



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag
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OFFICE OF THE SB SECRETARY

EXCERPT FROM THE MINUTES OF THE 6th REGULAR SESSION OF THE
4th SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR
HELD AT THE MUNICIPAL SESSION HALL ON August 20, 2001.

<u>OFFICERS/MEMBERS</u>	<u>POSITION</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>OB</u>
Hon. Nacianceno M. Pacalioga, Jr.	Vice Mayor	/	—	—
Hon. Teofilo O. Oclaret	SB Member	/	—	—
Hon. Corazon G. Tangalin	SB Member	/	—	—
Hon. Jeremias Y. Lim	SB Member	—	/	—
Hon. Roger M. Pacalioga	SB Member	/	—	—
Hon. Bernard R. Lambatan	SB Member	/	—	—
Hon. Inocentes D. Ylanan, Jr.	SB Member	/	—	—
Hon. James D. Gandeza	SB Member	/	—	—
Hon. Pastora E. Buendia	SB Member	/	—	—
Hon. Nita T. dela Torre	Ex-Officio Member	/	—	—
Hon. Libertine R. Mantos	Ex-Officio Member	—	/	—
Mr. Alejandro R. Estillore	SB Secretary	/	—	—

Ordinance No. 16, s. 2001

ORDINANCE UPDATING THE INTERNAL RULES OF PROCEDURE OF THE SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR WITH FURTHER AMENDMENTS.

Be it enacted by the Sangguniang Bayan of Dumingag, Zamboanga del Sur in session assembled that:

INTRODUCTION

Section 50 of Republic Act (RA) No. 7160, otherwise known as the Local Government Code of 1991 and Article 103, provides that the Sangguniang Bayan shall adopt or update its existing rules of procedure.

RULES OF PROCEDURE

In order to guide its proceedings and deliberations during sessions with order, dignity and decorum and to effectively discharge its legislative functions, the Sangguniang Bayan hereby updates its Internal Rules of Procedure, as provided hereunder from Rule I up to Rule XVII, as follows:

RULE I

COMPOSITION

Section 1. The Sangguniang Bayan, the legislative body of the municipality, shall be composed of the Municipal Vice Mayor as Presiding Officer, the regular Sangguniang Bayan Members, the president of the municipal chapter of the Liga ng mga Barangay, the president of the pambayang Pederasyon ng mga Sangguniang Kabataan and the Sectoral Representative, as Members.

Section 2. In addition thereto, there shall be three (3) sectoral representatives: One (1) from the women, and shall be determined by the Sangguniang Bayan within ninety (90) days prior to the holding of local elections, one (1) from the agricultural or industrial workers and one (1) each from the other sectors, including the urban poor, indigenous cultural communities, or disabled persons.

Section 3. The regular Members of the Sangguniang Bayan and the sectoral representative shall be elected in the manner as may be provided for by law.

RULE II

POWERS, DUTIES AND FUNCTION OF THE SANGGUNIANG BAYAN

Section 4. The Sangguniang Bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of the Local Government Code of 1991, in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of said Code and in the appropriate exercise of its powers, duties, and functions under Section 447 and 443 paragraphs (c) and (d) of the same and other laws, rules and jurisprudence relevant thereto.

RULE III

OFFICERS

Section 5. Presiding Officer - (a) The Vice Mayor shall be the Presiding Officer of the Sangguniang Bayan.

(b) The Presiding Officer shall vote only to break a tie.

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

Section 6. Functions and Duties of the Secretary to the Sangguniang Bayan - The Secretary to the Sangguniang Bayan who shall be appointed in accordance with law shall properly exercise the powers and duties vested upon him as provided under the Local Government Code of 1991 (Sec. 447 LGC)

Section 7. Sergeant -at- Arms, Functions and Duties - There shall be a Sergeant-at-Arms who shall be designated by the Presiding Officer from among the personnel of the Sangguniang Bayan Secretary with the following duties and functions:

(a) To attend sessions of the Sangguniang Bayan, meetings and committee hearings conducted in the Office of the Sangguniang Bayan;

(b) To maintain order under the direction of the Presiding Officer of the Sangguniang Bayan or its Committees, and, in the discharge of such duty, exercise supervision and control over all security officers of the Sangguniang Bayan and Members thereof as well as law enforcement agents assisting the Sangguniang Bayan;

(c) To execute orders given by the Presiding Officer, the Sangguniang Bayan members and serve all processes issued under their authority.

(d) To ensure and see to it that unauthorized persons are not allowed nor permitted to enter or stay within the space reserved for official use of the members of the Sangguniang Bayan and staff of the Secretary;

(e) To be responsible for the behavior of employees under immediate supervision and the faithful performance of their functions and duties;

(f) To strictly enforce all regulations relating to the privileges and admission to the session hall or its corridors; and

(g) To perform such other functions as may be directed by the Presiding Officer of the Sangguniang Bayan.

Section 8. The Mace - The Sergeant-at-Arms shall have custody of the Mace which is the symbol of authority of the Sangguniang Bayan. The Mace shall be displayed at the rostrum of the Presiding Officer when the Sanggunian is in session. The Mace shall serve as the warrant for the Sergeant-at-Arms in enforcing order in the Sangguniang Bayan.

STANDING COMMITTEES

Section 9. For the effective operation of the Sangguniang Bayan in its legislative functions, the following Committees are hereby created, to wit:

- (a) **Steering Committee** - It shall monitor and coordinate the activities of the different Committees of the Sangguniang Bayan, ensure that the reports of such Committees for deliberation in the session are submitted in accordance with these Rules, prepare the agenda or calendar of business for the plenary sessions of the Sangguniang Bayan.
- (b) **Rules and Laws** - All matters relating to revision of laws, penal ordinances, expropriations, resolutions and codes and other policies of the municipality; the implementation of national laws and enforcement of local ordinances and interpretation of Sanggunian Internal Rules of Procedure.
- (c) **Appropriations, Finance, Ways and Means** - All matters relating to the appropriation of funds for payment of obligations; claims against the municipal government and other public expenditures. Also, all matters relating to general revenue; bonded indebtedness of the municipal government, taxes and fees; tariffs; loans and other sources and forms of revenue.
- (d) **Good Government and Justice** - All matters relating to the efficient, honest and competent discharge of duties of all government employees of the municipality and cases against barangay officials filed at the Sangguniang Bayan. Also, all matters relating to the protection and promotion of social justice.
- (e) **Human Rights, Labor and Employment and Peace and Order** - All matters relating to the protection and promotion of human rights; labor disputes and conciliation; labor employment and manpower development; maintenance of industrial cooperation; labor education, standards and statistics; organization of labor market, including recruitment, training and placement of workers and employment, manpower promotion; and development of labor-intensive technology. Also, all matters relating to police matters, maintenance of peace and order; public safety, traffic rules and regulations.
- (f) **Health, Sanitation and Social Services** - All matters relating to public health, sanitation and hygiene; health centers, hospitals and clinics; purchase of medicines and other health and sanitary measures; and all matters relating to social welfare and ameliorative services. In addition, takes charge of the necrological services of any former or incumbent municipal elective officials, under the sponsorship of the Local Government Unit (LGU) and other transactions to the bereaved family, whenever any of such officials passes away. It includes municipal appointive officials and permanent employees, in the same manner, however, in coordination with the Dumingag Municipal Employees Organization (DUMEO).
- (g) **Environment and Natural Resources** - All matters relating to human ecology and settlements; zoning and human settlement planning; environmental protection, exploration, development utilization and conservation of natural resources and beautification, cleanliness and greening of parks and places of public interest.
- (h) **Agriculture and Cooperatives** - All matters relating to agriculture policies, planning, programming, agricultural economics and research; agricultural education; extension services; animal industry; farm credit and security, and organization and supervision of cooperatives.
- (i) **Barangay Affairs and Rural Development** - All matters relating to barangay organizations, development planning of the rural areas within the municipality for the upliftment of the conditions of the inhabitants and the efficient delivery of basic services.
- (j) **Education and Culture** - All matters relating to the relevant educational system and policies, the development of science and technology and support of arts and letters for the preservation and promotion of ideals and aspirations of the people of the municipality; matters relating to material and non-material cultural heritage and the promotion of beliefs, practices, customs/mores and traditions of the people.

- (k) Youth and Sports Development - All matters relating to the youth, the protection and promotion of the physical, moral, spiritual, intellectual and social well being of the youth; and matters relating to the development of sports and sportsmanship.
- (l) ^{children} Women, and Family - All matters relating to the protection of women and family and for the strengthening and development of family life.
- (m) Public Utilities, Transportation and Communication - All matters relating to public utilities, transportation and telecommunications.
- (n) Infrastructure, Public Works and Highways - All matters relating to planning, construction, maintenance, improvement and repair of public buildings, roads, bridges and other public works in the municipality.
- (o) Trade, Industry and Tourism - All matters relating to the development of trade, commerce and industry in the municipality; consumer protection; the development, coordination, regulation and diversification of industry and investment; and matters relating to the development and promotion of tourism in the municipality.
- (p) Market and Slaughterhouse - All matters relating to the operation of public market and slaughterhouse and its development.
- (q) Other committees may be created as may be deemed necessary for the effective operation of the Sangguniang Bayan in its legislative function.

Section 10. Unless otherwise provided by the Sangguniang Bayan, in every Committee, there shall be a Chairman, Co-Chairman and a Member who shall be elected by the Sanggunian Members in a session assembled or as may be determined by the Sangguniang Bayan.

Section 11. Whenever a proposal covers matters falling within the jurisdiction of more than one Committee, said proposal shall be referred to the Committee within whose jurisdiction the principal subject matter falls. The Committee concerned shall be responsible to submit a report to the Sanggunian, incorporating therein the appropriate recommendations of the other Committee which may have jurisdiction over the same proposal.

Section 12. The Committee may invite/subpoena for the appearance of any chief of office or their respective subordinates/representatives or private persons during Committee meetings/sessions/hearings, to assist or give some information desired in aid of legislation.

Section 13. Officer as Ex-officio Chairman - The Presiding Officer shall be an ex-officio Chairman of all standing Committees.

RULE V

PERSONAL STAFF

Section 14. The Vice Mayor shall be entitled to a personal staff as may be determined and provided by the Sangguniang Bayan.

Section 15. The regular, ex-officio and sectoral Members of the Sangguniang Bayan shall likewise be entitled to a personal staff as may be determined and provided by an ordinance.

Section 16. The tenure of office of all foregoing personnel staff to be provided, of the Vice Mayor and Sangguniang Bayan Members shall be co-terminous with that of the Vice Mayor or Members of the Sangguniang Bayan as the case may be.

RULE VI

PUBLIC HEARINGS AND CONSULTATION

Section 17. The Sangguniang Bayan through its respective Committees, may conduct consultations and public hearings at the barangay and municipal levels, where views and recommendations of various sectors, both governmental and non-governmental organizations shall be taken and recorded. The Sangguniang Bayan or any of its Committees shall indicate the territorial areas where such consultations and public hearings, including draft resolutions submitted, may be

open to public inspection at reasonable office hours and under such guidelines as the Sangguniang Bayan may deem reasonable and necessary.

RULE VII

SESSION HALL AND SEATS

Section 18. There shall be a decent session hall where the Sangguniang Bayan shall hold its sessions.

Section 19. The session hall shall be used exclusively for sessions of the Sangguniang Bayan. It cannot be used for other purposes without the consent of the Sangguniang Bayan.

RULE VIII

SESSIONS

Section 20. (a) Unless the Sangguniang Bayan provides otherwise, the Sangguniang Bayan shall have four (4) regular sessions in a month which shall be held on every Monday to start at 9:00 AM. Fifteen (15) minutes before starting time, all Sangguniang Bayan Members must be at the session hall to sign the log book or attendance sheet. In case the regular session day falls on a holiday, the following day becomes the regular session day.

(b) Deliberations during the session shall be either in English, Filipino or in Cebuano dialect at the convenience of the member.

Section 21. Call to order - The Presiding Officer shall open the session by calling the Sangguniang Bayan to order on the specified time.

Section 22. When the public interest so demands, special sessions may be called by the Municipal Mayor or by a majority of the Members of the Sangguniang Bayan.

Section 23. All sessions of the Sangguniang Bayan shall be open to the public unless a closed-door session is ordered by an affirmative vote of a majority of the members present, there being a quorum, in the public interest or for reasons of security, decency or morality. No two (2) sessions, be it regular or special, may be held in a single day.

Section 24. In the case of special session of the Sangguniang Bayan, a written notice shall be served personally at the Member's usual place of residence at least twenty-four (24) hours before the special session is held. Unless otherwise concurred in by two-thirds (2/3) vote of the Members present, there being a quorum, no other matters may be considered at a special session except those stated in the notice.

Section 25. The Sangguniang Bayan shall keep a journal and record its proceedings which may be published upon a resolution of the Sangguniang Bayan.

Section 26. Quorum - (a) A majority of all Members of the Sangguniang Bayan who have been elected and qualified shall constitute a quorum to transact official business. Should a question of quorum be raised during a session, the Presiding Officer shall immediately proceed to call the roll of the Members and announce the result.

(b) Where there is no quorum, the Presiding Officer may declare a recess until such time as the quorum is constituted, or a majority of the Members present may adjourn from day to day and may compel the immediate attendance of any Member absent without justifiable cause by designating a Member of the Sangguniang Bayan, to be assisted by a member of the police force assigned within the territorial jurisdiction of the municipality, to arrest the absent Member and present him at the session.

(c) If there is still no quorum despite the enforcement of the immediately preceding subsection, no business shall be transacted. The Presiding Officer, upon proper motion duly approved by the Members present, shall then declare the session adjourned for lack of quorum.

ORDER AND CALENDAR OF BUSINESS

Section 27. Order of Business - The Order of Business of the Sangguniang Bayan for every session shall be:

- (a) Call to Order
- (b) Invocation followed by singing/playing of the National Anthem
- (c) Roll Call
- (d) Reading and approval of the Minutes of the previous session
- (e) First reading and referral to Committee of proposed ordinances, resolutions, messages, communications, petitions and memorials
- (f) Committee Reports
- (g) Calendar of Business
 - Unfinished Business
 - Business for the Day
 - Unassigned Business
- (h) Proposed ordinances and resolutions for Third Reading
- (i) Other Matters
- (j) Adjournment

Section 28. Approval of Minutes - The Minutes of each session should be read and approved by the Sangguniang Bayan for authenticity.

Section 29. Committee Reports - The Committee Reports shall be read by number, title and subject matter together with the recommendations of the committee concerned.

Section 30. Calendar of Business - The Calendar of Business shall consist of the following parts:

- (a) Unfinished Business - Any question or proposal which has remained undecided by the Sangguniang Bayan at the time of its adjournment during the immediately preceding session.
- (b) Business for the Day - Proposed ordinances and resolutions reported out by the committees calendared for second reading and other measures, to be considered in the order in which they appear in the calendar.
- (c) Unassigned Business - Proposed ordinances, resolutions and other measures reported out by committees but not calendared earlier. Any business included in this part of the Calendar may be set for consideration on motion of a Member with unanimous approval of the Members present at a session, there being a quorum.

Section 31. Distribution of Calendar - The Calendar shall be distributed at least a day before the session, unless there be no addition to the previously distributed, in which a note to this effect on the Order of Business shall be sufficient.

RULE X

ORDINANCES AND RESOLUTIONS

Section 32. Ordinances and Resolutions Distinguished - Legislative actions of a general and permanent character shall be enacted in the form of ordinances, while those which are temporary in character shall be in the form of resolutions. Matters relating to proprietary functions and to private concerns shall also be acted upon by resolution.

Section 33. Essential Parts of Ordinances and Resolutions - Proposed ordinances and resolutions shall be in writing which shall contain an assigned number, a title or caption, an enacting or ordaining clause, penalty provision, if any, and the date of its proposed effectivity. In addition, every proposed ordinance shall be accompanied with explanatory note containing the justification for its next session.

Section 34. First Reading - (a) The Secretary shall report all proposed ordinances and resolutions to the Sangguniang Bayan for First Reading filed at least three (3) days before a regular or special session.

- (b) The First Reading of a proposed ordinance or resolution shall only be by title and, thereafter, the same shall be referred to the appropriate Committee.
- (c) An erroneous referral of a proposed ordinance or resolution may be corrected immediately after the approval of the Minutes.
- (d) Only the Chairman or Co-Chairman of the Committee to which a proposed ordinance or resolution was erroneously referred, as well as the Chairman or Co-Chairman of the Committee claiming jurisdiction over the proposed ordinance or resolution, may move that the referral be declared erroneous and ask for its correction. However, the Presiding Officer may motu proprio rectify erroneous referral.

Section 35. Period to Report - (a) The Committee shall submit a written report on the proposed ordinance or resolution within thirty (30) days after it has been referred to it, subject to extension upon request of the Chairman and concurred by the Sangguniang Bayan.

- (b) If the Committee report on the proposed ordinance or resolution is favorable, it shall be included in the Calendar of Business.
- (c) If the Committee action on the proposed ordinance or resolution is unfavorable, it shall be laid on the table and, within ten (10) days, notice of the action will be furnished the author or authors concerned stating the reason or reasons for such action; PROVIDED, that within five (5) days after receipt of the notice, the Sangguniang Bayan may reconsider the Committee recommendation.

Section 36. Urgent Measures - (a) Any legislative matter duly certified by the Municipal Mayor as urgent, whether or not it is included in the Calendar of Business, may be presented and considered by the Sangguniang Bayan in the same session without need of suspending the Rules.

- (b) The Sangguniang Bayan may, on motion made by the Chairman or Co-Chairman of the Committee concerned, consider a proposed ordinance or resolution as urgent and consideration thereof shall be scheduled according to a timetable, or act on the matter immediately.
- (c) If said motion is approved, the Sangguniang Bayan shall forthwith prepare a detailed timetable fixing the date on or before which the proposed ordinance or resolution must be reported by the Committee concerned, the number of days or hours to be allotted to the consideration on the measure on Second Reading, and the date or hour which proceeding must be concluded and final vote on the said measure taken, unless acted upon immediately.

Section 37. Second Reading and Debate - (a) Proposed ordinance or resolution shall not be considered on Second Reading in any regular session unless it has been reported out by the proper Committee to which it was referred or certified as urgent by the Municipal Mayor.

- (b) On the day set for the consideration of the proposed ordinance or resolution for Second Reading, the same shall be read in full with the amendments proposed by the Committee, if any, unless copies thereof have been distributed earlier and such reading is dispensed with. Thereafter, the proposed ordinance or resolution shall be subject to debate and pertinent motions.

Section 38. Debate and Closure of Members - (a) In the discussion of any measures, a motion to close the debate is in order after two (2) speeches for and one against, or after only one speech for has been delivered and none entered against it.

- (b) When several Members have signified the intention to speak on the matter under consideration and when said matter has been sufficiently and thoroughly discussed by the Member speaking, the Presiding Officer, motu proprio, or upon motion of a Member, order that a Member having the floor shall desist from speaking further so that other Members may not be deprived of their opportunity to speak.

Section 39. Five-Minute-Rule - (a) After the close of debate, the Sangguniang Bayan shall proceed to the consideration of the Committee amendments. A Member who desires to speak for or against an amendment shall have only five (5) minutes to do so.

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

Section 40. Approval of Measure on Second Reading - (a) The Steering Committee shall prepare copies of the proposed ordinance or resolution in the form it was passed on Second Reading and shall distribute to each Sangguniang Member a copy thereof, except that measure certified by the Municipal Mayor as urgent may be submitted for final voting immediately after debate and/or amendment during Second Reading.

Section 41. Third Reading - (a) A proposed ordinance or resolution approved on Second Reading shall be included in the Calendar under consideration for Third Reading.

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

Section 42. Approval of Resolutions - A resolution shall be enacted in the same manner prescribed for ordinance, except that it need not go through a separate Third Reading for its final consideration, unless decided otherwise by a majority of all Sanggunian Members.

Section 43. Majority Requirements - (a) No ordinance passed by the Sangguniang Bayan shall be valid unless approved by majority of the Members present, there being a quorum. Any ordinance authorizing or directing the payment of money or creating liability shall require the affirmative vote of majority of all Sanggunian Members for its passage.

- (b) Upon the passage of all ordinances, the Sanggunian Secretary shall record the yeas and nays. Each approved ordinance shall be stamped with the seal of the Sangguniang Bayan and recorded in a book kept for the purpose.

Section 44. Special Provisions on the Budget Ordinances - (a) The Sanggunian in no case increase the appropriation of any project or program of any office of the municipality over the amount submitted by the Mayor in his budget proposal.

- (b) After the Mayor shall have submitted the annual general appropriations measure, supplemental appropriation measures shall be considered only if supported by funds to be raised by corresponding revenue proposals included therein or by funds actually available as certified by the Municipal Treasurer.

Section 45. Approval by the Municipal Mayor- (a) Every ordinance passed by the Sangguniang Bayan shall be forwarded to the Municipal Mayor for approval. The Municipal Mayor shall affix his initials on each and every page of the ordinance and the word "APPROVED" shall appear with his signature on the last page thereof.

- (b) Within ten (10) days after the receipt of the ordinance or resolution, the Municipal Mayor shall return the said ordinance or resolution to the Sangguniang Bayan with either his approval or his veto. If he does not return it within such time, the ordinance shall be deemed approved as if he had signed it.

Section 46. Veto Power of the Municipal Mayor- (a) The Municipal Mayor may veto any ordinance on the grounds that it is ultra-vires or prejudicial to the public welfare particularly stating the reasons thereof in writing.

- (b) The Municipal Mayor shall have the power to veto any particular item or items of an appropriation ordinance, or an ordinance 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 no effect unless the Sanggunian overrides the veto in the manner hereunder provided; otherwise, the item/s in the appropriation ordinance of the previous year corresponding to those vetoed shall be deemed re-enacted.

- (c) The Sangguniang Bayan may override the veto of the Municipal Mayor by two-thirds (2/3) vote of all its Members, thereby making the ordinance effective.

- (d) The Municipal Mayor may veto an ordinance only once.

Section 47. Review Power of the Sangguniang Bayan- (a) Within thirty (30) days from receipt of copies of approved ordinance promulgated by the Sangguniang Barangay and executive orders issued by the Punong Barangay, the Sangguniang Bayan shall review the documents as to whether the ordinance or executive order is consistent with law or municipal ordinance.

(b) If the Sangguniang Bayan, as the case may be, fails to take action on barangay ordinance within thirty (30) days from receipt hereof, the same shall be deemed approved.

(c) If the Sangguniang Bayan, as the case may be, finds the barangay ordinances inconsistent with law or municipal ordinances, the Sanggunian shall, within thirty (30) days from receipt thereof, return the same with its comments and recommendations to the Sangguniang barangay for adjustment, amendment or modification in which case effectivity of the barangay ordinance is suspended until such time as the revision called for is effected.

Section 48. Dissemination and Posting - The text of the ordinance or resolution shall be disseminated and posted in Filipino or English and in the language or dialect understood by the majority of the people in the municipality and the Secretary of the Sanggunian shall record such fact in a book kept for the purpose, stating the dates of approval and posting.

Section 49. Ordinances with penal sanctions - It shall be posted at conspicuous places in the municipal hall for a minimum period of three (3) consecutive weeks. Such ordinances shall be published in a newspaper of general circulation, where available, within the territorial jurisdiction of the municipality. Unless otherwise provided therein, said ordinance shall take effect on the day following its publication or at the end of the period of posting whichever occurs later. The secretary to the Sanggunian shall transmit official copies of such ordinances to the chief executive of the Official Gazette within seven (7) days following the approval of said ordinance, for publication.

RULE XI

DECORUM AND DEBATE

Section 50. Manner of Addressing the Chair - When a Member decides to speak, he shall rise and respectfully address the Chair, "Mr. Chairman" or "Mr. Presiding Officer."

Section 51. Recognition of Member to Speak - When two (2) or more Members rise at the same time, the Presiding Officer shall determine and recognize the Member who is to speak first.

Section 52. 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 without leave of the Sanggunian, except as herein provided. The period of interpellation shall not be counted against the time of the Member speaking.

Section 53. 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 54. Decorum to Open and Close Debate - (a) In all cases, the Member who has assumed the floor shall continue himself to the question under debate, avoiding personalities. He shall refrain from uttering words, or performing acts which are inconsistent with decorum.

(b) It is requested that the Member be called to order for words spoken in debate, the Member making such request shall indicate the words excepted to, and they shall be taken down in writing by the Secretary and read aloud. The Member who uttered such word shall not be held to answer, not be subject to censure by the Sanggunian if further debate or other business has intervened.

Section 55. Conduct During Session - (a) During session, the members and Vice Mayor shall wear the proper prescribed uniform which shall be in long sleeve white polo barong and dark pants for the gentlemen and off white blouse and skirt/square pants for the ladies and observe proper decorum. (Ord. No. 10, s. 1999)

(b) While the Presiding Officer is addressing the Sanggunian or putting a question, no Member shall walk out or cross the session hall.

(c) The Presiding Officer during session on assumed motion may declare a recess, there being no motion from the floor.

Section 56. Smoking in Session Hall Prohibited - Smoking shall not be permitted within the session hall.

Section 57. Discipline of Members - The Sanggunian may punish its Members for disorderly behavior and, with the concurrence of two-thirds (2/3) of all its Members, suspend or exclude from the session a Member, provided that if the penalty is suspension, the same shall not exceed sixty (60) days.

RULE XII

VOTING AND MOTIONS

Section 58. A Tie Vote on an Appeal - A tie vote on an appeal from the ruling of the Chair sustains the decision of the Chair.

Section 59. Who May Move - When a motion, report or proposed measure is adopted or lost, it shall be in order for a Member who votes with the majority to move for the reconsideration thereof on the same or succeeding session day. Such motion shall take precedence over all other questions, except a motion to adjourn, to raise a question of privilege and a call to order.

Section 60. Recording of Motions - Every motion shall be entered in the Minutes with the name of the Member proposing it, unless it is withdrawn on the same session day.

Section 61. Reading and Withdrawal of Motions - When a motion is made, the Presiding Officer shall state it before being debated. Except as herein otherwise provided, a motion may be withdrawn anytime before its approval or amendment.

Section 62. Precedence of Motions - When a question is under debate, no motion shall be entertained except to adjourn, raise a question of privilege, declare a recess, lay on the table, or postpone to a certain day (which motions shall be decided without debate) refer, amend or postpone indefinitely (which motions shall be decided subject to the five-minute rule). Said motions shall have precedence in the foregoing order. No motion to postpone to any certain day, or refer or postpone indefinitely, having failed passage, shall again be allowed on the same day.

Section 63. Amendments - When a motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order. Amendment is by substitution, deletion or addition but the last amendment shall be treated first prior to the first amendment and then the main motion or proposition shall be decided, as amended. Any of said amendments may be withdrawn before a decision had been made thereon.

Section 64. Motion to Cover One Subject Matter - No motion or proposition shall cover more than one subject matter.

Section 65. Amendment of Title - Amendments to the title of a proposed ordinance or resolution shall not be in order until after the text thereof has been perfected. Amendments to title shall be decided without debate.

Section 66. Call to Order - A motion to read any part of the Rules is equivalent to a call to order and takes precedence over any motion other than to adjourn.

Section 67. Questions of Privilege - The Questions of Privilege are the following:

- (a) Those affecting the rights of the Sangguniang Bayan its safety, dignity and integrity of the Members;
- (b) Those affecting the rights, reputation and conduct of the Members, individually, in their capacity as such Members;
- (c) Subject to the five-minute rule, questions of privilege shall have precedence over all other questions, except a motion to adjourn.

Section 68. Privileged Questions - Are those motions or subject matters which, under the Rules, take precedence over other motions and subject matters.

RULE XIII

SUSPENSION OF THE RULES

Section 69. Who can move- Only the Chairman of the Committee concerned can move for the suspension of the Rules.

Section 70. Vote Required - No Rule shall be suspended except by a vote of two-thirds (2/3) of the Members present, there being a quorum.

Section 71. Interruption of Motion - When a motion to suspend the Rules is pending, one motion to adjourn may be entertained. If it is lost, no similar motion shall be entertained until the vote is taken on the motion to suspend.

Section 72. Effect of Suspension - If the Sangguniang Bayan votes to suspend the Rules, it shall forthwith proceed to consider the measure. A two-thirds (2/3) vote of the Members present shall be necessary for the passage of said measure, there being a quorum.

RULE XIV

ATTENDANCE, SUSPENSION AND EXPULSION

Section 73. The Presiding Officer and all Sangguniang Bayan members are required to attend the Flag Raising ceremony every Monday morning at 8:00 a.m. except those with justifiable reasons or cause to be determined by the majority of the members. Failure of any member to attend the said ceremony shall be deducted the amount of P100.00 from his/her monthly compensation upon demand.

Section 74. The Sangguniang Bayan members shall attend in all sessions whether regular or special and failure to attend the same without justifiable reasons to be determined by the majority of the members shall be fined in the amount of Two Hundred (P200) Pesos. For purposes of fine collection, absence of one-half (1/2) day shall be considered one day or P200 collectible by the Secretary of the Sangguniang Bayan. The said amount shall be reserved for snacks or for any other purpose as may be agreed by the members.

Section 75. Four (4) consecutive unreasonable and unjustifiable absences of any member in the regular session shall be subjected to suspension or expulsion by two-thirds (2/3) votes of all Sangguniang Bayan Members in session assembled for the purpose. The suspension as the case may be shall not exceed sixty (60) days.

Section 76. The Sangguniang Bayan members shall be required to render one (1) day office duty from Tuesday to Friday observing the 8-hour office time. They shall be on duty by partners and failure of any member to comply the same shall be fined in the amount of Two Hundred (P200) Pesos except those with justifiable and or reasonable cause to be determined by the majority of the members.

Section 77. Any Sangguniang Bayan member convicted by final judgment to imprisonment of at least one (1) year of any crime involving moral turpitude shall be automatically expelled from the Sanggunian invoking the due process of law.

RULE XV

OFFICIAL SEAL



Section 78. Official Seal - The seal of the Sangguniang Bayan shall be a circular figure, around the perimeter is printed in black: SANGGUNIANG BAYAN, DUMINGAG, ZDS in yellow background. Converging to the center in blue background is a legislative building where a gavel with mace prominently rise in wood brown color, below is Dec. 27, 1957 date of Dumingag's creation into a municipality under Executive Order # 283. The eleven (11) stars represent the composition of the Sangguniang Bayan.

RULE XVI
AMENDMENTS

Section 79. Amendments - Any portion of these Rules may be amended by a majority vote of all Sanggunian Members.

RULE XVII
EFFECTIVITY

Section 80. Effectivity - These Rules shall take effect on the date of its adoption.

Enacted : August 27 , 2001

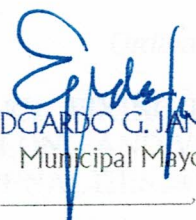
ATTESTED :


A. R. ESTILLORE
SB Secretary

CERTIFIED CORRECT :


NACIANCENO M. PACALIOGA, JR.
Municipal Vice Mayor
Presiding Officer

APPROVED:


EDGARDO G. JAMERO
Municipal Mayor
 , 2001