

Item No.: 18  
Date: 21 2025 JAN

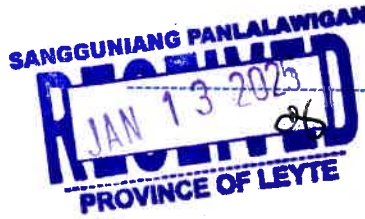


Republic of the Philippines  
PROVINCE OF LEYTE  
Provincial Capitol  
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Province of Leyte  
Legal Office  
Released: *[Signature]*  
Time: *[Signature]*  
Date: *1-8-25*



2<sup>nd</sup> INDORSEMENT  
December 26, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 21 series of 2024 of the Sangguniang Bayan of Capooan, Leyte.

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

- Ordinance No. 21 series of 2024 entitled: “An Ordinance creating the Office of the Municipal Cooperatives Development Officer , etc.”

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)(1)(viii)<sup>1</sup> and 443(c)<sup>2</sup> of the Local Government Code of 1991 (R.A 7160) in consonance with Section 76<sup>3</sup>. 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]*

<sup>1</sup>(viii) Determine the positions and salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from municipal funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the municipal government;

<sup>2</sup> (c) The sangguniang bayan may:

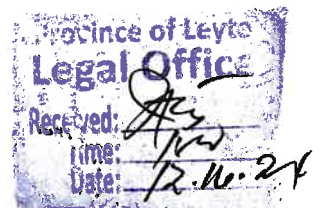
- (1) Maintain existing offices not mentioned in subsections (a) and (b) hereof;
- (2) Create such other offices as may be necessary to carry out the purposes of the municipal government;
- (3) Consolidate the functions of any office with those of another in the interest of efficiency and economy.

<sup>3</sup> 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.

Republic of the Philippines  
PROVINCE OF LEYTE  
Palo, Leyte

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> INDORSEMENT**  
16 December 2024



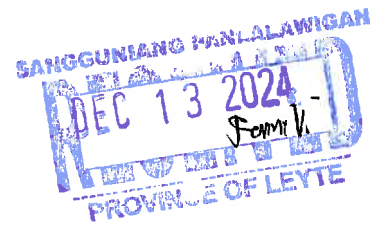
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 21, series of 2024 of the Municipality of Capoocan, Leyte, entitled: An Ordinance Creating the Office of the Municipal Cooperatives Development Officer and the plantilla position of Cooperative Development Specialist II, SG 15.**

  
**FLORINDA JILL S. VYVICO**  
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



December 12, 2024

**THE HONORABLE BODY**  
Sangguniang Panlalawigan  
Legislative Building  
Capitol Grounds  
Tacloban City

Dear Gentlemen / Mesdames:

Good Day!

Submitting **ORDINANCE No. 21, Series of 2024** of the Sangguniang Bayan of Capoocan, Leyte entitled, **"AN ORDINANCE CREATING THE OFFICE OF THE MUNICIPAL COOPERATIVES DEVELOPMENT OFFICER AND THE PLANTILLA POSITION OF COOPERATIVE DEVELOPMENT SPECIALIST II, SG 15"**, for review of the Honorable Body.

Earliest and favorable action shall be gratefully acknowledged.

Respectfully yours,

  
**JUDE R. DELA TORRE**  
Secretary to the Sanggunian

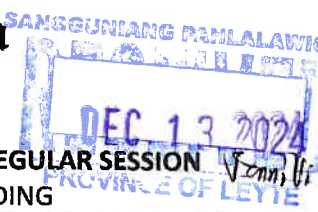


Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Capoocan  
**Office of the Sangguniang Bayan**

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SANGGUNIANG BAYAN OF THE MUNICIPAL GOVERNMENT OF CAPOOCAN, LEYTE IN ITS 124<sup>th</sup> REGULAR SESSION  
HELD ON NOVEMBER 5, 2024 AT THE MUNICIPAL SESSION HALL LEGISLATIVE BUILDING



## MUNICIPAL ORDINANCE NO. 21 SERIES OF 2024

### AN ORDINANCE CREATING THE OFFICE OF THE MUNICIPAL COOPERATIVES DEVELOPMENT OFFICER AND THE PLANTILLA POSITION OF COOPERATIVE DEVELOPMENT SPECIALIST II, SG 15

**WHEREAS**, Section 16 of Republic Act 7160 or the Local Government Code of 1919, General Welfare, states that, *“Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants”*;

**WHEREAS**, Section 17 (a) of RA 7160 provides that, *“Local government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to this Code. Local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provisions of the basic services and facilities enumerated herein”*;

**WHEREAS**, Section 443 (c) (2) of the Code provides that, *“The Sangguniang Bayan may create such other offices as may be necessary to carry out the purposes of the municipal government”*;

**WHEREAS**, Republic Act 11535 states that, *“The position of a Cooperatives Development Officer is mandatory in the municipal, city and provincial levels”*;

**NOW THEREFORE**, be it resolved, as it is hereby resolved that in session assembled, the Sangguniang Bayan of the Municipality of Capoocan, Leyte, enact the following:

**Section 1. Creation.** The OFFICE OF THE MUNICIPAL COOPERATIVES DEVELOPMENT OFFICER and THE PLANTILLA POSITION OF COOPERATIVE DEVELOPMENT SPECIALIST II, SG 15, are hereby created.

**Section 2. Funding.** The necessary funding for this office and this position shall be appropriated in the Annual General Fund Budget FY 2025 to cover the operational expenses, and salaries and benefits, in accordance with the corresponding salary grade, and shall be sustained and incorporated in the office' budget in the succeeding years.

**Section 3. Powers and Functions of the Office of the Municipal Cooperative Development Officer.** The Office of the Municipal Cooperative Development Officer shall be tasked to formulate measures for consideration of the Sanggunian, and provide technical assistance and support to the Municipal Mayor in carrying out measures to ensure the delivery of basic services and provision of facilities through the organizing, promotion and development of cooperatives, and in providing access to such services and facilities.

It shall also develop plans and strategies in consultation with the cooperative sector and upon approval of the Municipal Mayor, implement the same, particularly those which have to do with the integration of cooperative values, principles and practices in programs and projects, and perform other functions as prescribed by relevant laws and ordinances.

**Section 4. Qualifications, Powers, Duties and Responsibilities of the Cooperative Development Specialist II, SG**

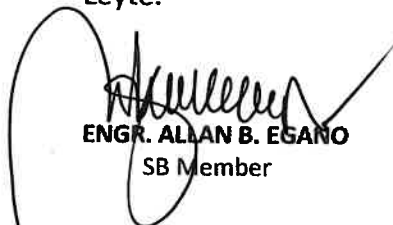





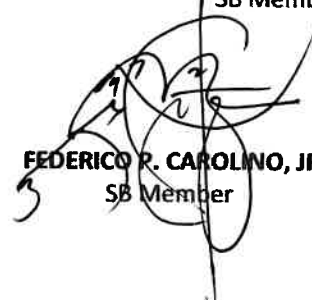

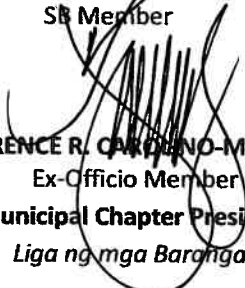

15. The qualifications, powers, duties and responsibilities of the **Cooperative Development Specialist II, SG 15**, shall be based on the provisions of the Local Government Code of 1991 and Civil Service Commission (CSC) and other related laws.

**Section 5. Repealing Clause.** Any ordinance found inconsistent hereof, in whole or in part, is hereby repealed or modified accordingly.

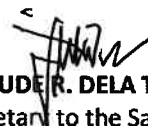
**Section 6. Separability Clause.** If any part of this ordinance shall be held unconstitutional or invalid, other parts or provisions hereof shall not be affected and shall continue to be in full force and effect.

**Section 7. Effectivity.** This ordinance shall take effect immediately upon approval.

**ENACTED** by the Sangguniang Bayan, in session assembled this 5<sup>th</sup> day of **November, 2024** at Capoocan, Leyte.

 <b>ENGR. ALLAN B. EGANO</b> SB Member	 <b>VON LITO Q. VALLAR</b> SB Member	 <b>EMMANUEL D. ARBOSO</b> SB Member	 <b>JOJO N. NEPOMUCENO</b> SB Member
 <b>GRACIA G. PIGAR</b> SB Member	 <b>REYNALDO R. RIMO</b> SB Member	 <b>FEDERICO P. CAROLINO, JR.</b> SB Member	 <b>ROBERTA C. PEÑARANDA</b> SB Member
	 <b>FLORENCE R. CAROLINO-MISAGAL</b> Ex-Officio Member <b>Municipal Chapter President</b> <i>Liga ng mga Barangay</i>		 <b>DAVE A. DERA</b> Ex-Officio Member <b>President</b> <i>Pambayang Pederasyon ng mga Sangguniang Kabataan</i>


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

  
**JUDE 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: 12.11.24