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Item No.: 04

Date: 16 2024 APR

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

Province of Leyte
Leyte Office
Released: *Jan Dan*
Time: *3.26.24*
Date: *3.26.24*

SANGGUNIANG PANLALAWIGAN
RECEIVED
APR 02 2024
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
March 25, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2023-22 of the Sangguniang of Bayan of Julita, 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 under Sections 34, 35 and 36¹ of the Local Government Code.

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

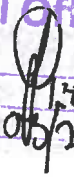
ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer *A*

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
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Province of Leyte
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Received: 
Time: 1:20 PM
Date: 03/22/24

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
22 March 2024

Respectfully indorsed to the **PROVINCIAL LEGAL OFFICE** the herein **MUNICIPAL ORDINANCE NO. 2023-22** of the **MUNICIPALITY OF JULITA, LEYTE**, initiating a system for a partnership in Local Governance between the Local Government and the people of Julita , for review and recommendations.



FLORINDA JIL S. UYVICO
Secretary to the Sanggunian

SP Records
03222024



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Julita
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OFFICE OF THE SANGGUNIANG BAYAN

March 22, 2024

MS. FLORINDA JILL S. UYVICO
Sangguniang Panlalawigan Secretary
Province of Leyte
Tacloban City

Dear Ms. Uyvico,

Copy furnished are copies of **Municipal Ordinance Nos. 2023-22, 2023-24 and 2023-29** passed and approved by the **Sangguniang Bayan of Julita, Leyte** in its **Regular Session held on October 02, 2023 and November 13, 2023** at the Municipal Session Hall for your appropriate action.

Thank you.

Very truly yours,


FRANCIS RAAGAS-AVELINO
Sangguniang Bayan Secretary



Republic of the Philippines
PROVINCE OF LEYTE
 Municipality of Julita
 -oOo-



OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 2023-22

AN ORDINANCE INITIATING A SYSTEM FOR A PARTNERSHIP IN LOCAL GOVERNANCE BETWEEN THE LOCAL GOVERNMENT AND THE PEOPLE OF JULITA, LEYTE.

Sponsored by: Hon. IRVIN R. DY

NOW THEREFORE, on *motion* of *Hon. Irvin R. Dy*, duly *seconded* by the *Hon. Jude Andrei M. Romuladez* and the *Hon. Aliana Marie R. Tubi*.

BE IT ORDAINED by the Sangguniang Bayan of the Municipality of Julita, Leyte in session duly assembled that:

Section 1. ALTERNATIVE TITLE. This Ordinance shall likewise be known as THE EMPOWERMENT ORDINANCE OF JULITA, LEYTE:

Section 2. DECLARATION OF PRINCIPLES. The Local Government Unit of Julita, Leyte 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 manifested and enforced.
- B.** The will of the people can best be determined if they organized 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 governor and the governed guarantee the sovereignty effectively resides in the people.

Section 3. DECLARATION OF INTENT TO ENTER INTO PARTNERSHIP NGOs AND POs.

The Local Government of Julita, Leyte hereby declares itself open to a partnership with duly accredited Community- based people’s organization 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-Governance Organizations (NGOs) – any aggrupation of individuals, not subsidized by the government funds or organized for religious purposes or partisan politics, and whose primary ends are advocacy of issues or the realization of specific developmental objectives for the community of sector thereof.

B. People’s Organizations (POs) – any cooperative, labor union, business group, or any aggrupation of at least (15) individual’s belongings to 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 realization of specific

Aliana
ALIANA MARIE R. TUBI
SB Member

Geraldine S. Daya
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ALLAN T. HOVALES
SB Member

RIA S. DUMDUMA
SB Member

MARK JOY E. MACASO
SB Member

Jude Andrei M. Romualdez
JUDE ANDREI M. ROMUALDEZ
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Rosila L. Advincula
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R. Macaso
RODRIGO J. MACASO
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 Ex-Officio Member*

Earl Ivan V. Pelenio
EARL IVAN V. PELENIO
*Pres. Ng Pamhayang Pederasyon Ng Mga Sangguniang Kabataan/
 Ex-Officio Member*

Francis R. Avelino
FRANCIS R. AVELINO
SB Secretary

German J. Macaso
GERMAN J. MACASO
Municipal Vice Mayor



ALIANA MARIE R. TUBI
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GERALDINE S. DAYA
SB Member



IRVIN R. DY
SB Member



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SB Member

RIA S. DUMDUMA
SB Member

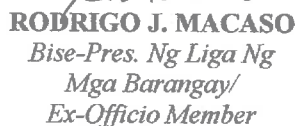
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SB Member



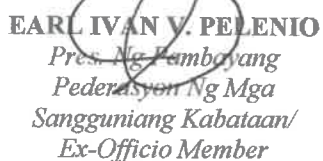
JUDE ANDREI M. ROMUALDEZ
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ROSILA L. ADVINCULA
SB Member



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EARL IVAN V. PELENIO
Pres. Ng Pamboyang
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Ex-Officio Member



FRANCIS R. AVELINO
SB Secretary



GERMAN J. MACASO
Municipal Vice Mayor

development objectives for their sector or the promotion of their common interest; provided, that organization of the government employees shall not qualify as people's organization under this ordinance.

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

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

- A.** Proof of existence and operation in Julita, Leyte for at least one (1) year prior to the application for accreditation.
- B.** Proof of activities held in pursuit developmental objectives or of organizational activities conducted;
- C.** Program of activities planned for the year following the date pf 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;
- G.** Registration at DOLE or SEC, if applicable; and
- H.** Board resolution manifesting a decision to seek accreditation and participation under this ordinance.

Coalition 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 individuals NGOS and POs.

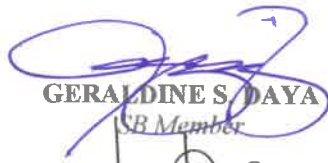
An NGO or PO whose application for accreditation has been approved shall be issued a certificate of accreditations containing, among the terms and conditions for the maintenance of its accredited status. The Sangguniang Bayan, however, may from time to time and in consultation with the People's Council, impose such other requirements and condition for accreditation. As it may deem appropriation to best adhere to the principles behind this ordinance.

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

Section 5. WITHDRAWAL OF ACCREDITATION. The Sangguniang Bayan may, in consultation with People's Council and after hearing, withdraw any accreditation granted to any non-government organization or people's 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 its member for purpose of processing applications for accreditation, monitoring compliance with the conditions for accreditation, recommending, withdrawals thereof, and initiating necessary and desirable measures entitled to a two-seat representation in the committee.


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Municipal Vice Mayor

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 local government to engaged 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 industrial, promote ecological balance, and enhance the economic and social well-being of the people within the framework of equitable and sustainable development.

The local 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.

Section 8. CREATION. All credited NGOs and POs may have organized 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 exercise. For this purpose, the Sangguniang Special Committee on Accreditation shall, not later that 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 organization structures and internal rules, but shall at all times provide for consultation mechanism for purpose of obtaining the views and suggestions of all political parties or movements, government employees, organizations, other non-accredited but legitimate NGOs and POs, and accredited NGOs and POs which are not members of the Council; Provided, that no such political party, government employees' organization or non-accredited NGO and PO maybe nominated by the Council for membership in the local special bodied nor may they be granted privileges of accredited NGOs and POs under this Ordinance; and provided that no provision herein shall be interpreted to prohibited the Council from changing its name or from being organized of this Ordinance.

Section 10. RECOGNITION. There shall be one (1) People's Council which shall have recognized by the Sangguniang Bayan within (30) days from the filing of the petition for recognition. If only one petition id filed and the Sangguniang fails to deny the same within the said period, the petition shall be deemed automatically granted. Should more than one petition be filed, the Sangguniang shall, within the same period of thirty (30) days exert its effort to allow the petitioner to from a single Council. Failing in which the Sangguniang shall, within (15) days resolve the petitions based on all of the following:

- A. The petitioner with most number of member organizations;
- B. The petitioner with the most number of individual members;
- C. The petitioner which is representative of the most number of sectors, interests, and concerns;
- D. The petitioner with the most credible track record of inter-organization activities and cooperative undertakings between and among its members; and
- E. The petitioner which is most capable of exercising the power and responsibilities of People's Council


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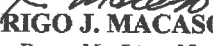

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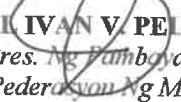
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Municipal Vice Mayor


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 forgoing qualifications or has 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's organization only its representatives to all local special bodies, boards, councils, committees, task force special government bodies and other similar work groups which the local 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 bona fide members the person that shall seat in the boards, councils, committees, 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 or special body. Participation of the People's Council or any of its member organizations in the conception, implementation and evaluation of government activities and functions shall be without any compensation or remuneration. The Local Government however, shall provide for the necessary office spaces, facilities and/or equipment for said participation of the Council. 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 Local 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. NON-PARTISAN NATURE OF THE PEOPLE'S COUNCIL. The People's Council shall not engage in, or allow itself or its member organization to be used for purposes of, partisan politics and shall adopts such measures to ensure that it is adequately shielded from any political partnership or influence. For purposes of this ordinance, partisan politics shall refer to any activity statement or any manifestation which solely or primarily serves to campaign for against any particular party or any candidate for any elective public office.

Section 13. AMENDMENT OF COMPOSITION OF LOCAL SPECIAL BODIES. The existing composition of the Local Special Bodies (committees, boards, councils, task forces) are hereby amended to accommodate the membership and participation therein of the People's Council or its representatives as herein mandated.


Section 14. TRANSITORY PROVISION. 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, councils, committees, task force or special bodies as it may deem appropriate. However, such representatives may not vote nor their attendance counted for purpose of determining a




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quorum, unless their appointment to represent the Council is made known to the Sangguniang Bayan within thirty (30) days after the Council's recognition.

Section 15. SECTORAL REPRESENTATIVES IN THE SAGGUNYANG BAYAN. There shall be one (1) representative in the Sangguniang Bayan from each of the agricultural/industrial labor, women and Services sector of the municipality who shall be elected from among the members of the accredited NGOs and POs in its sector. The term of the office of the elected sectoral representatives shall be co-terminus with the term of office of the regular member 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 hearings, and other activities in aid of legislation. Except as herein provided, the sectoral representatives shall enjoy the same rights and privileges, and exercises the same power 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 for sectoral representatives shall issue and supervised by the Commission on Election (COMELEC) and the Department OF Interior and Local Government in coordination with the Local Government which shall advance the necessary expenses therefore. No government official or employee shall directly or indirectly intervene or influence the conduct or result of an 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 the purpose 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. Existing election laws shall apply in a supple tory manner to the sectoral herein mandated.

Section 17. EFFECTIVITY. The foregoing provisions on the 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 No. 7160, otherwise known as the Local Government Code of 1991, are actually implemented on a national scale.

Section 18. RIGHT TO SELF ORGANIZATION. It shall be the point responsibility of the Local Government and the People's Council to organize the Municipality of Julita, Leyte into cooperatives, interest groups, non-government organizations, sectoral organizations and/or people's organizations, or to encourage and support their own efforts towards self-organization to address their common concerns, to promote their common welfare and/or serve the municipality or their communities and interests.

Section 19. FUNDING. Funds necessary in the maintenance and operational of the People's Council in relation to its participation in the local governance and for the purpose of organizing and capacity building of CSOs shall be appropriated and included in the annual budget of the local government. Furthermore, programs projects and activities related to a specific sector shall be included in the annual plan and budget of the concerned local government office.

GENERAL PROVISIONS

Section 20. PUBLIC HEARINGS AND CONSULTATIONS, REFERENDA AND PLEBISCITES. It shall be the principal obligation of the Local Government to conduct regular public, barangay and sectoral


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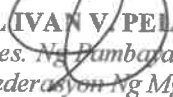
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hearings and consultations on all matters affecting the general welfare, and/or submit all controversial issues and legislations to the people in referendum or plebiscite specially called for the purpose, upon two-thirds vote of the Sangguniang Bayan 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 Local 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 shall be controlled solely by the Local Government. Copies of the content of the suggestion boxes shall be timely furnished to the office of the Mayor, the members of the Sangguniang Bayan and the People's Council.

Section 22. EDUCATIONAL PROGRAMS ON EMPOWERMENT AND SUSTAINABLE DEVELOPMENT. The Local Government shall maintain a regular dissemination program on different policies, programs, projects, and activities to the whole Municipality to adequately inform the people on issues and matters affecting their rights and welfare. The Local Government and the People's Council shall jointly create and provide for the composition of a Municipal Council for Culture and Arts. Such Council shall be institutionalized by an ordinance and annual appropriation, and shall be separate and independent of any other body for the promotion of the national culture and arts.

Section 23. SECTORAL DESK. The Local Government shall maintain sectoral desk or offices for women, agricultural workers, student/youth, senior citizen, differently abled persons, and disadvantage minors to serve as center for cooperation, coordination and joint actions with the People's Council on matters affecting the interest of said sectors.

Section 24. REPEALING CLAUSE. 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 25. SEPARABILITY CLAUSE. Should any provisions 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 Eastern Visayas.

Passed and enacted by the Sangguniang Bayan in session assembled on October 02, 2023 at the Municipality of Julita, Leyte, Philippines.

I HEREBY CERTIFY to the correctness of this foregoing Ordinance.

ATTESTED:

HON. GERMAN J. MACASO
Honorable Presiding Officer/Municipal Vice Mayor


FRANCIS RAAGAS-AVELINO
Sangguniang Bayan Secretary

CONCURRED:


ALIANA MARIE R. TUBI
SB Member


GERALDINE S. DAYA
SB Member


IRVIN R. DY
SB Member


ALLAN T. NOVALES
SB Member

RIA S. DUMDUMA
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HON. ALIANA MARIE R. TUBI
SB Member


HON. GERALDINE S. DAYA
SB Member


HON. IRVIN R. DY
SB Member


HON. ALLAN T. NOVALES
SB Member

HON. RIA S. DUMDUMA
SB Member
(On-Leave)

HON. MARK JOY MACASO
SB Member
(On-Official Travel)


MARK JOY E. MACASO
SB Member



JUDE ANDREI M. ROMUALDEZ
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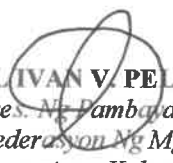

HON. ROSILA L. ADVINCULA
SB Member


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Ex-Officio Member*


EARL IVAN V. PELENIO
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Ex-Officio Member*

APPROVED:


ATTY. PERCIVAL S. CAÑA
Municipal Mayor


FRANCIS R. AVELINO
SB Secretary


GERMAN J. MACASO
Municipal Vice Mayor