

Item No.: 06

Date: 24 2023 OCT

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

6
PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Secretary: *Jay A.*
Date: *10.17.23*

2nd INDORSEMENT
October 12, 2023

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No.23-13 of the Sangguniang Bayan of Inopacan, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, to the opinion of the Provincial Legal Office (PLO), in accordance with the mandate of Section 444 (a)(i)(vi)ⁱ of the Code in relation with Section 447(2)(iii)ⁱⁱ thereof.

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer *[Signature]*

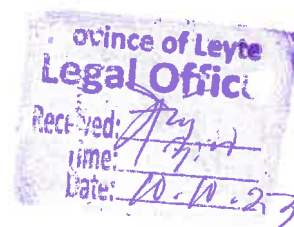
ⁱ Section 444(a)(i)(vi) LGC - Upon authorization by the sangguniang bayan, represent the municipality in all its business transactions and sign on its behalf all bonds, contracts, and obligations, and such other documents made pursuant to law or ordinance.

ⁱⁱ Section 447(2)(iii) LGC - Subject to the provisions of Book II of this Code and upon the majority vote of all the members of the sangguniang bayan, authorize the municipal mayor to negotiate and contract loans and other forms of indebtedness.

Republic of the Philippines
PROVINCE OF LEYTE
Palò, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
10 October 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 23-13** of the **MUNICIPALITY** of **INOPACAN, LEYTE**, entitled: **AN ORDINANCE APPROVING THE LOAN AGREEMENT, ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF INOPACAN, LEYTE REPRESENTED BY THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE TACLOBAN LENDING CENTER, FOR "PURCHASE OF ONE (1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF FOURTEEN MILLION SEVEN HUNDRED THOUSAND PESOS (PHP14,700,000.00); ONE (1) UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF TEN MILLION THREE HUNDRED THOUSAND PESOS (PHP10,300,000.00); AND CONSTRUCTION OF ABATTOIR IN THE AMOUNT OF TEN MILLION PESOS (PHP10,000,000.00); AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES AND REGULATION."**

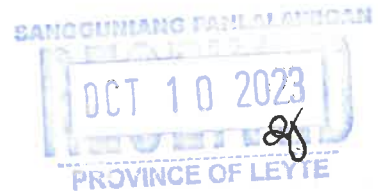

FLORINDA JILLS UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Inopacan

15TH SANGGUNIANG BAYAN

27 September 2023



Honorable Leonardo Javier Jr.
Vice Governor/Presiding Officer
Sangguniang Panlalawigan of Leyte
Provincial Government Complex
Campetic, Palo, Leyte

Thru:


Ms. Florinda Jill S. Uyvico
Secretary to the Sanggunian
Sangguniang Panlalawigan of Leyte
Provincial Government Complex
Campetic, Palo, Leyte

Honorable Javier Jr.:

Forwarding herewith 2 original copies and 15 photocopies of **Ordinance No. 23-13** of the 15th Sangguniang Bayan of the Municipality of Inopacan, Province of Leyte, entitled, **“AN ORDINANCE APPROVING THE LOAN AGREEMENT, ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF INOPACAN, LEYTE REPRESENTED BY THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE TACLOBAN LENDING CENTER, FOR “PURCHASE OF ONE(1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF FOURTEEN MILLION SEVEN HUNDRED THOUSAND PESOS (PHP 14,700,000.00); ONE(1) UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF TEN MILLION THREE HUNDRED THOUSAND PESOS (PHP 10,300,000.00); AND CONSTRUCTION OF ABATTOIR IN THE AMOUNT OF TEN MILLION PESOS (PHP 10,000,000.00); AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES AND REGULATION”**, for consideration by the Sangguniang Panlalawigan of Leyte.

Attached herewith is the Certificate of Posting.

Sincerely,


MELANIE M. MATIN-AO, MPA
Secretary to the Sanggunian



Republic of the Philippines
 Province of Leyte
 Municipality of Inopacan
 -000-
15TH SANGGUNIANG BAYAN

SANGGUNIANG PANGLALAWIGAN
OCT 10 2023
 PROVINCE OF LEYTE

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
 15th SANGGUNIANG BAYAN OF INOPACAN, LEYTE HELD ON
 SEPTEMBER 26, 2023 AT THE SB SESSION HALL

PRESENT:

- | | |
|-------------------------------|--|
| Hon. Joel D. Bernales | - SB Member, Temporary Presiding Officer |
| Hon. Fernando B. Rulete | - SB Member |
| Hon. Andrew B. Dedal | - SB Member |
| Hon. Zenaida G. de los Santos | - SB Member |
| Hon. Daria D. Malanguis | - SB Member |
| Hon. Rowena K. Madrazo | - SB Member |
| Hon. Diosdado P. Siao | - SB Member |
| Hon. Arnilo J. Polo | - SB Member (LnB Pres) |
| Hon. Marianne B. Boldios | - SB Member (PSK Pres) |

ABSENT:

- | | |
|---------------------------|-------------------------|
| Hon. Sanders C. Lumarda | - Vice Mayor (on leave) |
| Hon. Alfie Jian B. Yamson | - SB Member (on leave) |

AUTHOR: HON. ANDREW B. DEDAL

**CO-AUTHORS: HON. JOEL D. BERNALES
 HON. ZENAIDA G. DE LOS SANTOS
 HON. FERNANDO B. RULETE
 HON. DIOSDADO P. SIAO**

WHEREAS, the heavy equipment owned by the Local Government Unit was damaged, and the LGU has no option but to borrow the same from the Provincial Government hence dependent on their availability that hampers infra activities of the Municipal Government;

WHEREAS, the existing slaughter house of the LGU deemed necessary to condemn since it is located within residential houses where residents keep on complaining;

WHEREAS, funds of the LGU cannot suffice for the purchase of heavy equipment and construction of abattoir;

WHEREAS, the Municipal Government of Inopacan, Leyte applied for a loan with Land Bank of the Philippines in the amount of Thirty-Five Million Pesos (P 35,000,000.00) to purchase two (2) units of heavy equipment and budget allocation for construction of abattoir;

Fernando B. Rulete
Diosdado P. Siao

Andrew B. Dedal
Joel D. Bernales

Zenaida G. de los Santos
Daria D. Malanguis

Marianne B. Boldios

Arnilo J. Polo



(ordinance no. 23-13 of the sangguniang bayan of inopacan, leyte dated september 26, 2023, continued)

WHEREAS, the Land Bank of the Philippines approved the loan applied for by the Municipal Government of Inopacan, Leyte in the amount of Thirty-five Million Pesos (P 35,000,000.00);

NOW, THEREFORE, premises considered, the Sangguniang Bayan in session assembled hereby enact the following:

ORDINANCE NO. 23-13

“AN ORDINANCE APPROVING THE LOAN AGREEMENT, ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF INOPACAN, LEYTE REPRESENTED BY THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE TACLOBAN LENDING CENTER, FOR “PURCHASE OF ONE(1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF FOURTEEN MILLION SEVEN HUNDRED THOUSAND PESOS (PHP 14,700,000.00); ONE(1) UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF TEN MILLION THREE HUNDRED THOUSAND PESOS (PHP 10,300,000.00); AND CONSTRUCTION OF ABATTOIR IN THE AMOUNT OF TEN MILLION PESOS (PHP 10,000,000.00); AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES AND REGULATION.”

BE IT ORDAINED by the Sangguniang Bayan of Inopacan, Leyte that;

SECTION 1. The Sangguniang Bayan hereby approve all representations and warranties of the Honorable Mayor and all the terms and conditions of the loan agreement, assignment of 20% NTA and/or mortgage of properties, promissory notes and all other pertinent documents, contracts, undertakings, certifications, deeds, notes and papers entered into by and between the Municipal Government of Inopacan, Leyte represented by Hon. Rogelio D. Pua, Jr. and the Land Bank of the Philippines, represented by the head of Tacloban Lending Center.

SECTION 2. That the Municipal Government of Inopacan, Leyte shall:

- 2.1 Direct the LGU’s treasurer and the accountant to enter the loan in the appropriate books of the LGU;
- 2.2 Designate the LBP as the LGU’s depository bank for the National Tax Allotment (NTA) and major depository bank for its other deposits, revenues and collections which designations shall not be revoked while the loan obligation remain outstanding and directing the LGU secretary to provide a copy of this ordinance to the Department of Budget and Management (DBM) and other NTA – administering office;

Handwritten signature

Sangguniang

Handwritten initials

Handwritten initials

Handwritten signature

Handwritten signature

Handwritten initials

Handwritten signature



(ordinance no. 23-13 of the sangguniang bayan of inopacan, leyte dated september 26, 2023, continued)

2.3 Appropriate the following amounts in the LGU's Annual Budget:

- 2.3.1 Loan repayment until the principal, interest, and other charges are fully paid;
- 2.3.2 The required LGU equity;
- 2.3.3 The repairs and maintenance of the projects;
- 2.3.4 The insurance premium payments;
- 2.3.5 Other statutory and contractual obligations

Handwritten signature

2.4 Authorize LBP to deduct amounts from any depositors of funds of the LGU with LBP and apply the same to the payment of the loan or any portion thereof, or interest and penalties thereon as may be deemed necessary by LBP;

2.5 Authorize the mayor to sign, transact, negotiate, execute, endorse, and deliver all promissory notes and deed of assignments, loan agreements, and other documents as may be necessary for the implementation of the authorities and directives

Handwritten signature

2.6 Authorize the assignment of the LGU's portion of NTA and special deposit account as collateral of the loan obtained and declaring them to be available and not restricted by the law or its other obligation.

SECTION 3. That copy of this ordinance be furnished to the Land Bank of the Philippines, Baybay Branch, the Municipal Treasurer, the Municipal Accountant and Municipal Budget Officer for information, guidance, and appropriate action.

Handwritten signature

SECTION 4. Repealing Clause. All ordinances and/or resolutions which are inconsistent with this ordinance are hereby modified and repealed accordingly.

SECTION 5. Separability Clause. If for any reasons, any part of the ordinance be declared unconstitutional, other parts of provisions hereof which are not affected shall continue to be in full force and in effect.

SECTION 6. Effectivity Clause. This ordinance shall take effect upon its approval.

ENACTED this 26th day of September 2023 at Inopacan, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance and that the same was enacted on the date above stated.

Melanie M. Martin-Ao
MELANIE M. MATIN-AO, MPA
Secretary to the Sanggunian

Handwritten signature

Handwritten signature

Handwritten signature

Handwritten signature

Handwritten signature



(ordinance no. 23-13 of the sangguniang bayan of inopacan, leyte dated september 26, 2023, continued)

ATTESTED:

HON. JOEL D. BERNALES
SB Member
Temporary Presiding Officer

APPROVED:

HON. ROGELIO D. PUA, JR.
Municipal Mayor

Date 09-27-23



Republic of the Philippines
Province of Leyte
Municipality of Inopacan

15TH SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that copies of **Ordinance No. 23-13** of the 15th Sangguniang Bayan of the Municipality of Inopacan, Province of Leyte, entitled, **“AN ORDINANCE APPROVING THE LOAN AGREEMENT, ASSIGNMENT, AND OTHER SUPPORTING DOCUMENTS PERTAINING TO THE LOAN/CREDIT FACILITY ENTERED INTO BY AND BETWEEN THE MUNICIPAL GOVERNMENT OF INOPACAN, LEYTE REPRESENTED BY THE MUNICIPAL MAYOR, HON. ROGELIO D. PUA, JR. AND THE LAND BANK OF THE PHILIPPINES REPRESENTED BY THE HEAD OF THE TACLOBAN LENDING CENTER, FOR “PURCHASE OF ONE(1) UNIT WHEEL TYPE BACKHOE EXCAVATOR IN THE AMOUNT OF FOURTEEN MILLION SEVEN HUNDRED THOUSAND PESOS (PHP 14,700,000.00); ONE(1) UNIT WHEEL TYPE BACKHOE LOADER IN THE AMOUNT OF TEN MILLION THREE HUNDRED THOUSAND PESOS (PHP 10,300,000.00); AND CONSTRUCTION OF ABATTOIR IN THE AMOUNT OF TEN MILLION PESOS (PHP 10,000,000.00); AND TO BE SECURED BY THE DEED OF ASSIGNMENT OF 20% NTA, SUBJECT TO ALL LAWS, RULES AND REGULATION”**, has been posted in the bulletin board in the municipal hall/building and in conspicuous place in the public terminals of this Municipality and will be posted as well in all the Barangay Halls of this Municipality.

This Certification is being made to facilitate consideration of the above-mentioned Municipal Ordinance by the Sangguniang Panlalawigan of Leyte.

Done this 27th day of **SEPTEMBER 2023**, at Inopacan, Leyte.


MELANIE M. MATIN-AO, MPA
Secretary to the Sanggunian