

Republic of the Philippines **PROVINCE OF LEYTE** Palo, Leyte

Item No.:



# PROVINCIAL LEGAL OFFICE 2<sup>nd</sup> INDORSEMENT August 30, 2023



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 37 S. 2023-2025 of the Municipality of Villaba, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160.

The Provincial Legal Office is of the opinion that the ordinance is in line with Section 34, 35 and 36 of the Local Government Code which enhances Local Autonomy, empowerment and participation, to the benefit of the municipality and its constituents.

Asst Provincial Legal Officer

Republic of the Philippines PROVINCE OF LEYTE Palo, Leyte

### OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1st INDORSEMENT 25 August 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed MUNICIPAL ORDINANCE NO.37, S. 2023-2025 of the MUNICIPALITY OF VILLABA, LEYTE, entitled: STRENGTHENING PARTICIPATORY GOVERNANCE IN THE MUNICIPALITY OF VILLABA THROUGH THE EMPOWERMENT OF CIVIL SOCIETY ORGANIZATIONS, ESTABLISHING A PEOPLE'S COUNCIL, PRESCRIBING ITS POWERS AND FUNCTIONS, AND PROVIDING FOR THEIR PARTICIPATION IN THE LOCAL LEGISLATIVE PROCESS, AND LOCAL BOARDS, COUNCILS, COMMITTEES, TASK FORCES AND SIMILAR WORK GROUPS.

FLORINDA JILL S. WYVICO
Secretary to the Sanggunian



August 24, 2023

THE SANGGUNIANG PANLALAWIGAN MEMBERS
New Provincial Government Complex
Campetic, Palo, Leyte



Thru:

**LEONARDO M. JAVIER, JR.** Vice Governor/Presiding Officer

Hon. Sangguniang Panlalawigan Members:

We respectfully transmit herewith Fifteen (15) copies of:

Municipal Ordinance No. 37, S-2023-2025 "STRENGTHENING PARTICIPATORY GOVERNANCE IN THE MUNICIPALITY OF VILLABA THROUGH THE EMPOWERMENT OF CIVIL SOCIETY ORGANIZATIONS, ESTABLISHING A PEOPLE'S COUNCIL, PRESCRIBING ITS POWERS AND FUNCTIONS, AND PROVIDING FOR THEIR PARTICIPATION IN THE LOCAL LEGISLATIVE PROCESS, AND LOCAL BOARDS, COUNCILS, COMMITTEES, TASK FORCES AND SIMILAR WORK GROUPS,"

for your review and approval.

Best regards.

Very truly yours,

MC QUIRIE . UMPAD
Secretary to the Sanggunian

Copy furnished:

THE LOCAL CHIEF EXECUTIVE OFFICE MUNICIPAL ACCOUNTING OFFICE MUNICIPAL TREASURY OFFICE Local Government Unit Villaba, Leyte



### **MUNICIPAL ORDINANCE NO. 37, S-2023-2025**

STRENGTHENING PARTICIPATORY GOVERNANCE IN THE MUNICIPALITY OF VILLABA THROUGH THE EMPOWERMENT OF CIVIL SOCIETY ORGANIZATIONS, ESTABLISHING A PEOPLE'S COUNCIL, PRESCRIBING ITS POWERS AND FUNCTIONS, AND PROVIDING FOR THEIR PARTICIPATION IN THE LOCAL LEGISLATIVE PROCESS, AND LOCAL BOARDS, COUNCILS, COMMITTEES, TASK FORCES AND SIMILAR WORK GROUPS

Authored by: Meriam P. Umpad Sangguniang Bayan Member



#### **EXPLANATORY NOTE**

The 1987 Constitution states that the "State shall encourage non-governmental, community based, sectoral organizations that promote the welfare of the nation". Further, the State shall respect the role and rights of independent people's organization in the pursuit of their collective interest and aspirations and ensure their effective and reasonable participation at all levels of social, political, and economic decision-making.

On the other hand, the Local Government Code of 1991 provides that the local government units shall promote the establishment and operation of non-government organizations, people's organizations and private sector to make them active partners in the pursuit of local autonomy, and to directly involve them in planning and implementation of programs and projects of LGU's.

By far, the most concrete expression of people's participation in governance is the role played by the civil society organizations (CSOs), non-government organizations (NGOs), and people's organizations (POs) in the so called local special bodies, such as the local development council, which according to the Local Government Code has a crucial role: formulate plans that would determine what development projects should be pursued and how these would be financed, among others;

This proposed measure seeks to strengthen the participation of the public through CSOs, NGOs, and POs and through their further recognition as indispensable parts in policy making and decision-making of the Provincial Government of Isabela, and the institutionalization of a Provincial People's Council so that the will and aspirations of the Villabanon's are better expressed in all aspects of governance;

JULIA KARBUMA L. CON-OI PAD -LETA T. SUMAPIG ROGELIO J. ayan Member ngguniang Bayan Member/ Sanggun ing Bayan A Sanggunian Temporary Presididne Officer WIEL ALBERT B. INOPIQUEZ MARIANO . DE CLARO ASAS, SR ROOVE M. COMPRA Sangguriang Bayan Member ngguniang Bayan Member LNB Presid SEDERALO ENSER ENEVOLDSEN YN D. RAGON Pary Secretary to the Sangguniang Bay ig Bayan Member os G. Mayor 2023 OS G. VELOSO

In view of the foregoing, the approval is moved by Sangguniang Bayan Member Meriam P. Umpad, duly seconded by all members of the Sangguniang Bayan.

### **MUNICIPAL ORDINANCE NO. 37, S-2023-2025**

**Section 1. Title.** This Ordinance shall be known as an "Ordinance Establishing People's Council in the Municipality of Villaba, Leyte."

**Section 2. Declaring of Policy.** It is the declared policy of the Local Government Unit of Villaba to require offices to conduct periodic consultations with appropriate, non-governmental and people's organizations, and other concerned sectors of the community before any project or program is implemented within its jurisdiction. Towards this end, the LGU aspires to strengthen the role of people's organization in policy making and local governance, and ensure their participation at all levels of social, political, and economic decision-making.

### Section 3. Definition of Terms. As used in this Ordinance:

- a) Civil Society Organizations (CSO) refers to any organized citizens' group including people's organization (POs) and non-government organizations (NGOs) such as community groups, labor unions, indigenous groups, charitable organizations, professional associations, and foundations;
- b) **Non-Government Organization** refers to an independent private and non-profit organization formed primarily to promote social and economic development with none of its officers or members occupying an elective position;
- c) **People's Council** refers to a body composed of representatives of registered or accredited CSOs and POs;
- d) People's Organization refer to a bona fide cooperative or association of citizens organizes for purposes not contrary to law, with demonstrated capacity to promote the public interest and with identifiable leadership, membership, and structure whose officers and members do not occupy any elective government position;
- e) **Partisan Politics** shall refer to any activity, statement, or manifestation which solely or primarily serves to campaign for or against any particular political party or any candidate for any elective public office.

**Section 4.** Accreditation of CSO's. To be duly recognized and allowed to participate in local governance, a CSO should have actively operated for at least one (1) year in the Municipality of Villaba, and must apply for accreditation with the Sangguniang Bayan. An application for accreditation shall be approved by the Sangguniang Bayan,

IDEAKAPRINAL CONUI ROGELID J. B Sangguniang Bayan Me Sanggup Sanggwniang ig Baylan Membe NIEL ALBERT B. INOPIQUEZ MARIA . DE CLARO FELIP ROQUE M. COM ang Bayan Member ngguniang Bayan Member LNB President Sanggu FEDERICO ENSOY IA N. ENEVOLDSEN RAGON secretary to the Sangguniang Bayan angguniang Bayan Member ENGINCATIONS G. VELOSO 2023

upon submission of the accreditation requirements mentioned under DILG Memorandum Circulars for each calendar year.

A CSO whose application for accreditation has been approved shall be issued a certificate containing the terms and conditions for accreditation.

The Sangguniang Bayan, however, may from time to time, and in consultation with the organized People's Council, imposed such other requirements and condition for registration as it may deem appropriate to best adhere to the principles of this Ordinance.

Any CSO already accredited prior to the effectivity of this Ordinance need not register for purposes of this Ordinance, unless its accreditation has in the meantime been withdrawn.

Section 5. Committee for the Accreditation of CSOs. The Sangguniang Bayan Committee or Accreditation shall, in addition to its duties, perform the following functions:

- a) Receive, evaluate, and process applications for registration;
- b) Monitor compliance with the conditions for accreditation; and
- c) Initiate legislative measures for the effective performance of its tasks.

The People's Council created under Section 6 hereof, once formally organized, shall be entitled to representation in the committee.

Section 6. Automatic Membership of CSO to the Municipal People's Council. An accredited CSO shall be an automatic member of the People's Council without need to perform any other act to achieve such membership.

**Section 7.** Creation of People's Council. A People's council composed of accredited CSOs shall be created in the Municipality of Villaba. For this purpose, the Committee for Accreditation shall, not later than ninety (90) days from the effectivity of this Ordinance, call for convention of all accredited CSOs to facilitate the formal organization of a People's Council.

Section 8. Structure and Rules of the People's Council. The People's Council shall determine its own organization structure and internal rules, but shall at all times provide for adequate consultation mechanisms for purposes of obtaining the views and suggestion of all political parties or movements, government employees' organizations, other non-accredited but legitimate CSOs, and accredited CSOs' which are not members of the People's Council: Provided, that no political party, government employees' organization or non-registered CSOs may be nominated by the Council for membership in the Municipal special bodies nor granted rights and privileges of accredited CSOs under this Ordinance: Provided further, that no provision herein shall be interpreted to prohibit the Council from changing its name or from being organized for purposes other than those indicated in this Ordinance.

TUBGA KAJRIMAY, COMU VIOLETA T. SUMAPIG Sangguniang Bayan Member/ Sanggu Bayan Member Sanggunia Temporary Presiding Officer NIEL ALBERT B. INOPIQUEZ FELIRES ASAS, SR ROQUE M. COMPRA DE CLARO MARIAN ang Bayan Member ang Bayan Member LNB President Sanggui THE VOLDSEN FEDERICO ENSO D. ARAGON ggunia g Bayan Member cretary to the Sangguniang Bayan ENGR. CARY S G. VELOSO Municipal Mayor 3 1 2023 Date:

**Section 9.** Recognition of the People's Council in the Sangguniang Bayan. Only one (1) People's Council shall be recognized by the Sangguniang Bayan. Accordingly, the Sangguniang is hereby mandated to issue a Certificate of Recognition for the People's Council within thirty (30) days from the filing of a petition for recognition and shall pass a Resolution embodying the rights and privileges of the recognized People's Council.

**Section 10. Withdrawal of Recognition of the People's Council.** The Sangguniang Bayan can withdrew the recognition granted to a People's Council only upon a complaint, and based on the following grounds:

- a) That the People's Council allowed itself or any of its member organizations to engage primarily in, or to be primarily used for, partisan political activities;
- b) Other grounds to be provided for in the rules and regulations to be issued to implement this Ordinance.

The Sangguniang Bayan shall not recognize internal or inter-organizational conflicts within the People's Council.

Section 11. Powers and Responsibilities of the People's Council. Upon recognition, the People's Council may, in accordance with its policies and internal rules, exercise the following powers and responsibilities:

- a) Elect or appoint, from among its member organizations, its representatives to all local special bodies, boards, council committees, task forces and other similar work group of the Municipal Government of Villaba including those which it may hereinafter create. Members organizations elected or appointed to represent the People's Council shall have no sole prerogative to choose, from among their bona fide members, the person who shall present the People's Council in the local special bodies, boards, councils, committees, task forces and other similar work groups of the Municipal Government of Villabaa. Unless otherwise provided herein, such representative shall not exceed twenty-five (25%) of the membership of the board, council, committee, task force, or special body;
- b) Participate in the conceptualization, implementation, and evaluation of the activities of the Municipal Government of Villaba: Provided, that these functions shall be exercised without compensation or remuneration. The Municipal Government shall, however, provide for the necessary office spaces, facilities, and equipment for the use of People's Council;
- c) Establish a Help Desk to be headed by a designated or appointed Desk Officer who shall facilitate, promote, and monitor CSO participation in the programs, projects, and activities of the Municipal Government of Villaba;
- d) Observe and participate in the deliberation, conceptualization, implementation, and evaluation of projects, activities, and programs of the Municipal Government of Villaba, propose legislation, and participate at the committee level of the Sangguniang Bayan;

e) Elect a representative to the Municipal People's Council.

TORCA KATRINA L. CON-UI ETA T. SUMAPIG MERIAM IO J. BAA gguniang Bayan Member/ Sanggyniang g Bayan Member ngguni Temporary Presididng Officer BERT B. INOPIQUEZ FELIPE SAS, SR . DE CLARO M. COMPRA uniang Bayan Member ang Bayan Member sident ng Bayan Member AN. ENEVOLDSEN EDERICO ENSO ang Bayan Member SK Federation Vice Presiden Secretary to the Sangguniang B yan ENGR. CANOS G. VELOSO 1-2023

Section 12. Creation of the Municipal People's Council (MPC). A MPC shall be created and recognized by the Sangguniang Bayan and shall be composed of all representatives from the municipal people's councils within the locality's jurisdiction.

. The MPC shall elect, from within its rank, a representative who shall sit as its representative to the Sangguniang Bayan.

**Section 13. Non-Partisan Nature of the People's Council.** The People's Council shall not engage in, or allow itself or its members to be used for purposes of partisan politics and shall adopt such measures to ensure that it is adequately shielded from any political partisanship or influence.

**Section 14. Separability Clause.** If any of the provisions of this Ordinance is declared invalid, the other provisions not affected shall remain in full force and effect.

**Section 15. Repealing Clause**. All ordinances, orders, and other issuances inconsistent with this Ordinance are hereby repealed or modified accordingly.

**Section 16. Effectivity**. This Ordinance shall take effect immediately upon its approval.

This Ordinance was approved by the Sangguniang Bayan in its Regular Session on June 5, 2023.

ERALYN DI ARAGON

Temporary Secretary to the Sanggunian

ATTESTED:

VIOLETA T. SUMAPIG

Sangguniang Bayan Member/Temporary Presiding Officer

JULCA KATRINA L. CON-UI

Sangguriang Bayan Member

FELIPE S. CASAS, SR.

Sangguniang Bayan Member

MERIAM P. UMPAD

Sangguniang Bayan Member

ROGELIO J. BAAY

FEOERICO-EN

Sangguniang Bayan Member

SK Federation President

**NIEL ALBERT B. INOPIQUEZ** 

Sangguniang Bayan Member

ROQUE M. COMPRA

Sangguniang Bayan Member

ELLY MARVA N. ENEVOLDSEN

Sangguniang Bayan Member

MARIANO . DE CLARO

LNB President

APPROVED:

ENGR. CARLOS G. VELOSO

**Municipal Mayor** 

Date: JUL 3 1 2023

## COMMITTEE REPORT NO. 01, S-2023 - 2025

The Committee on Public Relations conducted a Public Hearing on the proposed ordinance, entitled "STRENGTHENING PARTICIPATORY GOVERNANCE IN THE MUNICIPALITY OF VILLABA THROUGH THE EMPOWERMENT OF CIVIL SOCIETY ORGANIZATIONS, ESTABLISHING A PEOPLE'S COUNCIL, PRESCRIBING ITS POWERS AND FUNCTIONS, AND PROVIDING FOR THEIR PARTICIPATION IN THE LOCAL LEGISLATIVE PROCESS, AND LOCAL BOARDS, COUNCILS, COMMITTEES, TASK FORCES AND SIMILAR WORK GROUPS", last May 17, 2023 at the Sangguniang Bayan Session Hall, which was attended by Sangguniang Bayan Member Meriam P. Umpad, Chairman Committee on Business and Development and the author of the proposed Ordinance, and the representatives of the different Civil Society Organizations in the Municipality of Villaba, Leyte.

The Public Hearing started at 1:54 o'clock in the afternoon which was presided by Sangguniang Bayan Member Meriam P. Umpad.

The purpose of the public hearing is for the creation of a People's Council pursuant to the provisions of the Local Government Code and DILG Memorandum.

The author of the said ordinance mentioned that the People's Council will be compose of all accredited CSO's by the Sangguniang Bayan.

Mr. Rico Pelayo, a representative from an accredited CSO, suggested that during the election of the People's Council, the Municipal Local Government Operations Officer (MLGOO) must attend.

The attendees also suggested that copies of the proposed ordinance will be furnished to them after its approval from the reviewing authority.

The Public Hearing ended at 2:43 o'clock in the afternoon.

HON ELLY MARIA N. ENEVOLDSEN

Chairman

HON. JULCA KATRINAL. CON-UI

Vice-Chairman

HON. MERIAM P. UMPAD

Member

### **ATTENDANCE SHEET**

PUBLIC HEARING ON THE PROPOSED ORDINANCE, ENTITLED: "STRENGTHENING PARTICIPATORY GOVERNANCE IN THE MUNICIPALITY OF VILLABA THROUGH THE EMPOWERMENT OF CIVIL SOCIETYT ORGANIZATIONS, ESTABLISHING A PEOPLE'S PRESCRIBING ITS POWERS AND FUNCTIONS, AND PROVIDING FOR THEIR PARTICIPATION IN THE LOCAL LEGISLATIVE PROCESS, AND LOCAL BOARDS, COUNCILS, COMMITTEES, TASK FORCES AND SIMILAR WORK GROUPS - MAY 17, 2023 (1:30 PM)

	WORK GROOTS - MAT 17, 2023 (1.30 FM)	
NAME	DESIGNATION/ADDRESS	SIGNATURE
1 MERIAM P. UMPAD	SB MEMBER	1 Malmpad
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# **NOTICE OF PUBLIC HEARING**

[May 15, 2023]

SUBJECT: PUBLIC HEARING ON THE PROPOSED ORDINANC, ENTITTLED "STRENGTHENING PARTICIPATORY GOVERNANCE IN THE MUNICIPALITY OF VILLABA THROUGH THE EMPOWERMENT OF CIVIL SOCIETY ORGANIZATIONS, ESTABLISHING A PEOPLE'S COUNCIL, PRESCRIBING ITS POWERS AND FUNCTIONS AND PROVIDING FOR THEIR PARTICIPATION IN THE LOCAL LEGISLATIVE PROCESS, AND LOCAL BOARDS, COUNCILS, COMMITTEES, TASK FORCES AND SIMILAR WORK GROUP."

The Sangguniang Bayan Committee on Laws, Rules Privileges and Accountability is inviting all Accredited and Non- Accredited Civil Society Organization, MLGOO and All concerned Citizens affected by the proposed ordinance to attend the **Public Hearing** on **May 17, 2023 (1:30 PM)** at the **Sangguniang Bayan Session Hall.** 

MC QUIRIE P. UMPAD

Secretary to the Sanggunian



Hermostila Drive, District 28, Ormoc City Contact Nos. (053) 561-0809 & 09285549820 e-mail: easternvisavasmail@gmail.com

Republic of the Philippines) City of Ormoc )S.S.

### AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned:

Republic of the Philippines Province of Leyte Municipality of Villaba OFFICE OF THE SANGGUNIANG BAYAN

#### **MUNICIPAL ORDINANCE NO. 37, S-2023-2025**

STRENGTHENING PARTICIPATORY GOVERNANCE IN THE MUNICIPALITY OF VILLABA THROUGH THE EMPOWERMENT OF CIVIL SOCIETY ORGANIZATIONS, ESTABLISHING A PEOPLE'S COUNCIL, PRESCRIBING ITS POWERS AND FUNCTIONS, AND PROVIDING FOR THEIR PARTICIPATION IN THE LOCAL LEGISLATIVE PROCESS, AND LOCAL BOARDS, COUNCILS, COMMITTEES, TASK FORCES AND SIMILAR WORK GROUPS APPROVED:

(SGD)ENGR. CARLOS G. VELOSO

was pu	Municipal Mayor blished in said newspaper for ( ) consecutive weeks in its EV Mail
	EV Mail July 31, 2023 , issues.
sayeth r	That I am executing this affidavit to attest to the fact of the forecasing statement and
Ormoc (	IN WITNESS WHEREOF, I have hereunto affix my signature this day of, 20 in
	JIMA ZANDRA J. VERGARA

### VERIFICATION

SWORN AND SUBSCRIBED before me this AUG 048 2023 with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

Doc No. : -285 Page No.: 51 Book No .: XAVI Series of 20 27 ATTY. ADELITO TO SOLIBAGA IN Notary Public for the Ulty of Ormoc, Municipalities of Knubrga, Matag-ob, Merida and I sabel NC No ORM-72-12-038-1/C insued on 01/01/2023 Valid until December 31, 2024, PTR No 7450208, 01/03/10/3 Ormos City 10P No. 255920 /12/2020221, Leyte Roll of Attorney No. 51625
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MCLE Compliance Ne. VI-0014640 Valid until April 14, 2025