included and attached to the Agenda.

SECTION 3. Any communication of whatever nature filed with or furnished the Sanggunian Panlungsod either as “*copy furnished*” or “*for information*” shall only be noted by the Chair or the members by unanimous consent, unless any member would desire to take up the matter for the sanggunian to take up as a legislative business, in which case it shall be automatically referred by the Chair to the appropriate committee who will make the corresponding study, report and recommendation.

RULE IX ORDINANCES AND RESOLUTIONS

SECTION 1. ORDINANCES AND RESOLUTIONS, DISTINGUISHED. – Legislative actions of a general and permanent character shall be enacted in the form of ordinance, while those which are of temporary character shall be passed in the form of resolutions. Matters relating to proprietary functions and to private concerns shall also be acted upon by resolutions. [(Art. 107 (a) IRR]

SECTION 2. ESSENTIAL PARTS OF ORDINANCES AND RESOLUTIONS – Proposed ordinances and resolutions shall be respectively denominated as “draft ordinance” or draft resolution” which shall be in writing and should contain an unassigned number, a title or caption, and enacting and ordaining clause and the date of its proposed effectivity. In addition, every proposed ordinance shall be accompanied by a brief explanatory note containing the justification for approval. It shall be assigned by the author/s and shall be submitted to the Secretary who shall report the same to the Sanggunian at its next session [Art. 107 (b) IRR].

Proposed Ordinances and resolutions shall be double spaced, pages indicated, lines numbered at the left margin preceding the line and signed by the author or co-authors thereof.

SECTION 3. PROCEDURE BEFORE OR UPON PROPER MOTION TO DISPENSE WITH FORMALITIES ON URGENT MATTER AN ORDINANCE MAY BE ADOPTED– Subject to certain exceptions or upon proper motion to dispense with formalities on urgent matter, before any ordinance or a resolution may be enacted, it shall undergo three readings, as follows: First reading; Second reading; and Third reading.

SECTION 4. FIRST READING – The first reading shall consist of the reading of the Secretary of the number and title of the draft ordinance or resolution and the name of author/s after which it shall be referred by the presiding officer to the appropriate committee/s without debate and which shall be presented to the Sanggunian Members at least three (3) days before a regular or special session.

An erroneous referral of a proposed ordinance or resolution may be corrected after the approval of the minutes.

Only the Chairman or Vice Chairman of the committee to which the proposed ordinance or resolution 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 5. PERIOD OF REPORT – The committee shall submit a report on the ordinance or resolution within thirty (30) days after it has been referred to it, unless additional time is requested by the Committee Chairman.

If the Committee Report on the proposed ordinance or resolution is favourable, it should be included in the Calendar of Business for second reading.

The Sanggunian reserves the right to discharge or overrule the committee and reject the committee recommendation, in which case, the committee report shall become the property of the body and dispose of the same, acting as Committee of the Whole.

If the Committee Action on the proposed ordinance or resolution is unfavourable, it should be laid on the table and within ten (10) days, notice of the action taken will be furnished the author or authors concerned stating the reason or reasons for such action. Provided, that within five (5) days after receipt of the notice, the Sanggunian may reconsider the committee recommendation.

SECTION 6. URGENT MEASURE -Any legislative matter duly certified by the Local Chief Executive as urgent, whether or not it is included in the Calendar of Business, may be presented and considered by the Sanggunian in the same session without need of suspending the rules. [Art. 107 (e) IRR]

The Sanggunian, *likewise*, may, on motion made by the Chairman of the Committee concerned, consider a proposed ordinance or resolution as urgent and consideration thereof shall be scheduled according to a time table.

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

SECTION 7. SECOND READING - No proposed ordinance or resolution shall be considered on the second reading in any regular session unless it has been reported out by the proper committee to which it was referred or certified as urgent by the City Mayor.

On the day set for the consideration of a proposed ordinance or resolution for second reading, the same shall be read in full with the amendments proposed by the committee, if any, unless copies thereof have been distributed earlier and such reading is dispensed with. Thereafter, the proposed ordinance or resolution shall be subjected to debate and pertinent motions.

SECTION 8. THREE-MINUTE RULE - During the discussions of any motion or amendment, a member who desires to speak for or against the issue may be allowed only a maximum of three (3) minutes subject to the rule of alternate recognition of the affirmative and the negative sides of the previous speaker.

SECTION 9. APPROVAL OF MEASURE ON SECOND READING - The Sanggunian Secretary shall prepare a copy of the ordinance or resolution in the form it was proposed on second reading and copies thereof distributed to each Sanggunian member except a measure certified by the City Mayor as urgent which may be submitted immediately for discussion and final voting with amendment, if any, during the Second Reading.

SECTION 10. THIRD READING - A proposed ordinance or resolution approved on Second Reading shall be included in the Calendar for the next session for Third Reading unless by unanimous consent the proponent or chairman of the committee desires the Third Reading to immediately follow the Second Reading and move for its approval.

Copies of the ordinance or resolution in its final form shall be distributed to the members at least three (3) days before its passage except when the City Mayor certifies to the necessity of its immediate enactment to meet a public calamity or emergency or the Third Reading immediately followed the Second Reading, in which case the approved draft ordinance shall be finalized for distribution in the next session. Upon the third reading of a proposed ordinance or resolution, no amendments thereto shall be allowed and the vote therein shall be taken immediately thereafter and the yes and nays entered in the minutes.

SECTION 11. APPROVAL OF RESOLUTIONS – A resolution shall be enacted in the same manner prescribed for the 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 12. SPECIAL PROVISIONS ON THE BUDGET ORDINANCE – The Sanggunian shall in no case increase the appropriation of any project or program of any office of the City over the amount submitted by the City Mayor in his budget proposal. [Sec. 320, Local Government Code]

After the City Mayor shall have submitted the annual general appropriations measure, supplemental appropriation measure shall be considered only if supported by actually available funds as certified by the City Treasurer or by funds to be raised by corresponding revenue proposal included therein. [Sec. 321, Local Government Code]

SECTION 13. APPROVAL BY THE CITY MAYOR – Every ordinance passed by the Sanggunian (except those that are for internal affairs of the Sanggunian) shall be forwarded to the City Mayor for approval. In case of approval, he shall affix his initial on each and every page with his signature on the last page thereof.

Within ten (10) days after receipt of the ordinance or resolutions, the City 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 the recommended time, the said ordinance or resolution shall be deemed approved. (Art. 108 IRR)

SECTION 14. VETO POWER OF THE LOCAL CHIEF EXECUTIVE – The Local Chief Executive may veto any ordinance or resolution on the ground that it would be prejudicial to the public welfare, particularly stating his reasons therefore in writing. [Art. 109 (a) IRR]

The City Mayor shall have the power to veto any particular item of an appropriation ordinance or resolution adopting a local development plan and public investment program or an ordinance directing the payment of money or creating a liability. In such case, the veto shall not affect the items which are not objected to.

The vetoed item shall have no force and effect unless the Sanggunian overrides the veto in the manner hereunder provided, otherwise the item/s in the appropriation ordinance of the previous year corresponding to those vetoed shall be deemed re-enacted. [Art. 109 (b) IRR]

The Sanggunian may override the veto of the Local Chief Executive concerned by two-thirds (2/3) vote of all its members, thereby making the ordinance or resolution effective.

The City Mayor may veto an ordinance or resolution only once. [Art. 109 (c) IRR]

SECTION 15. EFFECTIVITY OF ENACTMENTS – Unless otherwise stated in the ordinance or resolution, the same takes effect after the lapse of ten (10) days from the date, a copy thereof is posted in a bulletin board at the entrance of the City Hall and in at least two (2) other conspicuous places, such as the Public Market, Church or chapel. Ordinance with penal sanctions shall be similarly posted for a minimum period of three (3) consecutive weeks and shall also be published in a newspaper of general circulation within the territorial jurisdiction of the City. Unless provided therein, said ordinance with penal sanctions shall take effect on the day following its publication, or at the end of the period of posting, whichever occurs later. (Art. 113 and 114, IRR)

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 record such fact in a book kept for the purpose stating the dates of approval, the publication and posting thereof.

RULE X
MEANS BY WHICH LEGISLATIVE BUSINESS
IS TRANSACTED IN THE SANGGUNIAN

SECTION 1. GENERAL PRINCIPLES – In the conduct of Sanggunian business, the following general principles of parliamentary procedure shall be observed:

- a. Business in the Sangguniang Panlungsod shall be commenced and transacted by way of a motion duly seconded or by a written resolution or ordinance duly filed and referred to the appropriate committee for study, action and recommendation;
- b. No main motion presenting essentially the same question which has already been disposed of in the same session shall be discussed;
- c. Any member desiring to introduce a matter for discussion shall make first a motion and have the same seconded. No member shall be allowed to make a preliminary discussion of a proposed measure without first making a motion duly seconded;
- d. A motion duly seconded and restated by the Chair shall become a property of the assembly and may not be withdrawn except by a vote of the assembly.

SECTION 2. RECOGNITION OF MEMBER TO SPEAK – A motion is brought to the sanggunian by a member who has obtained the floor and has been recognized. It is the duty of the chair to recognize one who is legally and properly claiming the floor.

The time to recognize a speaker is when the last speaker has resumed his seat or the Order of Business is being started without any speaker on the floor. A member must therefore rise and address the chair with or without raising his hand and wait for recognition. If another member is recognized instead, any member standing shall take his seat and await his turn.

SECTION 3. ORDER OF RECOGNITION – Subject to exception, the presiding officer shall observe the following rules of recognition:

- a. The movant of any measure shall be entitled and recognized to speak first and speak last unless he opts to waive the same;

- b. The chair shall recognize the member who rises and raises his hand to claim the floor after the same was yielded or when nobody has the floor;

No priority is obtained by a member raising his hand and waiting for a member to yield the floor. Such a member should be advised by the chair to take his seat;

- c. One claiming the floor even if he has not raised his hand and has not yet spoken on the question shall be recognized as against one who has already spoken even if he rose ahead;
- d. Priority is given to a member desiring the floor if he is on the opposite side of the last speaker (Alternate Recognition).

SECTION 4. PROCEDURE IN INTRODUCING MOTIONS /RESOLUTIONS - Motions or resolutions may be introduced under the following procedures:

- a. A member following recognition and obtaining the floor makes or offers the motion or resolution by moving for the passage or adoption thereof;
- b. Unless not required, another member should second the motion otherwise the motion is "killed";
- c. The chair shall restate the motion or caption of the resolution;
- d. Discussion/debate shall then ensue followed by amendments and objections, if any;
- e. Vote is taken on the motion/resolution.

SECTION 5. MODIFICATIONS OF MOTIONS - Before the Chair restates a duly seconded motion or before the motion is seconded

- a. The proponent or maker may modify his motion as he pleases or entirely withdraw the same;
- b. Any member can quickly rise and ask the movant if he will admit any modification in the wordings of the motion to which the movant may accept or not. In case a modification is made by the movant, the seconder may withdraw his second. If by another person and consented to by the movant, the seconder need not withdraw as the modifier is deemed to have seconded the motion;
- c. Any member may likewise request the movant for the withdrawal of the motion.

After the chair has restated the motion, the same becomes the property of the assembly and may not be changed without another motion.

**RULE X1
DECORUM**

SECTION 1. DECORUM – Every member shall have the right to speak on every debatable motion before it is finally acted upon. In the exercise of the said right, the herein rules of decorum shall be observed:

- a. Members shall address the Chair either as “Mr. Chairman” or “Hon. Presiding Officer” and each other by his designation in the third person either as “The Honorable Gentleman”, “The Honorable Councillor”, “The Distinguish Committee Chairman”, or “The Honorable Member _____” “The Honorable Lady Councilor” or “Madame Councilor” as the case may be;
- b. Discussions shall be confined to the pending question and to whether or not it should be adopted;
- c. A member shall refrain from uttering words or performing acts which are inconsistent with proper decorum;
- d. A member may be called to order for words spoken during debates. The member making such request shall indicate the words excepted 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 answer, nor be subjected to censure by the Sanggunian if further debate or other business has intervened;
- e. No member shall question or attack the motive of other members;
- f. Any member may discuss the pros and cons of any issue pending before the sanggunian in any forum provided however that when a vote is taken by the council on the issue, members shall refrain from issuing comment or statements, derogatory to the council or to the majority who voted in favor of the issue;
- g. Any member who is not in the appropriate attire may be reminded by the chair as part of decorum. Persistent violation of this rule may subject the member to disciplinary action such as but not limited to being excluded from the particular session where the violation is committed. This is without prejudice to the right of the Chairman to deny recognition or participation in floor discussion on pending matters.

**RULE XII
DEBATE**

SECTION 1. LECTERNS – There shall be provided two speaker’s lecterns, one facing the members on the side of the presiding officer, which shall serve as the proponent’s platform and another on the left side of the floor facing the presiding officer which shall serve as the platform for the other speakers taking part in the debate or interpellation.

SECTION 2. RULES OF DEBATE – After the chair has restated the motion discussion/debate shall follow subject to the following rules:

In the discussion of any measure, the movant opens debate by his sponsorship speech. A motion to close the debate shall be in order after a minimum of three (3) speeches for and two against, or after only one speech for has been delivered and none entered against it. The movant shall speak last to summarize all arguments in support of the motion.

When a member has spoken beyond the three (3) minute limit (*Sec. 8, Rule IX*), the presiding officer may *motu proprio* or upon a point of order raised by a member, order that a member having the floor shall desist from speaking further so that other members may not be deprived of their opportunity to speak.

- a. All members have equal rights, privileges, and obligations; rules must be administered impartially without prejudice to the inherent right of the Presiding Officer to specify the number of speakers and the time limit on both sides of the issue subject however to the right of the body to appeal the decision of the chair as elsewhere stated in this rules;
- b. Only one (1) question may be considered at a time, Members may not make a motion or speak in a debate until they have risen, recognized by the chair and have thus obtained the floor;
- c. No member may speak more than twice on the same question on the same day without permission of the assembly. No member may speak a second time on the same question if anyone who has not yet spoken on that question wishes to do so;
- d. In all matters subject of discussion or debate, the Chair may allow only three (3) speakers on either side of the question subject to the rule on alternate recognition {*Rule XI Section 4. (c)*}
- e. No member should be present in the assembly if any matter relating to him or his interest is under consideration;
- f. A question laid on the table shall remain there until taken from the table or until the close of the next regular session. Otherwise if not taken up by that time, the question dies;
- g. In debate, all questions, remarks or responses shall be addressed to the Presiding Officer;
- h. The member moving or reporting a measure under consideration may open and close the debate thereof.
- i. Unless regulated by a subsidiary motion to limit or extend limits of debate, there shall be allowed a maximum of three (3) speakers for or against the measure subject to the three (3) minute limit (*Sec. 8, Rule IX*) for their respective speeches or interpellation after which the question shall be put to a vote. Any extension of any interpellation beyond the 3-minute limit shall be subject to unanimous consent of the body.

RULE XIII VOTING

SECTION 1. CASTING OF VOTE – Having been elected as voices of the people and having been furnished copies of the agenda and all attachments thereto, all members present during the session shall be required to cast his vote on any issue subject of votation. Should a member recorded as present during the session but outside of the session hall during the voting, he shall nevertheless be required to vote when he re-appears before the session is adjourned, otherwise, his vote shall be recorded in the immediately succeeding session whenever present.

Voting on any motion shall be made by roll call unless not required. The other methods such as, raising of the hands, by voice or secret ballot may however be employed upon motion.

Section 1.1. A member shall not be allowed to explain his vote to avoid further arguments. Abstention are recorded as such, but shall be considered as a negative vote upon declaration of the Chair;

Section 1.2. In a voting by voice or by raising of hands, a member may move for a roll call vote if there is uncertainty as to the true result of the vote;

Section 1.3. The chair upon conclusion of the vote shall announce the prevailing side and whether or not the motion is adopted or lost as well as the effect of the vote or order its execution;

Section 1.4. The maker of a motion, although allowed to vote against it, is not allowed to speak against it. The seconder may vote and speak against the measure;

Section 1.5. Unless special rules apply a simple majority of the members present there being a quorum, decides a question;

Section 1.6. The number of votes required for special matters shall be as follows:

1.6.a To override the veto of the City Mayor on any ordinance (Sec. 54 (a) R. A. 7160) or resolution adopting a local development plan or annual investment program (Sec. 55 (b) R.A. 7160, thereby making the same effective for all intents and purposes

- *2/3 votes of all the Sanggunian Members [Sec. 54 (a)] RA 7160*

1.6.b. Suspension or expulsion of a Sanggunian Panlungsod Member

- *2/3 votes of all the Sanggunian Members [Sec. 50 (5)] RA 7160*

1.6.c. To grant tax exemption, incentives or relief to entities engaged in community growth- inducing industries-

- *2/3 votes of all the members [Sec.458 (1) (X11)]*

1.6.d. To consider matters not included in the call for Special Session

-*2/3 votes of the sanggunian members present [Sec. 52 (d)].*

1.6.e. Passage of ordinances and resolutions in a regular or special session

- *majority of the members present [Art. 107(g)IRR]*

1.6.f. Passage of ordinances and resolutions authorizing or directing the payment of money or creating liability

- *2/3 votes of all the members*

1.6.g. Overrule any ruling of the Presiding Officer

- *2/3 votes of the members present.*

1.6.h. The following motions shall require two-thirds (2/3) affirmative votes of the members present for adoption:

1. *Motion to expunge*
2. *Motion to extend or limit debate*
3. *Motion to call for the previous question*

Unless otherwise specified or provided by law, all other matters requiring a vote shall be decided by a simple majority of the members present.

SECTION 2. A TIE ON AN APPEAL – A tie vote on an appeal from the ruling of the Chair sustains the decision of the chair.

SECTION 3. MOTION FOR RECONSIDERATION – When a motion, report or proposed measure is adopted or lost, it shall be in order for a member who voted with the majority to move for the reconsideration thereof in the same or succeeding session day. Such motion shall take precedence over all other questions, except a motion to adjourn and to raise a question of privilege and call to order.

SECTION 4. RECORDING OF MOTIONS – Every motion shall be entered in the minutes with the name of the member making it who shall be required to sign the approved motion in its final form as movant thereof.

RULE XIV – MOTIONS AND THEIR ORDER OF PRECEDENCE

SECTION 1. – Motions in General.

- a. ***Main Motion***- one whose introduction bring business before the assembly. As already noted, a main motion can be made only when no other motion is pending, and it ranks lowest in the order of precedence of motions;
- b. ***Subsidiary Motion***- a motion that assist the assembly in treating or disposing a main motion or other motion;
- c. ***Privileged Motion*** – one that does not relate to the pending business but have to do with special matters of immediate and overriding importance. It is not subject to debate and can interrupt the consideration of anything else. Privileged motions take precedence over motions of any other class;
- d. ***Incidental Motion***- a motion that relates in different ways to the pending business. It deals with questions of procedure arising out of pending motion or business.

SECTION 2. - The following motions, in the order of their preference (from highest to the lowest), together with other motions hereinafter specified, shall be used in doing business in the Sanggunian:

Privileged Motions

- a. Fix the time to which to adjourn (Rank 1), to provide a future time for the continuation of the meeting in progress; (S/D/A)
- b. Adjourn (Rank 2), to formally terminate the meeting in progress; (S/ND/NA)
- c. Take a recess (Rank 3), to provide a brief intermission during the meeting; (S/ND/A)
- d. Raise a question of privilege (Rank 4), to secure immediate action upon a matter that involves the comfort, convenience, rights or privileges of the Sanggunian or of any of its members; (NS/ND/NA)
- e. Call for orders of the day (Rank 5), to bring before the body for consideration any business assigned for a particular time; (NS/ND/NA)

Some Subsidiary Motions

- a. Lay on the table (Rank 6), to set aside a pending question for consideration at a later but undetermined time; (S/ND/NA)
- b. Call for the previous question (Rank 7), to suppress discussion on a pending question and to bring it immediately to a vote; (S/ND/NA)
- c. Modify the limits of debate (Rank 8), to remove a standing restriction to shorten or to permit more time for the discussion of a pending question; (S/ND/NA)
- d. Postpone to a definite time (Rank 9), to defer the consideration of a question to a definite time in the future. (S/D/A)
- j. Commit (Rank 10), to refer a question or proposition to a committee for study and recommendation; (S/D/A)
- k. Amend (Rank 11), to modify a question to make it more acceptable to the body. (S/D/A)
- l. Postpone indefinitely (Rank 12), to defer indefinitely the consideration of a question. (S/D/NA)

- * S- *Second*
- NS - *No Second*
- D - *Debatable*
- ND - *Not Debatable*
- A - *Amendable*
- NA - *Not amendable*

The following motions shall have the rank of a main motions:

- 1. Take from the table, to resume the consideration of a question that has been previously laid on the table; (S/ND/NA)

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2. Reconsider, to set aside the vote previously taken on a question to reopen it to a new discussion and vote; (S/ND/NA)
3. Expunge, to strike from the record any word or action taken by the body and to have it rescinded. (S/D/A)
4. Adopt a report, to accept or agree to a report as an official act of the body. (S/D/A)

The following motions have no fixed rank but shall take precedence over the question from which they arise:

Incidental Motions

- a. Suspend the rules, to allow the body to do something, which it is otherwise forbidden to do by the rules or previously adopted orders of the Sanggunian. (S/ND/NA)
- b. Withdraw or modify a motion, to remove question from the consideration of the body or to modify the same. (S/ND/NA)
- c. Read papers, to allow a member to read a paper document, or book as a part of his speech or remarks. (S/ND/NA)
- d. Object to the consideration of a question, to avoid the consideration of a question of which the body considers irrelevant, contentious, unprofitable, or generally objectionable. (NS/ND/NA)
- e. Point of order, to call attention to an error in the observance or enforcement of the rules of parliamentary procedure of those of the Sanggunian. (NS/ND/NA)
- f. Point of information, to be informed of any matter related to the pending question or to the Sanggunian. (NS/ND/NA)
- g. Parliamentary inquiry, to request information on matter related to parliamentary law procedure. (NS/ND/NA)
- h. Appeal from the decision of the chair, to ask the body to decide whether the ruling made by the Chair on a question of order should be upheld or overruled. (S/D/NA)
- i. Divide the assembly, to verify the votes taken on a question or secure a more accurate count of the vote. (NS/ND/NA)
- j. Divide the question, to divide a long and complicated proposition into separate and distinct parts to facilitate their consideration. (S/ND/A)

SECTION 3. QUESTIONS OF PRIVILEGE – Questions of privilege are:

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

Questions of privilege shall have precedence over all other questions, except a motion to fix time to adjourn, to adjourn or take recess.

SECTION 4. PRIVILEGED QUESTIONS – Privileged questions are those motions or subject matter which, under the rules, take precedence over other motions, questions and subject matters, and they are motions to adjourn; question of privilege; and a call for the order of the day.

**RULE XV
UNFINISHED BUSINESS AT THE END OF THE SESSION**

SECTION 1. – All business before the Sanggunian or any committee thereof at the end of one session shall be resumed at the commencement of its next session.

SECTION 2. – Business left unacted upon at the termination of one Sanggunian may be considered by the new Sanggunian as matters of unfinished business.

SECTION 3. – For purposes of the preceding sections, the Secretary shall return to the respective committees the papers relating to unfinished business at the close of a session or termination of a Sanggunian.

**RULE XVI
SPECIAL REPORT
(Privilege Hour)**

SECTION 1. PRIVILEGE TIME – Special Report should consist of one (1) hour during which any member may address the body on any matter of public interest.

SECTION 2. RULES ON SPECIAL REPORT

- a. Any member of the City Council who desires to avail of the privilege time on any subject of public nature or interest shall rise and seek recognition of the Chair before the body in session. A reservation to avail of the privilege hour maybe made by way of a privilege motion. The privilege hour may exceed one (1) hour but only ten (10) minutes of which shall be allotted a member;
- b. When two or more members rise for recognition by the Chair, the first to rise shall be recognized. At this juncture, the Chair shall request the member to seek recognition from the Chair to state what question of the privilege he or she will bring to the attention of the City Council and if such question involves public nature or interest, the Chair, *motu proprio* shall recognize him or her;
- c. The member so recognized to address the body during the privilege time shall continue to rise during the privilege time allotted to him/her and shall speak for not more than ten (10) minutes;
- d. The member concerned, shall in the course of his or her privilege speech, limit or confine his piece to his stated subject and shall never deviate nor resort to name-calling, mudslinging, innuendoes and other unparliamentary or derogatory remarks against the dignity and/or reputation of any public official or private citizen or of any entity or institution;

He or she shall, at all time maintain proper decorum befitting the dignity, integrity and reputation of a member of the body or of the assembly;

- e. If, at this juncture, the speaker deviates from his or her stated subject or resort to unparliamentary or derogatory remarks, the Presiding Officer shall interrupt him and warn him not to deviate from there or resort to such unparliamentary or derogatory remarks. If said speaker continue to ignore the warnings, the Chair shall direct the speaker to take his seat and order the striking out from records such remark;
- f. If the ten (10) minutes allotted to him/her is not enough, he or she shall, immediately thereafter, request the Chair for extension of not more than five (5) minutes. Likewise, at this juncture, the Chair shall refer the request to the body for approval without debate and if favourably granted, the speaker shall continue his speech for the time allotted;
- g. While the speaker is delivering his privilege speech, no other member shall interrupt or interpellate said speaker until he has finished his speech, except, on privilege question or point of order;
- h. After the privilege speech, if the speaker yields, any other member or members of the Sanggunian may propound clarificatory questions or interpellation which shall not exceed three (3) minutes per speaker;
- i. If a member feels that there is a need to give rejoinder or to amplify the subject matter, he may do so if the Chair so recognizes him or her; Provided, that the one-hour privilege time is not yet exhausted;
- j. If the Privilege speech of any member calls for legislative action, the speaker or any member may notify the body through the Presiding Officer of his intention to have the matter included in the agenda of the succeeding session day;
- k. Debate on the merits or demerits of the measures sought to be included in the agenda shall be made only during the consideration of the same in the agenda;
- l. If, after the period of interpellation, the privilege time has not yet expired, any other member may seek recognition to avail of the remaining unused privilege time. With the right to continue in the next regular session, if he/she has not finished his speech within the ten (10) minutes allotted to each member under these rules;
- m. Preference in reservation in the next regular session shall be in the following order;
- n. The member who has notified the Chair of his intention to deliver rejoinder or remarks on the matter taken up by the speaker or speakers in the previous session;
- o. The member who availed of the remaining unused privilege time was not able to finish his speech arising from the expiration of the one-hour privilege time;
- p. The member who has not yet availed of the privilege time during the last two regular sessions.

**RULE XVII
SUSPENSION OF THE RULES**

SECTION 1. SUSPENSION – Any of the rules of the Sanggunian may be suspended by simple majority of the members present to allow non-members thereof to address it in session or whenever it is necessary and practical.

**RULE XVIII
INFORMATION HOUR**

SECTION 1. INVITED GUEST – The Sanggunian may invite any person to appear before it in any session to inform the body on any issue, which may be necessary in aid of a pending legislation. Said official or personnel shall be informed of the subject matter at least three (3) days before his/her appearance.

In case of Department Heads, any invitation shall be coursed through the City Mayor.

**RULE XIX
LANGUAGE REQUIREMENT**

SECTION 1. OFFICIAL LANGUAGE. – The national language and English shall be the official language that shall be used in the proceedings of the Sanggunian. However, the speaker at his option, during the privilege time may choose any language or dialect spoken of and understood by the majority of the people of the City of Iligan.

**RULE XX
UNPARLIAMENTARY ACTS AND UTTERANCES**

SECTION 1. UNPARLIAMENTARY ACTS AND UTTERANCES – Acts or utterances which are derogatory to the body or any of its members shall be deemed unparliamentary.

SECTION 2. PROHIBITION – No member of the Sanggunian under any circumstances during the consideration of any item in the agenda shall use offensive or improper language against another member of the body or the body itself.

When a member of the body, by word or deed, violates any rules, the Chairman, or any member through the Chair, shall call him to order, and the member concerned shall immediately desist from continuing his unparliamentary words or deeds and relinquish the floor if he/she happens to have the floor.

SECTION 3. STRIKING OUT FROM THE RECORDS – When a member is called to order by the Chair for employing improper language during the debate or consideration of any item in the agenda, any member may move to strike out from the records the words or utterances objected to, which shall be resolved without debate. This shall likewise apply to the unparliamentary language of the Chair.

SECTION 4. NON-MEMBER PROHIBITION – When a non-member of the body authorized to address employs improper words derogatory to the body or any of its member/s in the course of his address or speech, the Presiding Officer shall call his attention thereto, and if necessary, deny him the floor and with the assistance of the Council's Sergeant at Arms expel him from the session hall and his derogatory or improper words may be ordered stricken out by the Chair.

**RULE XXI
DISCIPLINARY ACTION**

SECTION 1. VOTES REQUIRED

- (A) Any member who commits any of the following disorderly acts or behaviour during session, by two-third (2/3) votes of the members present, be reprimanded by the Chair or for repeated commission of the same during the same session, be excluded from the session:
1. Refusal after repeated warnings made by the Chair to desist from employing offensive or improper language or unparliamentary or derogatory remarks against member/s of the body or the body itself;
 2. Refusal to abide by the ruling of the Chair or the body on a question or point of order and other question involving proper decorum;
 3. Taking the floor without having first recognized by the Chair or refusing to give up the floor after the Chair directed him or her to this effect.
- (B) As authorized by Section 50 (5) of the Local Government Code of 1991, a member may be disciplined for disorderly behaviour and absences without justifiable cause for four (4) consecutive sessions, for which they may be censured, reprimanded or excluded from the session, suspended for not more than sixty (60) days, or expelled: Provided, that the penalty of suspension or expulsion shall require the concurrence of at least two-thirds (2/3) vote of all the Sanggunian members: Provided further, that a member convicted by final judgement to imprisonment of at least one (1) year for any crime involving moral turpitude shall be automatically expelled from the Sanggunian.
- (C) Any member who commits an act in transgression of the foregoing Internal Rules of Procedures shall be punished with the corresponding penalties hereunder prescribed, to wit:
- | | | |
|-------------------------|---|------------------------------|
| 1st Offense | - | Admonition |
| 2nd Offense | - | Reprimand |
| 3 rd Offense | - | Recommend for suspension |
| 4 th Offense | - | Recommendation for expulsion |

**RULE XXII
PROHIBITED ACTS AND
DISCOURTESY DURING SESSION**

SECTION 1. IN COMING LATE – While the body is in session, a member who comes in late shall seek recognition from the Chair by raising his hand for the purpose of recording his presence.

SECTION 2. LEAVING THE SESSION – Likewise, while the body is in session, a member who shall leave the session hall with intention of not returning back for that session shall seek the permission of the body stating the justifying circumstances which demands early departure from the session.

SECTION 3. PROHIBITION – While a member has the floor and/or discussing any item of the agenda under consideration, no two or more members shall talk or converse with each other as to disrupt the attention of the member on the floor or in any way show disrespect to the speaker.

SECTION 4. SMOKING DURING SESSION – No member or any person in attendance shall be allowed to smoke cigar or cigarette during session.

SECTION 5. USE OF CELL PHONES – During the entire session of the council, all cell phones used by the Chairman, members of the council, staff and general public within the hall shall be put off or placed on silent mode and if any call has to be answered the same shall be made outside the hall with the permission of the body.

SECTION 6. No member shall come to the session intoxicated in the same manner that drinking is not allowed in the Sangguniang Panlungsod premises.

**RULE XXIII
RULES OF PROCEDURES
IN THE
CONDUCT OF ADMINISTRATIVE PROCEEDINGS**

SECTION 1. Title - These rules shall be known as the Rules of Procedures of the Sangguniang Panlungsod in the conduct of administrative proceedings in the exercise of its quasi-judicial functions.

SECTION 2. Construction - These rules shall be liberally construed in order to promote public interest and to assist parties in obtaining just, speedy and inexpensive determination of their pending administrative case(s) filed before the Sangguniang Panlungsod of Iligan.

SECTION 3. Nature of Proceeding - Proceedings before the Sangguniang Panlungsod in the exercise of its quasi-judicial function shall be summary in nature without adhering to legal technicalities obtaining in the courts of law.

SECTION 4. Engagement of Counsels - Appearance by counsel is at the discretion of the parties who may or may not hire a lawyer for the prosecution or defense of their respective cases. Considering the time frame by which the Sanggunian is mandated to dispose of the cases before it, the appearance or non-appearance of a lawyer during the hearing shall not in any manner interrupt the flow or schedule of a pending cases which fact shall be stated in open session in each hearing and contained in every notice or invitation to the parties for the next hearing of the case. Strict observance shall be required of this rule.

**ARTICLE I
JURISDICTION**

SECTION 1. Jurisdiction over administrative case against elective barangay official is vested solely with the Sangguniang Panlungsod. Any complaint therefore, against an appointive barangay official shall not be entertained by the Sanggunian. (*Section 61 RA7160*) (*DILG Opinion No. 19, June 24, 2002*)

**ARTICLE II
THE PARTIES**

SECTION 1. Parties of the Case - In any complaint filed with the Sanggunian, the person filing the same shall be called the *Complainant*, while the person against whom a complaint is made shall be called *Respondent*. In case of married persons, a complaint by a spouse need not be signed or counter-signed by the other spouse.

**ARTICLE III
COMMENCEMENT OF ACTION**

SECTION 1. When Action Deemed Commenced - An action is deemed commenced upon the filing of a verified complaint with the Sangguniang Panlungsod against any elected barangay official of Iligan City consisting of nineteen (19) copies accompanied by supporting documents if any, or sworn statement of witnesses which complaint shall specify any of the following grounds which may be relied upon, to wit:

- (a) Disloyalty to the Republic of the Philippines;
- (b) Culpable violation of the Constitution;
- (c) Dishonesty, oppression, misconduct in office, gross negligence, or dereliction of duty;
- (d) Commission of any offense involving moral turpitude or an offense punishable by at least prison mayor. The offense involving moral turpitude must be linked to the performance of official duties of respondent and conviction by final judgment shall be a condition precedent for the filing of any administrative case (*Palma vs. Fortich, 147 SCRA 397, Mondano vs. Silvosa, 97 Phil. 144-145, DILG Opinion No. 11, s. 2006, Feb. 20, 2006*);
- (e) Abuse of authority;
- (f) Unauthorized absence for fifteen (15) consecutive working days, except in the case of members of the Sangguniang Barangay;
- (g) Application for, or acquisition of, foreign citizenship or residence or the status of an immigrant of another country; and
- (h) Such other grounds as may be provided in the Local Government Code of 1991 and other laws.

Pendency of a case in any court of law involving any of the foregoing grounds shall not constitute as a bar to the action or proceedings before the Sanggunian. (*Sections 60 and 61 of RA 7160*)

SECTION 2. Within seven (7) days after the administrative complaint is filed, the Sangguniang Panlungsod shall require the respondent to submit his verified answer within fifteen (15) days from receipt thereof. (*Sec. 62 of RA 7160*)

SECTION 3. Venue. Venue of the investigation or hearing, unless otherwise specified by resolution, shall be at the Session Hall of the Sangguniang Panlungsod. (*Section 62 (d) of RA 7160*)

SECTION 4. Motion to Dismiss. A motion to Dismiss an administrative complaint in lieu of an answer is an improper pleading considering that the Sangguniar. is entrusted the duty of determining whether the offense is proper for investigation. All possible grounds for dismissal of the complaint shall be considered a matter of defense which will be subject to consideration by the Sanggunian in rendering a decision. *(Section 62 (d) of RA 7160, DILG Opinion No. 11. s. of 2006, Feb. 20, 2006)*

ARTICLE IV PREVENTIVE SUSPENSION

SECTION 1. Preventive suspension may be imposed at any time 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: *Provided, That, any single preventive suspension of local elective officials shall not extend beyond sixty (60) days: Provided, further, That in the event that several administrative cases are filed against an elective official, 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 63 (a) (3) of RA 7160)*

SECTION 2. After determining by way of resolution that all the elements for a preventive suspension are present, the Sangguniang Panlungsod shall then recommend to the Mayor that the respondent elective barangay officials be placed under preventive suspension. It shall then be ministerial on the part of the mayor to issue an order for the preventive suspension of the respondent once recommended by the Sanggunian. The resolution for preventive suspension need only state that the Sanggunian has determined that all the elements under Section 63 of RA 7160 are present for the Mayor to implement the preventive suspension *(Section 63 of RA 7160), (DILG Opinion No. 61, series of 2002), citing the case of Matugas vs. Navarro, CA-G.R. SP No. 62038, November 19, 2001)*

SECTION 3. Expiration of the Preventive Suspension - Upon the expiration of the preventive suspension, the suspended elective 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 proceedings of the case is due to his fault, neglect 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 63 (c) of RA 7160)*

SECTION 4. Salary During Suspension - The respondent official preventively suspended from office shall receive no salary or compensation during such suspension; but, upon subsequent exoneration and reinstatement, he shall be paid full salary or compensation including such emoluments accruing during such suspension. *(Section 64 of RA 7160)*

SECTION 5. No Sanggunian action shall be necessary for the reinstatement of the suspended barangay official following the expiration of the preventive suspension in order for the preventively suspended official to reassume his duties without prejudice to the continuation of the proceedings against him *(DILG Opinion No. 217, series of 1993, DILG Opinion No. 02, s. 2003, Jan. 6, 2003)*

SECTION 6. The Sanggunian shall exercise its best collective judgment in the matter of preventive suspension considering that abuse of the same is a ground for abuse of authority. *(Section 63 (d) of RA 7160)*

ARTICLE V
INVESTIGATION/HEARING

SECTION 1. Investigation of the case shall commence within ten (10) days after an answer is filed or after the expiration of the same period if no answer is filed. However, no investigation or hearing shall be held within ninety (90) days immediately prior to any local election, and no preventive suspension shall be imposed within the said period. If a 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 aforesaid period. *(Section 62 (c) of RA 7160)*

SECTION 2. Failure to File An Answer. – No default shall be declared against respondent who fails to file an answer which failure shall at most be considered a waiver thereof. The investigation shall proceed with the respondent entitled to his rights under the next Section.

SECTION 3. Rights of the Respondent - The respondent shall be accorded full opportunity to appear and defend himself in person or by counsel, to confront and cross-examine the witnesses against him, and to require the attendance of witnesses and the production of documentary evidence in his favor through the compulsory process of subpoena or subpoena duces tecum. *(Section 65 of RA 7160)*

SECTION 4. Adoption and Affirmation of Statements – Upon the first call of the case, the Complainant and respondent, including their witnesses, if any, shall be summarily asked to identify sworn statements, affirm the same as the truth of their own personal knowledge, and to adopt their sworn statements as their direct testimonies.

SECTION 5. The Hearing of Any Administrative Case - The hearing or investigation of any administrative case shall be in a plenary session presided over by the Regular Presiding Officer or the Chairman, Committee on Laws, as may be designated by the regular presiding officer. All members of the Sanggunian, acting as jurors, may propound questions relative to the case against any of the parties during the hearing or the investigation addressing said questions direct to the parties with due permission from the Presiding Officer.

The Sanggunian may likewise delegate the preliminary hearing of the case to the Committee on Laws for purposes similar to a pre-trial. Upon termination of the preliminary conference, the Committee shall render a report and recommendation to the Sanggunian in plenary.

In such case the Sanggunian may adopt the recommendation of the Committee or call the parties and their witnesses for clarificatory questions. In case of the latter, only the Sangguniang members shall propound questions to the parties and/or their witnesses subject of the clarification. No further questions by the parties or their counsel shall be entertained as questions propounded by the Sanggunian members afford the parties opportunity to explain or amplify their respective positions for clarification.

SECTION 6. Memorandum/Position Paper - The filing of a Memorandum or Position Paper following the conclusion of the investigation shall be optional. A period not exceeding ten (10) days may be granted to the parties for the filing of simultaneous memorandum which time shall be dedicated from the thirty (30) day period for the Sanggunian to render a decision with the express consent of both parties.

SECTION 7. Documentary Evidence - In case any of the parties attach a document as evidence in support of their case, the Sangguniang Panlungsod or its committee investigating/hearing the case may, as warranted, have the document being presented, verified, or authenticated through the author of the same or the person in authority of the custody of the document.

SECTION 8. Postponement - No motion for postponement unless for justifiable reasons in the collective judgment of the Sanggunian, shall be entertained. Whenever granted the same shall be deducted from the period of the investigation and always with the express consent of both parties.

ARTICLE VI DECISION

SECTION 1. Form and Notice of Decision - The investigation of the case shall be terminated within ninety (90) days from the start thereof. Within thirty (30) days after the end of the investigation, the Sanggunian shall render a decision in writing stating clearly and distinctly the facts and the reasons for such decision. Copies of said decision shall immediately be furnished the respondent and all interested parties. (*Section 66 of RA 7160*)

SECTION 2. Decision By Way of Resolution- Decision by way of resolution by the Sangguniang Panlungsod either for the preventive suspension, or imposition of any penalty of dismissal, shall be arrived at in executive session. Voting following deliberation shall be nominal vote or by secret ballot as the body desires upon motion duly approved. The body may assigned the writing of the decision/resolution of the case after determining the verdict in consultation, to ponente member of the Sanggunian. The ponente may seek the assistance of a lawyer-member of the sanggunian.

SECTION 3. Decision of the Sangguniang Panlungsod in administrative cases shall not require the approval of the City Mayor (*Sec. 66 RA 7160 and DILG Opinion No. 19, series of 2002 January 24, 2002*)

SECTION 4. In case the Sangguniang Panlungsod has referred the case to a Committee to conduct the investigation and said investigation has been terminated, the committee shall recommend the appropriate penalty based on its finding for Sanggunian deliberation prior to the rendition of judgment. In case of failure of the Sanggunian to render a decision within thirty (30) days after the end of the investigation, the Committee recommended penalty by way of resolution shall be considered as the decision of the Sangguniang Panlungsod. (*Art 130 (60 IRR RA 7160) (DILG Opinion No. 61 series of 2002 April 29, 2002)*)

SECTION 5. Determination As To Implementation of Decision - The determination as what manner should its decision be implemented lies within the sound judgment and discretion of the Sanggunian as an incident to its quasi-judicial function expressly conferred by Section 61 (b) of the Local Government Code of 1991 (*DILG Opinion No. 55, series of 2000*).

SECTION 6. Executive Approval Not Required - As regards the implementation of the Sanggunian decision on the administrative case, there is no need for the approval of the Local Chief Executive for its execution (*DILG Opinion No. 55 series of 1997*), *Subject to an appeal, the decision of the Sangguniang Panlungsod is executory (Section 61 (c)of RA 7160)*

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SECTION 7. Personal Service of the Decision - It shall be the duty of the Sangguniang Panlungsod to immediately personally served upon the respondent and/or interested parties a copy of the decision/resolution without delay, in order for the parties to protect their interests and for the respondent to file an appeal or apply appropriate reliefs before the decision becomes final (*Section 66 RA 7160, DILG Opinion No. 19 series of 2002, Jan. 24, 2002 citing Reyes vs. COMELEC and de Castro (254 SCRA 514)*)

SECTION 8. Decision Served Not Subject to Reopening - Except as may be provided by the Internal Rules of Procedure, a decision of the Sanggunian duly promulgated by way of resolution and served upon the parties may not be reopened as the same has become final and executory (*Section 61 RA 7160, DILG Opinion No. 19 series of 2002, Jan. 24, 2002*)

SECTION 9. Motion For Reconsideration - Considering that decision of the Sangguniang Panlungsod in administrative cases take the form of a resolution in plenary session, only members of the Sangguniang Panlungsod who voted in the affirmative may move for a reconsideration of any vote or decision. No motion for reconsideration shall be allowed from the parties (*SP Internal Rules of Procedure*).

SECTION 10. Pending Cases Overtaken By Local Election - Considering that decision of the Sangguniang Panlungsod in administrative cases is a collective undertaking which must be addressed by the members as a collegial body, the following shall be observed in case of unfinished cases overtaken by a local election, to wit:

- a. If a formal investigation has not been terminated at the expiration of the term of the Sanggunian originally hearing the case in the sense that presentation of evidences has not yet been concluded, the hearing shall be continued by the new set of Sanggunian officers;
- b. In case hearing or investigation has been concluded and the case is submitted for decision and no decision has been rendered by the outgoing members of the Sangguniang Panlungsod, the new set of Sangguniang members shall decide the case on the basis of existing records: (*DILG Opinion No. 44 series of 2002, citing People vs. Gecamo, G.R. No. 115035-36 Feb. 23, 1996 (suppletary application)*);
- c. In case the decision has already been reached by the outgoing members of the Sangguniang Panlungsod, but no promulgation has been made by way of resolution, the new set of Sangguniang members shall promulgate the decision: (*DILG Opinion No. 44 series of 2002, Jan. 22, 2002 citing Malinao vs. Reyes 255 SCRA*)

ARTICLE VII PENALTIES

SECTION 1. 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 suspended as long as he meets the qualifications required for the office (*Section 66 (b) RA 7160*).

SECTION 2. In case of the imposition of suspension as a penalty, either by an adopted committee resolution or a decision of the Sanggunian following deliberation in plenary, the same shall be immediately forwarded to the City Mayor who shall then issue an order of suspension, copy furnished the Sanggunian for the record (*Art. 130, IRR RA 7160*).

SECTION 3. The penalty of removal from office as a result of an administrative investigation shall be considered a bar to the candidacy of the respondent for any elective position (*Section 66 (c) RA 7160*).

ARTICLE VIII APPEAL

SECTION 1. Administrative Appeals - An appeal may be filed by the respondent within thirty (30) days from the receipt of the decision to the Office of the President, Iligan City being a Highly-Urbanized City whose decision shall be final and executory. (*Section 67 (b) RA 7160*)

SECTION 2. Execution Pending Appeal - An appeal not prevent a decision from becoming final and executory. The respondent shall be considered as having been placed under preventive suspension during the pendency of an appeal in the event he wins such appeal. 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 (*Section 68 RA 7160*).

ARTICLE IX MAINTENANCE OF DOCKET BOOKS

SECTION 1. The Sanggunian shall keep a docket for administrative cases where all complaints shall be properly entered and given their corresponding number in the order of receipt. The docket shall likewise contain in chronological order every pleading, notice, order, resolution and other incidents of the case in summary form from receipt of the complaint to the service of decision.

RULE XXIV AMENDMENTS

SECTION 1. REQUIREMENT - These rules or any part hereof may be amended by at least two-third (2/3) votes of the members of the Sangguniang Panlungsod.

RULE XXV SUPPLEMENTAL RULES

SECTION 1. SUPPLEMENTAL RULES - All pertinent provisions of RA 7160 not specifically provided herein shall form part of this rule. In case of conflict, however, between the provision of this Rules and the Local Government Code, the latter shall prevail.

The "Robert's Rules of Order" shall be supplementary to these rules insofar as they are not inconsistent herewith.

RULE XXVI EFFECTIVITY

SECTION 1. These rules shall take effect upon the adoption of the Sangguniang Panlungsod.

(VOTING BY ROLL CALL: PACAÑA, "Yes"; LARRAZABAL, "Yes"; BELMONTE, "Yes"; SWEET-BOOC, "Yes"; HUERTAS, "Yes"; ABRAGAN, "Yes"; BALANAY, "Yes"; ONG, "Yes"; YOUNG, "Yes"; EMBORONG, "Yes"; ZALSOS-UYCHIAT, "Yes"; CAPANGPANGAN, "Yes"; SIACOR, "Yes"; SANGCOAN, "Yes" and HYNSON, "Yes")

CARRIED unanimously by the members present.



The undersigned hereby attest to the adoption of the foregoing as verified to by the Member-movant.

ATTY. ARTHUR LL. PADILLA
Secretary to the Sanggunian

vof

ATTESTED TO:


BERNARD Y. PACAÑA


SIMPLICIO N. LARRAZABAL, III


ROSEVI QUEENIE C. BELMONTE

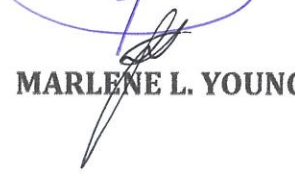

MICHELLE E. SWEET-BOOC


SAMUEL P. HUERTAS


PROVIDENCIO A. ABRAGAN, JR.

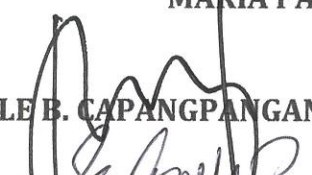

JESSE RAY N. BALANAY


RHANDY RYAN FRANCIS A. ONG


MARLENE L. YOUNG


RAMIL C. EMBORONG

MARIA PAZ TERESA V. ZALSOS-UYCHIAT



NHICOLLE B. CAPANGPANGAN


CESARVE C. SIACOR



DATU KILALA LANELIO Y. SANGCOAN

EMILY Q. HYNSON

VERIFIED:


BERNARD Y. PACAÑA
Member-author

CERTIFIED BY:


MARIANITO D. ALEMANIA
City Vice Mayor, Presiding Officer