

Item No.: 06

Date: 22 2024 OCT



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Released: *[Signature]*
Time: *[Signature]*
Date: *10-15-24*



2nd INDORSEMENT

October 11, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 14 series of 2024 of the Sangguniang Bayan of Capoocan, Leyte.

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

- Ordinance No. 14 series of 2024 entitled: **“An Ordinance abolishing the Administrative Assistant III position”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance to its power under Section 76¹ of the Local Government Code of 1991 (R.A 7160) in consonance with Section 447(1)(vii)² of the same. 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

¹;Section 76. *Organizational Structure and Staffing Pattern.* - 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.

² (vii) *Subject to the provisions of this Code and pertinent laws, determine the powers and duties of officials and employees of the municipality;*


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
10 October 2024

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

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 14, Series of 2024 of the Municipality of Capococan, Leyte, entitled: Ordinance Abolishing the Administrative Assistant III (Buyer III) Position.**


FLORINDA JILLS. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Capoocan
Office of the Sangguniang Bayan

✉ sbcapoocan@gmail.com / sbcapoocan@yahoo.com
☎ 09976874138

October 10, 2024



THE HONORABLE BODY
Sangguniang Panlalawigan
Legislative Building
Capitol Grounds
Tacloban City

Dear Gentlemen / Mesdames:

Good Day!

Submitting **ORDINANCE No. 14, Series of 2024** of the Sangguniang Bayan of Capoocan, Leyte entitled, "**ORDINANCE ABOLISHING THE ADMINISTRATIVE ASSISTANT III (BUYER III) POSITION**", for review of the Honorable Body

Earliest and favorable action shall be gratefully acknowledged.

Respectfully yours,


JUDE R. DELA TORRE
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Capoocan
Office of the Sangguniang Bayan

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SANGGUNIANG BAYAN OF THE MUNICIPAL GOVERNMENT OF CAPOOCAN, LEYTE IN ITS 12th SPECIAL SESSION
HELD ON SEPTEMBER 13, 2024 AT THE MUNICIPAL SESSION HALL LEGISLATIVE BUILDING

MUNICIPAL ORDINANCE NO. 14 SERIES OF 2024

ORDINANCE ABOLISHING THE ADMINISTRATIVE ASSISTANT III (BUYER III) POSITION

WHEREAS, Section 76 of Republic Act 7160 states that "Every Local Government Unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirement and financial capability";

WHEREAS, ADMINISTRATIVE ASSISTANT III (BUYER III), SALARY GRADE 9 was created pursuant to *Ordinance No. 346, Series of 2018* dated September 25, 2018 entitled, "ORDINANCE CREATING THE PLANTILLA POSITION ADMINISTRATIVE ASSISTANT III (BUYER III) SALARY GRADE 9, UNDER THE OFFICE OF THE MUNICIPAL MAYOR";

BE IT ORDAINED, as it is hereby ordained by the Sangguniang Bayan of Capoocan, Leyte in session assembled that:

Section 1. The PLANTILLA POSITION of ADMINISTRATIVE ASSISTANT III (BUYER III), SALARY GRADE 9 is hereby ABOLISHED.

Section 2. Separability Clause. If any provision of this Ordinance is declared invalid, the remainder or any provision hereof not affected thereby shall remain in force and effect.

Section 3. Repealing Clause. Any ordinance found inconsistent hereof, in whole or in part, is hereby repealed or modified accordingly.

Section 4. Effectivity. This ordinance shall take effect immediately upon approval.

ENACTED by the Sangguniang Bayan, in session assembled this 13th day of September 2024 at Capoocan, Leyte.


ENGR. ALLAN B. EGANO
SB Member

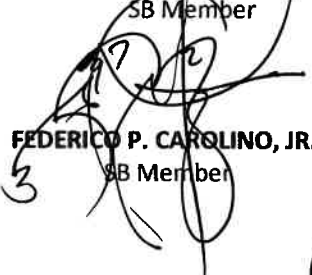

VON LITO Q. VALLAR
SB Member



EMMANUEL D. ARBOSO
SB Member


JOJO N. NEPOMUCENO
SB Member



GRACIA G. PIGAR
SB Member


REYNALDO R. NIMO
SB Member



FEDERICO P. CAROLINO, JR.
SB Member


ROBERTA C. PENARANDA
SB Member

FLORENCE R. CAROLINO-MISAGAL
Ex-Officio Member
Municipal Chapter President
Liga ng mga Barangay
(absent)


DAVE ANDERSON
Ex-Officio Member
President
Pambayang Pederasyon ng mga Sangguniang Kabataan


I HEREBY CERTIFY to the correctness of the foregoing resolution of the Sangguniang Bayan of Capoocan, Leyte.


JUD R. DELA TORRE
Secretary to the Sanggunian

ATTESTED:


ATTY. FEDERICO H. CAROLINO, SR.
Municipal Vice-Mayor/Presiding Officer

APPROVED:


ATTY. FE CLAIRE P. CAROLINO-PARAGATOS
Municipal Mayor
Date: 10.4.24