



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 9TH REGULAR SESSION OF THE 17TH SANGGUNIANG PANLALAWIGAN OF DAVAO ORIENTAL, HELD ON WEDNESDAY, AUGUST 31, 2022 AT THE CITY OF MATI, THIS PROVINCE.

PRESENT:

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

Regular Members:

District I

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:

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|------------------------------|---|
| Hon. Joselito B. Villademosa | President, Philippine Councilors League (PCL) - Davao Oriental Chapter |
| Hon. Rustan R. Castellones | President, Liga Ng Mga Barangay (LNB) - Davao Oriental Chapter - <i>Temporary Presiding Officer</i> |
| Hon. Eleuterio C. Manaytay | Indigenous Peoples Mandatory Representative (IPMR) |
| Hon. Ronald T. Lara, Jr. | Sangguniang Kabataan Provincial Federation President (SKPPF) |

ABSENT:

None.

RESOLUTION NO. 17-97-08-2022

Author : Hon. Marietta D. Palmera
Sponsor: Hon. Marietta D. Palmera

A RESOLUTION CONCURRING TO THE APPOINTMENT OF ATTY. EDILBERTO M. MACAYRA, AS PROVINCIAL GOVERNMENT DEPARTMENT HEAD OF THE PROVINCIAL LEGAL OFFICE, PROVINCE OF DAVAO ORIENTAL, EFFECTIVE JULY 1, 2022, PURSUANT TO SECTION 463(d) OF REPUBLIC ACT NO. 7160 OR THE LOCAL GOVERNMENT CODE OF 1991.

WHEREAS, the Local Chief Executive has endorsed to the Sangguniang Panlalawigan, for concurrence by this August Body, the appointment of ATTY. EDILBERTO M. MACAYRA, as Provincial Government Department Head of the Provincial Legal Office of this Province;

WHEREAS, the said appointment, duly signed by the Honorable Governor on July 1, 2022, was received by the Sangguniang Panlalawigan Support Services Office on July 14, 2022, and the same was referred to the Committee on Labor, Employment, Civil Service and Human Resource Development on July 20, 2022 Regular Session;

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WHEREAS, as mandated by law, pursuant to Sec. 481(a) of R.A. 7160, stated among others, *“the term of the Provincial Legal Officer is coterminous with that of his appointing authority, the Provincial Governor”*;

WHEREAS, Section 463(d) of the Local Government Code provides among others that: *“the heads of department and offices shall be appointed by the governor with the concurrence of the majority of all sangguniang panlalawigan members, subject to civil service law, rules and regulations”*;

WHEREAS, upon review of the Committee on Labor, Employment, Civil Service and Human Resource Development, the documents pertinent to the appointment is found to be in order, and that the appointee possesses all the necessary qualifications and eligibility required for the position and none of the disqualification thereof. However, the appointment was only submitted to the Sanggunian on July 14, 2022, which is not in conformity with Section 18, Rule VI of the 2017 Omnibus Rules on Appointments and Other Human Resource Actions Revised July 2018;

WHEREAS, accordingly, the duly adopted Committee Report was forwarded to the Appointing Officer for appropriate action, in view of Section 18, Rule VI of the 2017 Omnibus Rules on Appointments and Other Human Resource Actions Revised July 2018, which provides that: *“xxx. The appointing officer/authority shall submit the appointment to the local sanggunian for concurrence within seven (7) calendar days upon issuance. Failure to submit the appointment to the sanggunian within the prescribed period may render the person/s responsible administratively liable.”*;

WHEREFORE, on motion of SP Member Marietta D. Palmera, duly and jointly seconded by SP Members Stephen Paul L. Uy, Rotchie M. Ravelo, Harold A. Montes, Daud V. Linsag, Shella Marie S. Go, Art Benjie C. Bulaong, and Andy A. Monday, it was

RESOLVED, as it is hereby resolved, **CONCURRING TO THE APPOINTMENT OF ATTY. EDILBERTO M. MACAYRA, AS PROVINCIAL GOVERNMENT DEPARTMENT HEAD OF THE PROVINCIAL LEGAL OFFICE, PROVINCE OF DAVAO ORIENTAL, EFFECTIVE JULY 1, 2022, PURSUANT TO SECTION 463(d) OF REPUBLIC ACT NO. 7160 OR THE LOCAL GOVERNMENT CODE OF 1991.**

RESOLVED, FINALLY, That copies of this resolution be furnished: The Honorable Corazon N. Malanyaon, Provincial Governor, City of Mati; Civil Service Commission, Provincial Field Office; and Provincial Human Resource Management and Development Officer, City of Mati, Davao Oriental, for their information and appropriate action.

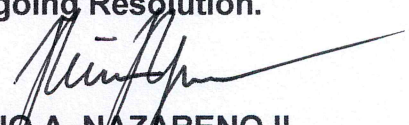
CARRIED AND APPROVED.

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I hereby Certify to the Correctness
of the foregoing Resolution.


MAXIMINO A. NAZARENO II
Secretary to the Sangguniang Panlalawigan

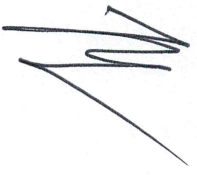






**Attested and Certified
to be duly Adopted:**


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





APPROVED:


CORAZON N. MALANYAON 
Governor

Date approved
and signed SEP 05 2022