



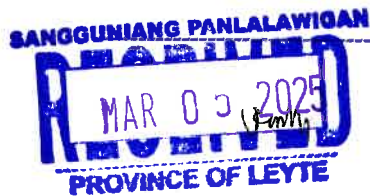
Republic of the Philippines  
**PROVINCE OF LEYTE**  
Provincial Capitol  
Tacloban City

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**PROVINCIAL LEGAL OFFICE**

Item No.: 07

Date: 18.2025.MAR



**2<sup>nd</sup> INDORSEMENT**

February 24, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 25 series of 2024 of the Sangguniang Bayan of Pastrana, Leyte.

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

- Ordinance No. 25 series of 2024 entitled: “Cash Card Ordinance of Pastrana, Leyte , etc.”

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Sections 447(a)<sup>1</sup> of the Local Government Code of 1991 (R.A 7160). However, it is opined that the prohibition provided for in Section 3 item number 2 of the proposed Ordinance maybe violative of every person’s Constitutional right to property and its attributes, to the effect that such prohibition may be unreasonable or oppressive. Hence, further review of the proposed Ordinance is recommended.

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> (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

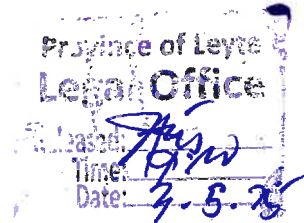
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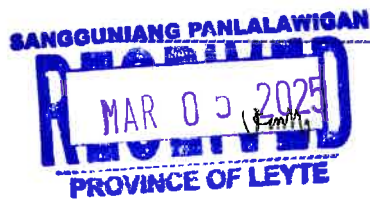


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PROVINCE OF LEYTE  
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PROVINCIAL LEGAL OFFICE



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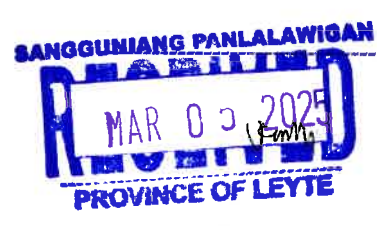
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Republic of the Philippines  
PROVINCE OF LEYTE  
Provincial Capitol  
Tacloban City

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PROVINCIAL LEGAL OFFICE

2<sup>nd</sup> INDORSEMENT  
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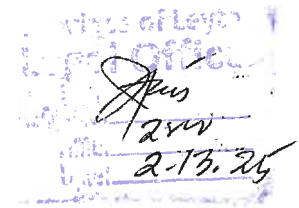
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*Provincial Legal Officer*

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

1<sup>ST</sup> INDORSEMENT  
13 February 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 25**, series of **2024** of the **Municipality of Pastrana, Leyte**, entitled: **An Ordinance prohibiting the lenders/financier of Pantawid Pamilyang Pilipino Program (4Ps) and Senior Citizen Beneficiaries of Pastrana, Leyte from engaging cash and pawning loan collateral and other false representation or undertaking and providing penalties for violations thereof.**

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

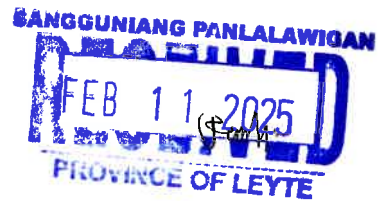


Republic of The Philippines  
PROVINCE OF LEYTE  
Municipality of Pastrana



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*The Sangguniang Bayan*



**CHITO C. CAYACO**  
Municipal Vice-Mayor/  
Presiding Officer

**MINUTES OF THE 87th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF PASTRANA HELD LAST JUNE 03, 2024 AT THE SB SESSION HALL, PASTRANA, LEYTE.**

**Present:**

Hon. CHITO C. CAYACO	-	Municipal Vice – Mayor/ Presiding Officer
Hon. RODEL M. TOBILLA	-	Sangguniang Bayan Member
Hon. GERARDO S. CARIAN	-	Sangguniang Bayan Member
Hon. ANGELINA C. DIOLA	-	Sangguniang Bayan Member
Hon. FEDERICO M. TAN	-	Sangguniang Bayan Member
Hon. ALVIN N. OPINIANO JR.	-	Sangguniang Bayan Member
Hon. ELVIRA A. BOHOL	-	Sangguniang Bayan Member
Hon. NATHAN G. LETRODO	-	Sangguniang Bayan Member
Hon. LOIDA B. VILLABLANCA	-	Sangguniang Bayan Member
Hon. JERLYN C. BORJA	-	ABC President
Hon. FRANCIS CHARLES T. ALVAREZ	-	SK Federation President

ELVIRA A. BOHOL  
Sangguniang Bayan Member

NATHAN G. LETRODO  
Sangguniang Bayan Member

LOIDA B. VILLABLANCA  
Sangguniang Bayan Member

JERLYN C. BORJA  
ABC President

FRANCIS CHARLES T. ALVAREZ  
SK Federation President

**RESOLUTION NO. 328-02**

**A RESOLUTION APPROVING THE THIRD AND FINAL READING OF “AN ORDINANCE PROHIBITING THE LENDERS/ FINANCIER OF PANTAWID PAMILYA PILIPINO PROGRAMS (4P’s) AND SENIOR CITIZEN BENEFICIARIES OF PASTRANA, LEYTE FROM ENGAGING CASH AND PAWNING LOAN COLLATERAL AND OTHER FALSE REPRESENTATION OR UNDERTAKING AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF”**

**WHEREAS**, its intention is to prohibit, prevent, and eliminate the 4P’s Cash Pawning or Loan Collateral and other false representation, which eventually ruin its purpose to improve the quality of life of the people and more importantly the education of school children.

**WHEREAS**, this ordinance is directed to ensure effective and proper utilization of the Pantawid Pamilyang Pilipino Program (4PS) Cash Grant, thus, to minimize poverty and hunger in the municipality of Pastrana, Leyte.

**On motion** by **HON. Elvira A. Bohol** duly seconded by **Hon. Loida B. Villablanca**;

**RODEL M. TOBILLA**  
Sangguniang Bayan Member

**ANGELINA C. DIOLA**  
Sangguniang Bayan Member

**GERARDO S. CARIAN**  
Sangguniang Bayan Member

**FEDERICO M. TAN**  
Sangguniang Bayan Member

**ALVIN N. OPINIANO JR.**  
Sangguniang Bayan Member



**RESOLVED, as it is hereby Resolved,** to enact “AN ORDINANCE PROHIBITING THE LENDERS/ FINANCIER OF PANTAWID PAMILYA PILIPINO PROGRAMS (4P’s) AND SENIOR CITIZEN BENEFICIARIES OF PASTRANA, LEYTE FROM ENGAGING CASH AND PAWNING LOAN COLLATERAL AND OTHER FALSE REPRESENTATION OR UNDERTAKING AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF”.

**MUNICIPAL ORDINANCE NO. 25**  
*Series of 2024*

**AN ORDINANCE PROHIBITING THE LENDERS/ FINANCIER OF PANTAWID PAMILYA PILIPINO PROGRAMS (4P’s) AND SENIOR CITIZEN BENEFICIARIES OF PASTRANA, LEYTE FROM ENGAGING CASH AND PAWNING LOAN COLLATERAL AND OTHER FALSE REPRESENTATION OR UNDERTAKING AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.**

**SECTION 1: TITLE-** this ordinance shall be known as “Cash Card Ordinance” of Pastrana, Leyte.

**SECTION 2: DEFINITION OF TERMS-** As used in this Ordinance, the following terms shall mean:

- 1.)Beneficiaries- Active households or families registered and qualified in the Pantawid Pamilyang Pilipino Program (4P’S).
- 2.) Cash Grants- Monetary assistance released to the Pantawid Pamilyang Beneficiaries
- 3.)Collection of Fees- to collect any amount of money from a Pantawid Beneficiaries for whatever purpose.
- 4.)False Representation- a false or wrongly representation regarding a materials fact with the knowledge or belief of its inaccuracy.
- 5.)Fraud- an act or deceit, cheating or trickery made by dishonest individuals in order to receive benefits.
- 6.)Gambling- to bet/play a game of chance or stakes using the cash grants released by the program to a Pantawid Beneficiary.
- 7.)Lender Financier/ Lending Company- is an individual, groups, establishment engaged in granting loans with interest and collateral.
- 8.)Pawning Cash Card-the cash card of Pantawid Beneficiaries is given to a loan financier as security for money borrowed or credit on item/goods.
- 9.)Sanctions- in laws and legal definition, are penalties or other means of enforcement used to provide incentives practices committed by beneficiaries by using grants for these acts.

**SECTION 3: PROHIBITION**

- 1.) Possession of ATM or Cash Card not his own
- 2.) Used as collateral in loan guarantee indebtedness

**SECTION 4: PENAL PROVISION-** Any person found violating the provisions of this Ordinance, shall be penalized as follows:

**CHITO C. CAYACO**  
Municipal Vice-Mayor/  
Presiding Officer

**RODEL M. TOBILLA**  
Sangguniang Bayan Member

**GERARDO S. CARIANON**  
Sangguniang Bayan Member

**ANGELINA C. DIOLA**  
Sangguniang Bayan Member

**FEDERICO M. TAN**  
Sangguniang Bayan Member

**ALVIN N. ORINILAO JR.**  
Sangguniang Bayan Member

**ELYRA A. BOHOL**  
Sangguniang Bayan Member

**NATHAN G. LETRODO**  
Sangguniang Bayan Member

**LOIDA E. VILLABLANCA**  
Sangguniang Bayan Member

**JERLYN C. AGUIA**  
ABC President

**FRANCIS CHARLES T. ALVAREZ**  
SK Federation President

First Offense	Fine of One Thousand Pesos (1,000)
Second Offense	Fine of Two thousand Pesos (2,000)
Third offense	Fine of Two Thousand Five Hundred Pesos (2,500 or an imprisonment of (1) month but not more than six (6) months, or both such fine and imprisonment at the discretion of the court.

**CHITO L. CAYACO**  
Municipal Vice-Mayor/  
Presiding Officer

**RODEL M. TOBILLA**  
Sangguniang Bayan Member

**GERARDO S. CARIAN**  
Sangguniang Bayan Member

**ANGELINA C. DIOLA**  
Sangguniang Bayan Member

**FEDERICO M. TAN**  
Sangguniang Bayan Member

**ALVIN N. OPINIANO JR.**  
Sangguniang Bayan Member

**SECTION 5:** Within thirty (30) days from the approval of this ordinance, the Municipal Social Welfare and Development Office shall formulate the necessary implementing guidelines for the efficient and effective implementation of this Ordinance. The said implementing guidelines shall take effect fifteen (15) days upon review and approval of the Sangguniang Bayan.

**SECTION 6: APPREHENDING OFFICER-**The Philippine National Police (PNP), Municipal Social Welfare and Development Officer (MSWDO), Municipal Link and other agencies/ organizations duly authorized/ deputized by the municipal government shall be the implementing agencies for the proper enforcement of this ordinance.

**SECTION 7: REPEALING CLAUSE-** any ordinance inconsistent or in conflict with the provisions of this ordinance are hereby repealed, modified or amended accordingly.

**SECTION 8: SEPARABILITY CLAUSE-** if any part of this ordinance shall be declared invalid by any forum of competent jurisdiction, the parts that are not affected thereby remain in full force and effect.

**SECTION 9: EFFECTIVITY CLAUSE-** This ordinance shall take effect upon compliance of the mandatory posting and publication requirement under RA 7160, otherwise known as the Local Government Code 1991.

**BE IT ORDAINED** by the Sangguniang Bayan of Pastrana, Leyte in session assembled that:

**APPROVED UNANIMOUSLY**

*I HEREBY CERTIFY to the correctness  
of the foregoing Ordinance*

**VERNADITH L. NIEGOS-DIZON, LPT**  
Local Legislative Staff Officer II/  
Sangguniang Bayan Secretary- Designate

**ELVIRA A. BOHOL**  
Sangguniang Bayan Member


**NATHAN G. LETRODO**  
Sangguniang Bayan Member

**LOIDA B. VILLABLANCA**  
Sangguniang Bayan Member

**JERLYN C. TORRA**  
ABC President


**FRANCIS CHARES T. ALVAREZ**  
SK Federation President


Attested by:

  
**CHITO C. CAYACO**  
*Municipal Vice-Mayor/*  
**Presiding Officer**

Concurred by:


  
**RODEL M. TOBILLA**  
*Sangguniang Bayan Member*

  
**GERARDO S. CARIAN**  
*Sangguniang Bayan Member*


  
**ANGELINA C. BIOLA**  
*Sangguniang Bayan Member*

  
**FEDERICO M. TAN**  
*Sangguniang Bayan Member*

  
**ALVIN N. OPINIANO JR.**  
*Sangguniang Bayan Member*

  
**ELVIRA A. BOHOL**  
*Sangguniang Bayan Member*

  
**NATHAN G. LETRODO**  
*Sangguniang Bayan Member*

  
**LOIDA B. VILLABLANCA**  
*Sangguniang Bayan Member*

  
**JERLYN C. BORJA**  
*ABC President*

  
**FRANCIS CHARLES T. ALVAREZ**  
*SK Federation President*

Approved by:

  
**HON. MARITESS B. CAYACO-MARCOS, RN.**  
*Municipal Mayor*





Republic of The Philippines  
PROVINCE OF LEYTE  
Municipality of Pastrana



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*The Sangguniang Bayan*

## **C E R T I F I C A T I O N**

THIS IS TO CERTIFY, that we have posted in several conspicuous places with the entire jurisdiction of the Municipality of Pastrana, Province of Leyte, the invitation for **COMMITTEE MEETING** in **AN ORDINANCE PROHIBITING THE LENDERS/FINANCIER, PANTAWID PAMILYA PILIPINO PROGRAMS (4P's) AND SENIOR CITIZEN BENEFECIARIES OF PASTRANA, LEYTE FROM ENGAGING CASH AND PAWNING LOAN COLLATERAL AND OTHER FALSE REPRESENTATION OR UNDERTAKING AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF** (as per attached invitation) Posted MAY 21, 2024

**Posted COMMITTEE MEETING**

**MAY 21, 2024**

Certified True and Correct,

**VERNADITH N. DIZON**

Sangguniang Bayan Secretary -  
Designate

**Issued on: July 02, 2024**

**Issued at: Pastrana, Leyte**



Republic of The Philippines  
PROVINCE OF LEYTE  
Municipality of Pastrana



**Bayan**  
*The Sangguniang Bayan*

COMMITTEE MEETING REGARDING THE PROPOSED MUNICIPAL ORDINANCE; AN ORDINANCE PROHIBITING THE LENDERS/FINANCERS, PANTAWID PAMILYA PILIPINO PROGRAM (4PS) AND SENIOR CITIZEN BENEFICIARIES OF PASTRANA, LEYTE FROM ENGAGING CASH AND PAWNING LOAN COLLATERAL AND OTHER FALSE REPRESENTATION OR UNDERTAKING AND PROVIDING PENALTIES FOR VIOLATORS THEREOF

**Record of Attendance**

COMMITTEE MEETING  
May 21, 2024

No.	Name	Time-In	Signature
1	HON. LOIDA B. VILLABLANCA		
2	HON. ANGELINA C. DIOLA		Angelina C. Diola
3	HON. ELVIRA A. BOHOL	2:00 p.m	Elvira A. Bohol
4			
5	HON. JERLYN C. BORJA		
6	HON. NATHAN G. LETRODO	2:45	Nathan G. Letrodo
7	HON. NONA PETILLA MSWDO		Nona Petilla
7	MELDRED SALVACHERA 4PS Coordinator		Meldred Salvachera

MA. ANTONETTE VERNICE B. CAMILLO 2:00  
APB Municipal Link

Mirafior U. Lamarte  
4PS municipal link

2:00

Mirafior



Republic of the Philippines  
PROVINCE OF LEYTE  
Municipality of Pastrana



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MINUTES OF THE **COMMITTEE MEETING** ON THE PROPOSED ORDINANCE “AN ORDINANCE PROHIBITING THE LENDERS/FINANCIER, PANTAWID PAMILYA PILIPINO PROGRAMS (4Ps) AND SENIOR CITIZEN BENEFICIARIES OF PASTRANA, LEYTE FROM ENGAGING CASH AND PAWNING LOAN COLLATERAL AND OTHER FALSE REPRESENTATION OR UNDERTAKING AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF” CONDUCTED BY THE COMMITTEE ON WOMAN AND FAMILY WELFARE LAST MAY 21, 2024 AT THE SANGGUNIAN BAYAN SESSION HALL

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**PRESENT:**

(See attached attendance)

**DELIBERATION**

The Presiding Officer Hon. Elvira A. Bohol called the committee meeting at exactly 2:00 in the afternoon. Prayer done through an overture. The Presiding Officer requested the Sangguniang Bayan Secretary- Designate to have the roll call. She declared the presence of a quorum.

The Presiding Officer presented the agenda which is the proposed ordinance “AN ORDINANCE PROHIBITING THE LENDERS/FINANCIER, PANTAWID PAMILYA PILIPINO PROGRAMS (4Ps) AND SENIOR CITIZEN BENEFICIARIES OF PASTRANA, LEYTE FROM ENGAGING CASH AND PAWNING LOAN COLLATERAL AND OTHER FALSE REPRESENTATION OR UNDERTAKING AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF”. She gave an overview of the proposed ordinance. The Presiding Officer then requested the SB Secretary - Designate to read the draft ordinance for the committee to give their comments and suggestions after.

The Presiding Officer asked for suggestions and corrections among the attendees of the committee meeting.

Maam Nona M. Petilla clarified if it is necessary to include the senior citizens in the proposed ordinance since senior citizens don't have cash cards yet.

Hon. Nathan G. Letrodo raised his hand to be recognized and expressed that the title of the ordinance should be retained in preparation for the future that the senior citizens may have cash cards.

Maam Nona M. Petilla had clarifications on who are the apprehending officer.


Maam Mildred Salvatierra clarified section 6 as to the apprehending officer will report directly to the Municipal Social Welfare and Development Officer however, to identify the violators it is the municipal link who do the spot checking.

The Presiding Officer asked for other comments and suggestions.


And since there were no other matters to be discussed committee meeting was adjourned at 3:20 in the afternoon.

Then closing prayer was led by Hon. Nathan G. Letrodo.


CERTIFIED TRUE AND CORRECT:

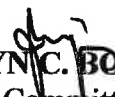
  
**VERNADITH N. DIZON**  
Local Legislative Staff Officer II/  
Sangguniang Bayan Secretary- Designate

APPROVED:

  
**HON. ELVIRA A. BOHOL**  
Presiding Officer/  
Chairman, Committee on Woman and Family Welfare

WITH CONCURRENCE:

  
**HON. ANGELINA C. DIOLA**  
Member, Committee on Woman  
and Family Welfare

  
**HON. JERLYN C. BORJA**  
~~Member~~ Member, Committee on Woman  
and Family Welfare

(ABSENT)  
**HON. LOIDA B. VILLABLANCA**  
Member, Committee on Woman  
and Family Welfare

  
**HON. NATHAN G. LETRODO**  
Member, Committee on Woman  
and Family Welfare













Republic of The Philippines  
PROVINCE OF LEYTE  
Municipality of Pastrana

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*The Sangguniang Bayan*

**MINUTES OF THE PUBLIC HEARING ON THE MUNICIPAL ORDINANCE “AN ORDINANCE PROHIBITING THE LENDERS/FINANCIER, PANTAWID PAMILYA PILIPINO PROGRAMS (4Ps) AND SENIOR CITIZEN BENEFICIARIES OF PASTRANA, LEYTE FROM ENGAGING CASH AND PAWNING LOAN COLLATERAL AND OTHER FALSE REPRESENTATION OR UNDERTAKING AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF” HELD LAST MAY 31, 2023 AT THE MUNICIPAL AUDITORIUM, THIS MUNICIPALITY.**

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**I. Preliminaries**

- a. The Public Hearing was conducted by the Office of the Sangguniang Bayan of Pastrana, Province of Leyte, spearheaded by the SB Committee Chairman on Woman and Family Welfare and was joined by the members of the committee mentioned above.
- b. It was well participated by the parent leaders, 4Ps municipal link and some department heads concerned especially the Municipal Social Development Officer, Municipal Health Officer, Local Youth Development Officer and all others interested to listen to this particular public hearing. (Attached is the Attendance sheet)
- c. The said public Hearing was Presided over by Honorable Elvira A. Bohol, SB Committee Chairman on Woman and Family Welfare.
- d. The said Public Hearing started at exactly 1:30 in the afternoon, and Prayer was led by Hon. Nathan G. Letrodo followed by the singing of the Philippine National Anthem through an overture.

**II. Parliamentary Proceedings**

- a. The Draft Ordinance, AN ORDINANCE PROHIBITING THE LENDERS/FINANCIER, PANTAWID PAMILYA PILIPINO PROGRAMS (4Ps) AND SENIOR CITIZEN BENEFICIARIES OF PASTRANA, LEYTE FROM ENGAGING CASH AND PAWNING LOAN COLLATERAL AND OTHER FALSE REPRESENTATION OR UNDERTAKING AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF, was presented by Hon Elvira A. Bohol and was read by the SB Staff Mr. Emelito Salvador Silva, with a power point presentation. After which Hon. Bohol proceeded to the different Sections of the proposed ordinance and asked the participants if they have corrections and suggestions. Then Hon Nathan G. Letrodo solicited for suggestions and ideas from the participants and according to him everyone is encouraged to share their opinions as all of those will be discussed and so they should not hesitate to do so.
- b. The Presiding Officer expressed that they can go over with each Sections to check and verify if they have clarifications.
- c. Ms. Jennifer Pido, one of the parent leaders clarified if how about if there is an emergency can they not use it to pawn?
- d. Maam Mildred Salvatierra one of the Municipal Link in Pastrana answered that they can owe money if it is an emergency but they cannot pawn their cash cards.



- e. Hon. Letrodo added that with the practice of pawning cash cards these are being misused.
- f. Maam Salvatierra expressed that with these their intended purpose of these assistance to students are not being realized.
- g. Michelle Badeo, one of the parent leaders asked if the money being borrowed is for the kids are they not allowed to pawn the cash cards?
- h. Maam Salvatierra answered that it is not a reason to pawn the cash cards because it is being abused and the assistance no longer reach the students/children who are beneficiaries.
- i. Alma Escobar, one of the parent leaders asked they can use the money for treating their children out like eating at Jollibee since it is requested by their children especially that they have received academic awards in school.
- j. Maam Salvatierra answered yes. For as long as the children benefits the assistance for them.

**III.** Finally, AN ORDINANCE PROHIBITING THE LENDERS/FINANCIER, PANTAWID FAMILYA PILIPINO PROGRAMS (4Ps) AND SENIOR CITIZEN BENEFICIARIES OF PASTRANA, LEYTE FROM ENGAGING CASH AND PAWNING LOAN COLLATERAL AND OTHER FALSE REPRESENTATION OR UNDERTAKING AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF presented was applauded by everyone present and thus, being moved by Margie Villegas one of the parent leaders for approval. And this was duly seconded by Emma Tantuan one of the parent leaders also.

**IV.** Since all participants were happy on the result of the Public Hearing with the approval of the majority participants present, so be it.

**V. Adjournment**

There being no other matters to be discussed, Public Hearing was adjourned at 02:10 in the afternoon.

CERTIFIED TRUE & CORRECT:

  
**VERNADITH N. DIZON**  
*Local Legislative Staff Officer III*  
*Secretary – Designate*  
*The Sangguniang Bayan*

*Attested by:*

  
**HON. ELVIRA A. BOHOL**  
*SB Member/Committee Chair on Woman*  
*and Family Welfare*

*Noted by:*

  
**CHITO C. CAYACO**  
*Municipal Vice - Mayor*