

Item No.: 03

Date: 11 2025 FEB



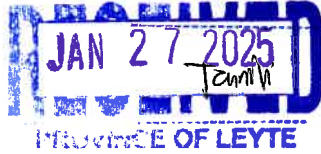
Republic of the Philippines  
PROVINCE OF LEYTE  
Provincial Capitol  
Tacloban City

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After a review  
Legal Office  
Date: 1.24.25

SANGGUNIANG PANLALAWIGAN

PROVINCIAL LEGAL OFFICE



2<sup>nd</sup> INDORSEMENT  
January 6, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2024-24 of the Sangguniang Bayan of Tanauan, Leyte.

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

- Ordinance No. 2024-24 entitled: **“An Ordinance creating the official website of the LGU Tanauan, Leyte for the modernization of information, etc.”**

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 17(b)(2)(v)<sup>1</sup> 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**  
*Provincial Legal Officer*

<sup>1</sup> Section 17. Basic Services and Facilities. -

(b) Such basic services and facilities include, but are not limited to, the following:

(v) Information services which include investments and job placement information systems, tax and marketing information systems, and maintenance of a public library;

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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**



**1<sup>ST</sup> ENDORSEMENT**  
**27 December 2024**

Respectfully indorsed to the **PROVINCIAL LEGAL OFFICE** the herein **ORDINANCE NO. 2024-24** of the **MUNICIPALITY OF TANAUAN, LEYTE**, which is self- explanatory, for review and recommendations.

  
**FLORINDA JILI S. UYVICO**  
Secretary to the Sanggunian



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Province of Leyte  
TANAUAN  
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**OFFICE OF THE SANGGUNIANG BAYAN**

December 20, 2024

**THE SECRETARY**

Sangguniang Panlalawigan  
Province of Leyte  
Capitol Building  
Tacloban City

Sir/Madam;

Respectfully submitting herewith 16<sup>th</sup> **SB Ordinance No. 2024 - 24, " An Ordinance creating the official website of the LGU of Tanauan, Leyte for the modernization of information and accessibility of all public information online providing funds therefor and prescribing penalties thereof"**, for your appropriate action.

*Author: Hon. Cherry Anne T. Fiel  
Co-author: Hon. Jan Elemer V. Magdalaga  
Hon. Paul Emmanuel R. Cinco*

Trusting that you will accord this matter with your kindest attention.

Thank you.

Truly yours,

  
**ELEUTERIO T. LARIOS**  
Sangguniang Bayan Secretary

SP

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SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN  
**RECEIVED**  
23 DEC 2024  
BHT  
PROVINCE OF LEYTE

EXCERPT FROM THE MINUTES OF THE 120<sup>th</sup> REGULAR SESSION OF THE 16<sup>th</sup> SANGGUNIANG BAYAN OF TANAUAN, LEYTE, HELD ON DECEMBER 02, 2024, AT THE SB SESSION HALL, TANAUAN TOWN HALL, TANAUAN, LEYTE.

**PRESENT :**

HON. ARCHIE LAWRENCE R. KAPUNAN	Municipal Vice-Mayor/Presiding
HON. JAN ELMER V. MAGDALAGA	Sangguniang Bayan Member
HON. MAE JANE ANGELIE M. MORABE – BORAI	-do-
HON. MARK EFREN E. MERILO	-do-
HON. PAUL EMMANUEL R. CINCO	-do-
HON. JOSIE M. CREER	-do-
HON. ATTY. ISAGANI S. ESPADA	-do-
HON. QUINTIN T. OCTA, JR.	-do-
HON. CHERRY ANNE T. FIEL	-do-
HON. EFREN C. MERILO	-do-/Liga Fed. Pres.
HON. KYLE C. MESIAS	-do-/ SK Fed. Pres.

**ABSENT :**

None

**ORDINANCE NO. 2024 – 24**

**AN ORDINANCE CREATING THE OFFICIAL WEBSITE OF THE LGU OF TANAUAN, LEYTE FOR THE MODERNIZATION OF INFORMATION AND ACCESSIBILITY OF ALL PUBLIC INFORMATION ONLINE PROVIDING FUNDS THEREFOR, AND PRESCRIBING PENALTIES THEREOF.**

Authored by: Hon. Cherry Anne T. Fiel  
Co- Author: Hon. Jan Elmer V. Magdalaga  
Hon. Paul Emmanuel R. Cinco

**BE IT ENACTED BY THE SANGGUNIANG BAYAN OF TANAUAN, LEYTE IN REGULAR SESSION ASSEMBLED THAT:**

**WHEREAS**, the Local Government Code of 1991 (Republic Act No. 7160) mandates that Local Government Units (LGUs) promote transparency, accountability, and citizen participation in governance;

**WHEREAS**, the use of technology and the internet has become an essential tool in modernizing public services and making government information easily accessible to the public;

**WHEREAS**, the Local Government of Tanauan, Leyte, recognizes the need to modernize its governance practices by enhancing the dissemination of information through digital platforms;

**WHEREAS**, one of the primary objectives of the Local Government of Tanauan, Leyte is to bring governance closer to the people by providing accessible information and government forms, thereby enhancing transparency and fostering greater public participation;

**WHEREAS**, the creation of an official municipal website will serve as a platform for timely and accurate information dissemination to the constituents of the municipality, thereby promoting transparency, public participation, and accessibility;

**WHEREAS**, creating an official LGU website will ensure that public information, including ordinances, resolutions, public notices, financial reports, and municipal services, is available to the constituents in a timely and efficient manner;

**WHEREAS**, there is a need to provide the necessary funds for the development, maintenance, and security of the LGU website, and to ensure accountability among LGU officers and employees in its implementation;

**WHEREAS**, the Municipality of Tanauan, Leyte, is committed to promoting environmental conservation and reducing its carbon footprint through innovative measures, recognizing that the dissemination of information through digital platforms significantly reduces the reliance on paper and contributes to sustainability efforts;

**NOW, THEREFORE**, be it ordained by the Sangguniang Bayan of the Municipality of Tanauan, Leyte in session duly assembled:

**SECTION 1. Title.**

This ordinance shall be known as the "Ordinance Establishing Official website of the LGU of Tanauan, Leyte for Public Access to LGU Information."

**SECTION 2. Objectives.**

The primary objectives of this ordinance are:

1. To modernize the information systems of the LGU by providing an online platform for the publication of all public records and relevant information.
2. To ensure the transparency of LGU operations by making public information accessible to constituents online.
3. To promote efficiency in public service delivery by providing online access to municipal services, downloadable forms, and other resources.
4. To provide mechanisms for public feedback and participation through the LGU website.

**SECTION 3. Creation of the Official LGU Website.**

The Municipality of Tanauan, Leyte, shall create and maintain an official municipal website that shall be accessible to the public which will serve as the central platform for the publication and dissemination of all public information, including:

1. Executive Orders and Municipal Programs – Executive orders, public announcements, and updates on local government projects, and any other information from the Executive Department that requires dissemination.
2. Legislative Information – All ordinances, resolutions, and minutes of the Sangguniang Bayan sessions, and any other information from the Legislative Department that requires dissemination.

*[Handwritten signatures and initials on the left margin]*

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3. Public Financial Records – Budgets, financial reports, procurement notices, and other financial documents.
4. Public Services – Guidelines for public services, downloadable forms, requirements for applications, and other related services.
5. Public Notices – Information regarding public biddings, job vacancies, municipal programs, and events.
6. Citizen Feedback – A section for constituents to submit inquiries, complaints, suggestions, and feedback on public services.

**SECTION 4. The official website shall contain as a minimum (not limited to), the following:**

1. The official municipal seal of Tanauan, Leyte shall be prominently displayed on the homepage.
2. The ordinance number of this ordinance and a copy of the ordinance and any amendments thereto should be included in the website's "About" section.
3. News and announcements from the local government.
4. Executive Department Section
5. Sangguniang Bayan Section
6. Other Departments/Offices
7. Information on municipal services, programs, and projects.
8. Contact details of government offices and officials.
9. Calendar of events, public holidays, and other important notices.
10. Public consultations and community engagement platforms.
11. Disaster and emergency information and resources.
12. Others, as required by the Municipal Mayor

**SECTION 5. Responsibilities of the Municipal Information Officer.**

The Municipal Information Officer shall be responsible for ensuring that all information is accurate, up-to-date, and that the website remains functional and accessible to the public.

If no existing position within the municipal government can handle this function, the Municipal Mayor shall appoint a personnel who will perform the functions stated herein.

The Municipal Information Officer (or in the absence thereof, a designated personnel appointed by the Municipal Mayor) shall have the following functions:

1. Overseeing the design, development, and regular maintenance of the LGU website.
2. Ensuring that all relevant information and documents are uploaded to the website in a timely manner.
3. Ensuring that all information is accurate, up-to-date, and that the website remains functional and accessible to the public.
4. Coordinating with all LGU departments to gather information for publication.
5. Responding to public inquiries and feedback submitted through the website.
6. Ensuring that the website complies with data privacy standards and maintains secure access to sensitive information.

**SECTION 6. Time Frame for Website Establishment.**

The LGU website must be fully operational within six (6) months from the effectivity of this ordinance.

**SECTION 7. Regular Updating of Website Content.**

All LGU offices and departments (via Heads of Departments) must submit updates on their respective functions, public records, and services to the Municipal Information Officer not later than forty-eight (48) hours after any significant changes, approvals, or new issuances. Information must be updated on the website accordingly.

**SECTION 8. Budget Allocation.**

The necessary funds for the establishment, maintenance, and operation of the LGU website shall be included in the annual budget of the municipality, with the following provisions:

1. Initial Funding – A budget shall be determined by the Executive Department for the development, design, and initial operation of the website, subject to the approval of the Sangguniang Bayan. Should additional funding be required, the Executive Department shall determine the proposed budget for such needs, which will be subject to the approval of the Sangguniang Bayan.
2. Annual Maintenance and Operation – An annual allocation for website maintenance, hosting, security, and updates shall be included in the LGU's budget.
3. Capacity Building – Funds for training LGU personnel on website management and digital information handling may be allocated as necessary.

**SECTION 9. Data Privacy and Security.**

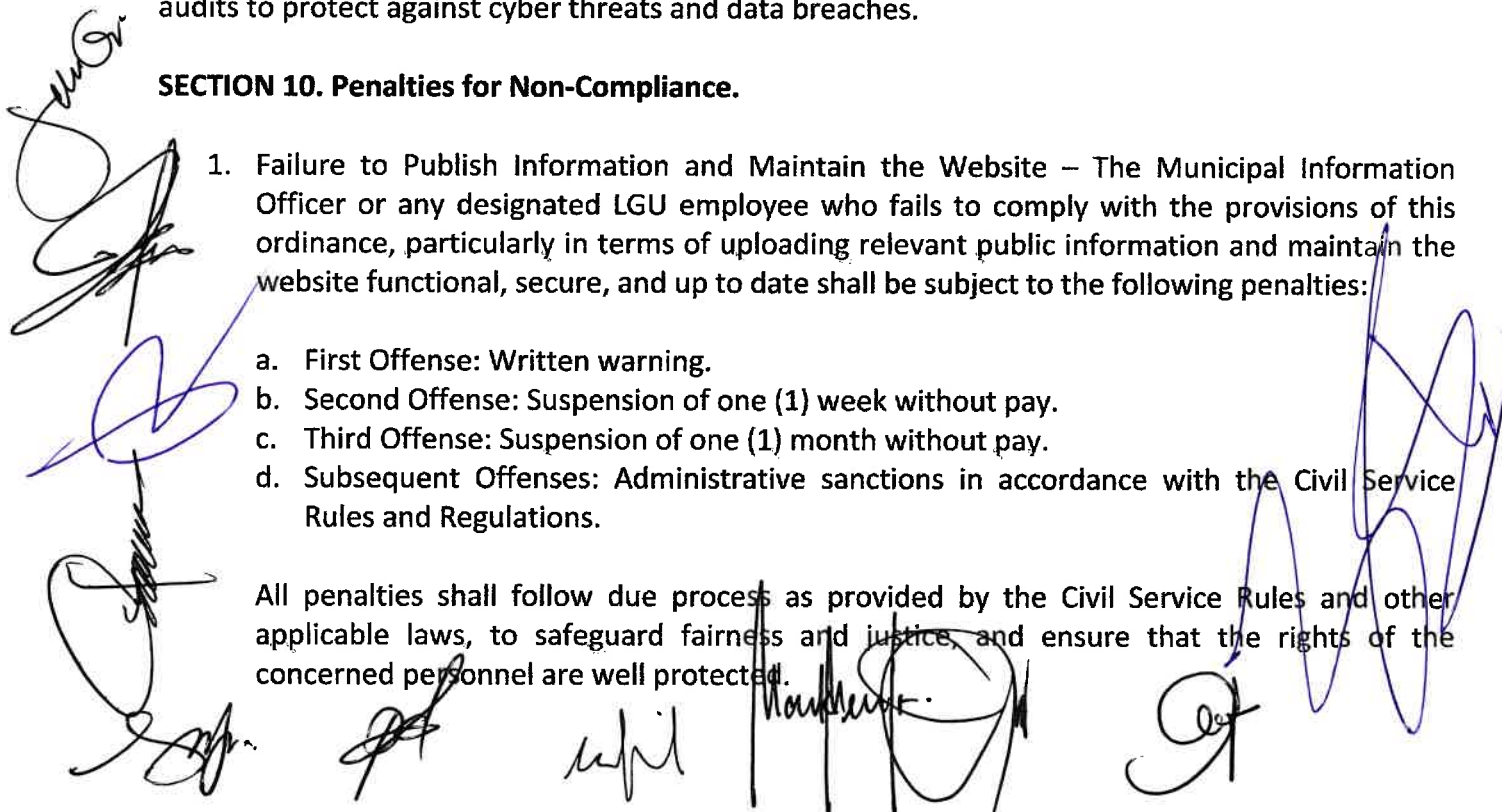
The LGU shall ensure that the website adheres to the provisions of Republic Act No. 10173, and/or the Data Privacy Act of 2012, Municipal Ordinance No. 2017-01 known as the "Freedom of Information Ordinance" and any other statutes protecting personal information from unauthorized access and misuse.

The website shall employ security measures such as encryption, secure passwords, and regular audits to protect against cyber threats and data breaches.

**SECTION 10. Penalties for Non-Compliance.**

1. Failure to Publish Information and Maintain the Website – The Municipal Information Officer or any designated LGU employee who fails to comply with the provisions of this ordinance, particularly in terms of uploading relevant public information and maintain the website functional, secure, and up to date shall be subject to the following penalties:
  - a. First Offense: Written warning.
  - b. Second Offense: Suspension of one (1) week without pay.
  - c. Third Offense: Suspension of one (1) month without pay.
  - d. Subsequent Offenses: Administrative sanctions in accordance with the Civil Service Rules and Regulations.

All penalties shall follow due process as provided by the Civil Service Rules and other applicable laws, to safeguard fairness and justice, and ensure that the rights of the concerned personnel are well protected.



**SECTION 11. Monitoring and Evaluation.**

The Sangguniang Bayan, through its appropriate committee, shall conduct regular monitoring and evaluation of the implementation of this ordinance to ensure that the website remains functional, user-friendly, and informative.

The Sangguniang Bayan as a whole shall conduct an annual review of the performance of the LGU website, including its functionality, content, and the level of public access and feedback. Recommendations for improvement shall be made based on this review.

**SECTION 12. Separability Clause.**

If any part or provision of this ordinance is declared invalid or unconstitutional, the remaining provisions shall continue to be in full force and effect.

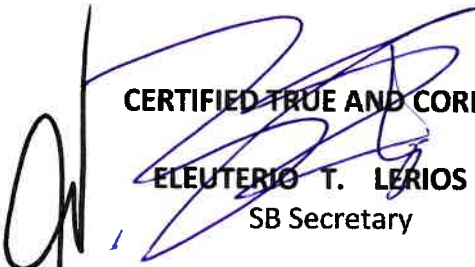
**SECTION 13. Repealing Clause.**

All ordinances, resolutions, and other issuances inconsistent with the provisions of this ordinance are hereby repealed or amended accordingly.

**SECTION 14. Effectivity.**

This ordinance shall take effect immediately upon its approval and proper publication in accordance with the law.

**ENACTED : 02 DECEMBER 2024.**


  
**CERTIFIED TRUE AND CORRECT:**  
**ELEUTERIO T. LARIOS**  
SB Secretary

**ATTESTED:**

  
**HON. ARCHIE LAWRENCE R. KAPUNAN**  
Vice Mayor/Presiding

  
**HON. JAN ELMER V. MAGDALAGA**  
SB Member

  
**HON. MARK EFREN E. MERILO**  
SB Member

  
**HON. JOSIE M. CREER**  
SB Member

  
**HON. QUINTIN T. OCTA, JR. D.M.D.**  
SB Member

  
**HON. EFREN C. MERILO**  
SB Member/Liga Fed. Pres.

  
**HON. MAE JANE ANGELIE M. MORABE - BORAIS**  
SB Member


  
**HON. PALLE EMMANUEL R. CINCO**  
SB Member

  
**HON. ATTY. ISAGANI S. ESPADA**  
SB Member

  
**HON. CHERRY ANNE T. FIEL**  
SB Member

  
**HON. KYLE C. MESIAS**  
SB Member/SK Fed. Pres.

**APPROVED:**

  
**HON. MA. GINA E. MERILO**  
Municipal mayor  
Date: 12/18/24





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TANAUAN  
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*OFFICE OF THE SANGGUNIANG BAYAN*

## CERTIFICATION

**TO WHOM IT MAY CONCERN:**

**THIS IS TO CERTIFY that SB ORDINANCE NO. 2024 - 24, "AN ORDINANCE CREATING THE OFFICIAL WEBSITE OF THE LGU OF TANAUAN, LEYTE FOR THE MODERNIZATION OF INFORMATION AND ACCESSIBILITY OF ALL PUBLIC INFORMATION ONLINE PROVIDING FUNDS THEREFOR AND PRESCRIBING PENALTIES THEREOF", have been posted in the bulletin boards at the following: Entrance of the Municipal Hall, Office of the Sangguniang Bayan and Public Market beginning December 19, 2024 and shall remain posted for a minimum of three consecutive weeks.**

**This certification is issued in compliance with the pertinent provisions of R.A. 7160.**

**Issued: December 19, 2024**

  
**ELEUTERIO T. LERIOS**  
**Sangguniang Bayan Secretary**