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Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

Province of Leyte
Legal Office
Release Time: Agm
Date: 11-14-23

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
November 14, 2023

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 09 S.2023 of the Sangguniang Bayan of Abuyog, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, the same being to the opinion of the Provincial Legal Office (PLO), an exercise of the power authorized under Section 447(i),(viii)ⁱ of the Code. Provided, that the creation of New Plantilla positions does violate the prohibition under Section 325(a) and (g)ⁱⁱ of the Code.


ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

ⁱ Section 447 (1)(viii) - Determine the positions and the salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from municipal funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the municipal government; "

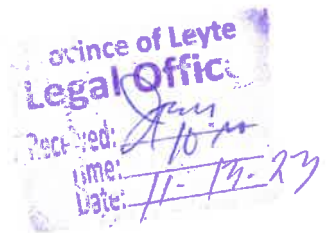
" (a) The total appropriations, whether annual or supplemental, for personal services of a local government unit for one (1) fiscal year shall not exceed forty-five percent (45%) in the case of first to third class provinces, cities and municipalities, and fifty-five percent (55%) in the case of fourth class or lower, of the total annual income from regular sources realized in the next preceding fiscal year. The appropriations for salaries, wages, representation and transportation allowances of officials and employees of the public utilities and economic enterprises owned, operated, and maintained by the local government unit concerned shall not be included in the annual budget or in the computation of the maximum amount for personal services. The appropriations for the personal services of such economic enterprises shall be charged to their respective budgets;

(g) The creation of new positions and salary increases or adjustments shall in no case be made retroactive;

Republic of the Philippines
Province of Leyte
OFFICE OF THE SANGGUNIANG PANLALAWIGAN



Endorsement
13 November 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 09 series of 2023 of the Municipality of Abuyog, Leyte; entitled: "AN ORDINANCE CREATING NEW PLANTILLA POSITIONS AND PROVIDE THE CORRESPONDING FUNDING FOR EACH CREATED POSITION IN THE MUNICIPAL GOVERNMENT OF ABUYOG, LEYTE."**


FLORINDA JILL S. UYVICO,
Secretary to the Sanggunian

SP RECORDS
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SP



Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte



Office of the Sangguniang Bayan Secretary

November 9, 2023

FLORINDA JILL S. UYVICO
Secretary to the Sangguniang Panlalawigan
Sangguniang Panlalawigan of Leyte
New Provincial Capitol
West Bypass Road, Palo, Leyte

Ma'am:

Respectfully transmitting herewith as attached the following legislative documents of the Sangguniang Bayan of this municipality for the review of the Honorable Sangguniang Panlalawigan, Province of Leyte; viz:

- a. Ordinance No. 9, s, 2023 – An Ordinance Creating New Plantilla Positions and Provide the Corresponding Funding for each created position in the Municipal Government of Abuyog, Leyte

Thank you.

Very respectfully yours,

A handwritten signature in black ink, appearing to read "Arsenio Y. Villote".

ARSENIO Y. VILLOTE
Secretary to the Sangguniang Bayan



Republic of the Philippines
MUNICIPALITY OF ABUYOG
 Province of Leyte



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 33RD REGULAR SESSION OF THE 19TH HONORABLE SANGGUNIANG BAYAN OF ABUYOG, LEYTE HELD AT ITS SESSION HALL, LEGISLATIVE BUILDING MUNICIPAL COMPOUND, ABUYOG, LEYTE ON SEPTEMBER 5, 2023.

PRESENT:

- | | |
|-------------------------------|--------------------------------------|
| Hon. James L. Bohol | Municipal Vice-Mayor, Prsdg. Officer |
| Hon. Jeannette A. Valida | SB Member, Prsdg. Pro-tempore |
| Hon. Antonio C. Almendra, Jr. | SB Member |
| Hon. Arnold R. Allera | SB Member |
| Hon. Patrocinio A. Risos, Jr. | SB Member |
| Hon. Editha C. Deloy | SB Member |
| Hon. Edmundo P. Saño | SB Member |
| Hon. Francisco B. Landia | SB Member, Floor Leader |
| Hon. Erwin V. Belleza | SB Member |
| Hon. Dario P. Lleve | SB Member, ABC President |
| Hon. Carlos Inno E. Traya | SB Member, SK Fed. Pres. |



ABSENT:

None

ORDINANCE NO. 09, S. 2023

AN ORDINANCE CREATING NEW PLANTILLA POSITIONS AND PROVIDE THE CORRESPONDING FUNDING FOR EACH CREATED POSITION IN THE MUNICIPAL GOVERNMENT OF ABUYOG, LEYTE

BE IT ORDAINED BY THE 19TH SANGGUNIANG BAYAN OF ABUYOG, LEYTE IN A REGULAR SESSION ASSEMBLED; that:

SECTION 1. TITLE - this ordinance shall be known and referred to as **AN ORDINANCE CREATING NEW PLANTILLA POSITIONS AND PROVIDE THE CORRESPONDING FUNDING FOR EACH CREATED POSITION IN THE MUNICIPAL GOVERNMENT OF ABUYOG, LEYTE**

SECTION 2. SCOPE AND COVERAGE, SOURCE OF AUTHORITY/PURPOSE – the said creation of positions including each corresponding funding is for the smooth operation of the concerned department and/or agency in the Municipal Government of Abuyog, Leyte so as to give effective and efficient delivery of services to the clientele particularly in the following offices mentioned below.

The approved creation of new positions and the provision of corresponding funding are as follows; to wit:

POSITIONS

SALARY GRADE

A. Sangguniang Bayan (Secretary to the Sangguniang Bayan)

- | | |
|---|--------|
| A.1. One (1) – Administrative Aide VI (Labor Foreman) | SG-6/1 |
| A.2. One (1) – Administrative Aide I (Utility Worker I) | SG-1/1 |

B. Municipal Accountant Office

- B.1. One (1) – Administrative Aide VI (Labor Foreman) SG-6/1
- B.2. One (1) – Administrative Aide I (Utility Worker II) SG 3/1

C. Municipal Tourism Culture Sport Development Office (MTCSDO)

- C.1. One (1) – Senior Administrative Assistant II SG-14/1

SECTION 3. SEPERABILITY CLAUSE. If any part of this ordinance is held unconstitutional or invalid by any court or tribunal or competent authority, no other sections or provisions hereof shall be affected thereby


SECTION 4. EFFECTIVITY. This ordinance shall take effect upon approval.

APPROVED: September 5, 2023

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


ARSENIO Y. VILLOTE
 Sangguniang Bayan Secretary

ATTESTED:


HON. JAMES L. BOHOL
 Municipal Vice Mayor, Prsdg. Officer



HON. JEANNETTE A. VALIDA
 SB Member, Prsdg. Pro-tempore


HON. ANTONIO C. ALMENDRA, JR.
 SB Member


HON. ARNOLD R. ALLERA
 SB Member

HON. PATROCINIO A. RISOS
 SB Member


HON. EDITHA C. DELOY
 SB Member


HON. EDMUNDO P. SAÑO
 SB Member


HON. FRANCISCO B. LANDIA
 SB Member, Floor Leader


HON. ERWIN V. BELLEZA
 SB Member


HON. DARIO P. LLEVE
 SB Member/ ABC Fed. President


HON. CARLOS INNO E. TRAYA
 SB Member/ SK Fed. Pres.

APPROVED:


HON. LEMUEL GIN K. TRAYA
 Municipal Mayor