



Republic of the Philippines
PROVINCE OF LEYTE
 Provincial Capitol
 Tacloban City

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Item No.: 02
 Date: 11 2025 MAR

Province of Leyte
 Legal Office
 Date: 3.3.25

SANGGUNIANG PANLALAWIGAN

PROVINCIAL LEGAL OFFICE

RECEIVED
 MAR 03 2025
PROVINCE OF LEYTE

2nd INDORSEMENT
 February 24, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2025-08 of the Sangguniang Bayan of Tanauan, Leyte.

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

- Ordinance No. 2025-08 entitled: **“An Ordinance creating the Municipal Library and Center for Learning in the Municipality of Tanauan, 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)(2)(i)¹ of the Local Government Code of 1991 (R.A 7160) in relation to RA 7743². 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 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 *JRA*

¹ (i) Approve the annual and supplemental budgets of the municipal government and appropriate funds for specific programs, projects, services and activities of the municipality, or for other purposes not contrary to law, in order to promote the general welfare of the municipality and its inhabitants;

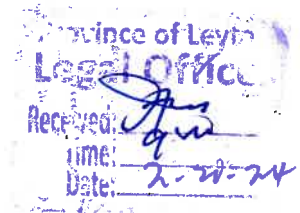
² An Act Providing for the Establishment of Congressional, City and Municipal Libraries

Received

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
20 February 2025

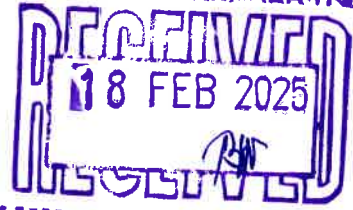


The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2025-07 of the Municipality of Tanauan, Leyte**, entitled: **An Ordinance creating the Municipal Library and Center for Learning in the Municipality of Tanauan, Leyte and appropriating the necessary funds therefore and for other purposes.**


FLORINDA ULL SI UYVICO
Secretary to the Sanggunian

Republic of the Philippines
Province of Leyte
TANAUAN
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SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN



EXCERPT FROM THE MINUTES OF THE 126th REGULAR SESSION OF THE 16th SANGGUNIANG BAYAN OF TANAUAN, LEYTE, HELD ON JANUARY 27, 2025, 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., D.M.D.	-do-
HON. CHERRY ANNE T. FIEL	-do-
HON. EFREN C. MERILO	-do-/Liga Fed. Pres.
HON. KYLE C. MESIAS	-do-/ SK Fed. Pres.

ORDINANCE NO. 2025 – 08

AN ORDINANCE CREATING THE MUNICIPAL LIBRARY AND CENTER FOR LEARNING IN THE MUNICIPALITY OF TANAUAN, LEYTE AND APPROPRIATING THE NECESSARY FUNDS THEREFORE AND OTHER PURPOSES.

Author: Hon. Paul Emmanuel R. Cinco

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

WHEREAS, it is the desire and intent of the Committee on Education, Science and Technology, and Skills Development and Committee on Youth and Sports of the 16th Sangguniang Bayan to provide free public library service for the residents of the Municipality of Tanauan, Leyte, the benefit of the youth and its inhabitants;

WHEREAS, the 1987 Philippine Constitution provides that the right of the people to information on matters of public concern shall be recognized, access to official records, and to documents and papers pertaining to official acts, transactions, or decisions, as well as to government research data used as basis for policy development, shall be afforded to the citizen;

WHEREAS, the 1987 Philippine Constitution likewise declares that the State shall give priority to education, science and technology, arts, culture, and sports to foster patriotism and nationalism, accelerate social progress, and promote total human liberation and development.

WHEREAS, the creation of public library shall maintain the history of our town Tanauan, Leyte;

WHEREAS, the construction of public library shall provide all resident students of Tanauan, Leyte free educational resources;

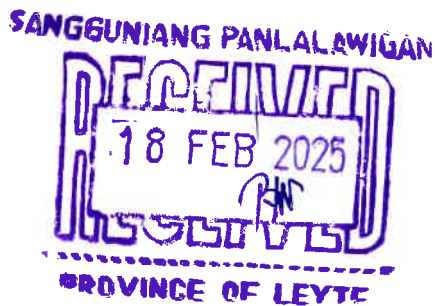


Republic of the Philippines
Province of Leyte
TANAUAN
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OFFICE OF THE SANGGUNIANG BAYAN

February 18, 2025

THE SECRETARY
Sangguniang Panlalawigan
Province of Leyte
Capitol Building
Tacloban City



Sir/Madam;


Respectfully submitting herewith 16th SB Ordinance No. 2025-08, "An Ordinance creating the Municipal Library and Center for Learning in the Municipality of Tanauan, Leyte and appropriating the necessary funds therefore and for other purpose", for your appropriate action.

Authored by: Hon. Paul Emmanuel R. Cinco

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

Thank you.

Truly yours,


ELEUTERIO T. LERIOS
Sangguniang Bayan Secretary

WHEREAS, building of public library shall help build communities;

WHEREAS, establishment of public library shall provide transparent services;

WHEREAS, formation of public library and youth center shall contribute to the increasing economy of the Municipal Government;

WHEREAS, RA 7743, otherwise known as "An Act Providing for the Establishment of Congressional, City and Municipal Libraries", promotes the moral and intellectual well-being of the people, elevate the literacy level of every Filipino to the end that illiteracy is eradicated, and recognized the vital role of knowledge and information in nation building;

WHEREAS, RA 9246, otherwise known as the "The Philippine Librarianship Act 2003" declares that the State recognized the essential role of librarianship as a profession in developing the intellectual capacity of the citizenry thus making library service a regular component for national development;

WHEREAS, Section 13 of the 1987 Philippine Constitution provides that the vital role of the youth in nation building and shall promote their physical, moral, spiritual, intellectual and social well-being. It shall inculcate in the youth patriotism and nationalism and encourage their involvement in public and civic affairs.

SECTION 1. TITLE – This Ordinance shall be known as the "The Establishment of Public Library and Center for Learning of the Municipality of Tanauan, Leyte and appropriating the Necessary Funds therefor and other purposes".

SECTION 2. DECLARATION OF POLICY – It is hereby declared the policy of the Municipal Government of Tanauan, Leyte to promote the moral and intellectual well-being of the youth of Tanauan, Leyte by increasing the literacy rate and emphasizing the significant role of education in nation-building through the establishment of public library.

SECTION 3. OBJECTIVES – This Ordinance aims to provide all resident students of Tanauan, Leyte free educational resources.

SECTION 4. DEFINITION OF TERMS – For the purpose of this Ordinance, the following terms shall be understood to mean as:

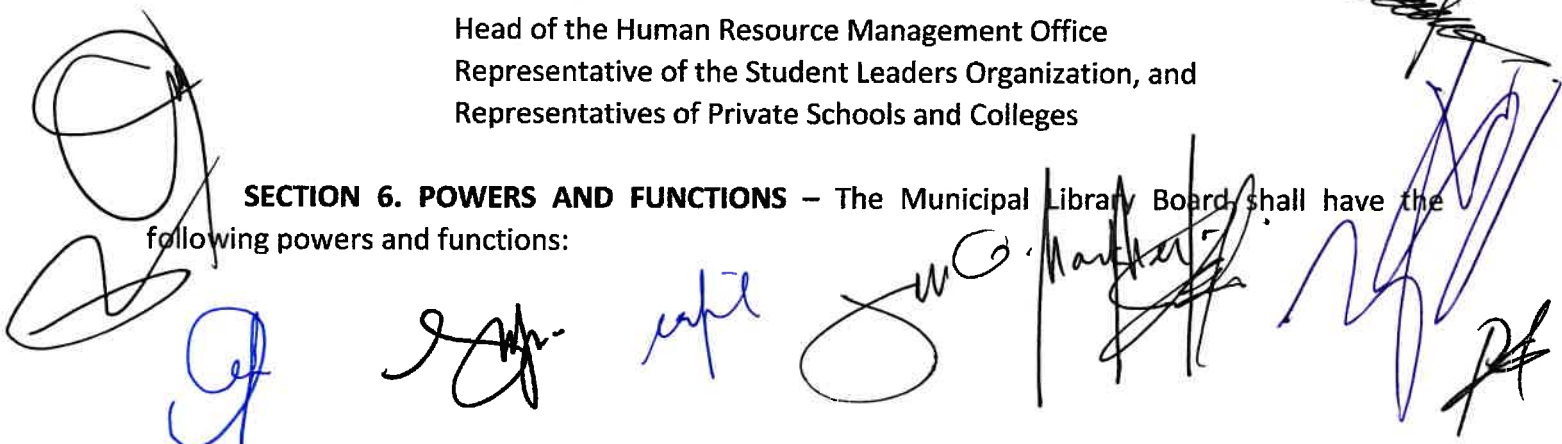
- a) Public Library – is a library that is accessible by the general public and is usually funded from public sources, such as taxes. It shall be operated by the Municipal Government of Tanauan, Leyte.
- b) Resident Students – a person who is studying at any schools, center, colleges or universities that resides in Tanauan, Leyte.
- c) Computer – an electronic device for storing and processing data, typically in binary form, according to instructions given to it in a variable program.
- d) Wi-fi – a facility allowing computers, smartphones, or other devices to connect to the internet or communicate with one another wirelessly within a particular area.

- e) Textbooks – a book used as a standard work for the study of a particular area.
- f) Archives – refers to public records, papers, periodicals, books or other items, articles or material, whether in the form of electronic, audio-visual or print, which by their nature and characteristics have enduring value, that have been selected for permanent preservation.
- g) Public Records – refers to records or classes, in any form, in whole or in part, created or received by a government agency in the conduct of its affairs, and have been retained by that government agency or its successors as evidence or because of the information contained therein.
- h) Librarian – refers to a person that deals with the library’s functions, which shall include, but not limited to the following: 1) Selection and acquisition of multi-media sources of information which would best respond to clientele’s need for adequate, relevant and timely information; 2) Cataloguing and classification of knowledge or sources of information into relevant organized collections and creation of local databases for speedy access, retrieval or delivery of information; 3) Development of computer-assisted/computer-backed up information systems which would permit online and network services; 4) Establishment of library system and procedures; dissemination of information; rendering of information, reference and research assistance archiving; and education of users; 5) Organization, conservation, preservation and restoration of historical and cultural documents and other intellectual properties.
- i) Municipal Library Board – the one who will promulgate rules and regulations regarding all matters of the public library.
- j) Center for learning – a place in which skill-specific sets of activities are developed for students to work on independently at their own pace.

SECTION 5. COMPOSITION – The Municipal Library Board shall be composed of:

Chairperson : Municipal Mayor
Vice-Chair : SB Chairman of Committee on Education
Members : Vice Mayor
Chairperson of SB Committee on Tourism, Arts and Cultural Affairs
SK Federation President
Municipal School District Supervisor
Representative from Technical Education and Skills Development Authority (TESDA)
Head of Municipal Information Technology Office
Local Finance Committee
Head of the Human Resource Management Office
Representative of the Student Leaders Organization, and
Representatives of Private Schools and Colleges

SECTION 6. POWERS AND FUNCTIONS – The Municipal Library Board shall have the following powers and functions:



- a) To promulgate and determine policies for the effective and efficient operation and maintenance of the Tanauan, Leyte Municipal Library;
- b) To serve as an advisory committee to the Sangguniang Bayan on library matters, such as but not limited to the necessity for the application of local appropriations for public library purposes;
- c) To find ways and means in increasing the book and non-book collections of the Tanauan, Leyte Municipal Library and in improving the facilities of the library;
- d) To provide recommendations and suggestions on the selection of library materials, library rules and regulations and other library problems;
- e) To promote and strengthen partnership between the library and the community;
- f) To ensure that the students have access to a wide variety of up-to-date learning materials and provide free printing services to Resident Students only school-related materials subject to limitations from the Municipal Library Board.

SECTION 7. BUDGET – In the next ensuing fiscal year or supplemental budget after this Ordinance shall have become effective, the Sangguniang Bayan shall cause the appropriation of funds necessary for the Municipal Public Library and Center for Learning to efficiently and effectively carry out the provisions of this Ordinance, and to include therein all necessary operational or program support expenditures. The amount necessary to carry out provisions of this Ordinance following its enactment, shall be included in the subsequent Appropriation Ordinance embodying annual or supplemental budget and, every year thereafter, the same shall be included in the annual budget of the Municipal Mayor.

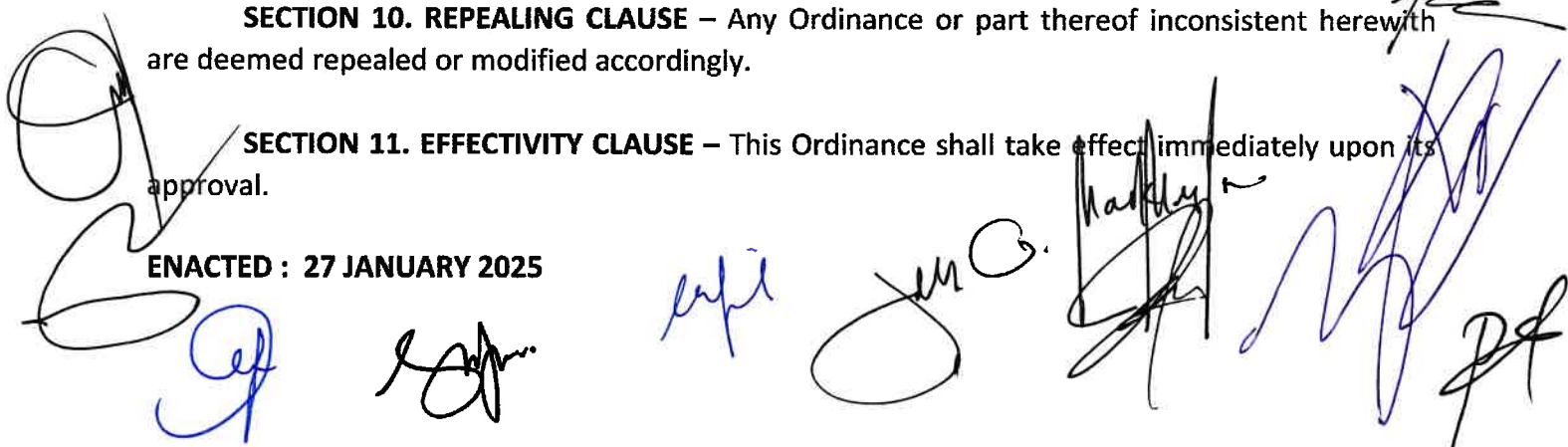
SECTION 8. SUPPLETORY CLAUSE – The provisions of RA 7743, otherwise known as “An Act providing for the Establishment of Congressional City, and Municipal Libraries and Barangay Reading Centers throughout the Philippines, Appropriating the Necessary Fund therefore and for Other Purposes”; RA 9246 or the “ The Philippine Librarianship Act of 2003”; and RA 9470 otherwise known as the “National Archives of the Philippines Act of 2007”, including their Implementing Rules and Regulations insofar as applicable, shall be considered suppletory to this Ordinance.

SECTION 9. SEPARABILITY CLAUSE – If, any provisions of this Ordinance shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. And if for any reason any section of this Ordinance is declared to be unconstitutional or invalid the validity of the other provision shall not be affected and shall continue to be in full force and effect.

SECTION 10. REPEALING CLAUSE – Any Ordinance or part thereof inconsistent herewith are deemed repealed or modified accordingly.

SECTION 11. EFFECTIVITY CLAUSE – This Ordinance shall take effect immediately upon its approval.

ENACTED : 27 JANUARY 2025

A collection of approximately ten handwritten signatures in blue ink, scattered across the bottom of the page. Some signatures are large and stylized, while others are smaller and more compact. They appear to be official signatures of various officials involved in the ordinance's approval.

CERTIFIED TRUE AND CORRECT:


ELEUTERIO T. LARIOS
SB Secretary

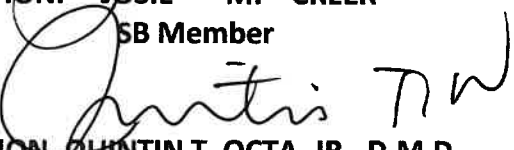
ATTESTED BY:

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. PAUL 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 BY:


HON. MA. GINA E. MERILO
Municipal Mayor
LGU – Tanauan, Leyte
Date: 02-14-25



Republic of the Philippines
Province of Leyte
TANAUAN
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OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that SB ORDINANCE NO. 2025-08, "AN ORDINANCE CREATING THE MUNICIPAL LIBRARY AND CENTER FOR LEARNING IN THE MUNICIPALITY OF TANAUAN, LEYTE AND APPROPRIATING THE NECESSARY FUNDS THEREFORE AND FOR OTHER PURPOSE", have been posted in the bulletin boards at the following: Entrance of the Municipal Hall, Office of the Sangguniang Bayan and Public Market beginning February 17, 2025 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: February 17, 2025


ELEUTERIO T. LERIOS
Sangguniang Bayan Secretary