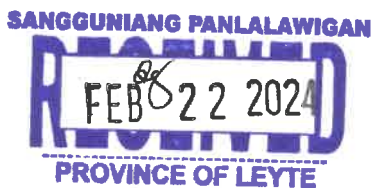


Item No.: 04

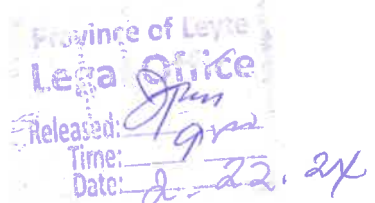
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Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
February 19, 2024



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 456 of the Sangguniang Bayan of Babatngon, 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), an exercise of the power authorized under Section 34, 35 and 36¹ of the Local Government Code.

Furthermore, the opinions rendered herein are without prejudice to opinions rendered by higher authorities.

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

¹ Section 34. *Role of People's and Non-governmental Organizations.* - Local government units shall promote the establishment and operation of people's and non-governmental organizations to become active partners in the pursuit of local autonomy.

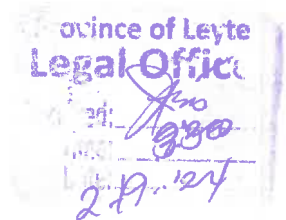
Section 35. *Linkages with People's and Non-governmental Organizations.* - Local government units may enter into joint ventures and such other cooperative arrangements with people's and non-governmental organizations to engage in the delivery of certain basic services, capability-building and livelihood projects, and to develop local enterprises designed to improve productivity and income, diversity agriculture, spur rural industrialization, promote ecological balance, and enhance the economic and social well-being of the people.

Section 36. *Assistance to People's and Non-governmental Organizations.* - A local government unit may, through its local chief executive and with the concurrence of the sanggunian concerned, provide assistance, financial or otherwise, to such people's and non-governmental organizations for economic, socially-oriented, environmental, or cultural projects to be implemented within its territorial jurisdiction.


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



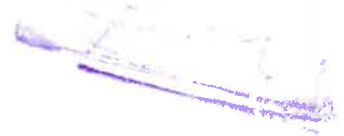
Endorsement
19 February 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 456 of the Municipality of Babatngon, Leyte; with title: "AN ORDINANCE INITIATING A SYSTEM FOR A PARTNERSHIP IN LOCAL GOVERNANCE BETWEEN THE MUNICIPAL GOVERNMENT AND THE PEOPLE OF BABATNGON."**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

SP RECORDS
2192024





REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SANGGUNIANG BAYAN

15 February 2024

Honorable Leonardo M. Javier, Jr.
Vice Governor and Presiding Officer, and

The Honorable Members
Sangguniang Panlalawigan
Province of Leyte
Legislative Bldg., Capitol Grounds
Tacloban City

Dear Honorable Ladies and Gentlemen,

Respectfully endorsed to the Honorable Sangguniang Panlalawigan of the Province of Leyte is Ordinance No. 456 entitled: "AN ORDINANCE INITIATING A SYSTEM FOR A PARTNERSHIP IN LOCAL GOVERNANCE BETWEEN THE MUNICIPAL GOVERNMENT AND THE PEOPLE OF BABATNGON."


Subject Ordinance is being forwarded to that Body for review in compliance with Section 56(a) of Republic Act 7160.

Enclosed please find the following:

1. Ordinance No. 456, and
2. Certification of Posting

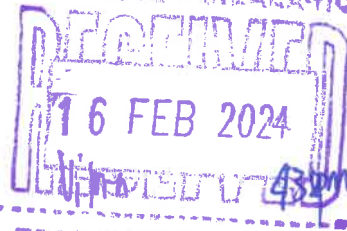
Please find them in order and praying for your favorable action thereof.

Very truly yours,


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate

Enclosed:
As stated

SANGGUNIANG PANLALAWIGAN



PROVINCE OF LEYTE



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON
SANGGUNIANG BAYAN

SANGGUNIANG BAYAN
BABATNGON, LEYTE
RELEASED
BY: *[Signature]*
DATE: 2/15/24
TIME: 9:00 AM

EXCERPT FROM THE MINUTES OF THE 76th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BABATNGON, LEYTE HELD ON THE 22nd DAY OF JANUARY 2024 AT THE SB SESSION HALL, LEGISLATIVE BUILDING, BABATNGON, LEYTE.

16 FEB 2024
[Signature]

ORDINANCE NO. 456

MAYOR'S OFFICE
BABATNGON, LEYTE
RECEIVED

BY: *[Signature]*
DATE: 02/08/24
TIME: 12:00 PM

AN ORDINANCE INITIATING A SYSTEM FOR A PARTNERSHIP IN LOCAL GOVERNANCE BETWEEN THE MUNICIPAL GOVERNMENT AND THE PEOPLE OF BABATNGON.

Author: HON. HILARION S. MENZON
Co-Authors: HON. KEMUEL RUE M. CORSIGA
ALEX VELOSO BELLO
HON. CHRISTIAN C. LAWSIN

Be it enacted by the Sangguniang Bayan of the Municipality of Babatngon, Leyte in session assembled:

SECTION 1. ALTERNATIVE TITLE. – This ordinance shall likewise be known as **THE EMPOWERMENT ORDINANCE OF BABATNGON, LEYTE.**

SECTION 2. DECLARATION OF PRINCIPLES. – The Municipal Government of Babatngon, as a creation of the Sovereign People, shall at all times adhere to the following principles of governance:

- a. The will of the people shall always reign supreme. It shall be the prime responsibility of any government to ensure that such will is at all time manifested and enforced.
- b. The will of the people can best be determined if they organize themselves to address their sectoral or common concerns.
- c. Governance is best effected if its responsibilities are shared by the people. A system of partnership between the municipal government and the governed shall guarantee that sovereignty effectively resides in the people.

GO-NGO-PO PARTNERSHIP

SECTION 3. DECLARATION OF INTENT TO ENTER INTO PARTNERSHIP WITH NGOS AND POS. – The Municipal Government of Babatngon hereby declares itself open to a partnership with duly accredited Babatngon-based people organizations and non-government organizations in the conception, implementation and evaluation of all government activities and functions.

As used in this ordinance, the following terms shall mean:

- a. Non-Government Organizations (NGOs) – any aggrupation of individuals, not subsidized by government funds or organized for religious purposes of partisan politics, and whose primary ends are advocacy of issues or the realizations of specific developmental objectives for the community or a sector thereof.
- b. People's Organizations (POs) – any cooperative, labor union, business group, or any aggrupation of at least twenty-five (25) individuals belonging to the same sector or sharing a common interest, not subsidized by government funds or organized for religious purposes or partisan politics, and whose primary concern is the advocacy of sectoral issues; and/or the realization of specific development objectives for their sector or the promotion of their common interest, provided, that organizations of government employees shall not qualify as people's organizations under this ordinance.

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REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

The record, more what is stated in the articles of incorporation, constitution or by-laws of the NGO and PO, shall determine whether the aggrupation is primarily organized for religious purposes or partisan politics.

SECTION 4. ACCREDITATION OF NGOS AND POS. – Any Babatngon-based non-government organization or people’s organization in active operation for at least one (1) year may be registered and accredited by the Sangguniang Bayan upon submission of and/or compliance with the following requirements:

- a. Proof of existence and operation in Babatngon for at least one (1) year prior to the application for accreditation;
- b. Proof of activities held in pursuit of developmental objectives or of organizational activities conducted;
- c. Program of activities planned for the year following the date of application for accreditation;
- d. Copies of its constitution, by-laws and/or articles of incorporation;
- e. Lists of its officers and members of good standing;
- f. Financial statement and declaration of assets and liabilities; and
- g. Board resolution manifesting a decision to seek accreditation and participation under this Ordinance.

Coalitions, alliances and federations of NGOs and POs shall not be entitled to a separate accreditation if at least 50 percent of its members are already accredited as individual NGOs and POs.

An NGO or PO whose application for accreditation has been approved shall be issued a certificate of accreditation containing, among others, the terms and conditions for the maintenance of its accredited status.

The Sangguniang Bayan, however, may from time to time, and in consultation with the People’s Council, impose such other requirements and condition for accreditation as it may deem appropriate to best adhere to the principles behind this Ordinance.

Any NGO or PO already accredited by the Municipal Government prior to the effectivity hereof need not apply again for accreditation for purposes of this Ordinance, unless its accreditation has in the meantime been withdrawn.

SECTION 5. WITHDRAWAL OF ACCREDITATION. – The Sangguniang Bayan may, in consultation with the People’s Council and after hearing, withdraw any accreditation granted to any non-government organization for violation of any provision of this Ordinance or for failure to comply with any of the conditions for accreditation.

SECTION 6. SPECIAL COMMITTEE ON ACCREDITATION. – The Sangguniang Bayan shall create a special committee from among its members for purposes of processing applications for accreditation, monitoring compliance with the conditions for accreditation, recommending withdrawals thereof, and initiating necessary and desirable legislative measures for the effective performance of its tasks.

The People’s Council, once formally organized, shall be entitled to a two-seat representation in the committee.

SECTION 7. RIGHTS AND PRIVILEGES OF ACCREDITED NGOS AND POS – Accredited NGOs and POs may enter into joint ventures and other cooperative undertakings with the municipal government to engage in the delivery of certain basic services, capability-building and livelihood projects, and to develop local enterprises designed to improve productivity and income, diversify agriculture, spur rural industrialization, promote ecological balance, and enhance in the economic and social well-being of the people within the framework of equitable and sustainable development.

The Municipal Government may provide assistance, financial or otherwise, to accredited NGOs and POs for economic, socially-oriented, environmental, or cultural projects to be implemented within the territorial jurisdiction of the municipality.

PEOPLE’S COUNCIL



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SECTION 8. CREATION. – All accredited NGOs and POs may organize themselves into a People’s Council which shall upon petition made to the Sangguniang Bayan, be recognized as their representative, and through which their rights, privileges and responsibilities under this Ordinance may be exercised.

For his purpose, the Sangguniang Special Committee on Accreditation shall, not later than ninety (90) days from the effectivity hereof, call for a convention of all accredited NGOs and POs to facilitate the formal organization of the People’s Council.

SECTION 9. STRUCTURES AND INTERNAL RULES. – The People’s Council shall determine its own organizational structures and internal rules, but shall at all times provide for the adequate consultation mechanisms for purposes of obtaining the views and suggestions of all political parties or movements, government employees’ organization or non-accredited NGO and PO may be nominated by the Council for membership in the municipal’s special bodies nor may they be granted the rights and privileges of accredited NGOs and POs under this Ordinance; and, provided further, that no provision herein shall be interpreted to prohibit the Council from changing its name or from being organized other than for purposes of this Ordinance.

SECTION 10. RECOGNITION. – There shall only be one (1) People’s Council which shall be recognized by the Sangguniang Bayan within thirty (30) days from the filing of the petition for recognition. If only one petition shall be deemed automatically granted.

Should more than one petition be filed, the Sanggunian shall, within the same period of thirty (30) days, exert its best efforts to allow the petitioner to form a single Council. Failing in which the Sanggunian shall, within fifteen (15) days, resolve the petitions based on all of the following:

- a. The petitioner with the most number of organizations;
- b. The petitioner with the most number of individual members;
- c. The petitioner which is representative of the most number of sectors, interests or concerns;
- d. The petitioner with the most credible track record of inter-organization activities and cooperative undertaking between and among its members; and
- e. The petitioner which is most capable of exercising the powers and responsibilities of the People’s Council.

Recognition once granted, shall not be withdrawn except upon an action of a petitioner and upon showing that the People’s Council no longer possesses most of the foregoing qualifications or had allowed itself or any of its members to engage primarily in, or to be used primarily for, religious purposes and/or partisan political activities.

The Sangguniang Bayan shall not entertain and exercise jurisdiction over internal and/or inter-organizational conflicts within the People’s Council.

SECTION 11. POWERS AND RESPONSIBILITIES. – Upon recognition, the People’s Council may, in accordance only with its policies and internal rules, elect or appoint from among its member organizations only its representatives to all municipal government bodies, boards, councils, committees, task forces special government bodies and other similar work groups which the municipal government or the national laws may hereinafter create.

Member organizations elected or appointed to represent the People’s Council shall have the sole prerogative to choose from among their bonafide members the persons that shall seat in the boards, council, committee, task forces and/or special bodies concerned.

Unless otherwise provided herein, such representatives shall not exceed twenty-five (25) percent of the membership of the board, council, committee, task force and/or special body.

Participation of the people’s Council or any of its member organization in the conception, implementation and evaluation of government activities and functions shall be without any compensation or remuneration. The Municipal Government, however, shall provide for the necessary office spaces, facilities and/or equipment of said participation of the Council.



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

Representatives of the People's Council may observe, vote and participate in the deliberation, conceptualization, implementation and evaluation of projects, activities and programs of the Municipal Government, propose legislations and participate and vote at the committee level of the Sangguniang Bayan, and/or act as the people's representatives in the exercise of their constitutional rights to information on matters of public concern and of access to official records and documents.

SECTION 12. NO-PARTISAN NATURE OF THE PEOPLE'S COUNCIL. – The People's Council shall not engage in, or allow itself or its member organizations 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.

For purpose of this Ordinance, 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 13. ENDMENT OF COMPOSITION OF MUNICIPAL GOVERNMENT BODIES. – The existing compositions of the Municipal Government's committees, boards, councils, task forces, special bodies are hereby amended and modified to accommodate the membership and participation therein of the People's Council or its representatives as herein mandated.

SECTION 14. TRANSITORY PRIVISION. – The power and responsibilities of the People's Council as provided under Section 11 hereof shall not be exercised unless and until the People's Council has been recognized and has manifested by resolution to the Sangguniang Bayan that it is ready to exercise and to perform such powers and responsibilities.

Pending such resolution by the people's Council, it may, after recognition, send representatives only to such boards, council, committees, task forces or special bodies as it may deem appropriate. However, such representatives may not vote nor their attendance counted for purposes of determining a quorum, unless their appointment to represent the Council is made known to the Sangguniang Bayan within thirty (30) days after the Council's recognition.

SECTORAL REPRESENTATION

SECTION 15. SECTORAL REPRESENTATIVES IN THE SANGGUNIANG BAYAN. – There shall be one (1) representative in the Sangguniang Bayan from each of the non-agricultural labor, women and urban poor sectors of the municipality who shall be elected from among the members of the accredited NGOs and POs in each sector.

The term of office of the elected sectoral representatives shall be co-terminus with the term of office of the regular members of the Sangguniang Bayan. They shall not be entitled to any salary or emolument, except such reasonable allowances as may be granted by the Sangguniang Bayan to defray necessary expenses for attending and/or participating in official functions, the session of the Sangguniang Bayan, its committee hearing, and other activities in aid of legislation.

Except as herein provided, the sectoral representatives shall enjoy the same rights and privileges, and exercise the same powers and responsibilities, as the regular members of the Sangguniang Bayan.

SECTION 16. ELECTION OF SECTORAL REPRESENTATIVES. – The guidelines for, and the conduct of, the election of sectoral representatives shall be issued and supervised by the Commission on Elections (COMELEC) and the Department of Interior and Local Government in coordination with the Municipal Government which shall advance the necessary expenses therefor. No government official or employee shall directly or indirectly intervene or influence the conduct or result of the election.

Unless otherwise disqualified, no person belonging to a particular sector shall be denied his right to vote by reason of his not being a member of any accredited NGO or PO. For purposes of the election, a person shall be entitled to be registered as a voter or allowed to be voted upon in only one (1) sector.

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REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

Existing election laws shall apply in suppletory manner to the sectoral election herein mandated.

SECTION 17. EFFECTIVITY. – The foregoing provisions on election for sectoral representatives shall take effect only, and the representatives elected therein shall only hold office, until the relevant provisions on sectoral representation of Republic Act. 7160, otherwise known as the Local Government Code of 1991, are actually implemented on a national scale.

RIGHT TO SELF-ORGANIZATION

SECTION 18. RIGHT TO SELF-ORGANIZATION. – It shall be the joint responsibility of the Municipal Government and the People’s Council to organize the Babatngonanon’s into cooperatives, labor unions, interest groups, non-government organizations, sectoral organizations and/or people’s organization, or to encourage and support their own efforts towards self-organization to address their common concerns, to promote their common welfare, and/or to serve the municipality or communities and interests.

SECTION 19. FUNDING. – An annual appropriation of TWENTY THOUSAND PESOS (P20,000.00) shall be appropriated for the next three (3) years for purposes of community organizing, establishment of cooperatives, people’s and non-government organizations, interest groups, labor unions, and other activities which promote and advance the people’s right to self-organization.

No part of the public funds, however, shall be used to support any activity which is intended for religious purposes or as a form of partisan politics. In no case shall funds be used other than for organizing purposes as defined by the People’s Council and approved by the Sangguniang Bayan.

The People’s Council and the Municipal Government shall form a joint committee to prepare a three-year program for the budget herein appropriated and the guidelines for the disbursement of funds for approval by the Sangguniang Bayan and subject to existing accounting rules and regulations. Once approved, such program and guidelines shall not be modified except upon the concurrence of the People’s Council.

GENERAL PROVISIONS

SECTION 20. PUBLIC HEARINGS AND CONSULTATIONS, REFERENDA AND PLEBISCITES. – It shall be principal obligation of the Municipal Government to conduct regular public, barangay and sectoral hearings and consultations on all matters affecting the general welfare, and/or submit all controversial issues and legislations to the people in referendum or plebiscite specially called for the purpose, upon two-thirds vote of the Sangguniang Bayan and subject to the provisions of existing laws.

SECTION 21. INFORMATION BOARDS AND SUGGESTION BOXES. – Information boards and suggestion boxes shall be provided, maintained and controlled by the Municipal Government in each barangay, at the public plazas, municipal hall compound, public markets, schools, government offices, and at such public places accessible to the people, which boards and boxes shall be other than those maintained by the barangays and the national government, and shall be controlled solely by the Municipal Government.

Copies of the contents of the suggestion boxes shall be timely furnished the Office of the Municipal Mayor, the member of Sangguniang Bayan and the People’s Council.

SECTION 22. EDUCATIONAL PROGRAMS ON EMPOWERMENT AND SUSTAINABLE DEVELOPMENT. – The Municipal Government shall maintain a regular information drive on municipal policies, programs, projects and activities in at least one credible and popular radio station and television channel or any social media platforms to adequately inform the people on issues and matters their rights and welfare.

SECTION 23. REPEALING CAUSE. – All resolutions, ordinances, and executive issuances, or provisions thereof, which are inconsistent with any of the provisions hereof are hereby accordingly repealed, amended and/or modified.

SECTION 24. Violation of this ordinance will cause cancellation or withdrawal of accreditation.



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SECTION 25. SEPARABILITY CLAUSE. – Should any provision of this ordinance be subsequently declared unconstitutional or ultra vires, the rest of the provisions not so declared shall remain to be in full force and effect.

SECTION 26. EFFECTIVITY CLAUSE. – This ordinance shall take effect immediately upon approval and publication in at least one (1) newspaper of general circulation in Babatngon, Leyte.

APPROVED and ENACTED this 22ND day of January 2024 at Babatngon, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


ALMA A. BALDOMAR
Secretary II

Secretary to the Sanggunian-Designate

ATTESTED:


HON. FEDERICO F. ELIZAGA, JR.
Sangguniang Bayan Member
Temporary Presiding Officer

(Mandatory Leave)
HON. ROSARY PEARL G. CATUDIO
Municipal Vice Mayor


HON. CHRISTIAN C. LAWSIN
Sangguniang Bayan Member


HON. KEMUEL RUE M. CORSIGA
Sangguniang Bayan Member


HON. KARL JOMAR L. EMBANA
Sangguniang Bayan Member


HON. ILDEFONSO B. ODON
Sangguniang Bayan Member


HON. HILARION S. MENZON
Sangguniang Bayan Member


HON. CHARITA M. CHAN
Sangguniang Bayan Member


HON. ALEX V. BELLO
Sangguniang Bayan Member


HON. EDGARDO Y. MORDEN
President
Liga ng mga Barangay


HON. JUDE LEMUEL B. VETHIMVAS
President
Pambayang Pederasyon
Sangguniang Kabataan

APPROVED:


HON. ELEONOR B. LUGNASIN
Municipal Mayor

Date: Feb. 14, 2024



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF BABATNGON

SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to certify that POSTING in prominent places in the Municipal Hall and some conspicuous places in the locality was undertaken starting 14 February 2024 and copies of said ordinance shall remain posted for three (3) consecutive weeks, pursuant to Sec. 59 (b) of Republic Act 7160, in relation to hereunder Appropriation Ordinance, to wit:

- 1. ORDINANCE NO. 456 - AN ORDINANCE INITIATING A SYSTEM FOR A PARTNERSHIP IN LOCAL GOVERNANCE BETWEEN THE MUNICIPAL GOVERNMENT AND THE PEOPLE OF BABATNGON.**

Made this 15th day of February 2024 at Babatngon, Leyte.

ALMA A. BALDOMAR
Secretary II

Secretary to the Sanggunian-designate