

Item No.: 11

Date: 11 2024 DEC

PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Office of the
Legal Officer
Released: [Signature]
Time: [Signature]
Date: 12-5-24

SANGGUNIANG PANLALAWIGAN

RECEIVED
DEC 06 2024
[Signature]

PROVINCE OF LEYTE

2nd INDORSEMENT

November 15, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No.2024-08 of the Sangguniang Bayan of Tabango, Leyte.

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

- Ordinance No. 2024-08 entitled: "An Ordinance amending Section 1 of Municipal Ordinance No. 2023-02, etc."

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance to its power for it is within the powers of the Local Council to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution¹. However, it is noted that the attached Municipal Ordinance No. 2023-02 is an appropriation ordinance and does not seem to be the Ordinance to be amended. Hence, we recommend for the attachment of the correct Municipal Ordinance to be amended.

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 (Constantino vs. Desierto, 288 SCRA 654)

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
05 November 2024

Handwritten: 11-5-24

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2024-08 of the Municipality of Tabango, Leyte, entitled:** An Ordinance Amending Section 1 of Municipal Ordinance No. 2023-02, entitled: "An Ordinance creating the new plantilla positions in the Municipal Government of Tabango, Province of Leyte, providing for its qualifications, duties, and functions and appropriating the necessary funds thereof.


ANDRE A. SANICO
Provl Govt. Assl. Dept. Head



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF TABANGO
-000-

OFFICE OF THE SANGGUNIANG BAYAN SECRETARY

November 4, 2024

HON. LEONARDO M. JAVIER, JR.
Provincial Vice Governor/Presiding Officer
Province of Leyte,
Tacloban City
Thru: Florinda Jill S. Uyvico
SP Secretary

Dear Honorable Javier,

Respectfully transmitted herewith for review the following Municipal Ordinances, to wit:

1. **Municipal Ordinance No. 2024-08** - AN ORDINANCE AMENDING SECTION 1 OF MUNICIPAL ORDINANCE NO. 2023-02, ENTITLED: "AN ORDINANCE CREATING THE NEW PLANTILLA POSITIONS IN THE MUNICIPAL GOVERNMENT OF TABANGO, PROVINCE OF LEYTE, PROVIDING FOR ITS QUALIFICATIONS, DUTIES, AND FUNCTIONS AND APPROPRIATING THE NECESSARY FUNDS THEREOF."
2. Municipal Ordinance No. 2024-09 - AN ORDINANCE CREATING THE POSITIONS UNDER THE MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE AND THE MUNICIPAL CIVIL REGISTRAR OFFICE IN THE MUNICIPAL GOVERNMENT OF TABANGO, PROVINCE OF LEYTE, PROVIDING FOR ITS QUALIFICATIONS, DUTIES, AND FUNCTIONS AND APPROPRIATING THE NECESSARY FUNDS THEREOF.
3. Municipal Ordinance No. 2024-10 - AN ORDINANCE GRANTING GRATUITY TO ALL ELECTED BARANGAY OFFICIALS WHO HAVE RENDERED THREE (3) CONSECUTIVE TERMS OF OFFICE IN THE MUNICIPALITY OF TABANGO AND PROVIDING FUNDS FOR THE PURPOSE.

Kindly acknowledge receipt of these documents.

Thank you for your attention to this matter.

Very truly yours,

VALENTINO A. CODIERA
Secretary to the Sangguniang Bayan

+639088960539

vcodera@gmail.com

www.tabango-leyte.gov.ph



Republic of the Philippines
 Province of Leyte
 Municipality of Tabango
 -oOo-
SANGGUNIANG BAYAN

BERNARD JONATHAN M. REMANDABAN
 Municipal Mayor

EXCERPT FROM THE MINUTES OF THE 109th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF TABANGO (2022-2025) HELD AT THE SB SESSION HALL, MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE ON SEPTEMBER 9, 2024.

(ABSENT)
HON. ROSLIE E. OMEGA, M.D.
 Municipal Vice Mayor

HON. JOSE WILSON G. VOSOTROS
 SB Member/Floor Leader
 Temporary Presiding Officer

HON. RICHARD V. MERONTOS
 SB Member/Deputy Floor Leader

HON. LUIS GABRIEL U. VELOSO
 SB Member

HON. JOEL ERME E. ROBLES
 SB Member

HON. KIRSTY V. JABONETE
 SB Member

HON. HERBERT V. MANRIQUEZ
 SB Member

HON. WILLY D. BARING
 SB Member

HON. RICHE O. OCUBILLO
 SB Member

(ABSENT)
HON. LOUINE N. UY
 Ex-Officio Member
 LnB President

(ON OFFICIAL TRAVEL)
HON. MICAH D. BERNAL
 Ex-Officio Member
 SK Federation President

VALENTINO A. CODERA
 Secretary to the Sanggunian

MUNICIPAL ORDINANCE NO. 2024 – 08
 Series of 2024

Authored by the Committee on Labor, Employment, and Human Resources
 Hon. Joel Erme E. Robles
 Chairman
 Hon. Kirsty Veloso-Jabonete
 Vice-Chairwoman
 Members:
 Hon. Richard V. Merontos
 Hon. Luis Gabriel U. Veloso
 Hon. Riche O. Ocubillo

AN ORDINANCE AMENDING SECTION 1 OF MUNICIPAL ORDINANCE NO. 2023-02, ENTITLED: "AN ORDINANCE CREATING THE NEW PLANTILLA POSITIONS IN THE MUNICIPAL GOVERNMENT OF TABANGO, PROVINCE OF LEYTE, PROVIDING FOR ITS QUALIFICATIONS, DUTIES, AND FUNCTIONS AND APPROPRIATING THE NECESSARY FUNDS THEREOF."

WHEREAS, Municipal Ordinance No. 2023-02 was enacted to create new plantilla positions within the Municipal Government of Tabango, Province of Leyte, defining their qualifications, duties, functions, and corresponding budgetary allocations;

WHEREAS, Republic Act No. 9593 mandates the establishment of specific qualification standards for Tourism Operations positions in the local government units;

WHEREAS, Civil Service Commission Memorandum Circular No. 04, series of 2018, provides the guidelines on the qualification standards for Tourism Operations positions as mandated by Republic Act No. 9593;

WHEREAS, it is imperative to ensure that local government units adhere to national standards to ensure compliance and efficient governance;

WHEREFORE, be it enacted by the Sangguniang Bayan of Tabango, Leyte in session assembled that:

SECTION 1. AMENDMENT OF SECTION 1 – Section 1 of Municipal Ordinance No. 2023-02 is hereby amended to be read as follows:

OFFICE OF THE MUNICIPAL MAYOR

1. *Administrative Officer V*
 Salary Grade: 18
 Education: Bachelor's Degree
 Experience: 2 years of relevant experience
 Training: 8 hours of relevant training
 Eligibility: Career Service (Professional/Second Level Eligibility)
 No. of Personnel: 1



Republic of the Philippines
 Province of Leyte
 Municipality of Tabango
 -oOo-
SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIG
AUG 15 2023
 PROVINCE OF LEYTE

EXCERPT FROM THE MINUTES OF THE 53rd REGULAR SESSION OF THE SANGGUNIANG BAYAN OF TABANGO (2022-2025) HELD AT THE SB SESSION HALL, MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE ON JULY 31, 2023.

APPROPRIATION ORDINANCE NO. 2023 - 02
 Series of 2023

Sponsored by:
 Hon. Richard V. Merontos
 Hon. Riche O. Ocubillo
 Hon. Joel Erme E. Robles
 Hon. Luis Gabriel U. Veloso
 Hon. Herbert V. Manriquez

AN ORDINANCE AUTHORIZING THE SUPPLEMENTAL BUDGET NO. 02 OF THE MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE FOR THE FY 2023 IN THE AMOUNT OF THREE MILLION SEVEN HUNDRED LEYTE FOR THE FY 2023 IN THE SEVEN HUNDRED NINETY PESOS & 86/100 (P3,793,790.86) COVERING THE VARIOUS EXPENDITURES OF THE MUNICIPAL GOVERNMENT OF TABANGO FOR FY 2023 AND APPROPRIATING THE NECESSARY FUNDS THEREOF.

Be it enacted by the Sangguniang Bayan of Tabango in its session duly assembled:

SECTION 1. The SUPPLEMENTAL BUDGET NO. 02 for FY 2023 of the Municipality of Tabango, Province of Leyte, in the total amount of THREE MILLION SEVEN HUNDRED NINETY-THREE THOUSAND SEVEN HUNDRED NINETY PESOS & 86/100 (P3,793,790.86), covering the various expenditures of the Municipal Government for FY 2023 and appropriating the necessary funds for the purpose is hereby enacted.

The budget documents consisting of the following are incorporated herein and made an integral part of this Ordinance:

- 1) Certification of the Availability of Funds.
- 2) Statement of Funding Source.
- 3) Statement of Supplemental Appropriation No. 2 FY 2023.
- 4) Resolution No. 2023-78.

SECTION 2. SOURCES OF FUNDS. The sources of funds for the Supplemental Budget in the total amount of THREE MILLION SEVEN HUNDRED NINETY-THREE THOUSAND SEVEN HUNDRED NINETY PESOS & 86/100 (P3,793,790.86) shall be as follows:

Beginning Balance	P _____
Add: Income Sources	
(Funds Available duly Certified by the Local Treasurer or New Revenue Source or item/s to be realigned)	
Total	3,793,790.86 <u>P3,793,790.86</u>

BERNARD JONATHAN M. REMANDABAN
 Municipal Mayor

HON. RICHELLE E. OMEGA, M.D.
 Municipal Vice Mayor
 Presiding Officer

HON. JOSE WELSON G. VOSOTROS
 SB Member
 Floor Leader
 Temporary Presiding Officer

HON. RICHARD V. MERONTOS
 SB Member
 Deputy Floor Leader

HON. LUIS GABRIEL U. VELOSO
 SB Member

HON. JOEL ERME E. ROBLES
 SB Member

HON. KRISTY M. JABONETE
 SB Member

HON. HERBERT V. MANRIQUEZ
 Member

N. WILLY D. BARING
 Member

RICHE O. OCUBILLO
 Member

I. RUELITA A. DELA CRUZ
 Office SB Member
 Ident, Liga ng mga Barangay

FORTUNE FRAULINE M. UY
 Office SB Member
 Ident, Pambayang
 asyong mga SK

ANTONIA CODERA
 Secretary to the Sanggunian

SECTION 3. USE OF FUNDS. The total allocation of THREE MILLION SEVEN HUNDRED NINETY-THREE THOUSAND SEVEN HUNDRED NINETY PESOS & 86/100 (₱3,793,790.86) is hereby appropriated for the Supplemental Budget No. 02 of the Municipality of Tabango, as follows:

Program Appropriation and Obligation by Object:

Object of Expenditure	Account Code	Past Year	Current Year	Budget Year
Personal Services (PS):				
> Salaries & Wages-Regular	5-01-01-010			
> PERA	5-01-02-010			137,320.00
> Cash Gift	5-01-02-150			10,000.00
> Productivity Enhancement Incentives	5-01-04-990			2,000.00
> Life & Retirement Insurance Premiums	5-01-03-010			5,000.00
> Pag-ibig Contributions	5-01-03-020			16,478.40
> Philhealth Contributions	5-01-03-030			500.00
> Employees Compensation Insurance Premium	5-01-03-040			5,492.80
TOTAL PS				500.00
				177,291.20
Maintenance and Other Operating Expenses (MOOE)				
> Telephone Expense	5-02-03-010			
> Donations	5-02-99-080			30,000.00
> Other Maintenance and Operating Expenses	5-02-99-990			2,400,000.00
> Travelling expenses	5-02-01-010			40,000.00
> Training expenses	5-02-02-010			80,000.00
> Other General Services	5-02-12-990			25,000.00
TOTAL MOOE				1,041,499.66
TOTAL APPROPRIATIONS				3,616,499.66
				3,793,790.86

SECTION 4. SEPARABILITY CLAUSE. If for any reason any section or provision of this Ordinance is declared invalid or unconstitutional, other sections or provisions thereof which are not affected thereby shall continue to be in full force and effect.

SECTION 5. EFFECTIVITY. This Ordinance shall take effect upon approval of the Local Chief Executive.

ENACTED by the Sangguniang Bayan of Tabango, Leyte this 31st day of July 2023 with the following votes:

YES - 10 NO - 0

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE APPROPRIATION ORDINANCE DULY ENACTED BY THE SANGGUNIANG BAYAN OF TABANGO ON JULY 31, 2023.

VALENTINO A. CODERA
Secretary to the Sangguniang Bayan

BERNARD JONATHAN M. REMANDA
Municipal Mayor

HON. ROSALIE E. OMEGA, M.D.
Municipal Vice Mayor
Presiding Officer

HON. JOSH WELSON G. YOSOTROS
SB Member
Floor Leader
Temporary Presiding Officer

HON. RICHARD V. MERONTOS
SB Member
Deputy Floor Leader

HON. LUIS GABRIEL U. VELOSO
SB Member

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SB Member

HON. KRISTY V. JABONETE
SB Member

HON. HERBERT V. MANRIQUEZ
SB Member

HON. WILLY D. BARING
SB Member


HON. RICHEL O. OCUBILLO
SB Member

HON. RUBENITA A. DELA CRUZ
-Oficio SB Member
President, Liga ng mga Barangay


HON. FORTUNE FRAULINE M. UY
-Oficio SB Member
President, Pambayang
Terangon ng mga SK

VALENTINO A. CODERA
Secretary to the Sanggunian

ATTESTED AND CERTIFIED
AS DULY ENACTED:


~~ROSLIE E. OMEGA, M.D.~~
Presiding Officer
Municipal Vice Mayor

APPROVED:


BERNARD JONATHAN M. REMANABAN
Municipal Mayor

14 AUG 2023
Date



Certificate of Posting

TO WHOM IT MAY CONCERN:

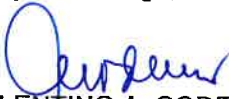
THIS IS TO CERTIFY that the following Municipal Ordinances were posted on the bulletin board of the Municipal Hall and at the Land Transport Terminal on November 4, 2024, and to be remain posted for three (3) consecutive weeks:

1. *Municipal Ordinance No. 2024-08, entitled: "AN ORDINANCE AMENDING SECTION 1 OF MUNICIPAL ORDINANCE NO. 2023-02, ENTITLED: "AN ORDINANCE CREATING THE NEW PLANTILLA POSITIONS IN THE MUNICIPAL GOVERNMENT OF TABANGO, PROVINCE OF LEYTE, PROVIDING FOR ITS QUALIFICATIONS, DUTIES, AND FUNCTIONS AND APPROPRIATING THE NECESSARY FUNDS THEREOF."*
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3. *Municipal Ordinance No. 2024-10, entitled: "AN ORDINANCE GRANTING GRATUITY TO ALL ELECTED BARANGAY OFFICIALS WHO HAVE RENDERED THREE (3) CONSECUTIVE TERMS OF OFFICE IN THE MUNICIPALITY OF TABANGO AND PROVIDING FUNDS FOR THE PURPOSE."*

THIS CERTIFIES FURTHER that the foregoing Municipal Ordinances are yet to be posted on the bulletin boards of the different barangays of this municipality.

THIS CERTIFICATION is issued in compliance with Article 114 of the Implementing Rules and Regulations of R.A. 7160.

ISSUED this 4th day of November 2024 at the Municipality of Tabango, Province of Leyte.


VALENTINO A. CODERA
Secretary to the Sangguniang Bayan

NOTED:


ROSLIE E. OMEGA, M.D.
Municipal Vice Mayor/Presiding Officer

 +639088960539

 vcodera@gmail.com

 www.tabango-leyte.gov.ph