

Item No.: 01  
Date: 22 2024 OCT



Republic of the Philippines  
PROVINCE OF LEYTE  
Provincial Capitol  
Tacloban City

-oOo-

Province of Leyte  
Legal Office  
Date: 10-11-24

PROVINCIAL LEGAL OFFICE

2<sup>nd</sup> INDORSEMENT

October 9, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2024-11 of the Sangguniang Bayan of Alangalang, Leyte.

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

- Ordinance No. 2024-11 entitled: “An Ordinance granting one-time discount of the unpaid obligation on water bills of water concessionaires of the Alangalang Water Supply System (AWASS)”

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is generally in accordance to its power under Section 447(3)(i)<sup>1</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>(i) Fix, impose and regulate reasonable fees and charges for all services rendered by the municipal government to private persons or entities;

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

1<sup>ST</sup> INDORSEMENT  
08 October 2024

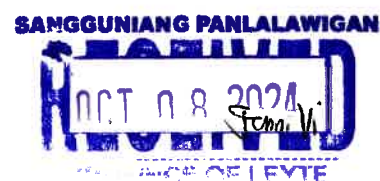
Province of Leyte  
Legal Office  
Approved  
Date: 10-9-24

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2024-11**, of the **Municipality of Alangalang, Leyte**, entitled: An Ordinance Granting One-Time Discount of the Unpaid Obligation on Water Bills of Water Concessionaires of the Alangalang Water Supply System (AWASS) of the Municipality of Alangalang, Leyte.



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

Republic of the Philippines  
**PROVINCE OF LEYTE**  
Municipality of Alangalang  
-oOo-



**OFFICE OF THE SB SECRETARY**

October 8, 2024

**MS. FLORINDA JILL S. UYVICO**  
SP Secretary  
Provincial Capitol, Tacloban City

***Ma'am:***

Respectfully forward herewith copies of Municipal Ordinance No. 2024-11  
**"AN ORDINANCE GRANTING ONE-TIME DISCOUNT OF THE UNPAID OBLIGATION ON WATER BILLS OF WATER CONCESSIONAIRES OF THE ALANGALANG WATER SUPPLY SYTEM (AWASS) OF THE MUNICIPALITY OF ALANGALANG, LEYTE."** for peruse and favorable action.

Kindly acknowledge receipt hereof.

Thank you and More Power!

Very Truly Yours,

**DANI R. DE VEYRA**  
Mun. Gov't Department Head I  
(Secretary to the Sanggunian)

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

**TO WHOM THIS MAY CONCERN:**

This is to certify that Municipal Ordinance No. 2024-11 has been posted for three weeks in the three public conspicuous places within the municipality and will remain posted for the information of the general public.

  
**DANI R. DE VEYRA**  
Mun. Gov't Department Head I  
(Secretary to the Sanggunian)

**ATTESTED:**

  
**MARIO V. BAGUE**  
Municipal Vice Mayor



# 24<sup>th</sup> SANGGUNIANG BAYAN



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Alangalang  
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SANGGUNIANG PANLALAWIGAN



## OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ALANGALANG, LEYTE HELD AT THE LEGISLATIVE BUILDING SESSION HALL ON SEPTEMBER 9, 2024.

### PRESENT:

- Vice Mayor Mario V. Bague - Presiding Officer
- SB Member Gina Balderamos
- SB Member Ketchie Rex A. Barrantes
- SB Member Claire G. Yu
- SB Member Kenneth Spice M. De Veyra
- SB Member Kent Jefflord C. Guillermo
- SB Member Elmer D. Matobato
- SB Member Sheila Antoni-Rebato
- SB Member Ricardo Neil O. Eusores
- SB Member Sarah T. Apurillo
- SK Chairman Charize Jericho Duane A. Tan - LIGA President
- PPSK President

ABSENT: None

### MUNICIPAL ORDINANCE NO. 2024-11

SPONSORED BY: HON. RICARDO NEIL O. EUSORES  
MEMBERS: HON. KENNETH SPICE M. DE VEYRA  
HON. ELMER D. MATOBATO

**"AN ORDINANCE GRANTING ONE-TIME DISCOUNT OF THE UNPAID OBLIGATION ON WATER BILLS OF WATER CONCESSIONAIRES OF THE ALANGALANG WATER SUPPLY SYSTEM (AWASS) OF THE MUNICIPALITY OF ALANGALANG, LEYTE."**

APPROVED on 3<sup>rd</sup> and final reading on SEPTEMBER 09, 2024

#### SECTION 1. TITLE

*Title: The ordinance shall be known as the " An Ordinance Granting One Time Discount of the Unpaid Obligation on Water Bills of the Water Concessionaires of the Alangalang Water Supply System (AWASS) of the Municipality of Alangalang, Leyte."*

#### SECTION 2. SCOPE.

This Ordinance shall govern the procedures of granting one-time discount to delinquent and current concessionaires.

#### SECTION 3. DEFINITION OF TERMS:

As used in this Ordinance, the terms hereunder stipulated are defined as follows:

- A) **Current Concessionaires** - refers to the Alangalang Water Supply System's concessionaires who do not have water bill arrears;

- B) **Discount** - refers to the amount deducted to the total water bills upon full payment as indicated in Section 4 of this Ordinance;
- C) **Monthly Billing** - refers to the monthly water bill issued to the water concessionaires;
- D) **Residential Concessionaires** - refers to the concessionaires who utilize water supply from the Alangalang Water Supply System for domestic purposes only;
- E) **Institutional Concessionaires** - refers to the concessionaires who utilize water supply from the Alangalang Water Supply System for private and public schools, Barangay Hall, and all offices of the local or national government agencies' only;
- F) **Commercial Concessionaires** - refers to the concessionaires who utilize water supply from Alangalang Water Supply System for commercial purposes only;
- G) **Industrial Concessionaires** - refers to the concessionaires who utilize water supply from the Alangalang Water Supply System for commercial purposes only;
- H) **Water Concessionaire** - refers to the person authorized to use the Alangalang Water Supply System's water service upon compliance with the Water Service Application Requirements;
- I) **Water Supply System** - refers to the Level III Waterworks System of LGU Alangalang.

**SECTION 4. GRANTING OF DISCOUNT OF UNPAID OBLIGATION ON WATER BILLS:**

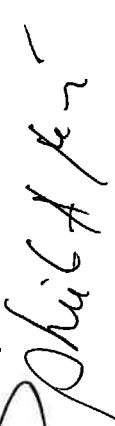
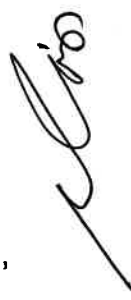
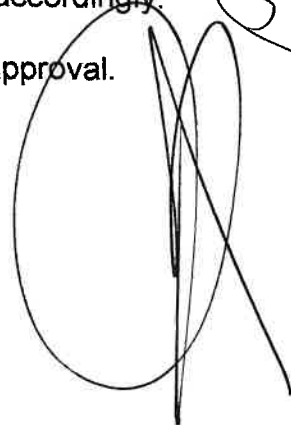
- 4.1. Residential/Industrial Concessionaires who shall pay his/her water bill arrears shall be granted a fifty percent (50%) discount if payment is made from October to December 2024;
- 4.2. Commercial/Industrial and Institutional Concessionaires who shall pay his/her water bill arrears from October to December 2024 shall be granted a fifty percent discount;
- 4.3. Current water concessionaires with no arrears shall be granted a one-time discount of fifty percent (50%) of their water bills from October to December 2024;
- 4.4. Failure to pay the water bill arrears until December 31, 2024, or until the last working day of the calendar year 2024, shall mean automatic water supply service disconnection beginning January 1, 2025.

**SECTION 5. SEPARABILITY CLAUSE** - If for any reason, any part or provision of this ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 6. REPEALING CLAUSE** - All ordinance, provisions, resolutions, executive orders, Memorandum circulars, administrative orders, and other issuances or parts thereof which are inconsistent with any provisions of this ordinance are hereby repealed or modified accordingly.

**SECTION 7. EFFECTIVITY CLAUSE.** This Ordinance shall take effect upon its approval.

**ENACTED** by the Sangguniang Bayan on September 09, 2024.





APPROVED, by the Mayor on 9/18/2024.

I HEREBY CERTIFY to the correctness of the foregoing Municipal Ordinance No. 2024-24

**DANI R. DE VEYRA**  
Secretary to the Sanggunian  
Municipal Government Department Head

ATTESTED AND CERTIFIED  
TO BE DULY ENACTED:


  
**MARIO V. BAGUE**  
Municipal Vice Mayor  
Presiding Officer

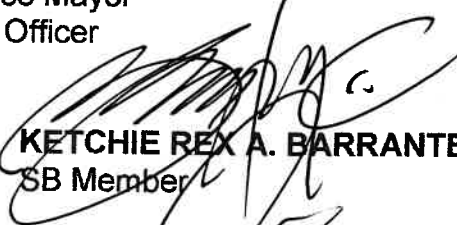
  
**GINA BALDERAMOS**  
SB Member

  
**CLAIRE G. YU**  
SB Member


  
**KENT JEFFLORD C. GUILLERMO**  
SB Member

  
**SHEILA ANTONI-REBATO**  
SB Member

  
**SARAH T. APURILLO**  
SB Member  
ABC/LIGA President

  
**KETCHIE REX A. BARRANTES**  
SB Member

  
**KENNETH SPICE M. DE VEYRA**  
SB Member

  
**ELMER D. MATOBATO**  
SB Member

  
**RICARDO NEIL O. EUSORES**  
SB Member

  
**CHARLE JERICO DUANE A. TAN**  
SB Member  
PPSK President

APPROVED:

  
**LOVELL ANNE M. YU-CASTRO**  
Municipal Mayor





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

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Province of Leyte  
Legal Office  
Released: *[Signature]*  
Date: *10.11.24*

**PROVINCIAL LEGAL OFFICE**

**2<sup>nd</sup> INDORSEMENT**

October 8, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached draft Resolution No. 2024-420.

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

- Resolution No. 2024-420 entitled: **“A Resolution prohibiting barangay officials from utilizing the Sangguniang Kabataan (SK) funds for the payment of electricity bills in their respective barangays. ”**

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that there is already an existing national policy regarding the utilization of SK funds as provided for in Item No. 1 of DBM, DILG and National Youth Commission Joint Memorandum Circular 1 s, 2019 to wit;

*In accordance with Section 20 (a) of the SK Reform Act of 2015 (Republic Act [RA] No. 10742), ten percent (10%) of the general fund of the barangay shall be set aside for the SK. The sangguniang barangay shall appropriate the SK funds in lump-sum, which shall be disbursed solely for youth development and empowerment purposes. Furthermore, Section 20 (b) of the same law provides that the SK shall have financial independence in its operations, disbursements, and encashment of their fund, income and expenditures.*

Item No. 5 of the same JMC further provides;

*The responsibility and accountability in the utilization and disbursement of SK funds shall rest upon the SK officials concerned. It is also the responsibility of the said SK officials to ensure that the SK funds are utilized strictly in accordance with applicable budgeting, accounting, and auditing rules and regulations, and the provisions of the Government Procurement Reform Act (RA No. 9184) and other pertinent laws.*

Considering the foregoing, this office opines that even without the draft Resolution or any ordinance for that matter, the use of the SK funds for the



respective barangays electric bill is not allowed, absent any legal appropriations from the SK fund or consent therefrom, as reiterated by Section 336<sup>1</sup> of the Local Government Code.

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* ✕

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<sup>1</sup> **Section 336. Use of Appropriated Funds and Savings.** - Funds shall be available exclusively for the specific purpose for which they have been appropriated.



Republic of the Philippines  
**PROVINCE OF LEYTE**  
 Palo, Leyte  
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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**EXCERPTS FROM THE MINUTES OF THE 106<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF LEYTE CONDUCTED AT THE SESSION HALL, LEYTE PROVINCIAL GOVERNMENT COMPLEX PALO, LEYTE ON SEPTEMBER 25, 2024.**

**RESOLUTION NO. 2024-420**

**A RESOLUTION REFERRING TO THE SANGGUNIANG PANLALAWIGAN COMMITTEE ON RULES, LAWS AND PRIVILEGES AND TO THE PROVINCIAL LEGAL OFFICE, A DRAFT RESOLUTION FROM THE PROVINCIAL SK FEDERATION OFFICE, ENTITLED: "A RESOLUTION PROHIBITING BARANGAY OFFICIALS FROM UTILIZING THE SANGGUNIANG KABATAAN (SK) FUNDS FOR THE PAYMENT OF ELECTRICITY BILLS IN THEIR RESPECTIVE BARANGAYS".**

**WHEREAS**, received by the Sangguniang Panlalawigan is a draft resolution from the SK Provincial Federation entitled: **"A RESOLUTION PROHIBITING BARANGAY OFFICIALS FROM UTILIZING THE SANGGUNIANG KABATAAN (SK) FUNDS FOR THE PAYMENT OF ELECTRICITY BILLS IN THEIR RESPECTIVE BARANGAYS"**;

**WHEREAS**, the August Body, deemed it proper to refer said draft resolution to the SP Committee on Rules, Laws and Privileges and to the Provincial Legal Office;

**NOW, THEREFORE**, on motion presented by Honorable MJ Luinly D. Lumen, duly seconded by Honorable Ma. Martina L. Gimenez, and Honorable Vincent L. Rama, be it

**RESOLVED**, as it is hereby resolved, to **REFER TO THE TO THE SANGGUNIANG PANLALAWIGAN COMMITTEE ON RULES, LAWS AND PRIVILEGES AND TO THE PROVINCIAL LEGAL OFFICE, THE DRAFT RESOLUTION FROM THE SK FEDERATION OFFICE, ENTITLED: "A RESOLUTION PROHIBITING BARANGAY OFFICIALS FROM UTILIZING THE SANGGUNIANG KABATAAN (SK) FUNDS FOR THE PAYMENT OF ELECTRICITY BILLS IN THEIR RESPECTIVE BARANGAYS"**.

**Approved unanimously.**

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

**ATTESTED:**

**ATTY. CARLO P. LORETO**  
 5<sup>th</sup> District Board Member  
 Temporary Presiding Officer

**FLORINDA JILLS UYVICO**  
 Secretary to the Sanggunian  
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Copy furnished:

Atty. Ronnan Christian M. Reposar  
 Chairperson – SP Com. on Rules, Laws and  
 Privileges

Provincial Legal Office  
 Province of Leyte

*110-3.24*

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Naomi



**RESOLUTION NO. \_\_\_\_\_**  
**Series of 2024**

**A RESOLUTION PROHIBITING BARANGAY OFFICIALS FROM UTILIZING THE SANGGUNIANG KABATAAN (SK) FUNDS FOR THE PAYMENT OF ELECTRICITY BILLS IN THEIR RESPECTIVE BARANGAYS**

**WHEREAS**, Section 426 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, mandates that the Sangguniang Kabataan (SK) shall be provided with an annual appropriation intended for youth development programs, projects, and activities;

**WHEREAS**, the SK funds are intended to benefit the youth through activities that promote their general welfare, leadership development, and engagement in community service, and should not be diverted for other barangay expenses;

**WHEREAS**, the allocation of SK funds for the payment of barangay utilities, such as electricity bills, diverts these resources from their intended purpose, limiting the youth's ability to benefit from programs and activities meant to support their development;

**WHEREAS**, there have been instances where barangay officials have reportedly utilized SK funds to settle the barangay's electricity bills, which undermines the autonomy and financial integrity of the SK;

**WHEREAS**, it is essential to preserve the SK funds exclusively for youth-centered initiatives and prevent misuse for non-SK related expenses, in line with good governance principles and the promotion of transparency in public finance;

**NOW, THEREFORE**, on motion of \_\_\_\_\_, duly seconded by \_\_\_\_\_, **BE IT RESOLVED**, as it is hereby **RESOLVED**, to prohibit barangay officials from utilizing SK funds for the payment of electricity bills in their respective barangays.

**RESOLVED FURTHER**, that all barangays within the jurisdiction of the Province of \_\_\_\_\_ shall be instructed to adhere to this resolution and ensure that SK funds are exclusively allocated for youth development programs, projects, and activities;

**RESOLVED FINALLY**, that copies of this resolution be furnished to the Department of the Interior and Local Government (DILG), Provincial Government, Local Youth Development Office (LYDO), SK Federation, and all barangays for their information and guidance.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024, at the Provincial Capitol,  
\_\_\_\_\_.

Sponsored by:

\_\_\_\_\_

Co-Sponsored by:

\_\_\_\_\_

Approved by:

\_\_\_\_\_

Governor, Province of \_\_\_\_\_

Attested by:

\_\_\_\_\_

Provincial Board Secretary