



Republic of the Philippines  
Province of Ilocos Sur  
MUNICIPALITY OF NARVACAN

OFFICE OF THE SANGGUNIANG BAYAN 2013-2016

30<sup>th</sup> (5<sup>th</sup>) Regular Session  
Held at the SB Session Hall  
On 29 July 2013

RESOLUTION NO. 19  
Series of 2013

**RESOLUTION ADOPTING INTERNAL RULES AND PROCEDURES FOR THE SANGGUNIANG BAYAN OF NARVACAN, ILOCOS SUR**

**WHEREAS**, the Sangguniang Bayan of Narvacan, Ilocos Sur is a legislative body duly organized pursuant to law for the enactment of Ordinance and the adoption of Resolution for the governance of the municipality of Narvacan;

**WHEREAS**, pursuant to the provisions of the Local Government Code of 1991 and of its implementing rules, local Sangguniang bodies have the inherent right and obligation of adopting their own rules and procedures for the proper discharge of legislative functions;

**WHEREAS**, in maintenance of good order in sangguniang deliberation, it is necessary that special rules be adopted and enforced in the interest of effective legislation;

**NOW THEREFORE, BE IT RESOLVED AS IT IS HEREBY RESOLVED** by the Sangguniang Bayan of Narvacan to enact the following Rules and Procedures to govern its deliberations.

**RULE 1 – MEMBERSHIP**

**SECTION 1.** Composition – The Sangguniang Bayan shall be composed of the Vice Mayor as Regular Presiding Officer, the eight (8) Councilors elected at large, and two Ex-Officio Members (ABC & SK) and such sectoral representatives as may be chosen pursuant to law.

**SECTION 2.** Term of Office – The term of office of the members of the Sangguniang Bayan of Narvacan shall commence at 12:00 o'clock noon of June 30, 2007 until 12:00 o'clock noon on June 30, 2010 as provided for in the existing laws of the Local Government Code of 1991.

**SECTION 3.** Oath of Affirmation – All the members of the Sangguniang Bayan of Narvacan shall, upon assumption of office, take an Oath of Office or Affirmation in the prescribed form, duly subscribed before a person authorized to administer oath.

Copies of the Oath or Affirmation of Office shall be filed and preserved in the Office of the Secretary to the Sangguniang Bayan of the Municipality of Narvacan and copy furnished to the Provincial Government, Department of Local Government and such other government offices as may be required by law or regulations.

## **RULE II – PRESIDING OFFICER**

**SECTION 4.** The Presiding Officer – The Vice Mayor shall be the Regular Presiding Officer of the Sangguniang Bayan of Narvacan. The Presiding Officer shall vote only in case of a tie.

In case of designation as Acting Municipal Mayor or inability or absence of the Regular Vice Mayor as Presiding Officer, the Sangguniang Bayan Members present constituting a quorum, elect from among themselves a temporary Acting Presiding Officer. The Acting Presiding Officer shall not vote even in the case of a tie but shall certify within ten (10) days from their enactment or adoption of all Ordinances and Resolutions passed by the Council.

**SECTION 5.** Power and Duties of the Presiding Officer – The Presiding Officer shall:

- a) Preside over the session of the Sangguniang Bayan.
- b) Preserve order and decorum during session, and in case of disturbances or disorderly conduct in the session hall or within the premises, take measures as he may deem advisable or as the Sangguniang Bayan may direct.
- c) Decide all question of order, subject to appeal by any Sangguniang Bayan Member in accordance with these Rules.
- d) Sign all acts, ordinances, resolutions, memorials, writs, warrants and subpoena issued by, or upon order of the Sangguniang Bayan.
- e) Exercise such other powers and perform such other functions as may be provided by law, ordinance or regulation.

The Regular Presiding Officer shall not be a Chairman of any Standing Committee, but shall have a voice and vote in all committee deliberations. He may, however be elected as Chairman of any special or adhoc committee which the Sangguniang Bayan may organize for specific purposes.

## **RULE III – THE SECRETARY TO THE SANGGUNIAN**

**SECTION 6.** Appointment and Compensation – The Secretary to the Sanggunian shall be appointed in accordance with the Civil Service Law, Rules and Regulation, and the Implementing Guidelines, Rules and Regulation of the Local Government Code of 1991 – R. A. 7160. In case of absence and/or inability of the Secretary, the Sangguniang Bayan Members present constituting a quorum, may designate from the permanent employees a temporary Acting SB Secretary.

**SECTION 7.** Powers and Duties of the Secretary to the Sanggunian – The Sangguniang Bayan Secretary shall:

- a) Attend meetings of the Sangguniang Bayan and keep the minutes of its proceedings;
- b) Record in a book kept for the purpose, all ordinances enacted with the dates of their enactment and publications.
  - a. Forward to the (local executive) for appropriate action ordinances and resolutions enacted certified as such by the presiding officer within ten days after their enactment.



- b. Keep and affix the Sangguniang Bayan seal on all ordinances and resolutions signed by the local executive.
- c. Attest to all ordinances and resolutions approved by the Sangguniang Bayan.
- d. All ordinances and resolutions immediately after approval posted at the main entrance of the Municipal Hall and in two (2) conspicuous public places.
- e. Upon request, furnish certified copies of all records and documents not otherwise classified as confidential upon payment to the local treasurer of the fees prescribed.

**SECTION 8.** Call to Order – The Presiding Officer shall open the session by calling the Sanggunian to order.

**SECTION 9.** Attendance in Sessions – Every Member of the Sanggunian shall be present in every session, unless expressly excluded by it or necessarily prevented from doing so by sickness or other unavoidable circumstances duly reported to the Sanggunian through the Sangguniang Bayan Secretary. Monday shall be the regular session day at 9:30 in the morning but in case a Monday is declared a non-working holiday, automatically, the regular session shall be held the following regular working day.

**SECTION 10.** Session Open to Public – Sanggunian session or meetings of any Committee thereof shall be open to the public unless a closed session is decided or ordered by an affirmative vote of a majority of the Members present, there being a quorum, or for reasons affecting the dignity of the Sanggunian or any of its Members, or when confidential matters are being considered.

On a motion to hold a closed session duly approved, the Presiding Officer shall direct the session hall cleared and doors closed.

Only the Secretary and such other persons authorized by the Sanggunian shall be admitted to the closed sessions. They shall preserve the secrecy of whatever may be read or said at the session.

**SECTION 11.** Suspension and Adjournment of Session – Sessions of the Sanggunian shall not be suspended or adjourned except by the Sanggunian itself, but the Presiding Officer may, in his discretion, declare a recess of short intervals.

**SECTION 12.** Opening and Adjournment to be Entered in Minutes – The exact hour of opening and adjournment of a session shall be entered in the minutes.

#### **RULE IV – ROLL CALL AND QUORUM**

**SECTION 13.** Quorum – a majority of all the elective and appointive members of the Sanggunian shall constitute a quorum to transact official business.

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

**SECTION 14.** Absence of Quorum – Where there is no quorum in a given session the Presiding Officer may declare a recess until such time as a quorum is constituted, or the majority of the members present may adjourn from day to day and may compel the immediate attendance of any member absent

without good cause by issuing to the Philippine National Police assigned in the area, an order for the arrest and presentment of the absent member at the session.

If there is still no quorum despite the foregoing, 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.

**SECTION 15.** Motion to Adjourn /Vacate Call – At any time after the roll call has been completed, a motion to adjourn shall be in order, and if approved by the majority of those present, all proceedings shall be vacated.

#### **RULE V – COMMITTEES**

**SECTION 16.** Standing Committees – The Sangguniang Bayan shall elect the Chairman and Members of the following standing committees.

1. Committee on Appropriations, Budget and Finance, Ways and Means  
Chairman – SBM Avel Verney C. Zaragoza  
Vice Chairman – SBM Maria Paz V. Cachola  
Member – SBM Rosalinda C. Cabanilla
2. Committee on Infrastructure and Public Works, and Slaughterhouse  
Chairman – SBM Teofilo M. Cabreros  
Vice Chairman – SBM Avel Verney C. Zaragoza  
Member – SBM Carlito T. Corrales
3. Committee on Transportation and Communication  
Chairman – SBM Teresito C. Valera, Sr.  
Vice Chairman – SBM Avel Verney C. Zaragoza  
Member – ABC President
4. Committee on Agriculture, Fishery and Marine Resources  
Chairman – SBM Carlito T. Corrales  
Vice Chairman - SBM Avel Verney C. Zaragoza  
Member – SBM Teofilo M. Cabreros
5. Committee on Public Enterprise, Trade and Industry  
Chairman – SBM Maria Paz V. Cachola  
Vice Chairman – SBM Rosalinda C. Cabanilla  
Member – SBM Teresito C. Valera, Sr.
6. Committee on Social Services (PWD, Gender and Development, and Family Affairs)  
Chairman – SBM Teofilo M. Cabreros  
Vice Chairman – SBM Carlito T. Corrales  
Member – SBM Edna C. Sanidad
7. Committee on Senior Citizens Affairs  
Chairman – SBM Rosalinda C. Cabanilla  
Vice Chairman – Teofilo M. Cabreros  
Member – SBM Maria Paz V. Cachola
8. Committee on Health, Sanitation, Food and Nutrition  
Chairman – SBM Edna C. Sanidad  
Vice Chairman – SBM Maria Paz V. Cachola  
Member – SBM Avel Verney C. Zaragoza
9. Committee on Tourism  
Chairman – SBM Maria Paz V. Cachola  
Vice Chairman – SBM Rosalinda C. Cabanilla  
Member – SBM Edna C. Sanidad



10. Committee on Solid Waste, Clean and Green, Natural Resources and Environmental Protection  
Chairman – SBM Rosalinda C. Cabanilla  
Vice Chairman – SBM Avel Verney C. Zaragoza  
Member – SBM Teofilo M. Cabreros
11. Committee on Education, Culture and Arts  
Chairman – SBM Edna C. Sanidad  
Vice Chairman – SBM Maria Paz V. Cachola  
Member – SBM Avel Verney C. Zaragoza
12. Committee on Peace and Order, Public Safety and Disaster Preparedness  
Chairman – SBM Teresito C. Valera, Sr.  
Vice Chairman – SBM Carlito T. Corrales  
Member – ABC President
13. Committee on Rules, Privileges, Good Governance, Public Ethics, Ordinances and Legal Matters  
Chairman – SBM Avel Verney C. Zaragoza  
Vice Chairman – SBM Maria Paz V. Cachola  
Member – SBM Carlito T. Corrales
14. Committee on Sports and Physical Fitness Development  
Chairman – SBM Benedix "BX" L. Dela Cuadra  
Vice Chairman – SKF President  
Members – SBM Teresito C. Valera, Sr.
15. Committee on Cooperatives and other Non-Government Organizations and Livelihood  
Chairman – SBM Carlito T. Corrales  
Vice Chairman – SBM Maria Paz V. Cachola  
Member – SBM Avel Verney C. Zaragoza
16. Committee on Local Government and Barangay Affairs  
Chairman – ABC President  
Vice Chairman – SBM Benedix "BX" L. Dela Cuadra  
Member – SKF President
17. Committee on Youth Affairs  
Chairman – SKF President  
Vice Chairman – ABC President  
Member – SBM Benedix "BX" L. Dela Cuadra

**SECTION 17.** Jurisdiction and Functions of Standing Committees – These are general jurisdiction and functions of the foregoing standing committees:

1. Committee on Appropriations, Budget and Finance, Ways and Means

All matters relating to the passing and/or approval of the budget; the appropriation of funds for the payment of obligations; the determination of compensation of personnel.

2. Committee on Infrastructure and Public Works, and Slaughterhouse

All matters relating to the construction of public buildings, roads, settlements, relocation and the like; monitoring and evaluating all projects, whether nationally or locally funded; formulating plans for the effective implementation of all projects and its impact to the community; and integration of all public work projects.

3. Committee on Transportation and Communication

All matters relating to transportation and communication.

4. Committee on Agriculture, Fishery and Marine Resources

All matters relating to agriculture, fishery and marine resources, food production and agribusiness, agriculture economic and research, agricultural education and extension services; animal industry and livestock quarantine, farm credit, organization and supervision of local agriculture.

5. Committee on Public Enterprise, Trade and Industry

All matters relating to the exploration, development, utilization and development of cottage industries; identification, promotion and development areas of business opportunities; development of industries; and the protection of consumers.

6. Committee on Social Services (PWD, Gender and Development, and Family Affairs)

All matters relating to social services.

All matters relating to the development of gender, women and women organizations; family welfare and strengthening and development of family life and the protection of children.

7. Committee on Senior Citizens Affairs

All matters relating to senior citizens.

8. Committee on Health, Sanitation, Food, and Nutrition Program

All matters relating to the Health of the Community, prevention and curative measures in the spread of diseases; public health and hygiene, medical hospitals, health centers and quarantine services, sanitation and cleanliness of public market/toilet.

All matters relating to Food and Nutrition.

9. Committee on Tourism

All matters relating to the promotions of tourism; the identification, development and maintenance of sites as tourist/visitors' destination this municipality.

10. Committee on Solid Waste, Clean and Green, Natural Resources and Environmental Protection

All matters relating to solid waste management.

All matters relating to clean and green.

All matters relating to natural resources and environmental protection.

11. Committee on Education, Culture and Arts

All matters relating to education.

All matters relating to culture and arts, local schools and such other institution of learning; libraries and museums; non-formal and community adult education, scientific and technological research, and development advancement.



12. Committee on Peace and Order, Public Safety and Disaster Preparedness

All matters relating to the maintenance of peace and order, security of public officials, offices and properties; prevention of crime, and other police matters/works.

13. Committee on Rules, Privileges, Good Governance, Public Ethics, Ordinances and Legal Matters

All matters relating to the formulation of policy towards effective and responsive government; investigation and anomalies and similar acts in the government.

All matters relating to and/or pertaining with the enactment, drafting, formulating, finalizing and review of all laws, ordinances, resolutions and all other legislative acts emanating from the Sangguniang Bayan; review ordinances, resolutions and/or other legislative acts of Barangay Councils sent to the Sangguniang Bayan for review; give advice to the Sanggunian on matters relating to the foregoing; and to do such other acts and functions that will effectively inform the people of such laws, ordinances, resolutions and other similar acts.

14. Committee on Sports and Physical Fitness Development

All matters relating to the promotion of sports; sports building and facilities, organizing and conducting sports activities especially for the youth and inculcating in them the healthy effect of fair competition.

All matters relating to physical fitness development.

15. Committee on Cooperatives and other Non-Government Organizations and Livelihood

All matters relating to organization and supervision of local cooperatives.

All matters relating to non-government organizations.

All matters relating to livelihood.

16. Committee on Local Government and Barangay Affairs

All matters relating to the effective and efficient running of local government in all levels (Provincial, Municipal, and Barangay).

17. Committee on Youth Affairs

All matters relating to the encouragement of the organization of youth groups and the Sangguniang Kabataan (SK); and, such other matters that will redound to the welfare of the youth.

**SECTION 18.** Limitation – No Sangguniang Bayan Member shall be a Chairman of more than two Standing Committees.

The Regular Presiding Officer and the Sanggunian Members have a voice in all committees.

No member of a committee shall act upon or participate in any matter in which he has a direct, special and/or substantial interest under consideration.

**SECTION 19.** Special Committees – The Sanggunian may organize special committees as it may deem necessary. The Officers and Members of special committees shall likewise be elected by the majority vote of all the Sangguniang Bayan (SB) Members.

**SECTION 20.** Vacancy – Whenever a vacancy occurs or is declared to exist in any of the committees, the same shall be filled by election of the Sanggunian.

**SECTION 21.** Committee Hearing of Meetings – The committee shall determine the frequency of their hearings or meetings, provided they meet once a month. A majority of all the members of the committee shall constitute a quorum. Committee hearings and meetings shall be heard or conducted only in public places and/or buildings.

**SECTION 22.** Committee Report and Orders – Committee report and orders or any ordinance or resolution shall be considered in formal meetings and shall not be submitted to the Sanggunian unless accompanied by the minutes of the meeting or hearing of the Committee which adopted them.

When a Committee submits a report, the members therefore shall be presumed to have concurred in the report and shall be precluded from opposing the same, unless they have entered their objection thereto during the committee meeting.

#### **RULE VI – ORDER AND CALENDAR OF BUSINESS**

**SECTION 23.** Order of Business – The Order of Business of the Sangguniang Bayan for every session shall be:

- I) Call to order
- II) Short prayer
- III) Roll Call
- IV) Reading, consideration, and adoption of the minutes of the previous session
- V) Privilege hour
- VI) Question hour (to any invited employee, official or visitor who give updates, information or issuances)
- VII) First reading and referral of measures and other communications
- VIII) Committee reports
- IX) Calendar of business
  - A. Unfinished business on the previous session
  - B. Business for the day
    1. Third and final reading
    2. Second reading
  - C. Unassigned business
- X) Adjournment

**SECTION 24.** Approval of Minutes – The minutes of each session shall be submitted to the Sanggunian for approval.

**SECTION 25.** Calendar of Business – The Calendar of Business shall consist of the following parts:

- a) Unfinished Business – Business being considered by the Sanggunian at the time of its adjournment. Its consideration shall be presumed until such unfinished business is disposed of. Thereafter, the Presiding Officer shall call for the Business for the Day.



b) Business for the Day – Proposed Ordinances, Resolutions and other measures set on the Calendar for consideration on that Day, to be considered in the order in which they are listed in the calendar.

c) Unassigned Business – Proposed Ordinances, Resolutions and other measures reported out of Committee but not calendar 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 council members present at a session, there being a quorum.

**SECTION 26.** Distribution of Calendar – The Calendar for the next session shall be furnished to Sangguniang Bayan Members at least three (3) days before the scheduled sessions.

**SECTION 27.** Ordinances and Resolutions – Distinguished – Legislative actions of general and permanent character shall be enacted in the form of ordinances, while those, which are of temporary character, shall be passed in the form of resolutions. Matters relating to proprietary functions and private concern shall also be enacted upon by resolutions.

**SECTION 28.** Essential Parts of Ordinances and Resolutions – Proposed Ordinances and Resolutions shall be in writing and shall contain an assigned number, a title or caption, an enacting or ordaining clause, and the date of its proposed effectivity. In addition, every proposed ordinance shall be accompanied by a brief explanatory note containing the justification of its approval. It shall be signed by the authors and submitted to the Secretary who shall report the same to the Sanggunian at its next session.

**SECTION 29.** First Reading – The Secretary shall report all proposed ordinances and resolutions to the Sangguniang Bayan Members for First Reading at least three (3) days before a regular or special session.

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.

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

Only the Chairman or Acting Chairman of the Committee to which a proposed ordinance or resolution was erroneously referred, as well as the Chairman or Acting Chairman of the Committee claiming jurisdiction over the proposed ordinance or resolution may move the referral be declared erroneous, and ask for its correction. However, the Presiding Officer may *moto proprio* rectify an erroneous referral.

**SECTION 30.** Period to Report – The Committee shall submit a report on the proposed ordinance or resolution within fifteen (15) days after it has been referred to it.

If the Committee Report on a proposed ordinance or resolution is favorable, it shall be included in the Calendar of Business.

If the Committee action on a proposed ordinance or resolution is unfavorable, it shall be laid on the table and, within ten (10) days, notice of the action taken will be furnished the author concerned stating the reason for such action. Provided, that within five (5) days after receipt of the notice, the Sanggunian may consider the Committee recommendation.



**SECTION 31. Urgent Measures –** Any legislative matter duly certified by the Mayor as urgent, whether or not it is included in the Calendar of Business, may be presented and considered by the Sanggunian in the same session without need of suspending the Rules.

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

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 hour to be allotted to the consideration of the measure on Second Reading, and the date or hour at which proceedings must be concluded and final vote on said measure taken.

**SECTION 32. Second Reading and Debate –** No proposed ordinance or resolution shall be considered on Second Reading in any regular session unless it has reported out by the proper Committee to which it has been referred or certified as urgent by the Municipal Mayor.

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

**SECTION 33. Debate and Closure of Members –** In the discussion of any measure, on motion to close the debate shall be in order after two (2) speeches for and one against or after only one speech for has been delivered and none against it.

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

**SECTION 34. Five-Minute Rule –** After the close of debate, the Sangguniang Bayan shall proceed to the consideration of Committee amendments. A Member who desires to speak for or against an amendment shall have only five (5) minutes to do so.

The Five-Minute rule shall apply, likewise, in the consideration of an amendment to an amendment, or of an amendment by substitution.

**SECTION 35. Approval of Measure on Second Reading –** The Sangguniang Bayan Secretary shall prepare copies of the proposed ordinance or resolution in the form it was passed on Second Reading and shall distribute to each Sangguniang Bayan Member a copy thereof, except that a measure certified by the Municipal Mayor as urgent be submitted for final voting immediately after debate and/or amendments during the Second Reading.

After amendments have been acted upon, the proposed ordinance or resolution shall be voted on the Second Reading.

**SECTION 36. Third Reading –** A proposed ordinance or resolution approved on Second Reading shall be included in the Calendar under Third Reading.



No ordinance shall be approved unless it has passed three readings, and copies thereof in its final form have been distributed to the Members at least three (3) days before its passage, except when the Municipal Mayor or the Sanggunian certifies to the necessity of its immediate enactment to meet a calamity of emergency. Upon the Third Reading of a proposed ordinance or resolution, no amendment thereto shall be allowed, and the vote thereon shall be taken immediately thereafter and the Ayes and Nays entered in the minutes.

**SECTION 37. Majority Requirement** – No ordinance or resolution passed by the Sanggunian shall be valid unless approved by the majority of the Members present, there being a quorum. Any ordinance or resolution authorizing or directing the payment of money or creating liability, shall require the affirmative vote of the majority of all the members of the Sanggunian for its passage.

Upon passage of all ordinances or resolutions, the Sanggunian Secretary shall record the ayes and nays. Each approved ordinance or resolution shall be stamped with the seal of the Sanggunian and recorded in a book kept for the purposes.

**SECTION 38. Special Provisions on the Budget Ordinance** – The Sanggunian shall in no case increase the appropriation measures shall be considered only if supported by actually available funds as certified to by the local treasurer or by funds to be raised by corresponding revenue proposals included therein.

After the Municipal Mayor shall have submitted the annual general appropriation measure, supplemental appropriation measures shall be considered only if supported by acutally available funds as certified to by the local treasurer or by funds to be raised by corresponding revenue proposals included therein.

**SECTION 39. Approval of the Municipal Mayor** – Every Ordinance or Resolution passed by the Sanggunian shall be forwarded to the Municipal Mayor for approval. The Municipal Mayor shall affix his initial 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 ten (10) days after receipt of the ordinance or resolution, the Municipal Mayor shall return the said ordinance or resolution to the Sanggunian with either his approval or his veto. If the Municipal Mayor does not return it within that time, the ordinance or resolution shall be deemed approved.

**SECTION 40. Veto Power of the Municipal Mayor**- The Municipal Mayor may veto an ordinance or resolution on the ground that it would be prejudicial to the public welfare particularly stating his reasons therefore in writing.

The Municipal Mayor 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 effect the item/s which is/are not objected to. The vetoed item/s shall not have effect unless the Sangguian overrides the veto in the manner hereinunder provided, otherwise the item/s in the appropriate ordinance of the previous year corresponding to those vetoed shall be deemed re-enacted.

The Sanggunian may override to vote of the Municipal Mayor concerned by two thirds (2/3) vote of all its members, thereby making the ordinance or resolution effective.

The Municipal Mayor may veto the ordinance or resolution only once.



**SECTION 41.** Review by the Sangguniang Panlalawigan – Within Seventy Two (72) hours after approval, the Secretary shall forward to the Sangguniang Panlalawigan for review, copies of the approved ordinance, resolution or executive order promulgated by the Municipal Mayor.

Within thirty (30) days after receipt of copies of approved ordinances, resolutions and executive order promulgated by the Mayor, the Sangguniang Panlalawigan shall examine the documents or transmit them to the Provincial Attorney, or if there be none, to the Provincial Fiscal for prompt examination. The Provincial Fiscal or Provincial Attorney shall within fifteen (15) days from receipt of the documents, inform the Sangguniang Panlalawigan of his written comments or recommendations which may be considered by the said Sanggunian in making its decision.

If the Sangguniang Panlalawigan finds that an ordinance, resolution or executive order is beyond the power conferred upon the Sangguniang Bayan or the Municipal 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 two 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 the submission of an ordinance, resolution or executive order, the same shall be presumed consistent with law, and therefore, valid.

**SECTION 42.** Review of the Sangguniang Bayan – Within the ten (10) days after enactment, the Barangay Council shall furnish copies of the ordinance to the Sangguniang Bayan for review, as to whether the ordinance is consistent with law, and with Municipal Ordinances.

Failure on the part of the Sangguniang Bayan to take action on Barangay Ordinance within thirty (30) days, the measure shall be deemed approved. In case, the Sangguniang Bayan finds the Barangay Ordinance inconsistent with law or with ordinances, the Sangguniang Bayan shall return the ordinance with its comments and recommendations to the Barangay Council for adjustment, amendment or modification, in which case, the effectivity of the ordinance shall be deemed suspended.

**SECTION 43.** 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 44.** Effectivity of Enactment – 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 bulletin board at the entrance of the Municipal building/hall and in at least two (2) other conspicuous places such as the public market, church or chapels.

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

## **RULE VII – DECORUM AND DEBATE**

**SECTION 45.** Manner of Addressing the Chair – When a Member desires to speak, he shall rise respectfully and address the Chair. “Mr. Presiding Officer” or “ Mr. Chairman” as the case may be.



**SECTION 46.** Recognition of Member to Speak – When two or more Members rise at the same time, the Presiding Officer shall determine and recognize the Members who is to speak first.

**SECTION 47.** 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 hereinafter provided.

The period of interpellation shall not be counted against the time of the member speaking.

**SECTION 48.** 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 49.** 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 words, 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 excepted to, and they shall be taken down in writing by the Secretary and read aloud. The Member who uttered such words shall not be held to answer, nor be subject to censure by the Sanggunian if further debate or other business has intervened.

**SECTION 50.** Attire and Conduct During Session – During the session, the Members shall be in proper attire and proper decorum. Non-wearing of uniform means a fine of One Hundred Pesos (P 100.00) per violation time.

**SECTION 51.** Discipline of Members – The Sanggunian may punish its members for disorderly behavior specified in the Local Government Code and with the concurrence of two thirds (2/3) of all Members suspend or exclude from the session a Member, but if the penalty is suspension, this shall not exceed sixty (60) days. The schedule of the Officers of the Day shall be strictly observed. Non-observance of this means a fine of One Hundred Pesos (P 100.00) per violation time of a Member.

### **RULE VIII – VOTING AND MOTIONS**

**SECTION 52.** A tie on an Appeal – A tie vote on an appeal from the ruling of the Chair sustains the decision of the Chair.

**SECTION 53.** Who May Move – When a motion, report or proposed measure is adopted or lost, it shall be in order for a member who voted with the majority to move for the reconsideration thereof 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 54.** Recording of Motions – Every motion shall be entered in the minutes with the name of the Member making it, unless it is withdrawn on the same day.

**SECTION 55.** 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 any time before its approval or amendment.

**SECTION 56.** 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 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 motion shall have precedence in the foregoing order. No motion to postpone to any day certain, or refer or postpone indefinitely, having failed passage, shall again be allowed on the same day.

**SECTION 57.** Amendments – When a motion or proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order. It shall also be in order to offer further amendment by substitution, but it shall not be voted upon until the original motion or proposition is perfected. Any of said amendments may be withdrawn before a decision is had thereon.

**SECTION 58.** Rider Prohibited – No motion or proposition on a subject different from that under consideration shall be allowed under color of amendment.

**SECTION 59.** Motion to Cover One Subject Matter – No motion shall cover more than one subject matter.

**SECTION 60.** Amendment of Title – Amendment to the title of a proposed ordinance or resolution shall not be ordered until after the text thereof has been perfected. Amendments to the title shall be decided without debate.

**SECTION 61.** 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 62.** Question of Privilege – Question of Privilege – Question of privilege are:

a) Those affecting the rights of the Sanggunian; its safety, dignity and integrity of its Members.

b) Those affecting the rights, reputation and conduct of the Members, individually, in their capacity as such members.

Subject to the five-minute rule, questions privilege shall have precedence over all other questions, except motion to adjourn.

**SECTION 63.** Privileged Questions – Privileged questions are those motions or subject matter which, under the rules, take precedence over other motions and subject matters.

#### **RULE IX – SUSPENSION OF THE RULES**

**SECTION 64.** Who can Move – Any member of the Sanggunian subject to votation can move for the suspension of the rules.

**SECTION 65.** Vote Required – No rule shall be suspended except by a vote of two thirds (2/3) of the members, a quorum being present.

**SECTION 66.** 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 67.** Effect of Suspension – If the Sanggunian votes to suspend the rules, it shall forthwith propose to consider the measure. A two-thirds (2/3) vote of the Members present shall be necessary for the passage of said measure, quorum being present.

#### **RULE X – OFFICIAL SEAL**

**SECTION 68.** Official Seal – The Seal of the Sangguniang Bayan of Narvacan, Ilocos Sur shall be:

INSCRIPTION –Office of the Sangguniang Bayan with thirty four (34) stars representing the thirty four (34) Barangays, surrounding the canefields and ricefields.

#### **RULE XI – AMENDMENTS**

**SECTION 69.** Amendments – Any portion of these rules may be amended by a majority of all the Sangguniang Bayan Members.

#### **RULE XII – ROBERT’S RULE**

**SECTION 70.** Any procedural matter not hereunto covered by this Code shall be referred to the Robert’s Rule of Order.

#### **RULE XIII – EFFECTIVITY**

**SECTION 71.** Effectivity – These Rules shall take effect on the date of their adoption.

**PASSED AND APPROVED.**

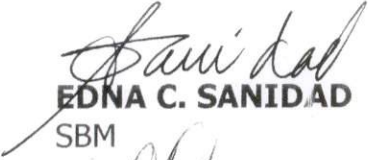
Certified Correct:

  
**MARIBEL C. CORRALES**  
Sangguniang Bayan Secretary

Attest:


  
**FAYINNA PILAR S. ZARAGOZA**  
Vice Mayor / Presiding Officer

CONFORME:

  
**EDNA C. SANIDAD**  
SBM

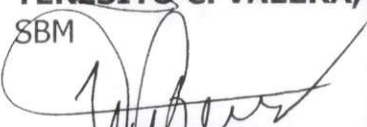
  
**CARLITO T. CORRALES**  
SBM

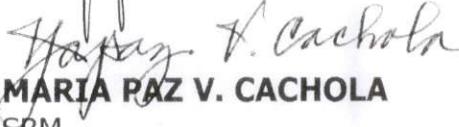
  
**AVEL VERNEY C. ZARAGOZA**  
SBM

  
**ROSALINDA C. CABANILLA**  
SBM

  
**LORETO C. CABALLES**  
ABC President

  
**TERESITO C. VALERA, SR.**  
SBM

  
**TEOFILO M. CABRERROS**  
SBM

  
**MARIA PAZ V. CACHOLA**  
SBM

**BENEDIX "BX" L. DELA CUADRA**  
SBM

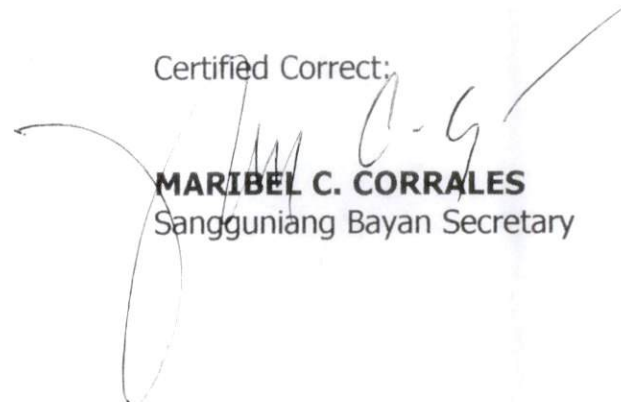
**JAYSON BENEDICT A. CABUENA**  
SKF President

Approved:

  
**ZURIEL S. ZARAGOZA**  
Municipal Mayor



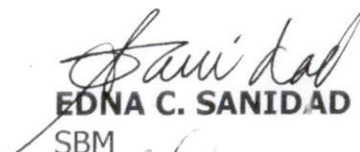
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Attest:


  
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Vice Mayor / Presiding Officer

CONFORME:


  
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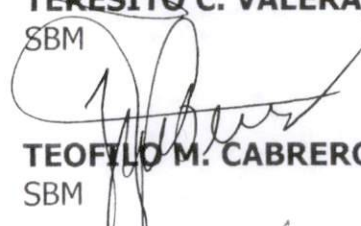
  
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SKF President

Approved:

  
**ZURIEL S. ZARAGOZA**  
Municipal Mayor



consideration by the sanggunian of which he is a member, which relationship may result in conflict of interest. Such relationship shall include:

- (1) Ownership of stock or capital, or investment, in the entity or firm to which the ordinance or resolution may apply; and
- (2) Contract or agreements with any person or entity which the ordinance or resolution under consideration may affect.

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 deduced that a member of a sanggunian may not act in the public interest due to some private, pecuniary, or other personal considerations that may tend to affect his judgement to the prejudice of the service or the public.

(b) The disclosure required under this Act shall be made in writing and submitted to the secretary of the sanggunian or the secretary of the committee of which he is a member. The disclosure shall, in all cases, form part to 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 the 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 positions or makes a privilege speech on a matter that may affect the business interest, financial connection, or professional relationship described herein.

**SEC. 52. Sessions.-** (a) On the first day of the session immediately following the election of its members, the sanggunian shall, by resolution, fix the day, time, and place of its regular sessions. The minimum number of regular sessions shall be once a week for the sangguniang panlalawigan, sangguniang panlungsod, and sangguniang bayan, and twice a month for the sangguniang barangay.

(b) When public interest so demands, special sessions may be called by the local chief executive or by a majority of the members of the sanggunian.

(c) All sanggunian sessions 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, regular or special, may be held in a single day.

(d) In the case of special sessions of the sanggunian, a written notice to the members shall be served personally at the members 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 sanggunian members present, there being a quorum, no other matters may be considered at a special session except those stated in the notice.

(e) Each sanggunian shall keep a journal and record of its proceedings which may be published upon resolution of the sanggunian concerned.