

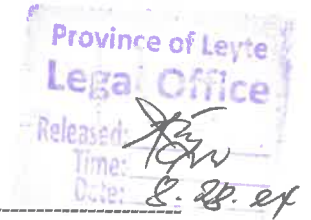


Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE



Item No.: 20
Date: 03 2024 SEP

2nd INDORSEMENT
August 22, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 06, series of 2024 of the Sangguniang Bayan of Merida, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 06, series of 2024 entitled: **“An Ordinance Updating the Merida, Leyte Cultural Inventory and Endorsing the Same to the National Commission for Culture and the Arts (NCCA).**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the Subject Ordinance is in accordance to its power under Section 16¹ General Welfare Clause of the Local Government Code of 1991 (R.A 7160). Hence, recommending the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

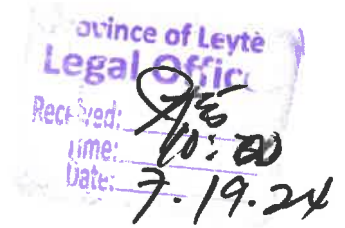
ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

¹ Section 16 Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of general welfare. Within their respective territorial jurisdiction, local government unit shall ensure and support, among other things, the preservation and enrichment of culture xxx

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
19 July 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 06, series of 2024 of the MUNICIPALITY OF MERIDA, LEYTE**, entitled: **An Ordinance Updating the Merida, Leyte Local Cultural Inventory and Endorsing the Same to the National Commission for Culture and the Arts (NCCA).**


ANDRE L. SANICO
Provl. Govt. Assst. Dept. Head



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN

18 JULY 2024

THE SANGGUNIANG PANLALAWIGAN OF LEYTE
CAPITOL BUILDING
PALO LEYTE



DEAR HONORABLE MEMBERS;

I have the honor to submit to the Sangguniang Panlalawigan of Leyte copies of **MUNICIPAL ORDINANCE NO. 06, SERIES OF 2024 - "AN ORDINANCE UPDATING THE MERIDA, LEYTE LOCAL CULTURAL INVENTORY AND ENDORSING THE SAME TO THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCCA)"** enacted by the 18th Council of this Municipality, for review and consideration.

Hoping everything is in order.

Thank you.

Respectfully,


JOSELITO T. DE LOS ANGELES
Secretary to the Sangguniang Bayan



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN



EXCERPT FROM THE MINUTES OF THE 91ST REGULAR SESSION OF THE SANGGUNIANG BAYAN (18TH COUNCIL) MERIDA, LEYTE HELD ON JUNE 03, 2024 AT THE LEGISLATIVE BUILDING SESSION HALL.

-RESOLUTION NO. 18-24-092-

A RESOLUTION ADOPTING MUNICIPAL ORDINANCE NO. 05, SERIES OF 2024 "AN ORDINANCE UPDATING THE MERIDA, LEYTE LOCAL CULTURAL INVENTORY AND ENDORSING THE SAME TO THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCCA)."

WHEREAS, the Sangguniang Bayan (17th Council) in its term 2019-2022, has created the Merida, Leyte Local Cultural Inventory through Municipal Ordinance No. 03, Series of 2022 dates April 28, 2022;

WHEREAS, the conservation of the nation's rich artistic, historical and cultural heritage and resources promotes ethnicity, instills patriotism and nationalism, preserves natural patrimony, evokes cultural unity, and raises the level of public consciousness on various cultural values;

WHEREAS, the Municipality of Merida, Leyte endeavors to keep up the Filipino traditions to encourage the participation of the community in the development and preservation of common identity;

WHEREAS, Memorandum Circular No. 2002-81 issued by the Department of the Interior and Local Government requires the creation of Local Culture and the Arts Inventory that will not only ensure the protection, enrichment and promotion of culture and the arts in the locality but also disseminate national legacy and pride;

NOW, WHEREFORE, ON MOTION of Hon. Camilo L. Dejon, Chairman Committee on Education, Culture, History, Science, Arts and Technology, duly seconded by Hon. Nenfa C. Oyao, BE IT RESOLVED TO ENACT;

RESOLVED, as it is hereby Resolved to Enact the hereunder Ordinance:

**-MUNICIPAL ORDINANCE NO. 06-
SERIES OF 2024**

"AN ORDINANCE UPDATING THE MERIDA, LEYTE LOCAL CULTURAL INVENTORY AND ENDORSING THE SAME TO THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCCA)."

Be it ordained by the Sangguniang Bayan (18th Council) of Merida, Leyte, that

SECTION 1. Title. – This Ordinance shall be known as the "MERIDA, LEYTE UPDATED LOCAL CULTURAL INVENTORY AND ENDORSING THE SAME TO THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCCA)."

SECTION 2. Declaration of Principles. – The following principles, as spelled out in Republic Act No. 7356 creating the National Commission for Culture and the Arts, are hereby adopted by this ordinance.

- **CULTURE AS A HUMAN RIGHT.** Culture is a manifestation of the freedom of belief and of expression and is a human right to be accorded due respect and allowed to flourish.
- **NATIONAL IDENTITY.** Culture reflects and shapes values, beliefs, aspirations, thereby defining a people's national identity. A Filipino national culture that mirrors and shapes Philippine economic, social, and political life shall be evolved, promoted and conserved.
- **CULTURE OF THE PEOPLE.** The Filipino national culture shall be:
- **INDEPENDENT,** free of political and economic structures which inhibit cultural sovereignty;
- **EQUITABLE,** effectively creating and distributing cultural opportunities and correcting the imbalance that has long prejudiced the poor and other marginalized sectors who have the least opportunities for cultural development and educational growth;
- **DYNAMIC,** continuously developing in pace with scientific, technological, social, economic and political changes both in national and international levels;

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Vertical handwritten signature on the right margin, possibly reading "G. Astor R. Aray".



- **PROGRESSIVE**, developing the vast potential of all Filipinos as responsible change agents of society; and
- **HUMANISTIC**, ensuring the freedom and creativity of the human spirit.
- **CULTURE BY THE PEOPLE**. The Filipino national culture shall be evolved and developed by the people themselves in a climate of freedom and responsibility.
- **CULTURE FOR THE PEOPLE**. The creation of artistic and cultural products shall be promoted and disseminated to the greatest number of the people. The level of consciousness of the people about cultural values in order to strengthen culture and to instill nationhood and cultural unity shall be raised formally through the educational system and informally through extra-scholastic means, including the use of traditional as well as the modern media of communication.
- **PRESERVATION OF THE FILIPINO HERITAGE**. It is the duty of every citizen to preserve and conserve the Filipino historical and cultural heritage and resources. The retrieval and conservation of artifacts of Filipino culture and history shall be vigorously pursued.”

SECTION 3. Creation of the Inventory. – Envisioned to be the local counterpart of the National Commission for Culture and the Arts, the Merida, Leyte Local Cultural Inventory for Culture and the Arts is hereby created to formulate policies for the development of culture and the arts at the Municipal level; implement these policies in coordination with the National Commission for Culture and the Arts as well as affiliated cultural entities both from the private and public sectors; “encourage artistic creation within a climate of artistic freedom; develop and promote the Filipino national culture and arts; and preserve Filipino cultural heritage.” The Inventory shall be under the Office of the Municipal Mayor and shall render annual accomplishment report to the Municipal Mayor.

SECTION 4. Composition. – Merida, Leyte Local Cultural Inventory shall be composed of the following:

- | | |
|--|---|
| Chairperson | – Municipal Mayor |
| Vice Chairperson/Action Officer | – Chairperson, SB Committee on Tourism, Arts and Cultural Affairs |

Members :

- Chairperson, SB Committee on Rules, Laws, and Regulations
- Chairperson, SB Committee on Education, Culture, History, Science, Arts and Technology
- Chairperson, SB Committee on Public Utilities, Transportation, Communication and Energy
- Seven Persons from the Private Sector who shall be designated by the Municipal Mayor to represent the following:

- ✓ Performing Arts
- ✓ Visual Arts
- ✓ Literature & History
- ✓ Research
- ✓ Print & Broadcast Media
- ✓ Celebrations & Commemorations
- ✓ Preservation & Restoration of Cultural Heritage

A Representative from:

- Municipal Cooperative Development Council (MCDC)
- Municipal Budget Office
- Municipal Tourism Council
- Municipal Accountant Office
- General Services Office
- Liga ng mga Barangay
- Department of Education

SECTION 5. Term of Office. – The Sangguniang Bayan Members shall serve up to the end of their current term as councilors. Private sector representatives shall be co-terminus with that of the appointing Municipal Mayor.

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(CONTINUATION OF MUNICIPAL ORDINANCE NO. 06, SERIES OF 2024 DATED JUNE 03, 2024
.....//PAGE 03)

SECTION 6. Mandate. – *The Inventory is hereby mandated to conceptualize, craft and implement plans, policies, programs and projects in conformity with the principles spelled out in Section 2 hereof.*

SECTION 7. Powers and Functions. – *In order to pursue its mandate, the Inventory shall have the following powers and functions:*

- a. *Prepare an annual plan on culture and the arts consonant to the Medium Term Philippine Development Plan for Culture and the Arts, to be integrated in the local development plan of the Municipality;*
- b. *Formulate programs and recommendations to develop local culture and the arts;*
- c. *Ensure the protection, preservation and conservation of the local cultural and historical heritage;*
- d. *Conduct cultural events such as cultural festivals, competitions, lectures, seminars, fora and symposia; set up exhibits during fiestas and other related activities;*
- e. *Conduct periodic consultations with stakeholders to identify grassroots-based cultural concerns, issues and agenda;*
- f. *Encourage the development of local cultural industries;*
- g. *Conduct periodic inventory of local cultural objects and sites in coordination with the National Commission for Culture and the Arts, Cultural Center of the Philippines, National Museum, National Historical Institute, National Library and other national cultural agencies;*
- h. *Coordinate with existing local culture and the arts Inventory;*
- i. *Evaluate the implementation of the local annual plan for culture and the arts;*
- j. *Ensure continuous and sustainable cultural education.*
- k. *Set up a municipal-wide network of barangay councils for culture and the arts to insure optimum people-based participation;*
- l. *Network with international, national and local cultural and artistic groups/agencies;*
- m. *Link up with government and non-government agencies for assistance;*
- n. *Advise the Municipal Mayor on all matters pertaining to culture and the arts;*
- o. *Accept donations from both the public and private sectors;*
- p. *Mount fund-raising projects;*
- q. *Craft the implementing rules and regulations of this ordinance;*
- r. *Formulate the annual budget of the Inventory and submit the same to the Municipal Mayor for inclusion in the annual budget;*
- s. *Perform other functions which may be necessary for the preservation/conservation of national cultural heritage/properties.*

SECTION 8. Operational Budget. – *During its first year of operation, the Inventory shall draw its budget from the account of the Municipal Tourism Office and, in the succeeding year(s), a separate appropriation account in favor of the Merida, Leyte Local Cultural Inventory.*

SECTION 9. Secretariat. – *The Office of the Municipal Tourism Office shall act as secretariat of the Merida, Leyte Local Cultural Inventory.*

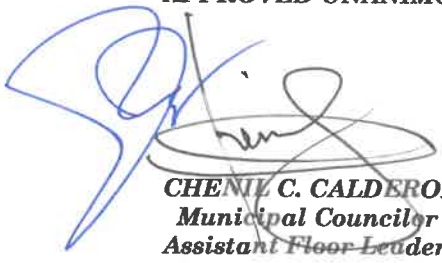
SECTION 10. Repealing Clause. – *All resolutions, ordinances, memoranda and other issuances inconsistent with this ordinance are hereby repealed or modified accordingly.*

SECTION 11. Effectivity. – *This ordinance shall take effect fifteen days after compliance of the posting requirements as prescribed in RA 7160.*

ENACTED BY THE SANGGUNIANG BAYAN (18TH COUNCIL) OF MERIDA, LEYTE AT ITS REGULAR SESSION HELD ON THE 03RD DAY OF JUNE 2024.

APPROVED UNANIMOUSLY.


SANGGUNIANG BAYAN MEMBERS


CHENIL C. CALDERON
Municipal Councilor
Assistant Floor Leader


JOEY A. MARSON
Municipal Councilor


JESUS ANTONIO R. MARTINEZ
Municipal Councilor


EMARITO A. LAZARES
Municipal Councilor
Majority Floor Leader


FELIPE H. PEREZ, JR.
Municipal Councilor


CAMILO L. DEJON
Municipal Councilor

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(CONTINUATION OF MUNICIPAL ORDINANCE NO. 06, SERIES OF 2024 DATED JUNE 03, 2024
.....//PAGE 04)


NENIA C. OYAO
Municipal Councilor


STEPHANIE M. MIRALLES
Municipal Councilor

ASHLEY NOREEN DIAZ
Ex-Officio (Mun. SK. Fed. President)
(Forced Leave)

RONILLO O. LABANG
Ex-Officio (Mun. LnB President)

APPROVED BY HIS HONOR, THE MUNICIPAL MAYOR ON June 21, 2024.

APPROVED BY:


ENGR. ROLANDO E. VILLASEÑICO
Municipal Mayor

CERTIFIED BY:


RODRIGO M. WENCESLAO
Municipal Vice Mayor / Presiding Officer

ATTESTED BY:


JOSELITO T. DE LOS ANGELES
Secretary to the Sangguniang Bayan



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF MERIDA

OFFICE OF THE SANGGUNIANG BAYAN

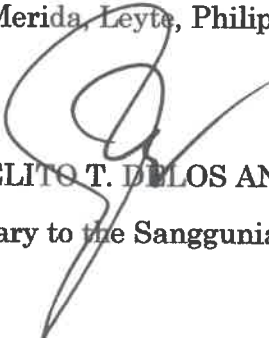
C E R T I F I C A T I O N

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 06, SERIES OF 2024 – “AN ORDINANCE UPDATING THE MERIDA, LEYTE LOCAL CULTURAL INVENTORY AND ENDORSING THE SAME TO THE NATIONAL COMMISSION FOR CULTURE AND THE ARTS (NCCA)”** had been posted in three (3) conspicuous places in the locality within three (3) consecutive weeks from JUNE 25, 2024 to JULY 16, 2024.

THIS CERTIFICATION has been issued in compliance to Section 511 (1), Title One, book IV of RA 7160, otherwise known as the Local Government Code of 1991.

DONE AND ISSUED this 18TH DAY OF JULY at Merida, Leyte, Philippines.


JOSELITO T. DE LOS ANGELES
Secretary to the Sangguniang Bayan