



Republic of the Philippines
Province of Ilocos Norte
MUNICIPALITY OF SAN NICOLAS

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE FIRST REGULAR SESSION OF THE 12TH SANGGUNIANG BAYAN OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE 1ST DAY OF AUGUST, 2022 AT 10:00 O’CLOCK IN THE MORNING.

PRESENT:

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| Hon. Napoleon L. Hernando | Vice-Mayor/Presiding Officer; |
| Hon. Luciano R. Caraang | Member; |
| Hon. Moera Joy N. Galing-Luna | Member; |
| Hon. Chona P. Hernandez | Member; |
| Hon. Jessie Julito P. Pumaras, Sr. | Member; |
| Hon. Norberto S. Dadiz, Jr. | Member; |
| Hon. Juanito P. Ulep, Jr. | Member; |
| Hon. Jorge Cesar T. Palafox | Member//Liga ng mga Barangay President; |
| Hon. Inno Ma. Angelo Paulo O. Hernando | Member/PPSK President. |

ON FORCED-LEAVE:

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| Hon. Erico R. Ruiz, Jr. | Member. |
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ABSENT:

None.

“RESOLUTION NO. 2022-185

A RESOLUTION ADOPTING THE INTERNAL RULES OF PROCEDURE OF THE 12TH SANGGUNIANG BAYAN OF SAN NICOLAS, ILOCOS NORTE

WHEREAS, the Sangguniang Bayan of San Nicolas, Ilocos Norte as the Legislative Body enacts ordinances, approves 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 for its efficient and effective governance;

WHEREAS, pursuant to the provisions of R.A. 7160 and its implementing rules and regulations, the Sanggunian Bodies have the inherent right and obligation of adopting its own Rules of Procedure for the proper discharge of legislative functions;

WHEREAS, in the maintenance of good order in the Sanggunian deliberations, it is necessary that specific rules be adopted and enforced in the interest of effective discharge of legislative function;

WHEREFORE, on motion of Member Moera Joy N. Galing-Luna, the foregoing resolution was unanimously seconded and approved unanimously by the Members present,

BE IT RESOLVED by the Sangguniang Bayan to adopt the 2022 Internal Rules of Procedure of the 12th Sangguniang Bayan of the Municipality of San Nicolas, Ilocos Norte:

RULE I
COMPOSITION

Section 1. There shall be eleven (11) members of the Sanggunian Bayan of the Municipality of San Nicolas, Ilocos Norte. They are as follows:

- a) Municipal Vice Mayor
- b) The Eight (8) Regular Sanggunian Bayan Members

- c) The President of the Municipal Chapter of the Liga ng mga Barangay, as ex-officio member; and
- d) The President of the Pambayang Pederasyon ng Sangguniang Kabataan, as ex-officio member.

RULE II

POWERS, DUTIES AND FUNCTIONS OF THE SANGGUNIAN

Section 1. The powers, duties and functions of this Sanggunian shall be as provided for under Article 100, Rule XVII of the Implementing Rules and Regulations of Republic Act 7160 otherwise known as the Local Government Code of 1991.

RULE III

DUTIES AND RESPONSIBILITES OF THE INDIVIUAL MEMBERS

Section 1. Every member of this Sanggunian shall make a full disclosure of his financial and business interest as required by Article 104, Rule XVII of the Implementing Rules and Regulations of Republic Act 7160, otherwise known as the Local Government Code of 1991.

Section 2. Every Member shall attend all the sessions and meetings of the Sanggunian Bayan, unless expressly excused or prevented from doing so by reason of sickness or other unavoidable circumstances. If he is drunk or under the influence of liquor/drugs, he shall be refused admission to the session hall.

Section 3. Every Member shall be required to attend the Flag Raising Ceremonies of the Municipal Government.

Section 4. Each Member of the Sangguniang Bayan must observe and display proper deportment and decorum during sessions and meetings.

Section 5. Any Member should give due respect to any colleague who has the floor by not committing or performing any act or acts that would disrupt or tend to disrupt the smooth flow of the session.

Section 6. Every member shall vote in all matters that require voting except when he has pecuniary interest on any matter under consideration by this Sanggunian.

Section 7. Any Member should not excuse himself from the session not until adjournment, unless given permission by the Presiding Officer.

RULE IV

THE PRESIDING OFFICER

Section 1. The Municipal Vice-Mayor shall be the regular Presiding Officer (PO) of the Sangguniang Bayan. However, after he has called to order a meeting, he may relinquish the chair to any Member of the Body to preside temporarily.

Section 2. In the event of the temporary incapacity or inability of the regular Presiding Officer to preside a Sanggunian session, the members present and constituting a quorum shall elect among themselves a Temporary Presiding Officer.

The Temporary Presiding Officer shall attest within three (3) days from the passage of ordinances enacted and resolutions adopted by the Sangguniang in the session over which he temporarily presided.

Section 3. **Powers and Duties:**

- a. To preside over the meeting/session of the Sangguniang Bayan.
- b. To enforce the internal rules and procedures of the Sanggunian.

- c. To maintain order and decorum between and among the members during meetings/sessions. In case of disturbance or disorderly conduct in the Hall, in the lobby, or in the corridors, rooms, or anywhere within the premises of the Session Hall, he shall take such measures as he may deem necessary under the circumstances or as the Body may direct;
- d. To maintain order during sessions and decide all questions of order. However, any Member of the Body may move for reconsideration of the decision of the Presiding Officer and explain his motion for not more than five (5) minutes, subject to appeal by the member concerned to the body for final decision.
- e. To sign all legislative documents (such as ordinances, resolutions and motions enacted or adopted by the Sanggunian), papers, or checks requiring his signature.
- f. To declare a recess during sessions anytime he deems it necessary or upon motion of any member;
- g. To declare the session adjourned to some other date, time and place in cases of extreme emergencies, serious and uncontrollable disorder, public disturbances and other unavoidable circumstances.
- h. To make brief remarks, comments or clarificatory questions on any measure under consideration; provided that, he shall maintain neutrality at all times.
- i. State clearly all questions before the legislative body, and when moved regularly, put the matter to a vote and announce the result.
- j. To authenticate, whenever necessary, all orders, acts and proceedings of the Sanggunian.
- k. He shall announce the business in the order in which it is to be acted upon;
- l. He shall approve all matters for inclusion in the agenda before the closing of business hours of every Friday immediately preceeding the next regular session, or at least twenty (24) hours before a special session, as the case may be, provided, however, that any proposed measure not included in the Agenda may be calendared upon request of the members of the Sangguniang Bayan pursuant to the rules;
- m. He shall recognize any Member who is entitled to the floor.
- n. He shall put all questions before the body and put the same into a vote, when regularly moved and seconded, and announced the result thereof.
- o. He shall designate any Member as Officer of the Week. Such Officer of the Week shall assist the Vice-Mayor in the daily business and affairs of the Office of the Sangguniang Bayan.

Section 4. If the Presiding Officer desires to leave the session hall in case of emergencies, the Presiding Officer may relinquish the Chair to any member of the Sanggunian, who shall then act as temporary presiding officer.

Section 5. The Presiding Officer shall not participate in the voting of any measure submitted for the division of the house. He must refrain from influencing the members from voting for or against any measure or take sides on matters under consideration. He shall only vote in case of a tie.

Section 6. On due cause, the Presiding Officer may designate a Member of the Sangguniang Bayan to perform the duties of the Chair, but such designation shall

not exceed one (1) meeting without the consent of the majority of the Members of the Body.

Section 7. Perform such other duties and exercise such other powers as may be given to him from time to time, by the legislative body.

RULE V
THE SECRETARY TO THE SANGGUNIAN

Section 1. In addition to his duties prescribed by law, the Secretary to the Sanggunian, when such devolves upon him, shall

- a. Attend meetings of the Sanggunian and keep the Minutes of the proceedings. The minutes shall comprise a clear and succinct account of the business transacted and action taken by the Body;
- b. Call the roll of the Members before the opening of the meeting and read proposed ordinances, messages, communications, memorials, petitions and other documents as may be ordered by the presiding officer;
- c. Furnish a copy to the proper committee as the Presiding Officer or the Body may direct such ordinances, resolutions or other documents as may be endorsed or presented to the Sangguniang Bayan as well as other matters received from other persons or entities;
- d. Record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the Sanggunian with the dates of their enactment and publication;
- e. Forward to the Municipal Mayor for approval copies of ordinances enacted and resolutions approving the municipal development plan and the annual investment program, adopted by the Sanggunian and duly certified by the presiding officer within fifteen (15) days after their enactment or adoption;
- f. Keep the seal of the Sanggunian and affix the same with his signature to all ordinances, resolutions, and other official acts of the Sanggunian and present the same to the Presiding Officer for his signature;
- g. Certifies to the correctness of all ordinances and resolutions approved by the Sanggunian and signed by the Municipal Vice Mayor;
- h. Upon request, furnish certified copies of all records and documents in his charge not otherwise classified as confidential;
- 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. Act as custodian of records and annually account for such records;
- k. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.
- l. Carry out or enforce orders and decisions of the Sangguniang Bayan when such devolves upon him;
- m. Note all questions of order with the decisions thereon, the record of which shall be printed at the close of each meeting for the use of the members, as an appendix to the minutes of such meeting;
- n. Retain in the library of his office for the use of the Members of the Sangguniang Bayan five copies of all books and printed documents deposited there, none to be withdrawn therefrom;

- o. Furnish each Member of the Sangguniang Bayan, via email or mail, a copy of the Order of Business not later than five o'clock in the afternoon of the Friday immediately preceding the next regular session, or twenty (24) hours before a special session or any committee meeting.
- p. Cause to be printed and delivered to each Member, via mail to his address or email before the commencement of each meeting, the list of the committee reports which is the duty of each Sangguniang Bayan, referring to the resolution and page of the laws or journal in which it may be contained, and placing under the name of each Officer the list of reports required of him to be made;
- q. Attest and fix the seal adopted by the Sangguniang Bayan to all writs, warrants and subpoenas issued by order of the Sangguniang Bayan and certify to the approval of all acts and resolutions duly approved;
- r. In case of absence, the Presiding Officer shall designate a personnel from the staff of the Sangguniang Bayan as Acting Secretary to the Sanggunian during meetings of the Sangguniang Bayan.
- s. Any communication addressed to the Body and received by any Member should likewise be submitted to the Secretary of the Sanggunian.

Section 2. **Supervisory Power.** Subject to the supervision of the Presiding officer, the Sanggunian Secretary shall take charge of the Office of the Secretary to the Sanggunian. He 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 VI
THE SESSIONS

Section 1. A session refers to a meeting of the Sangguniang Bayan. It may be a regular meeting or a special meeting formally called by the Municipal Vice Mayor or a majority of the Members of the Sangguniang Bayan or the Municipal Mayor.

Section 2. Unless the Sangguniang Bayan orders otherwise or provided by these rules, the regular session of the Sanggunian shall be held at the Sanggunian Session Hall every Monday of the month at exactly 10:00 o'clock in the morning until adjournment.

It may likewise conduct virtual or mixed sessions under exceptional circumstances.

Section 3. If any of the regular meetings falls on a non-working holiday, the meeting shall be held on the next working day immediately following the said non-working holiday.

Section 4. For every fourth Monday of the month at 10:00 o'clock in the morning, one (1) off-site or outreach regular session of the Sangguniang Bayan shall be conducted alternately in each of the twenty-four (24) barangays of the municipality. In such event, the venue therefor shall be fixed during the regular session two weeks immediately preceding such off-site or outreach session.

Section 5. It may hold as many special meetings as it may deem necessary, subject to the compliance with notices under the immediately succeeding section.

Section 6. No special session shall be held unless a notice to the Sangguniang Bayan members stating the date, time, and purpose of the session shall be served to each member either electronically through his official email or fb messenger





account or in writing at his usual place of residence at least twenty four hours twenty (24) before the intended date and time of such Special Session.

Section 7. Unless otherwise agreed upon by two-thirds (2/3) vote of the members present, there being a quorum; no other matter may be considered at a special session except those stated in the notice.

Section 8. All Sanggunian sessions shall be open to the public unless a close door session is ordered by an affirmative vote of a majority of the members present, there being a quorum. Closed – door sessions are allowed when security, decency, morality, and when public interest so demand.

Section 9. The Presiding Officer shall open the session by calling the Sangguniang Bayan to order, after which there shall be a prayer or meditation with the Members standing. Thereafter, the Presiding Officer shall order the Sanggunian Secretary to call the roll of the Members and on motion, he shall close the session with the words “*The session is adjourned*”.

Section 10. In the absence of quorum, after the roll call, the Members present may compel the attendance of the absent Members. A quorum shall be a simple majority of the Members of the Sangguniang Bayan.

Section 11. If in spite of the foregoing, there is still absence of quorum, or that there is no prospect of constituting a quorum, no other business shall be transacted and the Presiding Officer then, declare the session adjourned for lack of quorum.

Section 12. The session shall not be suspended or adjourned except upon the direction of the Sangguniang Bayan, but the Presiding Officer may in his discretion declare a recess on short intervals.

Section 13. The exact hour of opening and adjourning the session shall be entered in the minutes.

Section 14. The use of cellular phones shall be regulated. It must be put on silent mode during the conduct of the session. Only in extreme and emergency cases that an incoming and outgoing calls may be made by any member. In such event, the member must excuse himself/herself and move out from the session hall.

Section 15. No two (2) sessions, whether regular or special, may be held in a single day.

Section 16. In all its regular/ special sessions, the Sanggunian may request a personnel from the San Nicolas Municipal Police Station in prescribed uniform to provide security and maintain orderliness while the session is in progress when the need arises.

RULE VII
QUORUM

Section 1. A majority of the members of the Sanggunian as defined and enumerated in Rule 1, Section 1 of this Internal Rules of Procedures shall constitute a quorum to transact official business.

Section 2. In computing the presence of a quorum, the term “*majority*” shall be based on the actual membership or incumbents in the Sanggunian which shall **exclude** the following:

- a. Presiding Officer (regular);
- b. A member who is on official leave of absence;
- c. A deceased member;
- d. A member who has resigned;
- e. A member who has been suspended;
- f. A member who was expelled; or removed by final judgment.

Section 3. **No quorum at the start of the session.** When the appointed time has come to start the regular session, the presiding officer shall call the session to order, with or without a quorum.

Section 4. In the absence of the quorum after calling the session to order, the Sanggunian may perform any of the following:

- a. By a majority of the members present, they may decide to adjourn from time to time, or day to day, and compel the attendance of the absent members in order to obtain the necessary quorum; or
- b. May adjourn the session for lack of quorum.

Section 5. **No quorum during session which was started with a quorum.**

- a) During a session which was started with a quorum and a question on the lack of quorum is raised by any member, the presiding officer shall immediately cause the reading of the roll of members and announce the result thereafter and then declare whether or not there exist a quorum.
- b) In the absence of a quorum, the presiding officer may declare a recess of not more than one (1) hour and wait for the other members to come; or a majority of the members present may adjourn from hour to hour; or day to day and may compel the immediate attendance of any member absent without justifiable cause. (Sec. 53, RA 7160)
- c) If there is still no quorum despite the enforcement of the above remedial measures, the Presiding Officer may, *motu proprio*, or upon proper motion from the floor duly adopted by the body, thereafter declare the session as “adjourned” for lack of quorum.

RULE VIII
ATTIRE

Section 1. In order to maintain the dignity of the Sangguninan Bayan, all members shall attend all sessions in proper attire. Proper attire shall be:

- a. **Regular Session** – long-sleeved Barong, slacks for males and Filipiniana dress for females.
- b. **Special Session** – short-sleeved Barong or Business coat for males and business suit for females.
- c. **Outreach/ off-site session** – short-sleeved Barong for males and business casual attire for females.
- d. **Hearing of Administrative Cases** – short-sleeved Barong/Business coat for males and business suit for females.
- e. **Necrological Service** – short-sleeved Barong for males and business casual for females.

Section 2. A special attire shall be used for important meetings as maybe called for by the Local Chief Executive or the majority of the Sangguniang Bayan. Such description of the attire shall be stated in the written notice to each of the member at least twenty-four (24) hours before such meeting.

Section 3. A member who attends a session not in proper attire, shall be required to comply with the foregoing provisions. Otherwise, such member shall not be allowed to participate in any of the proceedings.

RULE IX
ORDER AND CALENDAR OF BUSINESS

Section 1. The Order of Business of the Sangguniang Bayan shall be as follows:

- A. Call to Order

- B. Opening Prayer,
- C. Roll Call;
- D. Reading/Correction and Approval of the minutes of the previous session;
- E. First Reading and Referral of Measures or Communications
 - i. Proposed Ordinances
 - ii. Proposed Resolutions
 - iii. Petitions/ Requests/ Memorials
 - iv. Messages and Other Communications
- F. Committees and Councilor's Reports;
- G. Calendar of Business:
 - i. Unfinished Business
 - ii. Business for the Day;
 - iii. Business for a certain date
 - iv. Unassigned Business or Urgent Matters
 - v. Ordinances and joint resolutions on this reading;
 - a) Second reading
 - b) Third reading
- H. Other matters
- I. Adjournment.

Section 2. The minutes of the proceedings of the Sangguniang Bayan shall be presented to the Sangguniang Bayan for examination and approval before they are submitted to the Presiding Officer for signature.

Section 3. Any Member may speak on the other matters in the Order of Business for not over thirty (30) minutes on any question of general interest. If more than one (1) Member desires to make a privilege speech, the first to apply shall be given preference. After the Member is through, with sufficient time left of the allowed time, the second Member who has asked to speak may do so and so on successively, until the full thirty (30) minutes is consumed.

Section 4. Unless it is voluminous, communications and correspondence shall be delivered and sent through the registered emails of the members of the Sangguniang Bayan.

Section 5. The Calendar of Business shall contain the following:

- a. **Unfinished Business** – refers to the proposals or measures that have been left unacted upon, postponed or left unfinished during the previous meeting or session. This also includes items of business left unfinished or unacted upon at the end of the term of the previous administration.
- b. **Business for the Day** – refers to a list of items that have been reported out by the committees and are ready for deliberation on “Second Reading” as determined by the appropriate Committee. These are the ordinances, resolutions and other legislative measures on the Calendar for the consideration of the Sangguniang Bayan of the day, and are arranged in the order, appearing in the special order adopted. Such measures shall be considered in the order in which they are listed on the Calendar and after the business mentioned in the preceding paragraph. This also includes those items for the body’s decision on “Third and Final Reading.”
- c. **Unassigned Business** – refers to urgent matters as certified to by the Municipal Mayor, Municipal Vice Mayor or the majority of the members; which involve public interest, delay in the consideration of which may prejudice an essential public service or activity of the government.
- d. **Business for a certain date**- refers to the business set by the Sangguniang Bayan for consideration on a certain date. Such business shall be considered on the date set, in the chronological order of

designation and so subsequent meeting until disposed of, unless the continuation of any business herein include shall be set for another day.

- e. **Ordinances and resolutions on this reading**- include all ordinances and resolutions to be submitted for a second reading and/or third or final reading. Measures for third and final reading are those submitted to a final vote by raising of hands after printed copies thereof have been distributed to the Member at least three (3) days prior to their passage.

Section 6. The Order of Business shall be distributed via email to each member on or before the closing of office hours of every Friday immediately preceding the next regular session, subject to the distribution of hard copy thereof on or before the start of the session;

Section 7. The Sangguniang Bayan shall only adjourn until all the Order of Business has been dealt with.

Section 8. Items for the Order of Business should be presented to the Vice- Mayor as the Presiding Officer for screening and approval before it is included in the regular order of business. In such a case, any item which any member shall desire to include in the Calendar shall be filed and submitted to the Secretary not later than twelve (12) noon of Friday immediately preceding the next regular session except those items which were certified urgent by the Local Chief Executive or requested for inclusion by any member duly approved by the body.

Section 9. The Order of Business shall contain a brief description of the item of business to be taken up during the regular session including, but not limited to the following:

- a. The title of the proposed ordinance or resolution; name of the sponsor or authors or the committee to which it was referred or the committee sponsoring it;
- b. In case of petition, letters, endorsement and other communications, the source or the names of senders.

Section 10. Deviation from the prescribed Order of Business may be done under the following circumstances:

- a. When the Sanggunian decided to suspend the rules thru an “assumed motion” by the Presiding Officer or thru a motion to suspend the rules by a member. In any case, the decision to suspend the rules shall require a two-third (2/3) vote of the members present.
- b. When the measure to be acted upon by the Sanggunian is certified by the local Chief Executive as “urgent”, it shall have priority over all other items of business, and shall be considered without need of suspending the rules or even if it is not included in the calendar of business.

RULE X
COMMITTEE REPORTS

Section 1. **Submission of Committee Report.** Every committee to which a particular measure is referred by the Presiding Officer shall submit its report in writing to the Sanggunian, thru the Secretary.

Section 2. Any referral to the committee shall be reported on the next regular session or any date as specified by the committee after referral except where there are referrals or measures that need urgent consideration.

Section 3. Reports of any proposal or legislation shall be passed upon in formal session and to be submitted to the Sangguniang Bayan properly signed by the committee member.

A member of the committee submitting a report, unless he has accordingly entered his objection to the committee report, shall file with the office of the Secretary to the Sanggunian his dissenting vote in writing within two (2) days after the report has been submitted, otherwise, he shall be presumed to have concurred in the report and thus be precluded from objecting thereto.

Section 4. **Joint Committee or Multiple Committee Report.** When measure is referred to two or more committees, the committees concerned may submit a *“joint committee report”* or *“multi-committee report”* as the case may be, or separate report thereon.

Section 5. **Content of Committee Report.** The Committee report shall contain the following information:
a. Name of the reporting committee or committees
b. Brief statement of the subject matter referred to it and the action taken thereon including information gathered during the conduct of committee hearings or meetings and other relevant information
c. Findings or conclusions
d. Recommendations
e. Names and signatures of concurring members

Section 6. **Discharge of Committee.** A committee which failed to submit a committee report within the time required may be discharged by the Sanggunian from further consideration of the measure or question referred to it. Upon motion by any member, the said measure can be re-assigned to another committee or submit to the body for proper disposition.

Section 7. **Recommitting a Measure.** When the Sanggunian is not satisfied with the report of a particular committee on a measure referred to it, the same may be re-committed or returned to that committee for further study.

Section 8. A committee member who abstain in a matter under consideration shall have no right to object to it on session. To have a right to participate in the floor deliberation, a committee member should cast his vote during committee meeting.

Section 9. If the recommendation of the committee is unfavorable, the proposed measure shall be considered laid on the table. If the recommendation is for the Sanggunian not to take action, and said recommendation has been adopted by the body, the proposed measure remains shelved in the committee. If the recommendation is for the Sanggunian to file the measure away and that recommendation has been adopted by the body, then it is filed away in the archives of the Sanggunian.

RULE XI
URGENT REFERRALS

Section 1. All urgent matters which need immediate action by the Sangguniang Bayan shall be tackled on other matters. If no action was taken thereon, it shall be referred and endorsed to appropriate committees by the Vice- Mayor for appropriate action and shall be reported by the committee concerned and tackled during the next scheduled meeting.

RULE XII
LEGISLATIVE PROCESS

Section 1. **Rules in the enactment of ordinances and adoption of resolutions.** In the enactment of ordinances and adoption of resolutions including other matters requiring legislative actions, the following rules shall be observed:

a. Legislative actions of a 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 to private concerns shall also be acted upon by a resolution.

- b. Proposed ordinances shall be in writing and shall contain an assigned number, a title or caption, and enacting or ordaining clause, repealing clause and the date of its proposed effectivity. In addition, every proposed ordinance shall be accompanied by a brief explanatory note containing the justification for its approval. It shall be signed by the author or authors and submitted to the Secretary to the Sanggunian.
- c. A resolution shall be enacted in the same manner prescribed for an ordinance except that it need not go through a third reading for its final consideration unless decided otherwise by a majority of the Sanggunian members present.
- d. No ordinance shall be considered on second reading in any regular meeting unless:
 - i. It has been reported out by the proper committee to which it was referred;
 - ii. Certified as urgent by the Local Chief Executive or by the Municipal Vice Mayor;
 - iii. Authored or sponsored by all members of the Sanggunian.
 - iv. By approval of the two-thirds (2/3) votes of the members present.
- e. The Secretary to the Sanggunian shall prepare copies of the proposed ordinances in the form it was passed on second reading, and shall distribute to each Sanggunian member a copy thereof except that a measure certified by the local chief executive or the Municipal Vice Mayor as “urgent” may be submitted for the final voting immediately after it has undergone the periods of debate and amendment during the second reading.
- f. No ordinance or resolution passed by the Sanggunian in a regular or special session shall be valid unless approved by a majority of the members present, there being a quorum.
- g. Upon the passage of all ordinances and resolutions, the Sanggunian Secretary shall record the ayes and the nays. Each approved ordinance or resolution shall be stamped by the seal of the Sanggunian and recorded in a book kept for the purpose.

Section 2. **The Three-reading Principle.** The so called “three-reading principle” which is commonly adopted in legislative bodies shall also be followed by this Sanggunian. Hence, as a general rule, before an ordinance is finally adopted or enacted, it shall undergo the following stages:

- A. First reading
- B. Second reading
- C. Third (Final) reading
 - Except on the following instances:
 - i. Measures certified as “urgent” by the Municipal Mayor
 - ii. Resolutions
 - iii. Measures that are considered urgent by 2/3 votes of all members present.

Section 3. **Procedural Steps.**

A. Filing – Sanggunian Bayan member/s files with the secretary to the sanggunian twelve (12) copies of a draft ordinance or resolution in the form prescribed for the purpose. Eleven of which are for the members of the Sanggunian and one for the Secretary to the Sanggunian. The title with the

complete text of proposed ordinances and resolutions shall be filed, three (3) days before session day to be included in the agenda.

The Secretary to the Sanggunian records the draft ordinance or resolution in a logbook, indicating the following information:

- i. Name of the authors or proponents;
- ii. Title of the proposed ordinance or resolution
- iii. Date filed; and,
- iv. The number assigned to it.

Only those who are stated or signed as author(s) shall be considered as such, but other members may be considered as author(s) and co-author(s) if so manifested on the floor, subject to the consent of the main author.

All matters endorsed by the Municipal Mayor to the Sanggunian, as well as petitions and other communications received from the general public, shall likewise be transmitted to the members.

B. First Reading – All proposed measures received by the Secretary to the Sanggunian shall be calendared for the first time, and only the titles thereof and the names of their author(s) shall be read. However, the draft of the said proposed measure shall be included and distributed to all the members. No measures shall be taken or included in the agenda without its draft text.

After such first reading, the proposed measure shall be referred to the proper committee(s) for study, comment and recommendation. No debate shall be allowed at this stage.

C. Committee Deliberations – After due consideration of the proposed measure, the committee(s) concerned shall report the same to the Sanggunian.

The Sanggunian Bayan may conduct hearing/s on such proposed measure upon the recommendation of the Committee, or if the committee may decide that hearing is not necessary, the Chairman or any designated member of the committee should report immediately on the floor. If the committee, to which a proposed measure is referred, fails to take action thereon within ten (10) working days from such referral, the proposed measure shall be deemed favourably reported by such a committee, and the proposal shall be calendared for second reading, upon the proponent's instance.

The committee report may be dispensed off if the proposed measure is sponsored by the concerned committee or upon approval of two-thirds (2/3) of the members present in the session.

D. Second Reading – on the next regular session after a proposed measure is reported favorably by the committee(s) concerned, the measure be thereafter calendared for second reading.

During the second reading, the principal author of the proposed measure shall deliver a sponsorship speech, explaining the nature of the ordinance or resolution and recommends its approval. Thereafter, shall proceed to make the necessary motion to open the floor for debate on the measure. The Sanggunian retains the right, by a majority vote of all its member, to close all debates at any time during the discussion.

Once the debate has been closed, and a motion to open the period for amendments have been raised and approved by a majority of all the members present, the Presiding Officer shall then declare the period for

amendments open. After the period of amendments has been closed, the proposed measure shall be voted upon for final action by the Sanggunian.

E. **Third Reading** – all ordinances which have approved by the Sanggunian during second reading shall again be presented in the final form complete with all approved amendments; not later than the second session immediately following the day of their approval. No debate or amendments shall be allowed at this stage.

Ordinances shall be considered enacted and resolutions adopted on the date such measures were approved on third reading.

All approved ordinances or resolutions shall be transmitted to the Office of the Municipal Mayor not later than ten (10) days upon final approval.

F. **Posting of Ordinances and Resolutions** – the Secretary to the Sanggunian shall cause the posting of an ordinances or resolutions in a bulletin board of the Municipal Hall, and in at least two (2) conspicuous places in the territorial jurisdiction of the municipality not later than five (5) days after approval thereof, such fact shall be recorded in a book kept for the purpose, stating the dates of approval and posting.

In addition to the requirement set forth by Section 59 (c) of RA 7160 otherwise known as the Local Government Code of 1991 pertaining to publication of ordinances with penal sanctions in a newspaper of general circulation, posting of such ordinances shall be made in all barangays of this municipality for a minimum of three (3) consecutive weeks.

Section 4. No ordinance shall be considered on second reading in any regular session, if it has not been reported by the proper committee/s, except when certified to as urgent by the municipal Mayor.

Section 5. On the day of the consideration of a reported ordinance or resolution, the same shall be read in full, with such amendments as the committee may propose, unless such second reading shall be dispensed with by a majority vote, and there after the ordinance or resolution shall be subject to debate, amendment and all proper parliamentary motions.

Section 6. **Approval of Ordinance and Veto Power of the Local Chief Executive.** The approval of the ordinance by the Mayor, as the case may be, and the exercise of his veto power shall be governed by the following rules:

- a. Every ordinance enacted by the Sanggunian shall be presented to the Mayor for his approval. If he approves the same, he shall affix his signature on each and every page thereof; otherwise, he shall veto it and return the same with his objections to the Sanggunian, which may proceed to reconsider the same. The Sanggunian Bayan shall record the objections of the Municipal Mayor and proceed to reconsider the ordinance or resolution or the items thereof and the names of the members voting recorded. The Sanggunian may override the said veto by two-thirds (2-3) vote of all its members thereby making the ordinance or resolution effective for all legal intents and purposes.
- b. The veto shall be communicated by the Mayor to the Sanggunian within ten (10) days. Otherwise, the ordinance shall be deemed approved as if he had signed it.
- c. The Mayor may veto any ordinance of the Sanggunian on the ground that it is “*ultra vires*” or prejudicial to the public welfare, stating his reasons thereof in writing.

d. The Mayor shall have the power to veto any particular items of an appropriation ordinance, an ordinance or resolution adopting a local development plan and public investment program or an ordinance directing the payment of money or creating liability. In such a case, the veto shall not affect the item or items which are not objected to. The vetoed item or items shall not take affect, unless the Sanggunian overrides the veto; otherwise, the item or items in the appropriation ordinance of the previous year corresponding to those vetoed, if any, shall be deemed re-enacted.

Section 7. Amendment or additions to an ordinance shall be offered either orally unless requested by the Body to be made in writing. In which case the Secretary to the Sanggunian shall furnish copies thereof to the members.

Section 8. Amendments to a title of an ordinance or resolution shall not be in order until after the text thereon has been perfected. Amendments to the title shall be decided without debate.

Section 9. When reading of papers other than one upon which the body is called to give a final vote is demanded, it shall be determined without debate by vote of the Body.

RULE XIII
ORDINANCES, RESOLUTION, MESSAGES,
MEMORIALS AND PETITIONS

Section 1. Draft/Ordinances and resolutions shall be signed by their authors, and shall be handed to the Secretary of the Sanggunian who shall include the same in the Order of Business at the next session for first reading and reference to the proper committees.

In case of an erroneous referrals to Committees, the same may, under the five-minute rule, be corrected during the scheduled regular session or incorporated in the report of the committee to which the ordinance or resolution was improperly referred.

In an ordinance or a resolution resulting from a consideration or substitution made by a committee, the name of the author and every member who has signed as such of the ordinances or resolutions consolidated or substituted for shall appear, in order that the names be shown therein and according to the date of the filling thereon.

Section 2. Messages from the Municipal Mayor shall be read in full before the Sangguniang Bayan, and those in which any recommendations are made and shall be referred to the proper committee.

Section 3. Petitions and memorials addressed or endorsed to the Sangguniang Bayan shall be reported to the Body and referred to the proper committee.

Section 4. After the general debate is closed, and the amendments disposed of, the proposed measure, if in the form of an amendment or simple resolution or a mere proposition, shall be voted upon for final approval. If it is an ordinance or joint resolution, the same shall be referred to the Calendar of Business/Ordinances and joint resolutions on third and final reading shall have been distributed to the Members at least three (3) days prior to its passage. Upon the last reading to an ordinance or resolutions, no amendments thereof shall be allowed, and the question upon its passage shall be taken immediately thereafter, and the ayes and the nays be entered in the minutes.

RULE XIV
UNFINISHED BUSINESS

- Section 1. The consideration of unfinished business in which the Sangguniang Bayan may engage at the adjournment shall be resumed after the proposed ordinances or resolutions and other documents have been referred to committees, and so on each succeeding session until finished business is disposed of.
- Section 2. All unfinished business before committee of the Sangguniang Bayan at the end of the session shall be resumed at the commencement of the next session in the same manner as if no adjournment had taken place.
- Section 3. For purpose of the preceding section, the secretary to the Sanggunian shall return to their respective committees the papers relating to all unfinished business submitted to him at the close of the preceding session.

RULE XV
RULES ON MOTIONS

- Section 1. Every motion made during session shall be entered on the records of the Sangguniang Bayan with the name of the Member/s making it, unless withdrawn on the same session.
- Section 2. When an oral motion has been made, the Presiding Officer shall state it to the Body. If the motion is in writing, he shall cause it to be read aloud by the Secretary to the Sangguniang before any debate can be had. Thereafter, it shall then be considered as having been brought to the attention of the Body. Any motion may be withdrawn at any time before its amendment.
- Section 3. The following motions can be presented or proposed even if someone has the floor, viz:
- a. Appeal/ Reconsideration from the decision of the Presiding Officer
 - b. Call for orders of the day
 - c. Divide the body
 - 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. Reconsider
 - j. Reconsider and have entered on the minutes
 - k. Raise a question of privilege
- Section 4. The following motions require a SECOND, viz:
- a. Adjourn
 - b. Adopt a report or resolution
 - 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. Recess
 - 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 main motions





- Section 5. If someone *“has the floor”* whether or not he is speaking, a *“motion to adjourn”* shall be ruled as *“out of order”*.
- Section 6. Any member who shall call for order of the day when there has been no deviation from the order of business shall be declared out of order.
- Section 7. A motion is in order only up to the second degree, thus a motion *“to amend an amendment”* is in order. But the latter shall not be voted on until the original motion or proposition is perfected.
- Section 8. A motion to amend (amendment of the 1st degree) and motion to amend an amendment (amendment of the 2nd degree) may be withdrawn but only before a decision is made thereon.

When a motion or proposition is under consideration, a motion to amend that amendment by a way of substitute, shall not be voted upon until the original motion or proposition is perfected.

- Section 9. No motion or a proposition on a subject different from that under consideration shall be submitted under color of amendment.
- Section 10. No member shall speak against his own motion or proposition. He may, however, be permitted to withdraw his motion or proposition if his request to withdraw is denied, he may vote against it.
- Section 11. When a question is under debate, no motion shall be entertained, except to adjourn, to declare a recess, to lay on the table, to refer, to amend, or postpone indefinitely; which motion shall be presented in the foregoing order. No motion to postpone, definitely or indefinitely, which has already failed to pass, shall again be made on the same day.
- Section 12. On the call of any Member, before any debate can be had on any motion, a question which includes propositions so distinct in substance from the main motion, should be divided in as many subquestions as may be necessary for purposes of clarity.
- Section 13. A motion to read any part of the Rules is equivalent to call to order or question. Such motion shall take precedence over any other motion except to adjourn.
- Section 14. When voting on a non-debatable motion, no other remarks or manifestations will be entertained by the Presiding Officer when a member already casted his vote.

RULE XVI
QUESTIONS AND PRIVILEGES

- Section 1. **Question of Privilege.** These are questions relating to the rights and privileges of the Sanggunian or any of its members: Questions of privilege are:
 - a) Those affecting the rights of the Sanggunian Bayan collectively, its safety, dignity and the integrity of the proceedings; and
 - b) Those affecting the rights, reputation and conduct of the members.
- Section 2. Questions of privilege shall be raised and finished within five-minutes (*referred to in this rule as the “five-minute rule”*). It is undebatable and shall take precedence over all motions except those relating to adjournment and recess.

RULE XVII
RULES ON DEBATES AND DECORUM

- Section 1. As a general rule, no member shall speak before this Sanggunian without first *“obtaining the floor”*. A member who has obtained the floor shall direct all his remarks to the Presiding Officer and addresses the latter as *“Mr./Madam Vice Mayor/ Presiding Officer”*.
- Section 2. When any member desires to speak or deliver any matter to the Body, he must raise his hands and ask the permission of the Presiding Officer for him to take the floor. When two (2) or more Members raise their hands at once, the Presiding officer shall name the member who is to speak first.
- Section 3. After he has obtained the floor, the member may use the podium or remain in his seat and use the microphone assigned to him unless otherwise requested by the Presiding Officer to use the podium. He shall conduct himself with proper decorum by confining his remarks or arguments to the question under debate. He shall refrain from uttering words which because of their meaning might be inconsistent with proper decorum and offensive against the personality of any Member.
- Section 4. While having the floor, a member may be interrupted in his speech or talk by the Presiding Officer to state a point of order, to respond to questions from the floor, to clarify something related to the issue being discussed or to make certain remarks within his privilege.
- Section 5. The speaker may likewise be interrupted by another member if the latter desires to ask questions thru his privilege to interpolate and by proposing the following motions:
- a. Point of order
 - b. Point of information
 - c. Point of parliamentary inquiry
 - d. Call for orders of the day
 - e. Divide the body
 - f. Raise a question of privilege
 - g. Reconsider
 - h. Appeal from the decision of the presiding officer
- Section 6. The member delivering the sponsorship speech of a proposed measure may move to open or close the debate. If he fails to exercise his option, the Presiding Officer may use the *“assumed motion”* to open or close the debate, or any member may formally move for it.
- Section 7. Unless a different method is adopted by the members present in a particular session, amendments to any proposed measure, or parts thereof, shall be in *seriatim*. Under this *seriatim* method, the proposed measure is read paragraph by paragraph or section by section and after each one is read, amendments can be proposed and debated upon. Thereafter, a vote is taken on the proposed amendment. Eventually, this process will reach its conclusion and the original measure or proposition is said to have passed the *“second reading”*.
- Section 8. Any member, in any debate, shall state his question, suggestions or opposition substantially and direct to the point in a matter so as not to occupy much of the time of the session; or may speak more than once on the question without leave of the Body, except as hereinafter provided in this Rule.
- Section 9. If any Member, is speaking or otherwise, transgresses the rules of the Sangguniang Bayan, the Presiding Officer shall, on his own initiative or at the request of any Member, call him to order, and the Body shall, if appealed to, decide on the case as provided in these rules. If the decision is in favor of the member called to order, he shall be at liberty to proceed.
- Section 10. Upon request, a member may be called to order for words spoken ~~in~~ during a debate. The Member making such request shall indicate the words so uttered by





said member. The spoken words shall be taken down in writing by the Secretary to the Sanggunian and be read aloud to the Body;

But the member who uttered them shall not be held to answer nor subject to censure of the body, if further debate or business has already intervened before the request has been made.

Section 11. While the presiding officer is addressing the Body or putting a question or while the session is in order, no Member shall roam around, walk out of or across the Session Hall.

Section 12. No person or any Member of the Sangguniang Bayan shall be permitted at any time to smoke during sessions. No-smoking signs shall be put inside the session hall.

RULE XVIII
VOTES AND VOTING

Section 1. **Method of voting.** Unless a different method is prescribed by the Sanggunian for a particular legislative measure, voting shall be by nominal voting or roll call.

Section 2. **To put the question to a vote.** The Presiding Officer shall so state whenever he is putting a question to a vote. In taking the vote, the Presiding Officer shall take first the affirmative votes and then the negative votes. Thereafter, he shall immediately announce the result thereof.

Section 3. **Voting on the question.** Whenever a question is put to a vote, the Presiding Officer may either:

- a) Declare: *“As many as are in favor, raise your hand”*; or
- b) Order the Secretary to call the roll of members either in alphabetical order or by rank. As each name is called, the member shall announce his vote by stating “YES” or “NO”, as the case may be. A member may explain his vote if he so desire but not to exceed three (3) minutes.

A second roll call may be requested by any member from the presiding officer but this time only the names of those who failed to vote shall be called. This is to give another opportunity to those who failed to cast their votes to exercise their rights. After this second roll call, no other request of the same kind shall be entertained by the presiding officer.

Section 4. **Change of vote.** A member may change his vote but only when the result of the voting has not yet been announced by the Presiding Officer. After the announcement, a member can change his vote upon due cause only with a unanimous consent of the members present.

Section 5. **Vote by late-comer.** A member who came in late during the session but who happens to arrive while voting is in progress shall be allowed to vote, provided that the result of the voting has not yet been announced by the Presiding Officer.

Section 6. **Allowable motion during voting.** Except for a motion pertaining to a question of quorum, no other motion shall be entertained by the presiding officer while voting is in progress.

Section 7. When the Presiding Officer asks if there is any objection to a motion for the approval of any ordinance or resolution and no one registers his objection thereto, the Secretary to the Sanggunian shall enter in the record as voting affirmatively the names of all the members present at that particular time, this having the effect of a nominal voting.

No Member can vote on any question in which he has direct, personal or pecuniary interest. This does not, however preclude any member from voting for himself to any position within the Sangguniang Bayan.

Section 8. **Break a tie.** In case of tie, the Presiding Officer shall vote to break the tie. He is, however, precluded under existing laws to cast his vote in order to create a tie.

Section 9. **Majority vote of all the members when required.** As provided for under the Local Government Code of 1991 and its Implementing Rules and Regulations, “a majority vote of all the members of the Sanggunian” is required in the following circumstances:

- a. Enactment of ordinances levying taxes, fees and charges and granting tax exemptions, incentives or reliefs. (Sec 447, par. (a) (2) (ii), RA 7160).
- b. Adoption of resolutions authorizing the Municipal Mayor to negotiate and contract loans and other forms of indebtedness. (Sec 447, par. (a) (2) (ii), RA 7160).
- c. Enactment of ordinances authorizing the floating of bonds or other instruments of indebtedness for the purposes of raising funds to finance development projects. (Sec 447, par. (a) (2) (iv), RA 7160).
- d. Adoption of resolutions authorizing the Municipal Mayor to lease to private parties buildings held by the municipality in a proprietary capacity. (Sec 447, par. (a) (2) (v), RA 7160).
- e. Enactment of ordinances granting franchise to any person, partnership, corporation or cooperative to establish, construct, operate and maintain markets, slaughterhouses, or such other similar activities within the municipality. (Sec 447, par. (3) (vii), RA 7160).
- f. Adoption of resolutions concurring with the appointments issued by the Municipal Mayor. (Sec 447, par. (d), RA 7160).

Section 10. **Percentage vote.** A percentage vote shall be construed to mean as a proportion of a certain whole. Percentage vote shall be applied in the following:

- a. A two-thirds (2/3) vote of the members of the Sanggunian shall be required in overriding the veto of the Municipal Mayor thereby making a particular ordinance or resolution effective for all intents and purposes. (Sec 54 (a), RA 7160)
- b. Unless otherwise concurred in by two-thirds (2/3) vote of the Sanggunian members present, there being a quorum, no other matter may be considered at a special session except those stated in the notice. (Sec. 52 (d), RA 7160)
- c. The penalty of suspension or expulsion that may be imposed or meted out by the Sanggunian to an erring member shall require the concurrence of at least two-thirds (2/3) of all the Sanggunian members. (Sec. 50. (b) (5), RA 7160)
- d. With the concurrence with at least two-thirds (2/3) of all the members of the Sanggunian, grant tax exemption, incentives or reliefs to entities engaged in community growth. (Sec. 447 (2) (xii), RA 7160)
- e. At least a two-thirds (2/3) affirmative vote of the members present, there being a quorum, shall be required for the adoption of the following motions:
 - i. Motion to suspend the rules
 - ii. Motion to expunge
 - iii. Motion to extend or limit debate
 - iv. Motion to call for the previous question

- f. At least a two-thirds (2/3) negative vote of the members present, there being a quorum, shall be required in order to sustain the *“motion to object to the consideration of a question.”*

Section 11. **Simple majority.** Except as otherwise provided in this Internal Rules of Procedure and existing laws, rules and regulations, a vote by a *“simple majority”* shall prevail on other measures, motion or propositions provided there is quorum. In parliamentary parlance, the term *“simple majority”* means one half plus one (1/2+1) of the total votes cast by the members present there being a quorum. It might be less than the majority of the entire membership.

Section 12. **Abstentions.** No member can be compelled to vote. He may, however, abstain. The name of the member who chose to abstain should be put on record.

Section 13. **Majority of the members present (thereby constituting a quorum).** Except as provided in Section 9 hereof, all other legislative measures shall require only a *“majority vote of the members present therein having a quorum”* for its passage, adoption or enactment, as the case may be. Hence, a matter, motion or resolution is considered carried or approved if voted by the Majority of the Members present.

RULE XIX
COMMITTEES

Section 1. **Creation of Committee.** The following rules shall be observed in the creation of committees:

- a) A regular or standing committee may be created or re-organized by a majority vote of all the members of the Sanggunian;
- b) The Presiding Officer may recommend the creation or re-organization of any regular or standing committee. The Sanggunian shall act on his recommendation without debate and vote on it immediately;
- c) Special or ad-Hoc committees may be created upon the initiative of the Presiding Officer or thru a motion by any member, subject however, to the affirmative votes of a majority of the members present, there being a quorum.

Section 2. **Composition.** Every regular committee to be created shall be composed of the Chairman, Vice Chairman and three (3) members.

Section 3. **Membership/ Mode of Selection.** The following procedure shall govern the mode of selection/ election of membership to the committees:

a) Chairperson

- i. Any Member, regular or ex-officio who is interested to chair a committee may so manifest his intention provided that his profession/expertise is related to the committee he wants to head;
- ii. If there are no volunteers, any member may nominate a qualified colleague. If there are no other nominations and the nominated member accordingly assents, he shall assume the office ;
- iii. In case of more than one (1) volunteer or nominee, there shall be a division of the house. The nominee or volunteer who gets the majority vote, shall assume the office; and
- iv. All members of the Sanggunian should be present during the selection/election of the committee chairmanships. Otherwise, no selection/ election of committee chair shall be had until all members of the Sanggunian are present.

b) Vice- Chairman and Three (3) Members

The selected/ elected Chairman of any Committee has the duty to select his co-members - one (1) Vice-Chairman and three (3) members, subject to the limitations and restrictions as herein provided.

c) Vacancy in the Sangguniang Bayan

Notwithstanding the provisions of Section 4 thereof, if a permanent vacancy occurs in the Office of the Sangguniang Bayan, the committee/s chaired by the Sangguniang Bayan Member who caused the vacancy shall be assumed by the Vice-Chairman until a replacement has been duly appointed or qualified who will then assume the chairmanship of the said committee/s unless, the body agrees on such other arrangement in the interest of public service.

Section 4. Restrictions/ Limitations of Memberships.

- a) The Presiding Officer shall not be a regular member of any committee. He shall be an ex-officio member with voting power in all standing committees. He may, however, be designated by the body as Chairman of Ad-Hoc or Special Committees, provided that the purpose or task for which the committee is created does not involve legislative matters or policy-making.
- b) No member of the Sanggunian Bayan shall be a Chairman of more than three (3) committees, Vice-Chairman for more than four (4) committees and member of more than ten (10) committees.

Section 5. Committee Meetings. A committee meeting shall be attended only by committee members to which the proposed measure, memorials and communication was referred, unless a majority of the members of the committee thereof decided to allow other members/ persons to be present especially invited resource persons or consultants.

Section 6. The Chairman shall call committee meeting as the need arises. In case of failure of the Chairman to convene the Members within one week after the matter was referred to the committee, the Vice-Chairman shall convene the meeting or in the absence of the Chairman and the Vice-Chairman, the Presiding Officer as ex-officio member shall convene the committee to consider the matter.

Section 7. A majority of all the members of any standing committee shall constitute a quorum to do business.

Section 8. Any standing Sangguniang Bayan committee may request the appearance before the committee of any official or chief of office of the Municipal Government or may request the appearance of other persons before it.

Section 9. All special or conference committee maybe created by the Sangguniang Bayan or the Presiding Officer as the need arises and the chairperson, vice-chairperson and members shall be elected by the Sangguniang Bayan or appointed by the Presiding Officer.

Section 10. Any committee or special committees conducting probes of investigation in aid of legislation shall within fifteen (15) days after the regular or special meeting of the Sangguniang Bayan, submit an official report signed by the Chairperson and majority of the members of the committee concerned, on such probes or investigations for which invitations, subpoenas and subpoena "*duces tecum*" have been issued.

Section 11. There shall be a reorganization of the Committees upon majority vote of the members when public interest so requires.

Section 12. Committee Hearings or Public hearings. No tax ordinance or revenue measures or ordinances prescribing penalties shall be enacted by this Sanggunian in the absence of a public hearing/s duly attended by all the members of the Sangguninang Bayan to be facilitated by the committee concerned.

Section 13. **Standing Committees.** The Sanggunian shall create the following standing committees, with duties and powers are as hereinafter stated:

- a. **COMMITTEE ON LAWS, RULES, ETHICS, PRIVILEGES AND GOOD GOVERNMENT**– all matters relating to the legal aspects of resolutions, ordinances, proposals, actions and all documents, deeds, petitions communications and papers referred to the Rules of Procedure of the Sangguniang Bayan, creation and reorganizations of Committees and matters pertaining to privileges and conduct of its members as when the officers and employees of the Municipal Government. The committee shall have overall jurisdiction on all matters relating to the Order of Business, the implementation of national laws and enforcement of local ordinances, revision and interpretation of the sangguniang Internal Rules of Procedure; codification of local ordinances, committees and their jurisdiction; and privileges and disorderly conduct of the members of the sanggunian. It may conduct an investigation and recommend the appropriate sanction or penalty to the authority concerned. – Matters pertaining to and in relation with the conduct of investigation of complaints and charges of disorderly conduct against Elective Barangay Officials pursuant to the provisions of RA 7160 and investigation of charges of misfeasance and malfeasance against local officials and employees.

- a. **COMMITTEE ON FINANCE, BUDGET AND APPROPRIATION** – The committee shall have general jurisdiction over all matter relating to funds for the expenditures of the Municipal Government and for the payment of public indebtedness, monitoring of accounts and expenditures of the Municipal Government, claim against the government, and in general all matters relating to public expenditures, the approval of the budget, appropriation of funds or payment of obligations; determination of compensation of personnel; reorganization of local offices; allocation of funds for projects and other services. The Chairman of the committee shall be member of the Municipal Development Council.;

- b. **COMMITTEE ON WAYS AND MEANS** – Has general jurisdiction on all matters relating to revenue in general; bonded indebtedness of the Municipal Government, taxes and fees; study and revision of tax measures, assessment and evaluation of properties, loans, charges, and generation of other sources and forms of revenue from both public and private sectors, including codification of revenue ordinances;

- c. **COMMITTEE ON MARKET AND SLAUGHTERHOUSE** – all matters relating to the creation, organization, operation and policies of public market and slaughterhouse;

- d. **COMMITTEE ON COMMERCE, TRADE AND INDUSTRY, AND BUSINESS ESTABLISHMENTS** – This shall have general jurisdiction over all matters relating to trade, commerce and industry in general, protection of such commerce and industry against unlawful restraint and monopolies, and all matters relating to the creation, organization, promotion, establishment, operation regulation and policies and enhancement of entrepreneurial activities and undertakings and ensure consumer protection of all business establishments and economic enterprise, or all other enterprises owned and controlled by the Municipal Government.

- e. **COMMITTEE ON INFRASTRUCTURE AND PUBLIC WORKS** – This shall have general jurisdiction over all matters relating to the planning, construction, improvement, maintenance and repair of public buildings, road networks, street and bridges, parks, monuments and playgrounds, other public edifices, drainage, sewerage, flood control and protection, building permits, zoning and other public improvement projects, including the power and water and irrigation system and proper implementation and observance of the national Building Code.

- f. **COMMITTEE ON LABOR AND EMPLOYMENT** – This shall have general jurisdiction over all matters relating to labor disputes and conciliation, labor employment and human resource development, maintenance of industrial peace and promotion of employer-employee cooperation, labor education, standard and statistics, organization of labor market, including recruitment, training and placement of workers for employment, human resource promotion and development of labor-intensive technology. Shall spearhead employment generation and vocational, technical and skill development programs. It has likewise general authority on all other matters relating to labor and employment, economic planning and programming, wages and hours of labor, women and child labor, statistics and labor standards. The chairman of the Committee shall be a member of the Personnel Selection Board;
- g. **COMMITTEE ON TRANSPORTATION AND COMMUNICATION** – This shall have general jurisdiction on the regulation and granting of franchises to all public transport and other conveyances for hire operating within the municipality and all other related matters relating to transportation, mobility of passenger jeepneys and tricycle operating within the municipality in coordination with all government agencies charged with administration, operation and usage of public utilities and public safety. This shall have general jurisdiction on all matters relating to telecommunications. The chairman of the Committee shall be an automatic member of the Committee on Franchising and Games and Amusements;
- h. **COMMITTEE ON AGRICULTURE, AND COOPERATIVES** – This shall have general jurisdiction over all matters relating to agriculture, fishing, forestry and food including animal husbandry, agricultural experiment station, agricultural economics and research, livestock quarantine, soil survey and conservation, and educational extension services, consumer and other cooperatives, consumer protection and development of cottage industries, farm credits; fisheries and aquatic resource preservation and development and advancement of fisheries and regulatory measures thereto;
- i. **COMMITTEE ON FAMILY RELATIONS, CHILD WELFARE, WOMEN, AND HUMAN RIGHTS** – This shall have general jurisdiction over all matters relating to the welfare of the family as a basic autonomous unit and the sanctity of family life and related matters, all matters relating to the welfare of the child especially their protection from abusive parents and/or guardians, all matters relating to the welfare of women, their role in society as primary moral, spiritual, social and economic force and their fundamental equality before the law with men, promotion and protection of the rights, opportunities and welfare of women; the development and implementation of policies and legislative measures on women empowerment and other assistance that will safeguard the development of women and family, the protection of human rights and prevention of human rights violation, matters related in the administration of justice; protection and violation of individual human rights including civil and political rights, and such all matters relating to abuses committed in violation of human rights;
- j. **COMMITTEE ON HEALTH AND SANITATION** – This shall have general jurisdiction over all matters relating to health, sanitation and sanitation, including proposals pertaining to cemeteries, hospitals, health centers, medical hospitals and clinics; purchase of medicine and other health and sanitary measures. The chairman of the committee shall automatically be a member of the Local Health Board;
- k. **COMMITTEE ON EDUCATION, SCIENCE AND TECHNOLOGY, CULTURE AND ARTS** – This shall have general jurisdiction over all matters relating to education and literacy, both formal and non-formal, overall supervision of local schools, both private and public; including day care centers. Monitors and supervises implementation of scholarship programs, alternative learning, out of school youth programs and other matters related to education; moral and



religious formation of the community. The Chairman of the committee shall automatically be a member of the Local School Board.

- l. **COMMITTEE ON PEACE AND ORDER** – This shall have general jurisdiction over all matters relating to the maintenance of peace and order, protective services, traffic rules and regulations, fire prevention and control measures, jail management, drug prevention, the police work and services and the prosecution of crimes in coordination with the various police and protective agencies of the National Government. The Chairman of the committee shall be a member of the Local Peace and Order Council.
- m. **COMMITTEE ON ECOLOGY AND ENVIRONMENTAL PROTECTION** – This shall have general jurisdiction over all matters relating to the maintenance of an ecologically balanced environment, the conservation of trees and the rehabilitation of watersheds located within the territorial jurisdiction of the municipality, and all matters relating to environmental protection; exploration, development, utilization and conservation of natural resources, including flora and fauna; beautification, cleaning and greening of parks and places of public interest and other environmental related matters.;
- n. **COMMITTEE ON FRANCHISING AND GAMES AND AMUSEMENT** – This shall have general jurisdiction over all matters relating to the grant, review, or denial of special privileges, on games and amusements, and all matters related to business establishments operating and managing entertainment activity, such as lotto and cockfighting; it can also grant permits, franchises and licenses to entertainment business establishments, for the operation and management of beer houses, operation of carnivals, perya, video games and other similar amusement and entertainment activities;
- o. **COMMITTEE ON HOUSING AND LAND USE** – This shall have general jurisdiction over all matters pertaining to zoning, housing and land use within the territorial jurisdiction of the municipality and all other matters related to the preparation of a comprehensive master plan for the physical, economic, socio-cultural, religious and other aspects of the present and future development of the municipality; classification, use, possession and ownership of lands; determination of boundaries, buildings and structures; matters related to zoning, proper implementation and observance of the National Building Code, subdivision, real estate and acquisition of landed estates;
- p. **COMMITTEE ON SOCIAL SERVICES, INDIGENTS AND DISABLED PERSONS** – All matters relating to social services and all matters relating to public and social welfare and ameliorative services of underprivileged and disabled persons; public social services for the disadvantaged groups in the society including the elderly, the disabled, street children, drug dependants, criminal offenders and squatters their possible involvement in government programs the protection of their rights and from being discriminated in the society;
- q. **COMMITTEE ON YOUTH AND SPORTS DEVELOPMENT** – This shall have jurisdiction over all matters relating to the upliftment of youth and sports development, their promotion moral, physical, intellectual and social well-being; the Barangay youth council and the development of sports in the community;
- r. **COMMITTEE ON BARANGAY AFFAIRS** – This shall have jurisdiction over all matters relating to the affairs of the barangays within the municipality and all those pertaining to the supervision by the municipal government over the barangays and the undertaking of community projects at the Barangay level
- s. **COMMITTEE ON SENIOR CITIZEN** – This shall have jurisdiction over all matters relating to the welfare, protection, health and benefits of the senior citizens in the municipality;

- t. **COMMITTEE ON TOURISM** – This shall have jurisdiction over all matters pertaining to tourism and tourist industry, protection, preservation, development and enhancement of art, cultural and natural assets which are tourist attractions; promotion and development of tourism as a major socio-economic activity; operation and management of tourism establishments; matters related to international foreign relationships. With general jurisdiction on all matters concerning the promotion of tourism industry in the municipality, including the preservation and advancement of culture and traditions. It shall formulate programs to develop strategic sites conducive for tourism purposes. The Chairman of the committee shall be member of the San Nicolas Tourism Council;
- u. **COMMITTEE ON DISASTER RISK REDUCTION AND MANAGEMENT AND CLIMATE CHANGE** – all matters relating to disaster preparedness, response, prevention and mitigation, and rehabilitation, recovery, Disaster Risk Reduction and Management and Climate Change. Enact legislative measures that enhance adaptation to climate change and provide ways to mitigate its effects. The Chairman of the committee shall be an automatic member of the MDRRMC.

RULE XX
BARANGAY ASSIGNMENTS

Section 1. **Barangay Assignments.** One regular member of the Sangguniang Bayan shall be assigned three (3) barangays each to closely coordinate with the barangay government for the efficient delivery of basic services. The member may choose their assignments subject to approval of the Vice Mayor. Barangay Assignments may be changed after eighteen (18) months upon the approval of the majority of the members.

RULE XXI
JOURNAL AND RECORD OF PROCEEDINGS

Section 1. **Record of Proceedings.** The Sanggunian shall keep a “*journal and record*” of its proceedings which may be published upon resolution of the majority members thereof and shall be submitted by the Secretary to the Sanggunian for appropriate action.

Section 2. **Minutes.** In addition to the “*journal of proceedings*” which is required by the Local Government Code of 1991 to be kept, the Sanggunian, thru its Secretary shall also record its proceedings in the form of a “minutes” which shall be submitted by the Secretary to the Sanggunian for appropriate action.

Section 3. **Reading and Consideration of Previous Minutes.** The minutes of the previous session shall be submitted by the Secretary to the Sanggunian during its succeeding regular session. The Sanggunian shall first determine if there are corrections to be made on the minutes and act on it accordingly before the same is adopted and becomes its property. Consideration of the minutes shall not be dispensed with. Reading of the minutes “*verbatim*” may be dispensed with if the members were already furnished a copy beforehand. Being all responsible men and women, the members are presumed to have read the minutes already before they come to the session. In any case, the minutes submitted by the Secretary shall be acted upon by the members present, one way or the other.

Section 4. **Contents of Minutes.** The minute shall contain the following information:

- a. Date of session;
- b. Place of session;
- c. Time when the session was called to order;
- d. Statement regarding the attendance of the Presiding Officer and the Sanggunian members;
- e. Statement whether the minutes of the previous session were read and approved, or whether reading was dispensed with, including the date of the said session;

- f. All motions made, except those withdrawn;
- g. Titles, synopsis of proposed ordinances and resolutions as introduced or as vetoed by the Municipal Mayor;
- h. The affirmative and negative votes made;
- i. Points of order and appeals, and the result thereof;
- j. Time when the session adjourned.

Section 5. **Signing of the Minutes.** The minutes shall be signed by the Sanggunian Members and the Secretary and entered into the Sanggunian's record book with an indication of its approval or disapproval and the date thereof.

Section 6. **Excerpts.** Excerpts to be taken out of the minutes shall be certified and attested to as correct by the Secretary and the Presiding Officer on that particular session, respectively.

RULE XXII

PERTINENT PAPERS, COMMUNICATIONS AND DOCUMENTS OF THE SANGGUNIANG BAYAN

Section 1. Committee papers, documents and communications shall be delivered to and kept and reserved in the general file of the Sangguniang Bayan for future reference.

Section 2. The Secretary of the Sanggunian, after the adjournment of a session shall take charge of, keep and file all ordinances, resolutions, petitions and other papers referred to committees, including all data, evidence and reports gathered by such committee during said session, which have not been reported to the Sangguniang Bayan. All papers of confidential nature or those, which the committee concerned considers confidential, shall be placed in confidential place under the custody of the office of the Secretary to the Sanggunian.

Section 3. No paper presented to the Sangguniang Bayan shall be withdrawn from its files without its leave, and if withdrawn therefrom, certified copies thereof shall be left in its place, but when an act may pass for a settlement of a claim, the Secretary to the Sanggunian is authorized to transmit to the officer-in-charge of the settlement thereof papers on the file in his office relating to such claim, or may loan temporarily to an officer or bureau to any matter pending before such officer or bureau, taking proper receipt thereof.

Section 4. Communications, notices, or pertinent papers for consideration of any member on any session are forwarded likewise to the e-mail account of each member and such will be sufficient unless, requested by the concerned member for the hard copy.

RULE XXIII

RECONSIDERATION

Section 1. When a report, motion, resolution or proposed ordinance has been adopted, only a Member who voted with the minority side shall be entitled to present a motion for reconsideration when the matter is still within the control of the Sangguniang Bayan; Provided, however that a Member who voted with the majority may present a motion for reconsideration, if seconded by a Member from the minority side. Any Member who abstained from voting shall have absolutely no right to ask for reconsideration.

Section 2. A motion for reconsideration, if duly seconded, takes precedence over all other questions, except a motion to adjourn.

Section 3. No ordinance, petition, memorial or resolution referred to a committee, or reported therefrom, shall be brought back into the Sangguniang Bayan on motion for reconsideration.

RULE XXIV
DISCIPLINARY ACTIONS

- Section 1. **Disorderly behaviour or conduct.** Disorderly behaviour or conduct by any member of the Sanggunian shall be punished accordingly with: reprimand, or exclusion from sessions, depending upon the gravity of the offense committed.
- Section 2. **Absence.** A Sanggunian member that incurs absences for four (4) consecutive sessions without justifiable cause, shall be punished accordingly with suspension or expulsion as the case maybe, as provided for under Article 124 (a)(6) of the Implementing Rules and Regulations of RA 7160.
- Section 3. **Instances of justifiable absences.**
 - a. Official business. Prior notice shall be given to the Presiding Officer thru the Secretary to the Sanggunian, supported by corresponding official communication.
 - b. Medical related cases. Prior notice shall be given to the Presiding Officer thru the Secretary to the Sanggunian. However, text message should suffice especially on emergency cases.
 - c. Other reasons. Inform the Presiding Officer through the Secretary to the Sanggunian, the Sangguniang Bayan shall collectively decide whether the reason presented is valid and therefore excusable.
- Section 4. The penalty of suspension or expulsion to be imposed shall require the concurrence of at least two-thirds (2/3) vote of all the members of this Sanggunian. For other kinds of penalty only a majority vote of all the members of the Sangguniang shall suffice.
- Section 5. The Committee on Good Governance, Ethics and Accountability, shall have the power to investigate and shall render a report containing their recommendations to the Sanggunian after it shall have done the necessary proceedings.
- Section 6. For purposes of this Internal Rules of Procedure, only a fact-finding investigation and NOT an “*administrative investigation*” shall be conducted, and thus, the technical rules of court practice, procedure and evidence shall not be applied. However, the substantive due process requirement of fairness and reasonableness should be observed.
- Section 7. Should any member of the Committee on Good Governance, Ethics and Accountability be the respondent, the Presiding Officer shall designate a replacement to complete the membership thereof but only insofar as the conduct of the fact –finding investigation is concerned. In performing the other functions of the said committee, the respondent is still a member of that committee.
- Section 8. Any Member of the Sangguniang Bayan who shall fail to observe the Rules prescribed herein shall be declared out of order and, if he has the floor, he may be compelled to take his seat. In case of refusal to abide by the ruling of the Chair, the Sangguniang Bayan, upon motion of any member and duly seconded, may officially reprimand the erring member.
- Section 9. Any Member of the Sangguniang Bayan who accuses another or other Members, or any Municipal Official or employee, and later on cannot substantiate the charges, the purpose of which is only to gain publicity in the newspaper or radio, shall be punished by public censure to be voted upon by the Body without prejudice to further disciplinary actions as the law or rules may allow.

RULE XXV
RESOURCE PERSONS

Section 1. **Appearance of Head of Department/Offices in Committee Meetings.** The following rules shall be observed in requesting for the appearance of heads of department or offices:

- a. The invitation or request can either be **oral or written** depending upon the exigency of the situation. In either case, the invitation or request shall specify the reason for such appearance or the assistance needed, as the case may be.
- b. Official invitation or request by any committee before it of any head of department or offices, whether local or national, shall be course thru the Presiding Officer.

RULE XXVI
SUSPENSION OF RULES

Section 1. Any part of this *“Internal Rules of Procedure”*, except those prescribed by existing laws may be suspended at any particular session by general consent or by two-thirds (2/3) vote of the members present therein.

RULE XXVII
AMENDMENTS

Section 1. This *“Internal Rules of Procedure”* may be amended at any regular session by two-thirds (2/3) vote of all the members of this Sanggunian, provided that notice of such proposed amendment is given to all the members of the Sanggunian, and provided further that no provision herein which is based on, or prescribed by, existing laws shall be amended.

RULE XXVIII
SUPPLEMENTARY RULES

Section 1. The rules, procedures and parliamentary practices prescribed in books dealing on this subject, or any related rules promulgated by the Sanggunian insofar as they are not incompatible with the rules and procedures adopted herein, the Local Government Code and the Rules of Court, shall serve as supplementary authorities of this Sanggunian.

RULE XXIX
REPEALING CLAUSE

Section 1. In case, any part or provision of this Internal Rules of Procedure, shall be held invalid or inconsistent with RA 7160 otherwise known as the Local Government Code of 1991, its Implementing Rules and Regulations, and other related laws, other parts or provision hereof are not affected thereby it shall continue to be in full force and effect.

RULE XXX
DATE OF EFFECTIVITY

Section 1. This *“Internal Rules of Procedures”* shall take immediate effect on the date of its adoption.

RESOLVED FURTHER to furnish copies of this Resolution to the Office of the Sangguniang Panlalawigan, Ilocos Norte, for information and appropriate action and a copy hereof be furnished to the Honorable Mayor, Angel Miguel L. Hernando, for his information, and posted in the Bulletin Board for the information and guidance of the public.

Voting on the foregoing resolution was as follows:



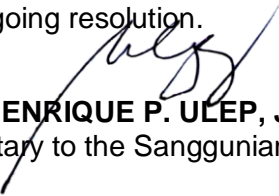
AYES : Members Caraang, Galing-Luna, Hernandez, Pumaras, Sr.,
Dadiz, Jr., Ulep, Jr., Palafox and Hernando, I.
NAYS : None.
ABSTAINED : None.

I hereby certify to the correctness of the foregoing resolution.

ATTESTED:



NAPOLEON L. HERNANDO
Vice-Mayor/Presiding Officer



ENRIQUE P. ULEP, JR.
Secretary to the Sangguniang Bayan I

APPROVED:



ANGEL MIGUEL L. HERNANDO
Municipal Mayor

Approved on: August 01, 2022