



Republic of the Philippines  
Province of Davao Oriental  
**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**  
SP Complex, Government Center, Dahican  
**CITY OF MATI**



EXCERPTS FROM THE MINUTES OF THE 2<sup>ND</sup> REGULAR SESSION OF THE 17<sup>TH</sup> SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL, HELD ON WEDNESDAY, JULY 13, 2022 AT THE CITY OF MATI, THIS PROVINCE.

**PRESENT:**

Hon. Niño Sotero L. Uy, Jr. Vice Governor – Presiding Officer

**Regular Members:**

**District I**

Hon. Nelson R. Dayanghirang, Jr.  
Hon. Anna Cheryl N. Castro  
Hon. Art Benjie C. Bulaong  
Hon. Marietta D. Palmera  
Hon. Andy A. Monday

**District II**

Hon. Shella Marie S. Go  
Hon. Harold A. Montes  
Hon. Rotchie M. Ravelo  
Hon. Daud V. Linsag  
Hon. Stephen Paul L. Uy

**Ex-Officio Members:**

Hon. Manuel M. Lepardo, Jr.	Interim President, Philippine Councilors League (PCL) - Davao Oriental Chapter
Hon. Rustan R. Castellones	President, Liga Ng Mga Barangay (LNB) - Davao Oriental Chapter
Hon. Eleuterio C. Manaytay	Indigenous Peoples Mandatory Representative (IPMR)
Hon. Ronald T. Lara, Jr.	Sangguniang Kabataan Provincial Federation President (SKPFP)

**ABSENT:**

None.

**RESOLUTION NO. 17-04-07-2022**

Author : Hon. Nelson R. Dayanghirang, Jr.

Sponsor : Hon. Nelson R. Dayanghirang, Jr.

**A RESOLUTION PRESCRIBING THE INTERNAL RULES OF PROCEDURE OF THE 17<sup>TH</sup> SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL AND ITS TWENTY NINE (29) WORKING COMMITTEES AND FOR OTHER PURPOSES.**

**RULE I**

**TITLE, POLICY AND APPLICATION**

**SECTION 1. Title** - This Resolution shall be known and cited as the "Rules of Procedure of the 17<sup>th</sup> Sangguniang Panlalawigan of Davao Oriental."

**SECTION 2. Declaration of Policy** - The goal, mandate, and task of the Sanggunian is to enact resolutions and ordinances that will respond to the needs and aspirations of the people based on established rules of procedure.

**SECTION 3. Application** - This Resolution or Rules of Procedure of the 17<sup>th</sup> Sangguniang Panlalawigan of Davao Oriental shall hereinafter be referred to as the "**Rules**" and the 17<sup>th</sup> Sangguniang Panlalawigan of Davao Oriental shall hereinafter be referred to as the "**Sanggunian**".

## **RULE II COMPOSITION**

**SECTION 1. Composition** – The Sanggunian shall be composed of the Vice-Governor as the Presiding Officer, the Regular Sanggunian Members elected by district, the Ex-Officio Members composed of the President of the Chapter of the Liga ng mga Barangay, the President of the Panlalawigang Pederasyon ng mga Sangguniang Kabataan, the President of the Provincial Federation of Sanggunian Members of Municipalities and Component Cities, Indigenous Peoples Mandatory Representatives and such sectoral representatives as may be determined in accordance with law. Such composition shall constitute the entire membership of the Sanggunian.

**SECTION 2. Term of Office** – The terms of office of the members of the Sangguniang shall be for their terms of office in accordance with law.

**SECTION 3. Oath of Affirmation** – All the members of the Sanggunian shall upon the assumption of office, take their oaths of office or affirmation in the prescribed form and duly subscribed. Certified copies of the oaths of office or affirmation shall be filed and kept in the Office of the Secretary of the Sanggunian.

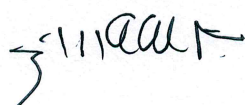
## **RULE III POWERS, DUTIES AND FUNCTIONS OF THE SANGGUNIAN**

**SECTION 1. The powers, duties and functions** of the Sanggunian shall be as provided for under Article 98. (a) (1) to (5) of the Rules and Regulations Implementing the Local Government Code of 1991 and other duties and functions as may be prescribed by law or ordinance.

## **RULE IV DUTIES AND RESPONSIBILITIES OF INDIVIDUAL MEMBERS**

### **SECTION 1. Full Disclosure of Financial and Business Interests.**

- (a) Every Sanggunian Member shall, upon assumption of office, make full disclosure of his business and financial interest. He shall also disclose any business, financial, or professional relationship or any relation by affinity or consanguinity within the fourth civil degree, ordinance or resolution under consideration by the Sanggunian of which he is a member, which relationship may result in conflict of interest. Such relationships shall include:



1. Ownership of stock, capital, or investment in the entity or firm to which the ordinance or resolution may relate; and
  2. Contracts or agreements with any person or entity which the ordinance or resolution under consideration may affect.
- (b) In the absence of a specific constitutional or statutory provision applicable to this situation, conflict of interest refers in general to one where it may be reasonably deducted that a Member of the Sanggunian may not act in the public interest due to some private, pecuniary, or other personal considerations that may tend to affect his/her judgment to prejudice its services to the public.

This disclosure required under this Rule shall be made in writing and submitted to the SP Secretary or the Secretary of the committee of which he is a member. The disclosure shall, in all cases, form part of the record of the proceedings and shall be made in the following manner:


- 1.) Disclosure shall be made before the Member participates in the deliberations on the ordinance or resolution under consideration: Provided, that if the Member did not participate during deliberations, the disclosure shall be made before voting on the ordinance or resolution on second and third readings; and
- 2.) Disclosure shall be made when a Member takes a position or makes a privilege speech on a matter that may affect the business interest hereinabove stated. (IRP of Dagupan City, Rule XIV)

**SECTION 2.** Every member shall attend all the sanggunian sessions unless he is prevented from doing so by reason of sickness or other unavoidable circumstances provided that, as a general rule, previous notice thereto shall be sent to the Sanggunian through the Sanggunian Secretary in writing not later than 5 o'clock in the afternoon, a day before the scheduled session

**SECTION 3. Participation.** All members in the exercise of their collegial powers and functions for the general welfare of the province and its inhabitants shall actively participate in the deliberation during sessions as well as hearings and/or public consultations called upon by the Sangguniang Panlalawigan or by any of the standing committees of this Body in aid of legislation.

**SECTION 4. Right to Vote/Inhibit.** As a general rule, every member is required to vote on every question or proposed measure being voted upon by the Sanggunian. Abstentions/Inhibitions may only be allowed after the member has explained his pecuniary interest, either directly or indirectly on the matter acted upon by the body and only with the concurrence of the simple majority.

**SECTION 5.** Every member shall observe proper deportment and decorum during sessions as required under Rule XVIII of the Rules.



**RULE V  
THE PRESIDING OFFICER**

**SECTION 1. The Presiding Officer** - The Vice Governor shall be the regular Presiding Officer of the Sanggunian. In the plenary, he shall be addressed as the Honorable Presiding Officer. In the committee of a whole, he shall be addressed as the Honorable Chairman.

The Presiding Officer may actively participate in the debate and deliberation of any subject matter considered on the floor but he shall first relinquish his position as such to any member elected by the members present who shall act as the temporary presiding officer until such time he assumes back his position as the regular presiding officer.

In the event of the inability of the regular Presiding Officer to preside at a session, other than his voluntary relinquishment, the highest ranking member shall call the session to order and the members present, constituting a quorum, shall elect from among themselves a temporary Presiding Officer who shall vote only to break a tie as is the case with the regular Presiding Officer. The temporary Presiding Officer shall certify the passage of ordinances and resolutions enacted by the Sanggunian over which he temporarily presided within ten (10) days.

**SECTION 2. Powers and Duties of the Presiding Officer** - The Presiding Officer shall:

- (a) Preside over the sessions and shall vote only to break a tie;
- (b) Enforce the internal rules of procedure of the sanggunian; (Rule IV Sec 1 letter c. p. 93, Handbook on Local Legislation by Reverendo Dihan)
- (c) Preserve order and decorum during sessions, and in case of disturbance or disorderly conduct in the session hall or within the premises, take measures as he may deem advisable or as the Sanggunian may direct;
- (d) Decide all questions of order subject to appeal by any member, who may explain his appeal in not more than five (5) minutes and which appeal shall not be debatable.
- (e) Sign all acts, ordinances, resolutions, memorials, writs, warrants and subpoena issued by, or upon order of, the Sanggunian;
- (f) Exercise supervision over all committees;
- (g) Appoint/designate a member duly elected by the members present to temporarily preside over the session who shall perform the duties of the regular presiding officer when he participates in the deliberation;
- (h) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.



The regular presiding officer shall not be a chairman of any standing committee; however, he may be elected as chairman of any special or ad-hoc committee which the Sanggunian may organize for specific purposes. As such, upon the concurrence of sanggunian members, he may appoint members of the Special and Ad Hoc Committees.

## **RULE VI THE SECRETARY**

**SECTION 1. Appointment and Compensation** - The Sanggunian Secretary shall be appointed by the Vice-Governor and his appointment shall be confirmed by a resolution. He shall be a career official with rank and salary equal to a head of department or office. His appointment shall be in accordance with civil service law, rules and regulations.

In the absence of the regular secretary, his assistant secretary shall assume his responsibilities over the sessions. In the absence of the latter, a temporary secretary shall be designated by the Presiding Officer prior to the roll call with an assumed motion for the purpose of expediting the proceedings.

**SECTION 2. Powers and Duties of the Secretary** - The Sanggunian Secretary shall.

- (a) Attend the sessions and keep a Journal 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 enactment and publication thereof;
- (c) Submit to the Presiding Officer for his/her signature all ordinances and resolutions passed by the sanggunian within three (3) days after the 3<sup>rd</sup> and final reading and approval thereof.
- (d) Forward to the Governor for approval, copies of ordinances and resolutions enacted or adopted by the Sanggunian, which have been certified as such by the Presiding Officer within ten (10) days after its enactment or adoption;
- (e) Keep and affix the Sanggunian seal on all ordinances and resolutions signed by the Presiding Officer and the Governor;
- (f) Attest to all ordinances and resolutions approved by the Sanggunian signed by the Presiding Officer and the Governor;
- (g) Translate into the dialect used by the majority of the people of the Province all ordinances and resolutions immediately after their approval, and have the translation posted, together with original at the main entrance of the Provincial Capitol and in two (2) other conspicuous public places in the area;



- (h) Upon request, furnish certified copies of all records and documents in his charge not otherwise classified as confidential, upon payment to the Provincial Treasurer of the fees prescribed by ordinances;
- (i) Keep his office and all records therein which are not of a confidential character open to public inspection during the usual business hours;
- (j) Take custody of the local archives and where applicable, the local library and account for the same;
- (k) Submit to the Vice Governor at the end of each month a summary of actions on legislative matters taken by the office of the Secretary;
- (l) Be the caretaker of the over-all orderliness and maintenance of the Sanggunian buildings, properties, and premises; and,
- (m) Exercise such other powers and perform such other duties and functions relative to his position as maybe mandated by the regular presiding officer provided that such is not contrary to any law or ordinance.

**SECTION 3. SUPERVISORY POWER** – Subject to the supervision and control of the Sanggunian, the Secretary shall be the immediate chief of the personnel of the Sanggunian and shall be responsible for the faithful and proper performance of their official duties.

## **RULE VII COMMITTEES**

**SECTION 1. Composition** - The Sanggunian shall have the following standing committees organized, each composed of five (5) members: the Chairman as the committee's head, a Vice-Chairman, and three (3) members.

**SECTION 2. Duties and Functions.** Committees shall study and act upon all measures such as ordinances, resolutions and petitions referred to them and shall submit to the plenary its committee reports within the prescribed period of time.

In furtherance thereof, committees may establish appropriate systems and procedures to ensure that constituencies, sectors and groups whose interests are affected by any pending measure are given sufficient opportunities to be heard, pursue dialogues and consultations with affected sectors and constituencies, conduct researches and engage the services and assistance of experts and professional from the public or private sectors as may be needed in the performance of their functions. (Congress Handbook)

**SECTION 3. Creation of Committees** - The following rules shall be observed in the creation of committees.



- (a) A regular or standing committee may be created/re-organized by an approved motion of all the members.
- (b) The Presiding Officer or any Sanggunian Member may recommend the creation/re-organization of any regular or standing committee or special or ad-hoc committee. The Sanggunian shall act on the said recommendation.

**SECTION 4. Limitations.**

- (a) The Presiding Officer shall not be a member of any regular or standing Committee. However, he may be designated by the Sanggunian as Chairman of any Ad-Hoc or Special Committee, provided that the purpose or task for which the committee is created does not involve legislative matters or policy making.
- (b) Chairmanships are determined through an election and an approved motion of all members, provided that if the Chairman comes from the 1<sup>st</sup> Legislative District of the Province, the Vice-Chairman shall automatically come from the 2<sup>nd</sup> Legislative District, or vice versa.
- (c) No member of the sanggunian shall be made a Chairman of more than three (3) committees and/or a Vice Chairman of more than five (5) committees. But a member may be a committee member of as many committees as may be given to him through an approved motion of all members.
- (d) No member shall participate in the committee's deliberation if he has a direct or indirect personal or pecuniary interest to be decided by a simple majority vote on the matter being handled by that committee.
- (e) The Committee Chairman shall have the authority to appoint the Vice Chairman and members of his/her committee.

**SECTION 5. Public Hearing** – Proposed Tax ordinance or ordinance imposing penalty shall be enacted by this Sanggunian only after a public hearing is duly conducted by the committee concerned.

**SECTION 6. Committee Meeting/Committee Hearing** - Proponents of pending ordinance or resolution subject for committee meeting/hearing or public hearing shall be present; failure to appear, the proponent's proposed measure shall not be acted upon. Committee meetings shall be attended by its members. However, any member of the Sanggunian, even if he is not a member of the committee, may also attend and participate in the discussions except when he has a direct or indirect personal interest to be determined by a simple majority vote. However, only the committee members shall vote on any measure of the committee. The Chair may invite resource persons or consultants to attend a committee hearing. The Sangguniang Panlalawigan Presiding Officer shall be provided/furnished with all the invitation of committee meetings and public hearings.



**SECTION 7. Vacancy** - Vacancy in a committee chairmanship shall be filled up by an election and an approved motion of all the members.

**SECTION 8. Committee Procedure** – The Committee shall function in the following manner:

- (a) The Chairman of the Committee shall from time to time, convene the committee to a meeting; Provided, that if the Chairman fails or refuses or neglects to convene such meetings the committee may, upon written request of a majority of the members thereof, call for and convene such meetings. Provided, further that if a proposed legislative measure has been included in the agenda of a committee for three (3) times and such measure has not been acted upon by the committee for one reason or another, except the non-appearance of the author, the same shall be considered as approved by the committee concerned.
- (b) All proposed ordinances/resolutions/communications and other matters referred to the Committee for study, investigation and recommendation shall be considered in the committee meetings shall be reported in the Plenary for further deliberation and consideration.
- (c) In the deliberation and consideration of any matter in the committee, the committee may call on any person or persons to appear in such committee meetings and request his opinions, views and comments on the matter under consideration or concern which he was invited to appear.

**SECTION 9. Mandatory Standing Committees.** The Sanggunian shall, thru a resolution, create the following mandatory standing committees:

#### **STANDING COMMITTEES**

##### **(1) COMMITTEE ON AGRARIAN REFORM**

- All matters relating to land of public domain; mines and minerals, forests and reservations, land acquisition and distribution of private and agricultural land and the development of agrarian reform communities and other support services.

##### **(2) COMMITTEE ON BARANGAY AFFAIRS**

- All matters relating to the affairs, welfare and total development of the local government units known as barangays with the objective of bringing the government closer to the people.

##### **(3) COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS AND WAYS AND MEANS**

- All matters relating to annual and supplemental budgets, appropriation ordinances, funds for the expenditures of the provincial government and for the payment of indebtedness and the classifications of positions and determination of salaries, allowances and other fringe benefits of the





provincial government personnel and all other matters related to fiscal administration.

- All matters relating to fiscal, monetary, and financial affairs of the provincial government, including tariff, taxation, revenue, borrowings, credit and bonded indebtedness, generation of other sources and forms of revenue from both public and private sectors including codification of revenue ordinances.

**(4) COMMITTEE ON HOUSING, RURAL & URBAN DEVELOPMENT**

- All matters relating to the implementation of the Provincial Comprehensive Development Plan, zoning and land use; land reform; rural and urban development; housing and resettlement including the relocation of squatters, calamity victims and the homeless in appropriate relocation sites and resettlement areas; reclassification and development of lands for residential, commercial, industrial, institutional, tourism and other related purposes; expropriation of real properties, acquisitions, administration and disposition of the province owned real and personal properties as well as registration of land titles and other similar documents.

**(5) COMMITTEE ON HEALTH AND SANITATION**

- All matters relating to health and hygiene, sanitation, population, family planning, medical, hospital and quarantine facilities and services as well as other health-related issues and concerns.

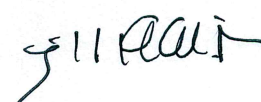
**(6) COMMITTEE ON TOURISM**

- All matters relating to tourism and the tourist industry as well as the beautification of the province, promotion of tourism destination, linkages with the other municipalities, cities and provinces.

**(7) COMMITTEE ON COOPERATIVE, PEOPLE'S ORGANIZATIONS (POs), NON-GOVERNMENT ORGANIZATIONS (NGOs), CIVIL SOCIETY ORGANIZATIONS (COs) & LIVELIHOOD.**

- All matters relating to cooperatives including, but not limited to, cooperative movements and organization; urban and rural-based credit, consumers, producers, marketing, service and multipurpose cooperatives, electric cooperatives which have registered with Cooperatives Development Authority (CDA); and the implementation of the Cooperatives Code of the Philippines. There are also matters relating to accreditation of People's Organizations (POs), Non-government Organizations (NGOs) and Civil Society Organizations (CSOs) for membership to special body pursuant to existing laws and develop/create livelihood opportunities to such.

**(8) COMMITTEE ON LOCAL GOVERNMENT**



- All matters relating to the welfare and development of the barangays including provisions for agricultural support services; health and social services; services and facilities related to general hygiene and sanitation, beautification and solid waste collection; maintenance of katarungang pambarangay, maintenance of barangay roads and bridges; barangay water system; infrastructure facilities such as multi-purpose hall, farm to market roads, gymnasiums, information and reading centers and satellite or public markets where viable; boundary conflicts and the maintenance of peace and order.
- All matters relating to municipalities and barangays including their revenues or expenditures, creation, division, merging, abolition or alteration of boundaries; review of municipal ordinances and executive orders issued by mayor concerned.

**(9) COMMITTEE ON PUBLIC INFORMATION, COMMUNICATION AND TECHNOLOGY, AND MEDIA AFFAIRS**

- All matters relating to public and/or government information and all means of mass communications, including but not limited to, print and broadcast media, movie and television, video, advertising, cable television and internet content, and the rights, privileges and responsibilities of those engaged therein.

**(10) COMMITTEE ON RULES, PRIVILEGES, LAWS, ORDINANCES AND LEGAL MATTERS**

- All matters relating to the Rules of Procedure of the Sanggunian; Calendar of Business and Order of Business and the creation of committees and their jurisdiction; review of Sanggunian Bayan resolutions and ordinances including the legality and/or constitutionality of the said resolutions and ordinances; and in general, codification, revision and/or amendment of resolution and ordinances; referrals of proposed measures to the appropriate committees for legislative action.

**(11) COMMITTEE ON MUSLIM AFFAIRS**

- All matters relating to the welfare and development of the Muslim communities in the province, the preservation of their heritage; promotion of the custom and traditions, livelihood opportunities and other similar programs for their growth and development.

**(12) COMMITTEE ON SOCIAL SERVICES**

- All matters relating to public welfare, care for the poor and destitute; Senior citizens and the aged; veterans of military campaigns, military retirees, their surviving spouses and other beneficiaries; differently abled and incapacitated; victims of violence and abuse as well as victims of natural and man-made calamities and disasters; social problems which affect the stability and adjustment of the individual and of the community to the environment and the appropriate social services required to develop, improve, uplift, and strengthen individual and community life.



**(13) COMMITTEE ON LABOR, EMPLOYMENT, CIVIL SERVICE AND HUMAN RESOURCE DEVELOPMENT**

- All matters relating to labor, employment and manpower development maintenance of industrial peace and promotion of employer-employee cooperation; labor education, standards and statistics; organization of the labor market, including promotion, development, recruitment, training and placement of manpower; rights of workers to self-organization; collective bargaining; security of tenure, worker's protection and just and humane conditions of work.
- All matters relating to efficiency, integrity, responsiveness, progressiveness, and courtesy in the civil service, strengthen the merit and rewards system, integrate all human resource development programs for all levels and ranks, and institutionalize a management climate conducive to public accountability. Recommend to the Local Chief Executive the most qualified nominees in accordance with LGU guidelines, for training or study programs.

**(14) COMMITTEE ON WOMEN, CHILDREN AND FAMILY**

- All matters relating to women's and children's rights, protection and welfare, employment and working conditions and their role in nation building; as well as the strengthening of the family as the basic social institution.

**(15) COMMITTEE ON INDIGENOUS AND CULTURAL COMMUNITIES.**

- All matters directly and principally relating to national cultural communities and the development of predominantly cultural community areas pursuant to Republic Act 8371 or the Indigenous Peoples Right Act (IPRA).

**(16) COMMITTEE ON AGRICULTURE AND FOOD**

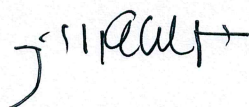
- All matters relating to agriculture, agribusiness, agricultural economics and research, soil survey and conservation; irrigation; agricultural education; fertilizer and pesticides; extension services; and livestock industry, farm credit and farm security, crop, fruit and livestock quarantine, insurance and guarantee schemes.

**(17) COMMITTEE ON TRANSPORTATION**

- All matters relating to land, sea and air transportation and all public utilities connected therewith; transport system; traffic management; seaport; airports; postal; telegraph; radio; television; telephone; and other communication services.

**(18) COMMITTEE ON GAMES & AMUSEMENT**

- All matters relating to the proper supervision and enforcement of regulatory measures pertinent to the conduct of games and amusements in places of entertainment within the province.



**(19) COMMITTEE ON PEACE & ORDER AND PUBLIC SAFETY**

- All matters relating to the suppression of criminality including those on illegal gambling, private armies, terrorism, organized crime, regulation of firearms, firecracker and pyrotechnics; civil defense; efficiency and effectiveness of police and supervision of private security agencies, management and operation of the provincial jail and detention cells;

**(20) COMMITTEE ON ENVIRONMENT & NATURAL RESOURCES**

- All matters relating to the protection of the environment ecosystem management and pollution control; exploitation; utilization and management of natural, marine and aquatic resources; wild life conservation;

**(21) COMMITTEE ON EDUCATION, ARTS, CULTURE, SCIENCE & TECHNOLOGY**

- All matters relating to education; schools, colleges and universities; Libraries and museums; non-formal and community adult education; development and advancement of science and technology; scientific and technological research; and the preservation, enrichment and dynamic evolution of the Filipino Arts and Culture.

**(22) COMMITTEE ON ECONOMIC ENTERPRISE, TRADE, INDUSTRY & INVESTMENT**

- All matters directly and principally relating to policies and program for the operations and establishment, organization and transforming government assets into profitable economic undertakings; domestic, foreign trade, patents, trade names and trade marks; standards, weights and measures; design; 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.

**(23) COMMITTEE ON ENERGY, PUBLIC WORKS AND HIGHWAYS AND INFRASTRUCTURE DEVELOPMENT**

- All matters relating to the exploration, development, exploitation or conservation of energy and water, public utilities engaged in power and water generation, transmission, distribution and supply; rural electrification and street lighting; planning, construction, maintenance, improvement and repairs of public buildings, highways, bridges, roads, parks, shrines, monuments and other public edifices of historic interest; drainage, flood control and protection; and water utilities and utilization of waters of the public domain.

**(24) COMMITTEE ON DANGEROUS OR ILLEGAL DRUGS.**

- All matters directly and principally relating to illegal and/or prohibited drugs and controlled precursors and essential chemicals including the

production, manufacture, use and trafficking thereof, as well as the rehabilitation and treatment of drug dependents.

**(25) COMMITTEE ON GOOD GOVERNMENT, ETHICS, ACCOUNTABILITIES AND HUMAN RIGHTS.**

- All matters relating to, including investigations of, malfeasance, misfeasance and nonfeasance in office by officers and employees of the government, its political subdivisions and instrumentality/s; and investigations of any matters of public interest, on its own initiative or brought to its attention by any Member of the Sanggunian; the duties, conduct, rights, privileges, dignity, integrity and reputation of the Sanggunian members, individually or collectively; provided that any complaint filed against any member of the Sanggunian must be made in writing and under oath. Such complaint shall be referred to the committee which shall act on it upon a vote of two-thirds of its members by recommending to the Sanggunian the censure, reprimand, suspension or expulsion, or any other appropriate disciplinary action as it may deem just and reasonable in accordance with existing laws; enhancement or protection of human rights of all persons in the province; assistance to victims of human rights violations and their families; and the prevention or punishment of violations thereof.

**(26) COMMITTEE ON AQUACULTURE AND FISHERIES RESOURCES.**

- All matters directly and principally relating to aquaculture and fisheries production and development, the business of aquaculture and use of aquatic resources, fresh water and fisheries culture research and technology application, aquaculture and fisheries education and training including extension services, conservation of streams, rivers, lakes and other fisheries resources, and fishpond and fisheries culture production and development including related technical, financial and guarantee assistance programs.

**(27) OVERSIGHT COMMITTEE**

- All matters directly and principally relating to the coordination of Executive Development Planning and Sanggunian action and the review of the execution and effectiveness of laws enacted inclusive of the corresponding implementing rules and regulations, and the necessity of proposing requisite courses of action in relation thereto.

**(28) COMMITTEE ON DISASTER PREPAREDNESS**

- All matters directly and principally relating to disaster and calamities, whether natural or man-made, as well as policies, plans, programs and projects related to disaster risk and vulnerability reduction and management including disaster preparedness and resiliency, relief and rescue, recovery, rehabilitation and reconstruction.



**(29) COMMITTEE ON YOUTH & SPORTS DEVELOPMENT**

- All matters relating to the welfare and interest and development of the youth, promotion of moral, physical, intellectual and social well-being; and sports development in general.

**RULE VIII  
SESSIONS**

**SECTION 1. Regular Session** - The regular session of the Sanggunian shall be every Wednesday of each week at exactly 1:30 in the afternoon at the Sanggunian Session Hall. However, a regular session may be moved to another day and place subject to a motion approved by the majority of the members present constituting a quorum.

If the regular session falls on a holiday, the following day shall be the schedule of the regular session.

**SECTION 2. Special Sessions** - As often as necessary, when public interest so demands, special sessions may be called by the Local Chief Executive or a majority of the members of the SP. However, no two (2) sessions, regular or special, may be held in a single day. (Sec. 52. Letter c of RA 7160).

In special sessions, a written notice to the sanggunian member, stating the date, time, venue and purpose of the session, shall be served personally or left with a member of the household of the member at his usual place of residence or to his staff at his office at the Sangguniang Panlalawigan at least twenty four (24) hours before the special session is held.

**SECTION 3. Call to Order** - The Presiding Officer shall open the session by calling it to order to be followed by an Invocation or Opening Prayer by a member based on its ranking order and then the singing of the National Anthem and the Provincial Hymn. In case the assigned member is absent, the next lowest ranking member shall lead the prayer.

The Presiding Officer may invite a non-member of the Sanggunian to lead the Opening Prayer in case no member is present when the session is called to order.

In case of the inability of the regular presiding officer to open the session, the highest ranking member present shall call the session to order.

**SECTION 4. Attendance in Sessions** - Every member shall be present in all the sessions unless necessarily prevented from doing so by sickness, official travel or other unavoidable circumstances duly reported to the Sanggunian in writing through the Secretary.

Any member who is designated as OIC Governor or as Acting Governor shall not be allowed to participate in the deliberation during session except when invited as a resource person.

**SECTION 5. Sessions Open to the Public; Exceptions** - Sanggunian sessions or meetings of any Committee thereof shall be open to the public unless in Executive Session as decided by an affirmative vote of a majority of the members presents, there being a quorum, for public interest or for reasons of security, decency or morality, or for reasons affecting the dignity of the Sanggunian or any of its member, or when confidential matters, are being considered.

**SECTION 6. Executive Session** - When the Sanggunian decides to hold an executive session, the Presiding Officer shall direct the galleries and hallways to be cleared and doors closed. Only the Secretary and such other persons as are specifically authorized by the Presiding Officer shall be admitted to the executive sessions. They shall preserve the secrecy of whatever may be read or said at the session.

**SECTION 7. Suspension and Adjournment of Session** - Sessions shall not be adjourned except by an approved motion, but the Presiding Officer may, at his discretion, declare a suspension of short intervals.

**SECTION 8. Opening and Adjournment Entered in Journal** - The exact hour of opening and adjournment of a session shall be entered in the Journal of the Sanggunian.

## RULE IX ROLL CALL AND QUORUM

**SECTION 1. Roll Call** - Upon every roll call, the names of members shall be called in its ranking order. Any member who, at the time the Secretary calls the roll is not inside the Session Hall shall be marked absent and if he appears after the roll call, he shall be marked present only after his recognition by the Presiding Officer.

Member/s who arrived after the reading and referral to committees shall be considered absent except with a justifiable reason approved by the majority of the members.

**SECTION 2. Quorum** - A majority of all the members of the Sanggunian including the Vice-Governor shall constitute a quorum to transact official business. In computing the presence of a quorum, the term majority shall be based on the total composition of the Sanggunian except for permanent vacancy.

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

**SECTION 3. No Quorum at the start of the Session** - Where there is no quorum in a given session, the Presiding Officer may suspend the session from time to time until such time a quorum is constituted, or a majority of the members present may vote to adjourn from day to day and may compel the immediate attendance of any member absent without justifiable cause by designating a member, to be assisted by the Philippine National Police assigned in the area, with an order to arrest and present the absent member at the session hall. (Sec. 53 paragraph b of RA 7160).

In the absence of a quorum, during the first roll call, the Presiding Officer shall declare a recess for ten (10) minutes, until such time that a quorum shall have been constituted. After which, the Presiding Officer shall announce thru the Secretary, the second roll call and if there is still no quorum, another ten (10) minute recess shall be declared. After the lapse of the said period, the Presiding Officer shall again announce thru the Secretary the third and final and if still there is no quorum, the Presiding Officer, may *motu proprio*, or upon an approved motion shall, declare the session adjourned for lack of quorum.

**SECTION 4. No Quorum during session which was started with a quorum.** During the session which was started with a quorum and a question on the lack of quorum is raised by any member, the Presiding Officer shall cause the reading of the roll of members and announce the result thereof and then declare whether or not there exists a quorum.

In the absence of a quorum, the Presiding Officer may suspend for a thirty (30) minutes interval and wait for the other members to come and may compel the immediate attendance of any member absent without justifiable cause by designating a member of the Sanggunian, to be assisted by the Philippine National Police, with an order to arrest and present the absent member at the session hall.

If there is still no quorum despite the enforcement of the remedial measures, the Presiding Officer may *motu proprio*, or upon an approved motion shall, declare the session adjourned for lack of quorum.

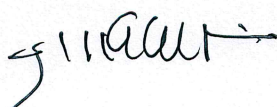
Any member who wish to leave before the adjournment of the session shall seek the approval of the majority.

**Section 5. Motion to Adjourn.** At any time after the roll call has been completed, a motion to adjourn shall be in order, and if approved by a majority of those present, all proceedings shall be terminated.

## RULE X ORDER OF BUSINESS

**SECTION 1. The Order of Business of this Sanggunian for every session shall be :**

- (a) Call to Order
- (b) Opening Prayer or Invocation
- (c) Singing of National Anthem
- (d) Singing of Provincial Hymn
- (e) Roll Call
- (f) Reading and consideration of previous minutes.
- (g) Privilege Hour
- (h) Question Hour





- (i) Reading and referral to Committees of communications, messages, petitions and memorials;
- (j) Reading and referral to Committees of proposed ordinances and resolutions
- (k) Committee Reports;
- (l) Calendar of Business :
  - Unfinished business.
  - Business for the Day ( Resolution For Second and Final Reading)
  - Unassigned business.
- (m) **Proposed ordinances for third and final reading;**
- (n) Other Matters and Announcements; and
- (o) Adjournment.

**SECTION 2. Parts of Calendar of Business** – The Calendar shall consist of:

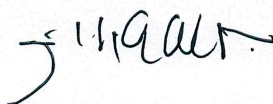
- (a) **Unfinished Business** – This is a business being considered by the Sanggunian at the time of its last adjournment. Its consideration shall be resumed until it is disposed of. Thereafter, the Presiding Officer shall call for the Business for the Day.
- (b) **Business for the Day** – These are proposed ordinances, resolutions and other measures set on the Calendar of Business for the day by the Committee on Rules, Privileges, Laws and Ordinances. These include those matters adopted by the plenary during the committee report of the session. They shall be considered in the order in which they are listed in the Calendar of Business including matters certified to as urgent by the Local Chief Executive.
- (c) **Unassigned Business** – This refers to new matters arising out during deliberation but not yet assigned or referred to proper committee for appropriate action.”

**SECTION 3. Deadline for submission** of items/matters to be included in the Order of Business shall be until 10 o'clock in the morning, the day before session day.

At exactly **1 o'clock** in the afternoon a day prior to the session day, the Order of Business shall have been disseminated.

If the said day falls on a holiday, the preceding working day and of the same time shall be the deadline.

**SECTION 4. Order of Business in Special Session.** In Special Session, the Order of Business is what is so provided for in the notice of the Governor or Members of the Sangguniang Panlalawigan calling for the special session. Other



matters may be determined by the Body, pursuant to Section 2, paragraph 2 of Rule VIII hereof.

## RULE XI PRIVILEGE HOUR AND QUESTION HOUR

**SECTION 1. Privilege Hour** – After the consideration of the previous minutes, there shall be a privilege hour. Any member may speak for fifteen (15) minutes on any matter of general interest. If more than one member desires to make use of this privilege, the first to apply, either in writing addressed to the Secretary or verbally in open session, shall be given precedence. Any member who avails of the privilege hour may be interpellated at the end of his speech by the other members but he may or may not answer the questions propounded if he so desires. As much as possible, the period of interpellation shall not exceed five (5) minutes to give time to the other speaker/s. If, after a member has finished, sufficient time is left of the hour, the second member who manifested to avail of the privilege hour may do so, and so on successively until the full hour is consumed. The privilege hour may be extended, but not to exceed another hour, upon an approved motion by the body.

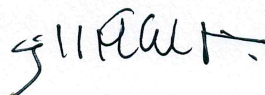
No member shall be allowed to request/move for the inclusion of any matter in the Agenda of the Day during the period of the Privilege Hour. All Communications, Proposed Resolutions/Proposed Ordinances must be submitted first to the Secretary for reading upon the approval of the Chairman of the Committee on Rules. Request/motion for inclusion should be done after the Communication/Proposed Resolution/Proposed Ordinance is referred to the proper committee by the Presiding Officer.

**SECTION 2. Question Hour** - The question hour shall be allocated to hear invited guests for a particular session provided the Internal Rules shall be suspended. In the same question hour, the members of the Sanggunian may question the invited guests on matters pertaining to the mandate and functions of their respective offices and provide inputs and enlightenment on a certain issue in aid of legislation. If more than one member desires to make use of the hour, the first to apply, either in writing addressed to the Secretary to the Sanggunian or verbally in open session, shall be given preference. As much as possible, a member who has the floor shall not exceed five (5) minutes to give time to the other member/s. The question hour may be extended, but not to exceed another hour, upon an approved motion.

## RULE XII ORDINANCES AND RESOLUTIONS

**SECTION 1. ORDINANCES AND RESOLUTIONS DISTINGUISHED** – Legislative actions of general and permanent character shall be enacted in the form of ordinances, while those which are ministerial or administrative in nature and temporary in character shall be passed in the form of resolutions. Matters relating to proprietary functions and to private concerns shall also be acted upon by resolution.

**SECTION 2. Ordinances** - A proposed ordinance shall embrace only one subject, which shall be expressed in full text thereof and shall be signed by its



author/s and filed with the Secretary who shall report the same to the Sanggunian at its next session for its First Reading.

Proposed ordinances and resolutions shall contain its full text. Both ordinances and resolutions shall contain its assigned number and duly signed by the author.

**SECTION 3. First Reading** - The First Reading of a proposed resolution shall only be by number, title, text and author, and thereafter, shall be referred to the appropriate committee by the Presiding Officer. During the first reading, the principal author may propose the inclusion of additional authors by submitting a list of such authors to the Secretary and/or by manifesting the same on the floor.

The author may give his/her explanatory speech not exceeding five (5) minutes and may only be allowed after the reading of the particular matter as appearing in the agenda.

**SECTION 4. Referral to Committee** - A proposed ordinance and resolution shall, as far as practicable, be referred to only one (1) committee. Whenever it covers subject matters falling within the jurisdiction of more than one (1) committee, the committee whose jurisdiction is more germane to the principal subject shall be the lead committee. An erroneous referral may be corrected before the committee report item of the same session.

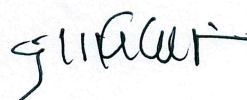
**SECTION 5. Consolidation or Substitution** - A consolidated or substitute proposed ordinance by a committee shall have as authors the first two authors of the original proposed ordinances in the order they were accordingly filed. The rest of the authors shall thereafter be enumerated in the same order.

**SECTION 6. Period to Report** - The Committee shall submit a report on any referral within thirty (30) days after it has been referred to it, except as herein otherwise provided. In rendering committee reports, priority shall be given to standing committees to be followed by special committees or Ad-hoc committees.

As a general rule, committee reports shall be rendered by its Chairman, unless he dissents with the majority decision. In his absence, the Vice Chairman shall take his place. If neither of them is present, any committee member concurring to the report and duly designated by the said committee in writing shall render the report.

**SECTION 7. Committee Report** – after due consideration of the proposed measure, the committee (s) concerned shall report the same to the Board/ Sanggunian.

The committee report shall be in writing and shall contain the name of the sponsor, assigned number, the date, time, and venue of the committee meeting, the subject matter, the attendance, action taken, findings and recommendations, and the signature of those who concur to the committee report. During committee meetings there may be a voting among members of the committee to determine who are in favor or against the proposed measure. Absence of the proponent or any co-sponsor



or any member of the committee during the said committee meeting when a proposed measure is to be taken up shall not be deemed inaction of the committee. However, a committee member who abstains from voting against a proposal or who was absent during the committee meeting may file a dissenting opinion to the Secretary prior to the committee report.

A committee member, unless he has entered his objections to his committee's report or, in lieu thereof, has file with the Secretary his dissenting opinion in writing before the report is submitted to the body in open session, shall be presumed to have concurred in the report and shall be precluded from opposing it on the floor. Members who abstain during the committee deliberation can still present his/her opinion in the plenary, and cannot be precluded from opposing it on the floor.

**SECTION 8. Failure to render Committee Report.** – In case of failure of a committee to render such report, a majority of the sanggunian may by written petition, discharge the committee, unless there is a valid, legal and reasonable ground for the delay and/or its extension, after which the matter concerned shall be submitted for disposition. In case a majority of the members of any particular committee dissent and/or object to the matter, the same shall be considered as being laid on the table; Provided, that upon written petition of the majority of the members of the sanggunian the matter which was laid on the table may be re-submitted to the sanggunian for final decision.

When a matter is referred to two or more regular committees, the corresponding committees shall submit a joint report thereon.

**SECTION 9. Measures Favorably Reported** - If the committee report on a proposed measure is favorable, it shall be calendared for second reading.

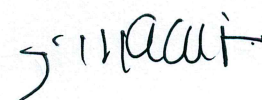
Once the committee has taken jurisdiction of the said measure, it is now for the committee to sponsor the said measure.

The author who refers to the person who filed the measure or the ordinance should be present during the second reading to assist the committee on which the particular measure is referred to, in elaborating some matters which may be subject to clarifications and in answering queries or whether to agree to possible amendments or revisions.

Said measure being a product of the committee shall be sponsored by the chairman of the committee in which the measure was referred to.

In the absence of the chairman, the vice-chairman will sponsor the said measure. If the vice-chairman did not sign or concur for whatever reason, then other members of the committee concurring to the committee report shall sponsor the measure without the need of any authority from the committee.

The author and sponsor must be present during the Third and Final Reading of the ordinance. In case of the absence of the author, the matter shall be deferred consideration thereof.



**SECTION 10. Measure Unfavorably Reported** - If the committee report on a proposed measure is unfavorable, it shall be laid on the table.

**SECTION 11. Dissenting Opinion** - As a general rule, no member of a committee shall oppose or object to the report of his committee unless he submits his dissenting opinion to the majority decision in writing, before the said committee renders its reports. Otherwise, he shall be precluded to oppose it on the floor.

**SECTION 12. Discharge of Committee on a Proposed Measure Not Reported** - A member may present to the Secretary a motion in writing to discharge a committee from the consideration of a proposed ordinance which has been referred to it over thirty (30) days and has not been returned to the Sanggunian.

**SECTION 13. Urgent Matters** - Any legislative matter duly certified by the Local Chief Executive as urgent, whether or not it is included in the Calendar of Business, shall be presented and considered in session and shall have priority over all items by suspending the rules.

Urgent matters are such which involve public interest, the delay in the consideration of which shall prejudice essential activities of the Government. Further, they are matters which purpose is immediate and that the action of the body for the same cannot wait for the next regular or special session.

The Sanggunian similarly, shall, on an approved motion made by any member of the Committee on Rules, Privileges, Laws & Ordinances, consider a proposed measure as urgent.

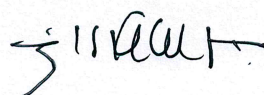
No proposed measure shall be considered on Second Reading unless it has been reported out by the proper Committee to which it was referred or it has been certified as urgent by the Local Chief Executive.

**SECTION 14. Second Reading** - The Secretary shall read the measure's corresponding number, its title, text, author and sponsor who may be the original proponent or the chairman of the committee to which it was referred. The sponsor shall open the proceedings by delivering his sponsorship speech. Thereafter, the measure shall be subject to debate and pertinent motions.

**SECTION 15. Debate** - An approved motion to open the period of debate for a measure shall be in order. At anytime during the period of debate, a motion to end and close the debate shall be voted upon.

**SECTION 16. Closure** - When several members have registered or signified their intention to speak on the matter under consideration and when said matter has been sufficiently and thoroughly discussed, the Presiding Officer, *motu proprio*, may, or upon an approved motion shall, 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.

**SECTION 17. Amendments** - After the close of debate, an approved motion to open the period of amendments shall be in order. The Sanggunian shall proceed to the consideration of individual amendments and committee amendments, in that



order, subject to the five (5) minute rule. A member who desires to explain an amendment shall be accorded five (5) minutes.

The five (5) minute rule shall apply, likewise, in the consideration of an amendment to an amendment, or of an amendment by substitution.

At anytime during the period of amendments, a motion to end and close the period shall be voted upon.

**SECTION 18. Approval of a Proposed Ordinance on Second Reading -** After the closure of debates and amendments, the proposed ordinance shall be submitted for approval on Second Reading.

**SECTION 19. Third Reading -** A proposed ordinance approved on Second Reading shall be calendared for the Third and Final Reading.

On the Third and Final Reading of a proposed ordinance, no amendment thereto shall be allowed. The vote thereon shall be taken immediately, with the votes of those in favor and those opposed entered in the Journal.

**SECTION 20. Approval of Resolutions -** A resolution shall be enacted in the same manner prescribed for ordinances, except that it need not go through a separate reading for its final consideration unless decided otherwise by a majority of all the members. The Committee on Rules, Privileges, Laws & Ordinances may, for reasons of urgency, calendar for immediate consideration any resolution except a joint resolution.

**SECTION 21. Majority Requirement -** No ordinance or resolution passed by the Sanggunian shall be valid unless approved by a majority of the members present, there being a quorum. Any ordinance or resolution authorizing or directing the payment of money or certain liability shall require the majority vote of all the Sanggunian Members for its passage.

Each approved ordinance or resolution shall be stamped with the seal of the Sanggunian and recorded in a book kept for the purpose.

**SECTION 22. Preparation of the Budget Ordinance -** The Sanggunian, acting as a Committee of the Whole, and/or the Committee on Finance and Ways and Means may conduct its own budget deliberations on the proposed annual general appropriations measure as submitted by the Local Chief Executive.

The Presiding Officer, *motu proprio* may, or upon an approved motion by the Sanggunian shall, as the case may be, invite head/s of local offices to appear before the Sanggunian to justify their proposed budget proposals. He may likewise call for budget presentations in his office.

The Sanggunian shall in no case increase the proposed amount in the executive budget nor include new items except to provide for statutory and contractual obligations but in no case shall it exceed the total appropriations in the executive budget. Corollary, it may, after due budget deliberations, reduce the total amount proposed for any of the programs/items stated therein but in no case shall it delete any of these programs/items.

Only after the Local Chief Executive shall have submitted the proposed annual general appropriations measure shall a proposed supplemental appropriation ordinance be considered; provided that the local treasurer certified the same as supported by actual available funds or by funds to be raised by corresponding revenue proposals included therein.

**SECTION 23. Approval by the Local Chief Executive** - Every ordinance or resolution passed by the Sanggunian shall be forwarded to the Local Chief Executive for approval. The Local Chief Executive shall affix his initials on each and every page of the ordinance or resolution and the word "Approved" shall appear with his signature on the last page thereof.

Within fifteen (15) days upon receipt of the ordinance or resolution, the Local Chief Executive shall return the said ordinance or resolution to the Sanggunian with either his approval or his veto. If he does not return it within that time, the ordinance or resolution shall be deemed approved.

**SECTION 24. 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 reason therefore in writing.

The Local Chief Executive shall have the power to veto any particular item or items of an appropriation ordinance, or of an ordinance or resolution directing the payment of money or creating liability. In such case, the veto shall not affect the item/s

which is/are not objected to. The vetoed item/s shall have effect unless the Sanggunian overrides the veto in the manner hereunder provided; otherwise the

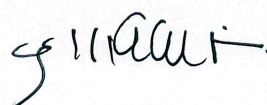
item/s in the appropriation ordinance of the previous year corresponding to those vetoed shall be deemed reenacted.

**SECTION 25. Procedure of Vetoed Ordinances** - If the Local Chief Executive vetoes an ordinance or any part thereof, the Sanggunian shall record the objections of the Local Chief Executive in the Journal and shall proceed to reconsider the proposed ordinance or item vetoed.

During reconsideration, the Sanggunian shall proceed to vote by those in favor or opposed with the names of the members voting recorded in the Journal. If the proposed ordinance or vetoed item is passed by a vote of two-thirds of all members of each Sanggunian, such proposed ordinance or item shall become a law.

**SECTION 26. Review by the Sangguniang Panlalawigan** - Within seventy-two (72) hours after approval, the Secretary to the Sangguniang Bayan shall forward to the Secretary to the Sangguniang Panlalawigan copies of approved ordinances, resolutions or executive orders promulgated by the municipal mayors for its review.

Within thirty (30) days after receipt of copies of approved ordinances, resolutions and executive orders promulgated by the municipal mayor, the Sanggunian shall examine the documents or transmit them to the Provincial Legal Officer, or if there be none, to the Provincial Fiscal for prompt examination. The



Provincial Fiscal or Provincial Legal Officer shall, within fifteen (15) days from receipt of the documents, inform the Sanggunian of his written comments or recommendations which may be considered by the said Sanggunian in making its decision.

If the Sanggunian finds that an ordinance, resolutions or executive order is beyond the power conferred upon the Sangguniang Bayan or the Mayor, it shall declare such ordinance, resolution or executive order invalid in whole or in part. The Sangguniang Panlalawigan shall enter its actions upon the Minutes and shall advise the corresponding municipal authorities of the action it has taken. The action of the Sangguniang Panlalawigan shall be final.

If no action has been taken by the Sangguniang Panlalawigan within thirty (30) days after submission of an ordinance, resolution, or executive order, the same shall be presumed consistent with law, and therefore, valid.

**SECTION 27. Enforcement of Disapproved Measures** - Any attempt to enforce, promulgate or execute any ordinance, resolution or executive order after the disapproval thereof shall be sufficient ground for the suspension or dismissal of the officer making such attempt.

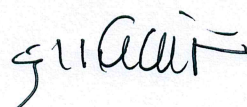
**SECTION 28. Effectivity of Enactments** - Unless otherwise stated in the ordinance or resolution, the same shall take effect after the lapse of ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the Provincial Capitol, and in at least two (2) other conspicuous places, such as the public market, church or chapel.

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

**SECTION 29.** All unfinished legislative proposals of the previous sanggunian should be placed in the archive unless the Committee on Rules or any interested member will rule or re-sponsor it.

### **RULE XIII MESSAGES, MEMORIALS AND PETITIONS**

**SECTION 1. Messages, Memorials, and Petitions** – Only communications involving the collective interest of the Sanggunian shall be brought before the body. The Presiding Chair may allow the member or may direct the Secretary to the Sanggunian to read the communication in open session. Those coming from the Local Chief Executive may be read in full while those coming from other sources may be read or may be entered into the records upon the directive of the Presiding Officer. As far as practicable, only those needing legislative action shall be referred to the proper committees.





## RULE XIV VOTES AND VOTING

**SECTION 1.** Every member present in the session shall vote on every question put unless he inhibits himself on account of personal or pecuniary interest therein. Unless provided otherwise by these Rules, every question put shall be resolved by a majority vote of the members present there being quorum.

**SECTION 2. Manner of Voting** – In any voting proceeding, the Presiding Officer shall conduct the division. He may put a question saying “As many as are in favor (as the question may be), shall raise their right hand, and after the affirmative vote is counted, “As many as are opposed, shall do the same” after which the negative vote is counted.

**SECTION 3.** An abstention shall not be counted as a vote. The vote of a member who is recorded as present but who did not participate in the voting on account that he was not at the session hall during the voting, shall be recorded in the **majority**. Unless otherwise provided by these Rules, a majority of those voting, a quorum being present, shall decide the issue. No motion except on the presence of a quorum shall be entertained during voting.

**SECTION 4. (a) Nominal Voting** - To ascertain the results of a voting, the Presiding Officer may call for a nominal voting where each member is called for his vote which will be recorded by the Secretary. The Presiding Officer shall then announce the result.

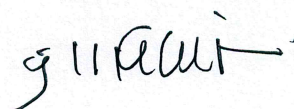
(a) **Second call on Nominal Voting** - After the members have voted for or against in a nominal voting, the Secretary shall call in its ranking the names of those who did not vote so that they may vote. After the second call, no member shall be allowed to vote.

**SECTION 5. Change of Vote** - A member can also change his vote but only before the Presiding Officer announces the result of the voting; thereafter, a Member can change his vote by unanimous consent. He may also vote for himself for any position within the Sanggunian.

**SECTION 6. Explanation of Vote** - A member may explain his vote for or against in not more than three minutes.

**SECTION 7. No Interruption During Voting; Exception** - The voting shall not be interrupted except on a question of quorum.

**SECTION 8. Tie Vote** - In case of a tie, the Presiding Officer shall cast his vote. A tie on an appeal from the ruling of the Chair sustains the decision of the Chair. A vote of unanimity shall be entered if there is no objection from the members there being a quorum.



**SECTION 9.** If the Provincial Government intends to borrow money, incur obligation or guarantee indebtedness, a majority vote of all the members of the Sanggunian, except those outside the country shall be required.

#### **RULE XV RECONSIDERATION**

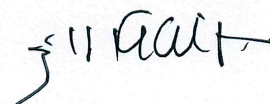
**SECTION 1. Reconsideration** – When a report, motion, resolution, or proposed ordinance has been adopted or lost, only a member who voted with the prevailing side shall be entitled to present a motion for reconsideration when the matter is still within the control of the Sanggunian: provided, however, that a member who voted with the minority may present a motion for reconsideration, if seconded by any Member present, provided, the resolution shall be decided on the same day. Any member who abstained from voting shall have absolutely no right to ask for reconsideration.

**SECTION 2. Limitations** - No proposed ordinance or resolution recommitted to a committee or ordered to be printed shall be brought back to the Sanggunian on a motion to reconsider.

#### **RULE XVI THE MINUTES**

**SECTION 1. Contents of the Minutes.** The Sangguniang Panlalawigan shall keep the minutes of its proceedings which shall comprise a succinct and exact account of the business transacted and the actions taken thereon. It must clearly show the following:

- (a) Nature of the session (whether regular or special), and if special, a copy of the call for such session;
- (b) Date, time, and place of the session;
- (c) Names of the Members present and absent;
- (d) Whether the Minutes of the previous session was read and approved, citing corrections, if any;
- (e) Privilege speeches, questions of privilege and interpellations;
- (f) Every resolution or ordinance, in full;
- (g) If the resolution or ordinance was not approved unanimously, a brief statement of the minority opinion;
- (h) Nominal votings;
- (i) All motions;
- (j) Points of order and appeals, whether sustained or lost;
- (k) Veto message of the Governor, in full; and
- (l) Time of adjournment.



**SECTION 2. Reading and Approval.** The Minutes of every session shall be read and approved by a majority of the Members present at the session at which they are read, and if necessary, corrected by the same vote or by the general consent of the Body.

**SECTION 3. When to Dispense Reading of Minutes.** Should copies of the Minutes be distributed on the day prior to the session, the reading of the same may be dispensed with; amendments or corrections thereof shall be entertained and voted on, and its adoption, as amended or corrected, would be in order through the articulation of a proper motion.

## RULE XVII MOTIONS AND THEIR PREFERENCE

**SECTION 1. Recording of Motion** - Every motion shall be entered in the Journal with the name of the member making it unless it is withdrawn on the same day.

**SECTION 2. Reading and Withdrawal of Motions** - The Presiding Officer shall state the motion or, if in writing, shall cause it to be read by the Secretary to the Sanggunian before being debated. A motion may be withdrawn any time before its approval.

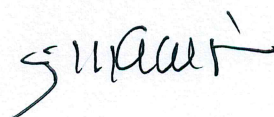
**SECTION 3. Preference of Motion** - When any matter is under debate, no motion shall be entertained except to adjourn, to raise a question of privilege, to suspend or to declare a recess, to lay on the table or to postpone to a day certain (which motion shall be decided without debate but subject to the majority vote of those present), or to defer, amend or postpone indefinitely (which motions shall be decided subject to the five-minute rule). Said motion shall have precedence in the foregoing order. After a motion to postpone to any day certain, defer to postpone indefinitely is lost, it shall not again be allowed on the same day.

**SECTION 4. Point of Order; Precedence** – A motion to read any part of the rules is equivalent to a point of order and takes precedence over any motion other than to adjourn. If someone “has the floor”, whether or not he is speaking, a motion to adjourn shall be ruled “out of order”.

**SECTION 5.** The following motions can be presented or proposed; viz:

Seconded Motion, Exceptions. – No motion shall be considered without having been seconded by any Member of the Body and the Chair shall declare the same dead for lack of second, except the following motion:

- (a) Appeal from the decision of the Chair
- (b) Call for Orders of the Day
- (c) Divide the Assembly, Body (or House, if any)
- (d) Divide the Question
- (e) Object to the Consideration of a Question
- (f) Point of Order



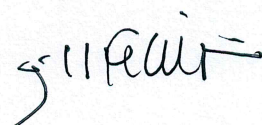
- (g) Point of Information
- (h) Point of Parliamentary Inquiry
- (i) Reconsideration
- (j) Reconsider and have on to the minutes
- (k) Raise a Question of Privilege

In other words, the foregoing enumerated motions can interrupt the speaker.

**SECTION 6. Motion even without Quorum.** - When there is no quorum present, a motion to adjourn or take a recess is "in order" provided that nobody else has the floor.

**SECTION 7.** The following motions require a SECOND, viz:

- (a) Adjourn
- (b) Adopt a report or resolution, except when proposed by the reporting committee Chairman or member
- (c) Amend
- (d) Appeal from the decision of the Chair
- (e) Commit or refer to a Committee
- (f) Expunge
- (g) Extend or Limit the time for debate
- (h) Fix the Time to which to adjourn
- (i) Lay on the table
- (j) Postpone Definitely
- (k) Postpone Indefinitely
- (l) Call for the Previous Question
- (m) Suspend
- (n) Reconsider
- (o) Reconsider and have entered on the minutes
- (p) Rescind or Repeal
- (q) Suspend the Rules
- (r) Take from the Table



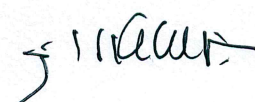
- (s) All other (General main motion and incidental main motion) main motions.

**MOTIONS:** - The following motions, in order of their precedence, together with other motions hereinafter specified, shall be used in doing business in the Sanggunian:

- (a) **FIX THE TIME IN WHICH TO ADJOURN** – to provide a future time for the continuation of the meeting in progress.
- (b) **ADJOURN** – to formally terminate the meeting in progress.
- (c) **TAKE RECESS** – to provide a brief intermission during the meeting.
- (d) **QUESTION OF PRIVILEGE** – to secure immediate action upon a matter that involves the comfort, convenience, rights or privileges of the Sanggunian or of any of its members. (personal and collective privilege)
- (e) **CALL FOR ORDER OF THE DAY** – to bring before the body for consideration any business assigned for a particular time.
- (f) **LAY ON THE TABLE** – to set aside a pending question or consideration at a later date but undetermined time.
- (g) **CALL FOR THE PREVIOUS QUESTION** – to suppress discussion on a pending question and to bring it immediately to a vote.
- (h) **MODIFY THE LIMITS OF DEBATE** – to remove a standing restriction to shorten or to permit more time for the discussion of a pending question.
- (i) **POSTPONE DEFINITELY** – to defer the consideration of a question to a definite time in the future.
- (j) **POSTPONE INDEFINITELY** – to defer indefinitely the consideration of the question.
- (k) **COMMIT** – to refer to a committee for consideration and study.
- (l) **AMEND** – to modify a question to make it more acceptable to the body.

**SECTION 8. Main Motions.** – The presentation of any substantive proposition for its consideration. The following motions shall have the rank of a main motion:

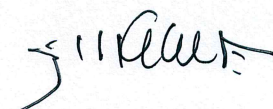
- (a) **TAKE FROM THE TABLE** – to resume the consideration of a question that has been previously laid on the table.



- (b) RECONSIDER – to set aside the vote previously taken in a question and to reopen it to a new discussion and vote.
- (c) RECONSIDER AND HAVE QUESTION ENTERED ON THE MINUTES – to suspend a motion on a question that has been decided by a temporary majority.
- (d) RESCIND OR REPEAL – to render null and void a question previously passed.
- (e) EXPUNGE – to express strong disapproval of an action taken by the body and to have it rescinded.
- (f) ADOPT A REPORT – to accept or agree to a report as an official act of the body.

**SECTION 9. Incidental Motion** – The following incidental motions shall take precedence over the question from which they arise:

- a.) SUSPEND THE RULES – to allow the body to do something which is otherwise forbidden to do by the rules or previously adopted orders of the Sanggunian.
- b.) WITHDRAW OR MODIFY A MOTION – to remove a question for the consideration of the body or to modify the same.
- c.) READ PAPERS – to allow a member to read a paper, document or books as part of his speech or remarks.
- d.) OBJECT TO THE CONSIDERATION OF A QUESTION – to avoid the consideration of a question which the body considers irrelevant, contentious, unprofitable, or generally objectionable.
- e.) POINT OF INFORMATION – to be informed of any matter related to the pending question or to the Sanggunian.
- f.) POINT OF ORDER – to call attention to an error in the observance or enforcement of the rules of parliamentary procedure or those of the Sanggunian.
- g.) PARLIAMENTARY INQUIRY – to request information on matters pertaining to parliamentary rules and procedures.
- h.) APPEAL FROM THE DECISION OR RULING OF THE CHAIR – to ask the body to decide whether the ruling made by the Chair on a question or order should be upheld or overruled.
- i.) DIVIDE THE HOUSE OR ASSEMBLY – to verify the votes taken on a question or to secure a more accurate count of the vote.
- j.) DIVIDE THE QUESTION – to divide a long and complicated proposition into separate and distinct parts to facilitate their consideration.



**SECTION 10. One motion for one Subject Matter** - No motion shall cover more than one subject matter.

**SECTION 11. Motion to Strike and Insert** - A motion to strike and insert is indivisible. The loss of a pure motion to strike shall not preclude an amendment or a motion to strike and insert.

**SECTION 12. Rider Prohibited** - No motion or proposition on a subject matter different from that under consideration shall be allowed under the guise of amendment.

**SECTION 13. Amendments** - When any matter is under consideration, a motion to amend and a further motion to amend the amendatory motion shall be in order.

It shall also be in order to move for amendment by substitution, but said motion shall not be voted upon until the text of the original matter is perfected.

Any of said amendments may be withdrawn before a vote is had thereon.

**SECTION 14. Amendment of Title** - Amendments to the title of a proposed ordinance or resolution shall be in order only after the text thereof has been perfected. Amendments to the title shall be decided without debate.

**SECTION 15. Vote on paper objected to** - A motion to read a paper other than that which the Sanggunian is called to vote upon shall be voted without debate.

#### **RULE XVIII SUSPENSION OF THE RULES**

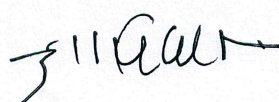
**SECTION 1. Who can Move** - Only the Chairman, the Vice Chairman or members of the Committee on Rules, Privileges, Laws & Ordinances can move for the suspension of the rules.

**SECTION 2. Vote Required** - No rule shall be suspended except by a vote of two-thirds of the members present constituting a quorum.

**SECTION 3. Interruption of Motion** - When a motion to suspend the rules is pending, one motion to adjourn may be entertained. If the latter is lost, no similar motion.

**SECTION 4. Debate; Effect of Suspension** - A motion to suspend the rules for the passage of a measure may be debated for thirty minutes, which shall be divided equally between those in favor and those against.

If the Sanggunian votes to suspend the rules, it shall forthwith proceed to consider the measure. A two-thirds vote of the members present constituting a quorum shall be necessary for the passage of said measure.



**RULE XIX  
DECORUM AND DEBATE**

**SECTION 1. Attire during Session –**

a) During the session, all the members shall be in proper attire and observe decorum. The proper attire shall be:

- a.1) 1<sup>st</sup> Wednesday – Long Sleeve Barong/Filipiniana
- a.2) 2<sup>nd</sup> Wednesday – Suit
- a.3) 3<sup>rd</sup> Wednesday – IP costume (in Davao Oriental)
- a.4) 4<sup>th</sup> Wednesday – Short Sleeve Barong/Filipiniana

For sessions outside the sanggunian building, the use of comfortable attires as long as presentable shall be allowed.

For special sessions, shorts sleeves barong shall be allowed.

b) SP Secretary and all staff who are assisting SP Members during session shall wear proper attire or office uniform.

While the Presiding Officer is addressing the Sanggunian or putting a question, no Members shall walk out or cross the session hall unless with proper permission from the Chair.

**SECTION 2. Manner of Addressing the Chair** - When a member desires to speak, he shall rise and respectfully address the Presiding Officer "Mr. Presiding Officer" or "Madam Presiding Officer" or "Honorable Presiding Officer.

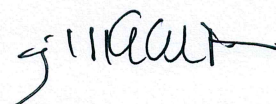
**SECTION 3. Recognition of Member to Speak** - When two or more members rise at the same time, the Presiding Officer shall determine and recognize the Member who is to speak first.

**SECTION 4. Time Limit for Speeches** - No member shall occupy more than fifteen (15) minutes in debate on any question or speak for more than once on any question, except as hereinafter provided. The period of interpellation shall not be counted against the time of the Member speaking.

**SECTION 5. Sponsor to Open and Close Debate** - The member reporting a measure under consideration from a Committee may open and close the debate thereon. If the debate should extend beyond one session day, he shall be entitled to an additional fifteen (15) minutes to close.

**SECTION 6. Decorum to Open and Close Debate** - In all cases, the member who has obtained the floor shall confine himself to the question under debate, avoiding personalities. He shall refrain from uttering word, or performing acts which are inconsistent with decorum.

If it is requested that a member be called to order for words spoken in debate, the member making such request shall indicate the words except 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 subject to censure by the





Sanggunian if further debate or other business has intervened except that when such words desired to be excepted were used repeatedly by the member uttering the same and such words are offensive to a member or other person's sensibilities, the member who uttered the same shall be subject to censure by the sanggunian.

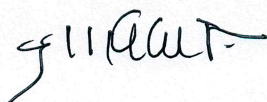
- (a) The member rendering a committee report or delivering the sponsorship speech of a proposed measure may move to open or close the debate within 15-minute period allowed to him. If he fails to exercise his option, the Chair may use "assumed motion" to open or close the debate or any member may formally move for it. In any case, after a member rendered a committee report or has finished his sponsorship speech of a proposed measure, it shall be considered open to debate. The period of interpellation shall not be counted against the time of the member speaking.
- (b) In referring to another member, the latter shall always be referred to by official title.
- (c) The Presiding Officer shall be the only authority to recognize any member by announcing the latter's name as a sign of recognition that such member has the floor.
- (d) When the sanggunian is in session, no member shall pass between another who has the floor and the Presiding Officer.

**RULE XX**  
**QUESTION OF PRIVILEGE**

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

**SECTION 1. QUESTION OF PRIVILEGE** – Question relating to the rights and privileges of the sanggunian or any of its members shall take precedence over all motion except those relating to adjournment and recess. The following shall constitute question of privilege:

- a. When required by urgency and immediate action is called for such, as when a speech which is being read cannot be heard.
- b. Questions of personal privilege relating to a member of the sanggunian or relating to charges against his character which, if true, will disqualify him from becoming a member of the sanggunian.
- c. Those relating to matters pertinent to the comfort and convenience of the members of the sanggunian.
- d. Those relating to freedom from noise, interference and offensive conduct of officers or other employees.
- e. Those relating to the organization of the sanggunian.



- f. Those relating to the punishment of a member for disorderly conduct or other offense.
- g. Those relating to the accuracy of published reports.

**SECTION 2. PRECEDENCE** – Questions of privilege shall have precedence over all other questions, except a motion to adjourn, to recess and to fix the time in which to adjourn.

**SECTION 3. PRIVILEGE QUESTIONS** – Privilege questions are those motions or subject matters which, under the Rules, take precedence over other motions and subject matters. They shall include, besides questions of privilege, calls for the order of the day, privileged motion relation, adjournment.

#### **RULE XXI APPEARANCE OF GUEST**

**SECTION 1.** The following shall be observed in requesting for the appearance of heads of department or offices and other guests:

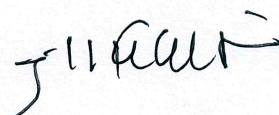
- (a) Official invitation or request by any committee and/or the Sanggunian for any head of office or department and other guests, whether or not from within the province, shall be coursed thru the Presiding Officer. The Presiding Officer shall then direct the Secretary to the Sanggunian to serve the corresponding appropriate invitation notice to the office/s concerned.
- (b) The invitation or request shall specify the reason for such appearance or the assistance needed, as the case maybe.

#### **RULE XXII INTERNAL GOVERNMENT**

**SECTION 1. Unparliamentary Acts and Words Sanctions.** All words and declarations uttered or acts committed during Council session or meeting, which personally offend any person or public institution, shall be declared unparliamentary. No member of the sanggunian, during any debate or discussion, shall use offensive or improper language, or innuendoes, or employ any offensive acts, against any member of the sanggunian, or any public officer or institution.

Any member of the sanggunian who shall utter unparliamentary words, or commit any unparliamentary acts shall be sanctioned as follows:

- a. The Presiding Officer, *motu proprio* or at the instance of another member, shall call the erring member to order. The erring member shall immediately take his seat if he has the floor. In case a point of order is raised and sustained by the Presiding Officer, the member shall not be allowed to continue speaking without the consent of the majority members present.



- b. When a member is called out of order for using improper or offensive words or innuendoes during a debate, upon motion made by another member and approved by the body, such words shall be ordered stricken from the records.
- c. In addition to the foregoing, depending on the gravity of the offense, the Presiding Officer may, upon proper motion, reprimand the erring member and such reprimand shall be noted in the records of the proceedings.
- d. In case of serious or grave offense, the sanggunian, by a two-thirds (2/3) vote of all the members present, may impose the higher penalty of exclusion from the session, for not more than sixty (60) calendar days, with corollary forfeiture of salary for the same period, without prejudice to the filing of the appropriate administrative and/or judicial complaint as may be warranted.

**RULE XXIII  
SESSION HALL**

**SECTION 1. Use of Session Hall** - Except when the Sanggunian or the Presiding Officer so allows, the Session Hall shall be used only for sessions, caucuses, and meetings of its members.

**RULE XXIV  
OFFICIAL SEAL**

**SECTION 1. Official Seal** - The Sanggunian shall adopt its own official seal.

**RULE XXV  
RULING AS PRECEDENTS**

**SECTION 1. Rulings as Precedents** - Rulings on questions raised by members shall form part of the parliamentary practice of the Sanggunian.

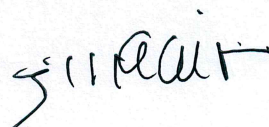
**RULE XXVI  
AMENDMENTS**

**SECTION 1.** Any portion of these Rules may be amended by a majority vote of all the members of the Sanggunian.

**RULE XXVII  
SUPPLEMENTAL PROVISIONS**

**SECTION 1.** The Robert's Rule of Order shall apply, in a supplemental manner, for any parliamentary procedure matter not provided in these Rules.

**SECTION 2.** The pertinent and applicable provisions of the Rules and Regulations Implementing the Local Government Code of 1991, as amended, shall apply, in a supplemental manner, for any matter pertaining to the Sangguniang Panlalawigan but which are not found in these Rules.



**RULE XXVIII  
SEPARABILITY CLAUSE**

**SECTION 1.** Any provision of these Rules found to be inconsistent with the Rules and Regulations Implementing the Local Government Code of 1991, as amended, shall be deemed amended and reconstructed to conform to RA 7160.

**RULE XXIX  
ADOPTION AND EFFECTIVITY**

**SECTION 1. Adoption** - These Rules shall be updated and adopted within ninety (90) days following the first regular session. After which, the Sanggunian shall elect its officers, Chairman, Vice Chairman and members of different standing committees.

**SECTION 2. Effectivity** - These Rules shall take effect on the date of its adoption.

After a careful and thorough deliberation, on motion of SP Member Nelson R. Dayanghirang, Jr., duly and jointly seconded by SP Members Daud V. Linsag, Harold A. Montes, Rotchie M. Ravelo, Stephen Paul L. Uy, Ronald T. Lara, Jr. and Art Benjie C. Bulaong, it was

**RESOLVED, as it is hereby resolved, PRESCRIBING THE INTERNAL RULES OF PROCEDURE OF THE 17<sup>TH</sup> SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL AND ITS TWENTY NINE (29) WORKING COMMITTEES AND FOR OTHER PURPOSES;**

**RESOLVED, FINALLY,** That copies of this resolution be furnished: The Honorable Members of the 17<sup>th</sup> Sangguniang Panlalawigan and the DILG Provincial Director, all of Mati City, Davao Oriental, for their information and guidance.

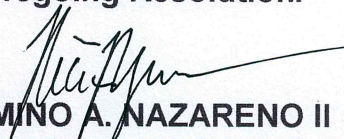
**CARRIED AND APPROVED.**

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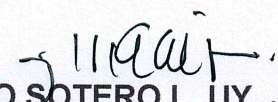
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**I hereby Certify to the Correctness  
of the foregoing Resolution.**

  
**MAXIMINO A. NAZARENO II**  
*Secretary to the Sangguniang Panlalawigan*

**Attested and Certified  
to be duly Adopted:**

  
  
**NIÑO SOTERO L. UY, JR.**  
*Vice Governor and Presiding Officer*