



Republic of the Philippines  
**PROVINCE OF LEYTE**  
 Provincial Capitol  
 Tacloban City

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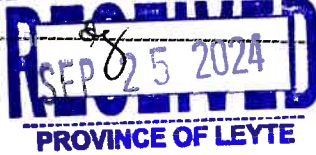
Item No.: 19

Date: 01 2024 OCT

Province of Leyte  
 Legal Office

Classified: *JRS*  
 Time: *9:10*  
 Date: *9.25.24*

**SANGGUNIANG PANLALAWIGAN**



**PROVINCIAL LEGAL OFFICE**

**2<sup>nd</sup> INDORSEMENT**  
 September 19, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2024-17 of the Sangguniang Bayan of Calubian, Leyte.

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

- Ordinance No. 2024-17 entitled: **“An Ordinance Creating the Position Item of a Registration Officer II, Salary Grade 14, under the Municipal Civil Registrar Office (MCRO) in the Municipal Government of the Municipality of Calubian, Leyte.**

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the Subject Ordinance is in accordance to its power under Section 76<sup>1</sup>, Section 325(g)<sup>2</sup> and Section 447(1)(viii)<sup>3</sup> of the Local Government Code of 1991 (R.A 7160). Hence, recommending for 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*

<sup>1</sup> Section 76 Every local government unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission.

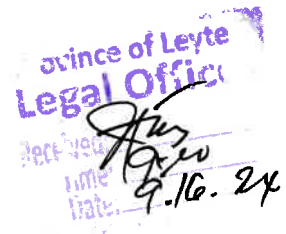
<sup>2</sup> Section 325(g) The creation of new positions and salary increases or adjustment shall in no case be made retroactive;

<sup>3</sup> Section 447(1)(viii) Determine the positions and the salaries, wages, allowances and other emoluments and benefits of official 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.

Republic of the Philippines  
PROVINCE OF LEYTE  
Palb, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> INDORSEMENT**  
13 September 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2024-17** of the **Municipality of Calubian, Leyte**, entitled: An Ordinance Creating the Position Item of a Registration Officer II, Salary Grade 14, under the Municipal Civil Registrar Office (MCRO) in the Municipal Government of the Municipality of Calubian, Leyte.

  
**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian

Municipality of Calubian, Leyte."

3. Municipal Ordinance No. 2024-10, entitled: "Solo Parents' Welfare Ordinance in the Municipality of Calubian, Leyte."
4. Municipal Ordinance No. 2024-11, entitled: "An Ordinance Establishing a Violence Against Women and Their Children (VAWC) Desk in Every Barangay in the Municipality of Calubian, Leyte and For Other Purposes."
5. Municipal Ordinance No. 2024-12, entitled: "An Ordinance Establishing the Office for Senior Citizens Affairs (OSCA) in the Municipality of Calubian, Leyte as Mandated under Republic Act No. 9994."
6. Municipal Ordinance No. 2024-14, entitled: "An Ordinance Creating the Position Item of an Agriculturist IIm with Salary Grade 15, Under the Office of the Municipal Agriculturist (OMA) in the Municipal Government of Calubian, Leyte."
7. Municipal Ordinance No. 2024-15, entitled: "An Ordinance Creating the Position Item of a Municipal Government Department Head I (Municipal Peso Manager), Salary Grade 24, Under the Public Employment Service Office (PESO) in the Municipal Government of the Municipality of Calubian, Leyte."
8. Municipal Ordinance No. 2024-16, entitled: "An Ordinance Creating the Position Item of a Farm Supervisor, Salary Grade 8, under the Office of the Municipal Agriculturist (OMA) in the Municipal Government of the Municipality of Calubian, Leyte."
9. Municipal Ordinance No. 2024-17, entitled: "An Ordinance Creating the Position Item of a Registration Officer II, Salary Grade 14, Under the Municipal Civil Registrar Office (MCRO) in the Municipal Government of the Municipality of Calubian, Leyte."
10. Municipal Appropriation Ordinance No. 18, C.S. 2024, entitled: "An Appropriation Ordinance Enacting the 2024 General Fund Supplemental Budget No. 01 of the Municipality of Calubian, Leyte in the Amount of Five Million Seven Hundred Eighty Six Thousand Two Hundred Forty Five Pesos & 02/100 (P5,786,245.02) pursuant to Section 447 (A) (2) (1) of R.A. No. 7160."
11. Ordinance No. 2024-19, entitled: "An Ordinance Amending Section 6 of Municipal Ordinance No. 2022-11 dated November 21, 2022 entitled "An Ordinance Creating the Position of a Licensing Officer I, Salary Grade (SG) 11, Under the Business Permits and Licensing Office in the Plantilla of Personnel in the Municipality of Calubian, Leyte"."

For your perusal. Please acknowledge receipt hereof. The hard copies shall be forwarded at a later date.

Thank you.


Very truly yours,


(Sgd.)

**ATTY. KEISHA YNA VINEE V. RAMIREZ**  
*MGDHI (Secretary to the Sanggunian)*


  Municipal Appropriation Ordinance No. 18.pdf

 Municipal Ordinance No. 2024-08.pdf

 Municipal Ordinance No. 2024-09.pdf


 Municipal Ordinance No. 2024-10.pdf

 Municipal Ordinance No. 2024-11.pdf


 Municipal Ordinance No. 2024-12.pdf

 Municipal Ordinance No. 2024-14.pdf

 Municipal Ordinance No. 2024-15.pdf

 Municipal Ordinance No. 2024-16.pdf

 Municipal Ordinance No. 2024-17.pdf

 Municipal Ordinance No. 2024-19.pdf

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**Jill Sydlongco Uyvico** <jillsyd@gmail.com>  
To: SB Secretary MGO Calubian <sbsec0813.mgocalubian@gmail.com>  
Cc: spleyteprovince@gmail.com

Thu, Sep 12, 2024 at 7:11 PM

Dear Atty,

Good evening! Acknowledging receipt of 11 Municipal Ordinances.

Will endorse for review.

Thanks,

Jill

[Quoted text hidden]



Jill Sydiongco Uyvico <fjillsyd@gmail.com>

**Transmittal of Municipal Ordinances of the Municipality of Calubian, Leyte**

2 messages

**SB Secretary MGO Calubian** <sbsec0813.mgocalubian@gmail.com>

Thu, Sep 12, 2024 at 4:33 PM

To: splayteprovince@gmail.com

Cc: fjillsyd@gmail.com

Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calubian

OFFICE OF THE SANGGUNIANG BAYAN

**September 12, 2024**

**HON. LEONARDO M. JAVIER, JR.**  
Provincial Vice Governor, Presiding Officer; and  
The Honorable Members of the Sangguniang Panlalawigan  
Province of Leyte  
New Leyte Provincial Capitol  
Palo, Leyte

**THRU: MS. FLORINDA JILL S. UYVICO**  
Provincial Government Department Head  
Secretary to the Sanggunian  
Province of Leyte

Dear Honorable Ladies/ Gentlemen:

Good day!

We are respectfully forwarding the following Municipal Ordinances and its supporting attachments for favorable review and approval of the Honorable Sangguniang Panlalawigan of Leyte, to wit:

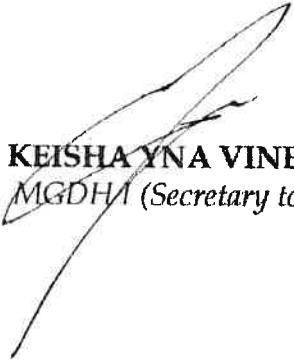
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For your perusal. Please acknowledge receipt hereof.

Thank you.

Very truly yours,

  
**ATTY. KEISHA YNA VINEE V. RAMIREZ**  
*MGDHA (Secretary to the Sanggunian)*



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calubian



OFFICE OF THE SANGGUNIANG BAYAN

September 12, 2024

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Provincial Vice Governor, Presiding Officer; and  
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New Leyte Provincial Capitol  
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THRU: **MS. FLORINDA JILL S. UYVICO**  
Provincial Government Department Head  
Secretary to the Sanggunian  
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Republic of the Philippines  
**PROVINCE OF LEYTE**  
**Municipality of Calubian**  
 -OO-



**OFFICE OF THE SANGGUNIANG BAYAN**

*EXCERPTS FROM THE MINUTES OF THE EIGHTY SIXTH (86<sup>TH</sup>) REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE HELD ON AUGUST 5, 2024 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.*

**PRESENT:**

- |  |          |
|--|----------|
| <i>SB Member Jullian Marc A. Batiancela</i>        | - Member |
| <i>SB Member Noel G. Eamiguel</i>                  | - Member |
| <i>SB Member Eugenio A. Ching, Jr.</i>             | - Member |
| <i>SB Member Ester P. Lubiano</i>                  | - Member |
| <i>SB Member Julia E. Halichic</i>                 | - Member |
| <i>SB Member Benjamin A. Calbitaza</i>             | - Member |
| <i>SB Member Lucita A. Palconit</i>                | - Member |
| <i>SB Member Alyza F. Nierras</i>                  | - Member |
| <i>SK Fed. Pres. Carl Ernest D. Ponce</i>          | - Member |
| <i>Liga ng mga Barangay Pres. Alfredo M. Casas</i> | -Member  |

**ON FORCED-LEAVE:**

- |   |                     |
|---|---------------------|
| <i>Vice Mayor Anna Love Veloso – Laurente</i> | - Presiding Officer |
|---|---------------------|

**ORDINANCE NO. 2024 - 17**

**An Ordinance Creating the Position Item of a REGISTRATION OFFICER II, SALARY GRADE 14, UNDER THE MUNICIPAL CIVIL REGISTRAR OFFICE (MCRO) IN THE MUNICIPAL GOVERNMENT OF THE MUNICIPALITY OF CALUBIAN, LEYTE.**

**NOW THEREFORE**, on motion of SB Member Eugenio A. Ching, Jr., duly seconded by SB Member Jullian Marc A. Batiancela;

**BE IT ORDAINED**, AS IT IS HEREBY ORDAINED, by the Sangguniang Bayan of Calubian, Leyte in session assembled, that:

**SECTION 1. TITLE.** This Ordinance shall be known as an "**An Ordinance Creating the Position Item of a REGISTRATION OFFICER II, SALARY GRADE 14, UNDER THE MUNICIPAL CIVIL REGISTRAR OFFICE (MCRO) IN THE MUNICIPAL GOVERNMENT OF THE MUNICIPALITY OF CALUBIAN, LEYTE**".

**SECTION 2. RATIONALE.** A. Section 447 of R.A. 7160 otherwise known as the Local Government Code of 1991 provides the powers and functions of the Sangguniang Bayan to xxx (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;

B. The creation of the above aforementioned position, Registration Officer II, Salary Grade 14 in the Local Civil Registrar's Office is needed to augment the department's lack of personnel for the civil registry of its clientele inside and outside of the municipality;

C. Section 16 of R.A. 7160 on General Welfare, provides that – Every local government unit shall exercise the powers expressly granted, those necessarily implied there from, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions,

*Julia E. Halichic*  
 SB Member  
 ALFREDO M. CASAS  
 Liga ng mga Barangay Pres.  
*Carl Ernest D. Ponce*  
 SK Fed. Pres.  
*Ester P. Lubiano*  
 SB Member  
*Lucita A. Palconit*  
 SB Member  
*Eugenio A. Ching, Jr.*  
 SB Member  
*Alyza F. Nierras*  
 SB Member  
*Noel G. Eamiguel*  
 SB Member  
*Benjamin A. Calbitaza*  
 SB Member



local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants; xxx

D. Republic Act No. 3753 or the Civil Registry Law is implemented in the local government unit. A civil register is established for recording the civil status of persons, in which shall be entered: (a) births; (b) deaths; (c) marriages; (d) annulments of marriages; (e) divorces; (f) legitimations; (g) adoptions; (h) acknowledgment of natural children; (i) naturalization; and (j) changes of name;

E. Consistent with the above authority to create positions or offices as maybe necessary to carry out the purposes and programs of the municipality, and after a thorough determination and evaluation of human resources needs of the municipality, it is imperative to create the position of a Registration Officer II.

**SECTION 3. DEFINITION OF TERMS:** For purposes of this ordinance, the following terms are defined as follows:

- A. Registration – the act of accomplishing and filing of a sworn application for registration ;
- B. Officer - as distinguished from 'clerk' or 'employee', refers to a person whose duties, not being of a clerical or manual nature, involves the exercise of discretion in the performance of the functions of the government;
- C. Local Civil Registrar - responsible for the civil registration program of the local government unit pursuant to the Civil Registry Law, the Civil Code, and other pertinent laws, rules and regulations;
- D. Transcripts - a written or printed version of material originally presented in another medium;
- E. Veracity - conformity to facts, accuracy;
- F. Authenticity - the quality of being genuine or real;
- G. Qualification Standards - are the minimum and basic requirements for positions in the government in terms of education, training, experience, Civil Service eligibility, physical fitness and other qualities required for successful performance of the duties of the position;
- H. Plantilla - are permanent position items in the government with corresponding authorized budget allotment in the annual budget.

**SECTION 4. PURPOSE.** The purpose of this ordinance on creation as stated by the Local Chief Executive in his letter request are the following: to enhance the organizational structure of LGU Calubian by creating new positions, to meet the needs of the present demands of a very functional and responsive government institution, and upgrading, enhancing, repositioning of manpower in order to appropriately and quickly respond to the needs of the times.

**SECTION 5. CREATION OF THE POSITION IN THE PLANTILLA OF PERSONNEL.** The creation of the Position of a Registration Officer II, Salary Grade 14, shall be under the existing Office of the Local Civil Registrar. The position shall be included in the Rolls of Employees or Plantilla of

JULIA E. H. LICHIC  
SB Member

ALFREDO M. CASAS  
Liga ng mga Barangay Pres.

CARL ERNEST D. PONCE  
SK Fed. Pres.

ESTER P. LUBIANO  
SB Member

LUCITA A. PALCONIT  
SB Member

GENIO A. CHING, JR.  
SB Member

ALFREDO M. CASAS  
SB Member

NOEL CAMIGUEL  
SB Member

BENJAMIN CALBITAZA  
SB Member

Personnel in the Municipal Government of Calubian, Leyte, and shall have the following functions and responsibilities:

- a. Undertakes the preparation and review of applications for Birth, Marriage and Death Certificates submitted in the Local Civil Registrar;
- b. Issues certified transcripts or copies of any certificate or document registered, upon payment of proper fees and upon approval of the civil registrar;
- c. Process civil registry documents presented for registration;
- d. Accepts application for marriage license, and examines the supporting papers submitted;
- d. Submits status reports on the condition of civil registry documents filed in the civil registry office whenever there are changes in documents previously filed;
- e. Examines the veracity and authenticity of civil registry documents requested for transcription;
- f. Codifies registered civil registry documents;
- g. Does other tasks as may be assigned by the supervisor.

**SECTION 6. QUALIFICATION STANDARDS.** The qualifications, duties and responsibilities of the position shall be subject to the minimum standards and guidelines prescribed by the Civil Service Commission (CSC) – its laws, rules and regulations.

**SECTION 7. FUNDING / BUDGET ALLOCATION OF THE POSITION.** The funding for the new position shall be provided by the LGU from its national tax allocation and other internally generated income of the LGU. The funding necessary for the implementation of this Ordinance shall be included in the Annual Appropriations of the Municipal Government of Calubian, Leyte, upon approval of this Ordinance. Further, **DBM Circular Letter No. 2007-6, dated February 19, 2007, Subject: Manual on Position Classification and Compensation.** In Chapter 9 and succeeding sections:

- 9.2.2 Creation of New Positions/Offices - Creation of new positions in LGUs may be allowed subject to the following conditions that:**
- 9.2.2.1 All the mandatory positions listed under RA No. 7160 have been created and provided for;
  - 9.2.2.2 The Salary Standardization Law has been fully implemented;
  - 9.2.2.3 The absorption of national government personnel by LGUs on account of the devolution of functions has been fully effected;
  - 9.2.2.4 The general limitations on personal services expenditures are not exceeded;
 

PS Limitation 1st to 3rd class	= (45%) (TIRS)
PS Limitation 4th to 5th class	= (55%) (TIRS)
  - 9.2.2.5 The classification of the positions should be consistent with the standards and implementing rules and regulations of RA No. 6758;
  - 9.2.2.6 The creation of new positions or offices is subject to the conditions prescribed under Civil Service Commission Memorandum Circular No. 19, s. 1992;
  - 9.2.2.7 The classification of the heads of new offices shall be dependent on the level of the organizational structure of the new offices. If the new office is considered a department, the head shall be classified as Department Head. If lower than a department but higher than a division, the head shall be classified as Assistant Department Head.

*DBM LBC No. 145, dated March 2, 2022. Section 4.2.3 Vacant and new positions shall be adequately provided with corresponding appropriations for salaries, authorized allowances and benefits, and fixed personnel expenditures, to back up their legal existence; otherwise, said positions should be deemed abolished;*

**SECTION 8. REPEALING CLAUSE.** All Ordinances or resolutions, local issuances or rules inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.


JULIA E. H. ICHIC  
SB Member  
 ALFREDO M. CASAS  
Liga ng mga Barangay Pres.  
 CARL ERNEST D. PONCE  
SK Fed. Pres.  
 ESTER F. LUBIANO  
SB Member  
 LUCIA A. PALCONI  
SB Member  
 EUGENIO A. CHING, JR.  
SB Member  
 ALBERTO N. NERBAS  
SB Member  
 NOEL G. EAMIGUIL  
SB Member  
 BENJAMIN A. CALBITAZA  
SB Member

**SECTION 9. SEPARABILITY CLAUSE.** If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provision not affected thereby, shall continue to be in full force & effect.

**SECTION 10. EFFECTIVITY CLAUSE.** The Ordinance shall take effect immediately upon approval from the Honorable Sangguniang Panlalawigan of the Province of Leyte.


*APPROVED, this 5<sup>th</sup> day of August 2024 at Calubian, Leyte.*

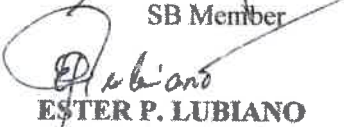
*I HEREBY CERTIFY to the correctness of the foregoing Ordinance.*

  
**ARTHUR V. CABRADILLA**  
SB Secretary – Designate

**ATTESTED:**

  
**JULIAN MARC A. BATIANCELA**  
Temp. Presiding Officer

  
**NOEL G. EAMIGUEL**  
SB Member

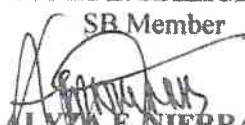
  
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SB Member

  
**BENJAMIN A. CALBITAZA**  
SB Member

  
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SB Member

  
**EUGENIO A. CHING, JR.**  
SB Member

  
**JULIA E. HALICHIC**  
SB Member

  
**ALYSA F. NIERRAS**  
SB Member

  
**CARL ERNEST D. PONCE**  
SK Federation President

  
**ALFREDO M. CASAS**  
Liga ng mga Barangay Pres.

**APPROVED:**

  
**MARCIANO A. BATIANCELA, JR.**  
Municipal Mayor



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Calubian

OFFICE OF THE SECRETARY  
TO THE SANGGUNIANG BAYAN  
sbsec0813.mgocalubian@gmail.com



## CERTIFICATE OF POSTING

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY THAT the following Municipal Ordinances were posted on the Bulletin Board of the Sangguniang Bayan on September 12, 2024 and other conspicuous places in the Municipality of Calubian, Leyte, and it will remain posted therein for three (3) consecutive weeks:

1. Municipal Ordinance No. 2024-08, entitled: "An Ordinance Creating the Tourist Information and Assistance Center in the Municipality of Calubian, Leyte"
2. Municipal Ordinance No. 2024-09, entitled: " An Ordinance Establishing And Maintaining the Migrant Advisory and Information Network (MAIN) Desk in the Municipality of Calubian, Leyte."
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THIS CERTIFICATION is issued in compliance with ARTICLE 114 of the Implementing Rules and Regulations of Regulations of Republic Act No. 7160.

ISSUED the 12<sup>th</sup> day of September, 2024 at the Municipality of Calubian, Leyte.

Very truly yours,

**ATTY. KEISHA ANA VINEE V. RAMIREZ**  
MGDH I (Secretary to the Sanggunian)