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Item No.: 10

Date: 15 2024 OCT

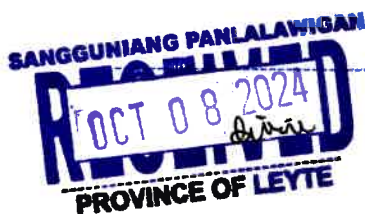


Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

Province of Leyte
Legal Office

Agudo
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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
October 4, 2024

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

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

- Ordinance No. 2024-06 entitled: **“Integrating Community-Driven Development Through its Participatory, Transparent, and Accountable Elements into Local Planning and Development Process of the Municipality of Bato, Leyte.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance to its power under Section 3(g)¹ of the Local Government Code of 1991 (R.A 7160) in consonance with Section 109(b)(1)² of the same. Hence, recommending for the declaration of its validity.

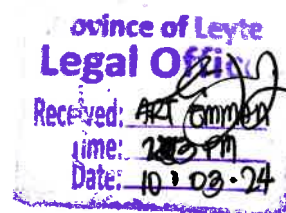
We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent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

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

¹ (g) *The capabilities of local government units, especially the municipalities and barangays, shall be enhanced by providing them with opportunities to participate actively in the implementation of national programs and projects;*

² (1) *Mobilize people's participation in local development efforts;*

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte



OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
03 October 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 2024-06 of the Municipality of Bato, Leyte**, entitled: Integrating Community-Driven Development (CDD) through its Participatory, Transparent, and Accountable (PTA) Elements into the Local Planning and Development Process of the Municipality of Bato, Leyte.


FLORINDA ILLUSUYVICO
Secretary to the Sanggunian



Republic of the Philippines
SANGGUNIANG BAYAN
Bato, Leyte

Ordinance No. 2024-06

INTEGRATING COMMUNITY-DRIVEN DEVELOPMENT (CDD) THROUGH ITS PARTICIPATORY, TRANSPARENT, AND ACCOUNTABLE (PTA) ELEMENTS INTO THE LOCAL PLANNING AND DEVELOPMENT PROCESS OF THE MUNICIPALITY OF BATO, LEYTE

Sponsored by:

HON. ARNULFO B. Taneo
Committee Chair on Laws

HON. ANTHONY S. ECHEVARRE
Committee Chair on Infrastructure

WHEREAS, the municipality has been implementing the Community-Driven Development (CDD) through the KALAHI CIDSS NCDDP Program of the Department of Social Welfare and Development for several years now, and that the project has addressed several needs of the community;

WHEREAS, there are CDD elements that are of great impact to the LGU and are deemed better suited to be integrated into the LGU's local planning and development processes;

WHEREFORE, BE IT ENACTED by the Sangguniang Bayan in session assembled, on joint motions of Hon. Arnulfo B. Taneo and Hon. Anthony S. Echevarre with mass second, that:

Section 1. Title. – This Ordinance shall be known as the **“Integration of Community-Driven Development through its Participatory, Transparent, and Accountable Elements into the Municipality of Bato’s Local Planning and Development Process.”**

Section 2. CDD Elements. – The following CDD Elements shall be integrated into the municipality's local planning and development processes, viz:

- a. Unified barangay profiling by regularly updating the record of barangay inhabitants (RBI) which shall be submitted to the DILG through the MLGOO at the end of every semester.
- b. Establishment of Municipal Community-Driven Development (MCDD) through the barangay affairs unit as a committee under the municipal development council that will act as facilitators for CDD activities including the barangay development planning.

(1) Composition of the MCDD:

Team Leader – MPDC

Assistant Team Leader – Municipal Area Coordinator

Members – Municipal engineer

- Municipal technical facilitator
- Municipal finance analysts
- Municipal community empowerment facilitators
- Municipal database encoders
- municipal geo-tagger in the person of Mr. Arsenio Gertos Jr.

(2) The municipal mayor shall issue an executive order for the composition of the MCDD Unit stipulating therein their functions and guidelines.

- c. Conduct of functionality audit, notwithstanding the final inspection, of all PPAs in the LGU completed under the KALAHI CIDSS NCDDP or similar program to ensure functionality of the PPAs which shall be spearheaded by the municipal project monitoring committee (MPMC);
- d. Gender mainstreaming through fair participation of men, women, and other genders in all activities in the community;
- e. Conduct of sustainability evaluation to be spearheaded by the multi-stakeholders inspectorate team (MSIT) of the programs and projects implemented in the municipality; and
- f. Participatory planning should be adopted by incorporating the participatory situational analysis in the barangay development process upon prior authorization by the barangay concerned.

Section 3. Repealing Clause. – All ordinances, rules or regulations in conflict with the provisions of the Ordinance are hereby repealed; *Provided*, that the rights already vested under those ordinances, rules or regulations shall not be impaired.


Section 4. Separability Clause. – If, for any reason or reasons, 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 5. Effectivity. – This ordinance shall take effect upon its approval and compliance with the necessary requirements set by law.

ENACTED this 19th day of August 2024 during the regular session of the Sangguniang Bayan held at the SB Session Hall, Bato, Leyte with the following voting turnout:

Voting for	:	Echevarre, Pitogo, Diao, Acenas, Aureo, Salvatierra, Salazar, Taneo, M. Gertos, Adlawon
Voting against	:	None

CONCURRED: **The Honorable Members of the Sangguniang Bayan**


ANTHONY S. ECHEVARRE


DANILO A. PITOGO


PEPE B. DIAO


RAUL M. ACENAS


GERRY E. AUREO


MARK S. SALVATIERRA


HERBERT E. SALAZAR


ARNULFO B. Taneo


MARISSA C. GERTOS


JIA MARIE L. ADLAWON

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CERTIFIED CORRECT:


PORFERIO M. PITOGO II
Secretary to the Sanggunian

ATTESTED TO BE DULY ADOPTED:


HON. BRYAN MILE A. GERTOS
Presiding Officer/Municipal Vice Mayor

APPROVED:


HON. NATHANIEL B. GERTOS
Municipal Mayor