

Item No.: 03
Date: 16 2024 DEC



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Released: [Signature]
Time: [Signature]
Date: 12-11-24

SANGGUNIANG PANLALAWIGAN
PROVINCE OF LEYTE
DEC 12 2024
[Signature]

2nd INDORSEMENT
December 5, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 05, S. 2024 of the Sangguniang Bayan of Villaba, Leyte.

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

- Ordinance No. 05, S. 2024 entitled "An Ordinance institutionalizing the operational guidelines on the PLEB of Villaba, Leyte, etc."

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 43 of R.A. No. 6975¹ in relation to Section 447(a)² of the Local Government Code of 1991 (R.A 7160). Hence, we recommend 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 the 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 [Signature]

¹ "Department of the Interior and Local Government Act of 1990."
Section 43. People's Law Enforcement Board (PLEB). – (a) Creation and Functions. – Within thirty (30) days from the issuance of the implementing rules and regulations by the Commission, there shall be created by the sangguniang panlungsod/bayan in every city and municipality such number of People's Law Enforcement Boards (PLEBs) as may be necessary: Provided, That there shall be at least one (1) PLEB for every municipality and for each of the legislative districts in a city. The PLEB shall have jurisdiction to hear and decide citizen's complaints or cases filed before it against erring officers and members of the PNP. There shall be at least one (1) PLEB for every five hundred (500) city or municipal police personnel.

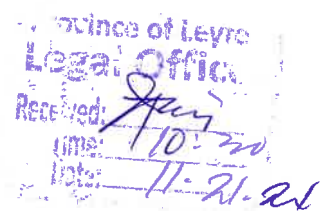
² (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code

3
Dec. 17

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
21 November 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 05, S. 2024** of the **Municipality of Villaba, Leyte**, entitled: **An Ordinance institutionalizing the operational guidelines on the People's Law Enforcement Board (PLEB) of Villaba, Leyte, defining its functions recreating of the composition and membership, for its organization structure and providing funds thereof.**


FLORINDA J. UYVICO
Secretary to the Sanggunian



November 19, 2024

THE SANGGUNIANG PANLALAWIGAN MEMBERS

New Provincial Government Complex
Campetic, Palo, Leyte

Thru: **LEONARDO M. JAVIER, JR.**
Vice Governor/Presiding Officer

Hon. Sangguniang Panlalawigan Members:

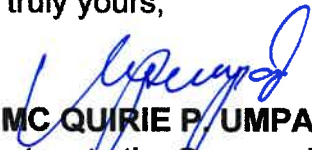
We respectfully transmit herewith sixteen (16) original copies of:

MUNICIPAL ORDINANCE NO. 05, S- 2024 - entitled: "AN ORDINANCE INSTITUTIONALIZING OPERATIONAL GUIDELINES ON THE PEOPLE'S LAW ENFORCEMENT BOARD (PLEB) OF VILLABA, LEYTE, DEFINING ITS FUNCTIONS RECREATING OF THE COMPOSITION AND MEMBERSHIP, FOR ITS ORGANIZATIONAL STRUCTURE AND PROVISING FUNDS THEREOF,"

for review and approval.

Best regards.

Very truly yours,


MC QUIRIE P. UMPAD, J.D.
Secretary to the Sangguniang Bayan



MUNICIPAL ORDINANCE NO. 05, S.2024

AN ORDINANCE INSTITUTIONALIZING THE OPERATIONAL GUIDELINES ON THE PEOPLE'S LAW ENFORCEMENT BOARD (PLEB) OF VILLABA, LEYTE, DEFINING ITS FUNCTIONS RECREATING OF THE COMPOSITION AND MEMBERSHIP, FOR ITS ORGANIZATIONAL STRUCTURE AND PROVIDING FUNDS THEREOF

**Authored by: Hon. Roque M. Compra
Chairman, Committee on Peace and Order, and Public Safety**

Preparatory Statement:

WHEREAS, Section 43, of Republic Act No. 6975 or the Department of Interior and Local Government Act of 1990 as amended by Republic Act No. 8551, mandates the creation of a People's Law Enforcement Board in every municipality to conduct hearing and adjudication of Citizen's complaints against uniformed members of the Philippine National Police (PNP) for offences committed in their area of jurisdiction;

WHEREAS, the People's Law Enforcement Board of the Municipality has been created and subsequently reorganized to update its membership;

WHEREAS, pursuant to Memorandum Circular No. 2017-154 dated November 16, 2017 of the Department of Interior and Local Government titled "Operational Guidelines on the Implementation of the People's Law Enforcement Board (PLEB) Program;


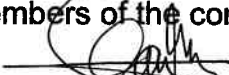
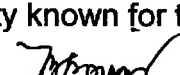
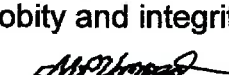
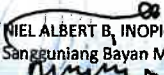


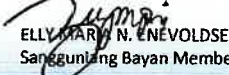
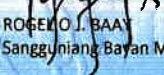



NOW, THEREFORE, on motion by the Hon. Roque M. Compra, duly seconded en masse, be it

ORDAINED, as the Sangguniang Bayan in regular session assembled hereby ordained, that:

SECTION 1. Short Title. – This Ordinance shall be known as the "People's Law Enforcement Board Ordinance of the Municipality of Villaba, Leyte"

SECTION 2. Composition and Membership. – There is hereby created a People's Law Enforcement Board (PLEB) to be composed of the following:

- a) One Member of the Sangguniang Bayan chosen by his/her Sanggunian;
- b) One Liga ng mga Barangay Representative or the Punong Barangay;
- c) Three other Members who are removable only for cause to be chosen by the Municipal Peace and Order Council from among the respected members of the community known for their probity and integrity, one (1)

 DENNIS L. SY Vice Mayor/ Presiding Officer	 JULCA KATRINA L. LEON-UI Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 MERIAM P. UMPAD Sangguniang Bayan Member
 NIEL ALBERT B. INOIQUEZ Sangguniang Bayan Member	 FELIPE S. CASAS, SR Sangguniang Bayan Member	 ROQUE M. COMPRA Sangguniang Bayan Member	 ELLY MARIE N. ENEVOLDSEN Sangguniang Bayan Member
 ROGELIO J. BAAAY Sangguniang Bayan Member	 MACARIO V. ESMAS LNB President	 VIC QUIRIE P. UMPAD Secretary to the Sangguniang Bayan	
		 ENGR. CARLOS G. VELOSO Municipal Mayor	

of whom must be a woman and another member of the Bar, or in the absence thereof, a college graduate, or the District Supervisor of the DepEd or the principal of the Central Elementary School in the Locality;

SECTION 3. Creation. – People’s Law Enforcement Board which shall have jurisdiction to hear and adjudicate all citizen’s complaints formally filed with, or referred to it, against any uniformed member of the Philippine National Police (PNP), and if warranted, impose the corresponding penalty.

SECTION 4. Definition of Terms. – As used in this Ordinance, the following terms shall be understood to mean as follows:

a) **Citizen’s Complaint** – a formal charge initiated by a natural or juridical person or his/its duly authorized representative or guardian on account of an injury, damage or disturbance sustained as a result of an irregular or illegal act or omission of a member of the Philippine National Police.

b) **Complaint** – a written and sworn statement regarding a wrong, grievance or injury sustained by a person committed by the PNP member, within territorial jurisdiction of the Municipality of the Villaba, Leyte.

c) **Complainant** – one who initiates a complaint against a uniformed member of the Philippine National Police (PNP), either as complaining witness or as a concerned government agency or office.

d) **Decision** – a written disposition of a case personally and directly prepared and signed by the members of the PLEB stating clearly the findings of facts the law applicable thereto. It shall also include a finding of exoneration or culpability of the respondent with the corresponding penalty in case of the latter.

e) **Jurisdiction** – the authority vested by law to hear and decide a case.

f) **PLEB** – it is the central receiving entity for any citizen’s complaint against the officers and members of the PNP and shall have the jurisdiction to hear and decide cases filed before it.

g) **Quorum** – it refers to the number necessary to do business, which in this case, is the presence of the majority of the PLEB members.

h) **Respondent Officer** – any uniformed member of the Philippine National Police.

i) **Regional Appellate Board** – an appellate body organized to decide appeals on decisions of the PLEB, where the penalty imposed is demotion or forced resignation or dismissal from the service.

SECTION 5. Rules of Procedure:

(1.) The **PLEB**, by a majority vote of all its members and its Chairman shall determine whether or not the respondent Officer or member of the Philippine National Police (PNP), is guilty of the charge upon which the complaint is based.

 DENNIS L. SY Vice Mayor/ Presiding Officer	 JULCA KATRINA L. CON-BI Sangguniang Bayan Member	 IOLETA T. SUMAPIG Sangguniang Bayan Member	 MERIAM P. UMPAD Sangguniang Bayan Member
 NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member	 FELIPE S. CABAS, SR Sangguniang Bayan Member	 ROGUE M. COMPRA Sangguniang Bayan Member	 ELY MARIA N. ENEVOLDSEN Sangguniang Bayan Member
 ROGELIO J. BAAY Sangguniang Bayan Member	 MACARIO V. ESMAS LNB President	 MAC QUIRIE P. UMPAD Secretary to the Sangguniang Bayan	
		 ENGR. CARLOS G. VELOSO Municipal Mayor	

- (2.) Each Case shall be decided within Sixty (60) days from the time the case has been filed with the People's Law Enforcement Board (PLEB).
- (3.) The procedures in the PLEB shall summary in nature, conducted in accordance with due process, but without strict regard to technical rules of evidence.
- (4.) Cases before the PLEB shall be governed by the Philippine National Police, PNP Memorandum Circular No. 2002-010, otherwise known as the 2002 PLEB Revised Rules of Procedure without prejudice to any subsequent issuances as thereafter may be promulgated.

SECTION 6. Decision of the PLEB. – The Decision of the PLEB shall be final and executory. Any Appeal on the said decision may be raised to the Regional Appellate Board within Ten (10) days from receipt of a copy of the decision. The Regional Appellate Board shall decide the appeal within Sixty (60) days from receipt of the complete records of the case. Failure of the Regional Appellate Board to act on the appeal within said period shall render the decision final and executory without prejudice, however, to the filing of an appeal by either party with the Secretary.






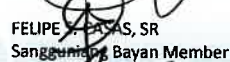



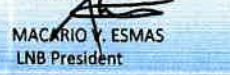


SECTION 7. Term of Office. – The term of office of the members of the PLEB shall be for the period of Three (3) years from assumption of office. Such member shall hold office until his successor shall have been chosen and qualified.

SECTION 8. Duties, Functions and Responsibilities. – The duties, functions and responsibilities of the members of the PLEB shall pursuant to the provisions of the Republic Act No. 6975 and Republic Act No. 8551 as supplemented by the NAPOLCOM Memorandum Circular No. 2016-002 and DILG Memorandum Circular No. 2017-157, among others.

SECTION 9. Compensation. – Pursuant to Section 70 of Republic Act No. 8551, membership in the PLEB is a civic duty and members shall be paid per diems as may be determined by the Sanggunian based on the availability of funds, The Local Government Unit (LGU) of Villaba, shall include in its annual budget in an item and the corresponding appropriation for the maintenance and operation of the PLEB, under the office of the Municipal Mayor.

SECTION 10. Policy and Guidelines. – Implementation of the nationwide simultaneous Trainings for the capacity enhancement of People's Law Enforcement Boards.

- a) The main objective of the training is to equip the participants with knowledge and skills on roles and functions of the PLEB, and on the PLEB Rules of Procedure.
- b) Providing capacity development activities, such as orientations, seminars, or trainings, to capacitate DILG and NAPOLCOM personnel and local government units, specifically PLEB members in the performance of their duties and responsibilities.

 DENNIS L. SY Vice Mayor/ Presiding Officer	 JULIA KATRINA L. CORBIN Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member	 MERIAM P. AMPAD Sangguniang Bayan Member
 MEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member	 FELIPE Y. PRADAS, SR Sangguniang Bayan Member	 ROQUE M. COMPRÁ Sangguniang Bayan Member	 ELY MARIA N. ENEVOLDSEN Sangguniang Bayan Member
 ROGELIO J. BAAY Sangguniang Bayan Member	 MACARIO Y. ESMAS LNB President	 M.C. QUIRIE P. AMPAD Secretary to the Sangguniang Bayan	
		 ENGR. CARLOS G. VELOSO Municipal Mayor	

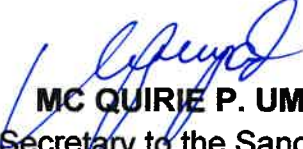
c) The main target participants for the training are the five (5) PLEB Members, as well as other local government officials deemed essential in PLEB operations. The availability of funds, shall include in its annual budget with corresponding appropriation for the maintenance and operation of the PLEB, under the Local Chief Executive office.

SECTION 11. Separability Clause. – In case any provision of this Ordinance is declared unconstitutional or invalid, the other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 12. Repealing Clause. – All Ordinances, Resolutions, Local Executive Orders, Rules and Regulations, or any part thereof inconsistent herewith are hereby deemed repealed, modified, or amended accordingly.

SECTION 13. Effectivity. – This Ordinance shall be take effect immediately upon its approval.


This Ordinance was approved by the Sangguniang Bayan in its Regular Session on September 30, 2024.



MC QUIRE P. UMPAD
Secretary to the Sanggunian

ATTESTED:

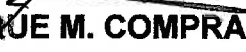

DENNIS L. SY
Vice Mayor/Presiding Officer


JULCA KATRINA L. CON-UI
Sangguniang Bayan Member


VIOLETA T. SUMAPIG
Sangguniang Bayan Member

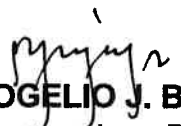

MERIAM P. UMPAD
Sangguniang Bayan Member



HON. NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member


ROQUE M. COMPRA
Sangguniang Bayan Member


ELLY MARIA N. ENEVOLDSEN
Sangguniang Bayan Member


FELIPE S. CASAS, SR.
Sangguniang Bayan Member


ROGELIO J. BAAY
Sangguniang Bayan Member


MACARIO V. ESMAS
LNB President

APPROVED:


ENGR. CARLOS G. VELOSO
Municipal Mayor

28 OCT 2024



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF VILLABA
-o0o-

OFFICE OF THE SANGGUNIANG BAYAN

**MINUTES OF THE PUBLIC HEARING ON THE ORDINANCE OF PEOPLE'S
LAW ENFORCEMENT BOARD (PLEB)**

The public hearing was called by the Chairman of the Committee on Law Enforcement, and Peace and Order, and Public Safety at around 09:50 in the morning, at the New Municipal Session Hall. The attendees were as follows:

Hon. Roque M. Compra	- Chairman of the Committee
Hon. Felipe S. Casas Sr.	- Member of the Committee
Mr. Teddy L. Vapor	- Mun. Administrator/HRMO
PMAJ Edwin D. Tolibas	- Police Chief of Villaba Police Station
Mr. Manuel I. Rubillos Sr.	- Municipal Budget Officer
Mrs. Niceta P. Condes	- Municipal Treasurer
Hon. Alfredo Y. Cueva	- Punong Barangay/Representative from Liga ng mga barangays
FO2 Maril Joel A. Tañada	- BFP Villaba
FO1 Dilyn L. Kahano	- BFP Villaba
Mrs. Maria Chita A. Relon	- PLEB Member
Mrs. Mary Ann V. Chua	- PLEB Member
Mr. Ramir L. Viagedor	- PLEB Member

Hon. Compra, started by greeting everyone present. He explained that the purpose of the public hearing of the Ordinance the Operational guidelines on the People's Law Enforcement Board (PLEB).

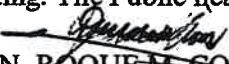
Mr. Manuel I. Rubillos, the Municipal Budget Officer emphasized that under the existing rules and regulations on the grant of per diem to local regulatory bodies, like the PLEB, as stated in Local Budget Circular No.73, dated January 10, 2001. The PLEB Member shall be paid honorarium per meetings/sessions in a month, as prescribed by SECTION 9. Compensation of this Ordinance, but not to exceed Ph.4,000 a month.

PMAJ Edwin D. Tolibas, explained the NAPOLCOM Memorandum Circular No. 2016-002, that revises the rules of procedure before the administrative disciplinary authorities, and Internal Affairs Service (IAS), of the Philippine National Police. It establishes the scope, nature, and definitions relating to administrative cases to be filed against Police Officer.

Mr. Teddy Vapor, the Municipal Administrator/HRMO raised his concerned that PLEB Member shall have mandatory trainings to capacitate DILG, and NAPOLCOM personnel and local government units, specially PLEB Members in the performance of their functions, duties and responsibilities. His knowledge of allocation of funds, shall be include in the next annual budget hearing in an item and the corresponding appropriation for the maintenance and operation of the PLEB, which is under the office of the Municipal Mayor.

Hon. Casas, raised his concerned, that he asked to the author of this Ordinance to provide a copy of the NAPOLCOM Memorandum Circular No. 2016-002, and among others.

With no further arguments from the invite persons, Hon. Compra, moved for the adjournment of the meeting. The Public hearing adjourned at 11:20 AM.


(SGD) HON. ROQUE M. COMPRA
Chairman on Law Enforcement, and Peace and Order


(SGD) HON. RILE CHRISTIAN G. VELOSO
Vice Chairman


(SGD) HON. FELIPE S. CASAS SR
Member



COMMITTEE ON LAW ENFORCEMENT AND PEACE AND ORDER

COMMITTEE REPORT

SUBJECT: AN ORDINANCE INSTITUTIONALIZING THE OPERATION GUIDELINES ON THE PEOPLE'S LAW ENFORCEMENT BOARD (PLEB) OF VILLABA, LEYTE, DEFINING ITS FUCTIONS RECREATING OF THE COMPOSITION AND MEMBERSHIPS, FOR ITS ORGANIZATION STRUCTURE AND PROVIDING FUNDS THEREOF;

FINDINGS AND RECOMMENDATIONS:

*The Municipal Budget Officer recommended to emphasize that under the existing rules and regulations on grant of per diem to Local regulatory bodies like the PLEB, as stated in Local Budget Circular No.73, dated January 10, 2001. The PLEB Member, shall be paid honorarium per meeting /sessions in a month, as prescribed by Section 9. Of this ordinance that the Compensation shall not exceed Ph.4,000 a month and * PLEB Members, shall have mandatory trainings to capacitate DILG, and Napolcom personnel and Local Government Units, specially PLEB Members, in the Performance of their functions. duties and responsibilities .and these shall be including in the next annual budget hearing in item and corresponding appropriation for the maintenance and operation of the PLEB, which is under the office of the Municipal Mayor.


HON. ROQUE M. COMPRA

Committee Chairman


HON. RILE CHRISTIAN G. VELOSO

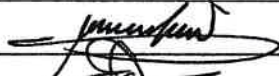

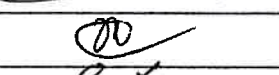
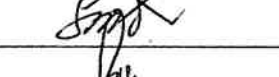



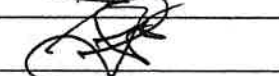


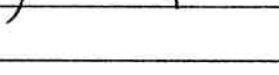

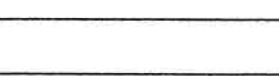
Vice Chairman


HON. FELIPE S. CASAS SR.
Member

ATTENDANCE SHEET

Public hearing of the "Ordinance Institutionalizing the Operational Guidelines on the People's Law Enforcement Board (PLEB) of Villaba Leyte defining its functions creating positions for its organization structure and providing funds thereof"

September 27, 2024

NAME	SIGNATURE	DATE
1. ROBERTO M. COMPARA		09.27.24
2. ACFREDO T. OUEVA		09-27-24
3. MARIA Clita Relon		09-27-24
4. Mary Ann V. Chua		09-27-24
5. Romi Degetor		09-27-24
6. F02 MARIL JOEL A TAYADA		09-27-24
7. P01 DAN L. KAHANU		9-27-24
8. NICETA P. CONDES		09.27.24
9. Mylene C. Inopiguez		09-27-24
10. MARWA I. RUBILLOS JR MBO		9-27-24
11. RAFAEL S. CARRAS JR		9:27-24
12. FMAJ EDWIN D TOLIBAS		9/27/24
13. TERRY L. VERR		9/27/24
14.		
15.		
16.		
17.		
18.		
19.		
20.		
21.		
22.		
23.		
24.		



SANGGUNIANG BAYAN

Office of the Secretary to the Sanggunian

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be conducted by the Sangguniang Bayan Committee on Law Enforcement and Peace and Order, September 27, 2024 at 9:00 o'clock in the morning at the Sangguniang Bayan Session Hall, New Municipal Building, this Municipality regarding the proposed ordinance authored by Sangguniang Bayan Member Roque M. Compra entitled:

“ORDINANCE INSTITUTIONALIZING THE OPERATIONAL GUIDELINES ON THE PEOPLE’S LAW ENFORCEMENT BOARD (PLEB) OF VILLABA, LEYTE, DEFINING ITS FUNCTIONS CREATING POSITIONS FOR ITS ORGANIZATION STRUCTURE AND PROVIDING FUNDS THEREOF”

The Municipal Administrator, Municipal Treasurer’s Office, Acting Chief of Police of the Philippine National Police (PNP)-Villaba Station, Bureau of Fire Protection (BFP) – Villaba Station, Members of the People’s Law Enforcement Board (PLEB) and all other interested parties are invited to attend.

Villaba, Leyte, September 24, 2024.

In public service,


MC QUIRIE P. UMPAD
Secretary to the Sanggunian

Republic of the Philippines)
City of Ormoc)S.S.

AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned;

Republic of the Philippines
Province of Leyte
Municipality of Villaba
OFFICE OF THE SANGGUNILANG BAYAN
MUNICIPAL ORDINANCE NO. 05, S.2024

AN ORDINANCE INSTITUTIONALIZING THE OPERATIONAL GUIDELINES ON THE PEOPLE'S LAW ENFORCEMENT BOARD (PLEB) OF VILLABA, LEYTE, DEFINING ITS FUNCTIONS RECREATING OF THE COMPOSITION AND MEMBERSHIP, FOR ITS ORGANIZATIONAL STRUCTURE AND PROVIDING FUNDS THEREOF

APPROVED:
(SGD) ENGR. CARLOS G. VELOSO
Municipal Mayor

was published in said newspaper for (1) one consecutive weeks in its EV Mail _____
EV Mail Oct. 28- Nov. 3, 2024 issues.

That I am executing this affidavit to attest to the fact of the foregoing statements. Affiant further sayeth naught.

IN WITNESS WHEREOF, I have hereunto affix my signature this NOV 05 day of 2024, 20__ in Ormoc City.

Jima Zandra Vergara
JIMA ZANDRA J. VERGARA
Affiant

VERIFICATION

SWORN AND SUBSCRIBED before me this NOV 05 day of 2024 with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

Doc No. : 03
Page No.: 3
Book No.: IV
Series of 2024

ATTY. ADELITO M. SOLIBAGA JR.
Notary Public for the City of Ormoc
Municipalities of Kawaja, Mafag et.
Merida and Isabel
NC No. ORM 22-12-038-NC issued on 01/01/2023
Valid until December 31, 2024
PTR No. 7856400, 01/03/2014, Ormoc City
IBP No. 382627 12/31/2023, Leyte
Roll of Attorney No. 51625
TIN: 207-693-130
MCLE Compliance No. VI-001-4640
Valid until April 14, 2025

