Item No.: 11

Date: 1 0 2025 JUN



## Republic of the Philippines PROVINCE OF LEYTE

Provincial Capitol Tacloban City

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#### PROVINCIAL LEGAL OFFICE



#### 2<sup>nd</sup> INDORSEMENT May 6, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 03 series of 2025 of the Sangguniang Bayan of MacArthur, Leyte.

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

• Ordinance No. 03 series of 2025 entitled: "Ordinance Amending Sections 8 of Municipal Ordinance No. 21 series of 2023."

#### **REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution <sup>1</sup>, subject to the availability of funds and to normal and regular accounting and auditing procedures. 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> (Constantino vs. Desierto, 288 SCRA 654) April 13, 1998

Republic of the Philippines PROVINCE OF LEYTE Palo, Leyte -000-

#### OFFICE OF THE SANGGUNIANG PANLALAWIGAN

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1st INDORSEMENT 08 May 2025

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed Municipal Ordinance No. 03, series of 2025 of the Municipality of MacArthur, Leyte, entitled: An Ordinance amending Section 8 of the Municipal Ordinance No. 21 series of 2023 entitled: An Ordinance granting cash incentives to individuals, paired or groups who excelled in sports and academic competitions and appropriating funds thereof.

FLORINDA JILUS. DYVICO
Secretary to the Sanggunian



## Republic of the Philippines Province of Leyte MUNICIPALITY OF MACARTHUR

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Office of the Sangguniang Bayanngguniang Pankakawiwan

ENDORSEMENT May 07, 2025 0 7 MAY 2025

PROVINCE OF LEYTE

Respectfully submitting to the Honorable Provincial Board for consideration and approval the herein Municipal Ordinance No. O3, Series of 2025, entitled AN ORDINANCE AMENDING SECTION 8 OF THE MUNICIPAL ORDINANCE NO. 21 SERIES OF 2023 ENTITLED AN ORDINANCE GRANTING CASH INCENTIVES TO INDIVIDUALS, PAIRED OR GROUPS WHO EXCELLED IN SPORTS AND ACADEMIC COMPETITIONS AND APPROPRIATING FUNDS THEREOF.

MARIE STEPHANIE DE LA CRUZ- PULGA

Secretary to the Sanggunian



# Republic of the Philippines Province of Leyte MUNICIPALITY OF MACARTHUR ------000------

## Municipal Ordinance No. 03 Series of 2025

AN ORDINANCE AMENDING SECTION 8 OF THE MUNICIPAL ORDINANCE NO. 21 SERIES OF 2023 ENTITLED AN ORDINANCE GRANTING CASH INCENTIVES TO INDIVIDUALS, PAIRED OR GROUPS WHO EXCELLED IN SPORTS AND ACADEMIC COMPETITIONS AND APPROPRIATING FUNDS THEREOF



## Republic of the Philippines Province of Leyte MUNICIPALITY OF MACARTHUR

## Office of the Sangguniang Bayan



Attested:

HON. JESUSA. BARANDA Municipal Vice Mayor

Concurred:

HON RAVE MUNDALA

HON. GWENDOLYN M. BERISO SB Member

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HON. VICTORIANO T. LAZAR SB Member

HON. JONATHAN T. BARQUIN SB Member

Moran

HON.TRINA C. BURAWIS SB Member

HON. LEONARDON LERIA JR.

HON RENEON REMANES JR.

SB Member

HON. XANDRIX P. PANTIN
SB Member

HON. JOSE A. BARANDA

ABC President

HON. RALPH MARTIN P. EGOS SKF President

Approved:

HON. RYPIN T. BABANTE Municipal Mayor

Date Approved: MRIL 23, 2025

EXCERPT FROM THE MINUTES OF THE 121<sup>ST</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MACARTHUR, LEYTE HELD ON 10 MARCH 2025 AT THE MUNICIPAL SESSION HALL.

#### PRESENT:

Honorable Jesus A. Baranda Vice Mayor, Presiding Honorable Raul E. Mundala SB Member Honorable Gwendolyn M. Beriso SB Member Honorable Victoriano T. Lazar SB Member Honorable Jonathan T. Barquin SB Member Honorable Trina C. Burawis SB Member Honorable Leonardo R. Leria Jr. SB Member Honorable Ireneo G. Remanes Jr. SB Member Honorable Xandrix P. Pantin SB Member Honorable Jose A. Baranda ABC President Honorable Ralph Martin P. Egos SKF President

ABSENT: None

### MUNICIPAL ORDINANCE NO. 03 Series of 2025

AN ORDINANCE AMENDING SECTION 8 OF THE MUNICIPAL ORDINANCE NO. 21 SERIES OF 2023 ENTITLED AN ORDINANCE GRANTING CASH INCENTIVES TO INDIVIDUALS, PAIRED OR GROUPS WHO EXCELLED IN SPORTS AND ACADEMIC COMPETITIONS AND APPROPRIATING FUNDS THEREOF

#### **AUTHOR**

#### Honorable Ralph Martin P. Egos

There is a need to amend Section 8 to specify the source of fund for the implementation of the Ordinance compliant to the provision of Section 335 Chapter 4 of the Local Government Code.

Section 335. No public money or property shall be appropriated or applied for religious or private purposes.

WHEREFORE, on motion of Honorable Ralph Martin P. Egos duly seconded by Honorable Xandrix P. Pantin, Honorable Jose A. Baranda, Honorable Victoriano T. Lazar and Honorable Raul E. Mundala, be it

Ordained by the Sangguniang Bayan of the Municipality of MacArthur, Leyte that: Attested:

HON. JESUS A. BARANDA
Municipal Vice Mayor

Concurred:

HON. RAYL E. MUNDALA
SB Member

HON. GWENDOLYN M. BERISO
SB Member

HON. VICTORIANO T. LAZAR
SB Member

HON. JONATHAN T. BARQUIN
SB Member

HON. TRINA C. BURAWIS
SB Member

HON. LEONARDO R LERIA JR.

HON TRENEO G. REMANES JR. SB Member

( 7 2).

HON. XANDRIX P. PANTIN SB Member

HON. JOSE A. BARANDA ABC President

HON. RALPH MARTIN P. EGOS SKF President

Approved:

SB Memb

HON. RUDINT. BABANTE Municipal Mayor

Date Approved: MPKIL 23, 2025

Section 1. Section 8 of Municipal Ordinance No. 21, Series of 2023 is read as follows:

Funds for the Program. To carry out the provisions of this ordinance, the amount of five hundred thousand pesos (\$\mathbb{P}\$ 500,000.00) shall be appropriated annually from the General Fund of the Municipality as the fund for this program. Supplemental budget should be done in supplemental appropriation.

Section 2. Amendment. Section 8 of Municipal Ordinance No.21, Series of 2023 shall now amended as follows:

Section 8. Funds for the Program. To carry out the provisions of this ordinance, the amount of five hundred thousand pesos (₱500,000.00) shall be appropriated annually from the General Fund of Founding Anniversary as the fund for this program. Supplemental budget should be done in supplemental appropriation.

Section 3. SEPARABILITY CLAUSE. If for any reason, any provision, section or any part of this ordinance is declared invalid by a court of competent jurisdiction or suspended or revoked by the Sangguniang Panlalawigan, such judgment shall not affect or impair the remaining provisions, sections or parts hereof which shall remain and continue to be in full force and effect.

Section 4. REPEALING CLAUSE. All ordinances, rules and regulations or parts thereof in conflict or inconsistent herewith are hereby repealed or modified accordingly.

Section 5. EFFECTIVITY- This ordinance shall take effect after the approval from the Sangguniang Panlalawigan and the requirements of posting prescribed in RA 7.160 is complied with.

ENACTED by the Sangguniang Bayan in session assembled on March 10, 2025, at Municipal Session Hall, Legislative Building, MacArthur, Leyte, Philippines.

Approved unanimously.

SO ORDAINED.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

MARIE STEPHANIE DE LA CRUZ-PULGA

Secretary to the Sanggunian



# Republic of the Philippines Province of Leyte MUNICIPALITY OF MACARTHUR -----000-----

### Office of the Sangguniang Bayan

#### **CERTIFICATE OF POSTING**

THIS IS TO CERTIFY that Municipal Ordinance No. O3, Series of 2025 of the Sangguniang Bayan of MacArthur, Leyte, duly enacted on March 10, 2025 and approved last April 23, 2025 has been posted since May 6, 2025 at the bulletin board of the Legislative Building, at Poblacion Public Market, and at Palale I Outpost pursuant to Section 511 of R.A. 7160.

MARIE STEPHANIE DE LA CRUZ- PULGA

Secretary to the Sanggunian



#### Republic of the Philippines Province of Leyte MUNICIPALITY OF MACARTHUR -----000-----

### Office of the Sangguniang Bayan

SANGGUNIANG PANLALAWIGAN

PROVINCE OF LEYTE

EXCERPT FROM THE MINUTES OF THE 62ND REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MACARTHUR, LEYTE HELD ON 20 NOVEMBER 2023 AT THE MUNICIPAL SESSION HALL.

#### PRESENT:

Honorable Raul E. Mundala

SB Member,

Honorable Gwendolyn M. Beriso

Presiding Pro-Tempore SB Member

Honorable Victoriano T. Lazar Honorable Jonathan T. Barquin

SB Member

Honorable Trina C. Burawis

SB Member SB Member

Honorable Leonardo R. Leria Jr. Honorable Ireneo G. Remanes Jr.

SB Member

Honorable Xandrix P. Pantin

SB Member SB Member

Honorable Pepito C. Guimalan

ABC President

Honorable Mel Andrew P. Maldos

SKF President

ABSENT.

Honorable Jesus A. Baranda

Vice Mayor (On Official Travel)

#### MUNICIPAL ORDINANCE NO. 21 SERIES OF 2023

AN ORDINANCE GRANTING CASH INCENTIVES TO INDIVIDUALS, PAIRED OR GROUPS WHO EXCELLED IN SPORTS AND ACADEMIC COMPETITIONS AND APPROPRIATING FUNDS THEREOF

#### **AUTHOR**

Honorable Mel Andrew P. Maldos

WHEREAS, The Philippine Government has adopted a policy of giving incentives to athletes who are winners or medalists in legitimate international and local sports competitions pursuant to R.A. 9064 or the National Athletes, Coaches and Trainers Benefits and Incentives Act of 2001.

WHEREAS, In the Municipality of MacArthur, the Sangguniang Bayan deems it essential to enact a policy in consonance with the national government's policy of giving incentives to people, especially our youth who have brought honor and prestige to our locality in terms of sports and academic excellence.

WHEREAS, giving incentives to the winners of sports and academic competitions gives credence to their achievements worthy of emulation by the younger generation. These winners, through their sacrifices, enthusiasm and motivation serve as inspiration and good role models

Attested:

HON. RAULE SHOPPALA

SB Member

Presiding, Pro-Tempore

HON. JESUS A. BARANDA Municipal Vice Mayor (On Official Travel)

Concurred:

HON. GWENDOLYN M. BERISO SB Member

HON. VICTORIANO T. LAZAR SB Member

HON. JON T. BARQUIN SB Member

HON.TRINA C. BURAWIS SB Member

HON. LEONARDO A LERIA JR. SB Member

HON TRENEO GREMANES JR.

SB Member

HON. XANDRIX P. PANTIN SB Member

HON. PEPITO C. GUIMALAN **ABC** President

HON MEL ANDREW P. MALDOS SKF President

Approved:

HON. RUDIN T. BABANTE Municipal Mayor

Date Approved: DECEMBER 12,2023

HON. RAUL E. TONBALA SB Member Presiding, Pro-Tempore

HON. JESUS A. BARANDA Municipal Vice Mayor (On Official Travel)

Concurred:

HON. GWENDOLYN M. BERISO SB Member

HON. VICTORIANO T. LAZAR SB Member

HON. JONATHAN T. BARQUIN SB Member

HON.TRINA C. BURAWIS SB Member

HON. LEONARDO R. LERIA JR. SB Member

HON TRENEO G. REMANES JR.

SB Member

HON. XANDRIX P. PANTIN SB Member

HON. PEPITO C. GUIMALAN ABC President

HON MELANDREW P. MALDOS SKF President

Approved:

HON: RUDIN T. BABANTE Municipal Mayor

Date Approved: DECEMBER 13,2023

to our youth whom they look up to in life. In so doing, these winners do not just give hope, honor, glory and pride to themselves, their own families and their barangays but to our beloved Municipality of MacArthur, Leyte, as well.

Thus, in gratitude and recognition to the pride and honor these winners have brought to our Municipality and to give due merit and appreciation to their achievements, the Municipal Government of MacArthur, Leyte would like to acknowledge them through appropriate financial incentives, thus, the very purpose of this ordinance.

WHEREFORE, on motion of Honorable Mel Andrew P. Maldos duly seconded by all the members present, be it

Ordained by the Sangguniang Bayan of the Municipality of MacArthur, Leyte in session duly assembled, that:

Section 1. Title. This ordinance shall be known as the ORDINANCE GRANTING CASH INCENTIVES TO INDIVIDUALS, PAIRED OR GROUPS WHO EXCELLED IN SPORTS AND ACADEMIC COMPETITIONS AND APPROPRIATING FUNDS THEREOF.

Section 2. Declaration of Policy. It is hereby declared a policy of the Municipality of MacArthur, Leyte to extend financial incentives to deserving youth for having given honor to the Municipality of MacArthur, Leyte in various legitimate competitions in the fields of sports and academics competitions.

Section 3. Definition of Terms. As used in this ordinance, the following terms or phrases shall be construed to mean:

- a. Sports Competitions refer to various sports competitions that are accredited or sanctioned by the following government agencies:
- Department of Education
- Philippine Olympic Committee
- Philippine Sports Commission
- Department of the Interior and Local Government Commission on Higher Education

Sports competitions may be categorized as:

- 1) National sports competitions include, but not limited to the following:
- Palarong Pambansa
- Philippine National Youth Games (Batang Pinoy)
- National Open
- National Games
- Special Olympics
  - 2) For international and worldwide levels of sports competition

HON. RAULD MUNDALA SB Member

Presiding, Pro-Tempore

HON. JESUS A. BARANDA Municipal Vice Mayor (On Official Travel)

Concurred:

HON. GWENDOLYN M. BERISO SB Member

HON. VICTORIANO T. LAZAR SB Member

HON. JONATHANT. BARQUIN

HON.TRINA C. BURAWIS
SB Member

HON. LEONARDO R LERIA JR. SB Member

HON TRENEO G. REMANES JR. SB Member

HON. XANDRIX P. PANTIN

SB Member

HON. PEPITO C. GUIMALAN ABC President

HON MEL ANDREW P. MALDOS

SKF President

Approved:

HON. RUDIN T. BABANTE Municipal Mayor

Date Approved: DECEMBER 18,2023

include regular sports competitions sanctioned by the International Olympic Committee and/or the International Sports Federations such as:

- Summer Olympics
- World Championship of respective sports
- Asian Games
- Asian Championship of respective sports
- Southeast Asia Games (SEA Games)
- ASEAN Championships of respective sports
- Special Olympics

Sports competitions would not include exhibition games.

b. Academic Competitions – refer to the academic related competitions in the division/provincial, regional, national, international or worldwide levels and are duly organized by national government agencies for competitions conducted within the country while participation in the International and Worldwide competitions must have been permitted and/or authorized by the concerned national government agency.

Section 4. Number of Grantees. The number of grantees under this program depends on how many have qualified with the requirements set forth in this ordinance.

Section 5. Qualification of Grantees. To qualify as a grantee, he/she must:

- be a bona-fide resident of Municipality of MacArthur, Leyte for at least one (1) year and/or residing in the municipality as a boarder in case of in-school-youth (ISY) for at least two (2) years and must have duly represented the Municipality of MacArthur, Leyte in the competitions she/he had participated;
- have informed the Municipal Incentive Committee through writing of his/her participation and that she/he is an official representative of the municipality, province, region, and/or the country in a particular competition before the actual competition for records purposes;
- be able to submit original and/or certified true copy of certification and appropriate documentations that he/she participated and won first (1st), second (2nd) or third (3rd) places or gold, silver or bronze medal accordingly in a duly accredited sports and academic competitions in the Division/Provincial, Regional, National, International and Worldwide levels;
- have been duly certified by the Municipal Incentive Committee that the grantee(s) have satisfactorily submitted and have passed the basic requirements set forth in this ordinance through an appropriate

HON. RAVL FAUNDALA SB Member Presiding, Pro-Tempore

HON. JESUS A. BARANDA Municipal Vice Mayor (On Official Travel)

Concurred:

HON. GWENDOLYN M. BERISO SB Member

HON. VICTORIANO T. LAZAR SB Member

HON. JONATHANT BARQUIN SB Member

HON.TRINA C. BURAWIS

HON. LEONARDO R LERIA JR. SB Member

HON, RENEO G. REMANTS JR

SB Member

HON. XANDRIX P. PANTIN

HON. PEPITO C. GUIMALAN ABC President

HON MEL ANDREW P. MALDOS SKF President

Approved:

HON. RUDIN T. BABANTE Municipal Mayor

Date Approved: DECEMBER 18,2023

resolution of the Municipal Incentive Committee.

- For coaches/trainers
- for Provincial/Division, Regional and National Level competitions must be Filipino citizens, must submit authentic certification from appropriate authority/agency and the grantee that he/she had been the official coach/trainer of the grantee for not less than 6 months;
- 2. for International and Worldwide level of competitions must be Filipino citizens, members of the national coaches and trainers pool, recognized and accredited by the Philippine Sports Commission and have represented the country as official coaches and trainers to national athletes in international competitions

Section 6. The Municipal Incentive Committee. A Municipal Incentive Committee is hereby created, which is primarily tasked to judiciously screen applicants based on the qualifications set forth in this ordinance and its implementing rules and regulations. The Municipal Incentive Committee is composed of the following:

Chairperson:

- Municipal Mayor
   Vice Chairperson:
- Municipal Vice Mayor Members:
- Chairman of the Sangguniang Bayan Committee on Youth and Sports Development
- Chairman of the Sangguniang Bayan Committee on Education
- Chairman of the Sangguniang Bayan Committee on Finance, Budget and Appropriations
- Municipal Budget Officer
- Department of Education (District Supervisors)
- Commission on Higher Education (in case of college students)

The Municipal Planning and Development Office shall serve as the Secretariat of the Municipal Incentive Committee.

- Section 7. Amount of Incentives.
- a) For individual sports, and academic competitions, qualified grantees shall be entitled to receive the following cash incentives:
- Provincial/Division Level
- 1st Place or Gold Medalist ₱ 1500.00
- 2<sup>nd</sup> Place or Silver Medalist ₱1,000.00
- 3<sup>rd</sup> Place or Bronze Medalist ₱ 500.00
- Regional Level
- 1st Place or Gold Medalist ₱ 5,000.00

HON. RAUL BARNDALA SB Member

Presiding, Pro-Tempore

HON. JESUS A. BARANDA Municipal Vice Mayor (On Official Travel)

Concurred:

HON, GWENDOLYN M. BERISO
SB Member

HON. VICTORIANO T. LAZAR SB Member

HON. JONATHANT, BARQUIN SB Member

HON.TRINA C. BURAWIS SB Member

HON. LEONARDO RI LERIA JR. SB Member

HON. IRENEO G. REMANES JR.

SB Member

HON. XANDRIX P. PANTIN
SB Member

HON. PEPITO C. GUIMALAN ABC President

HOMEL ANDREW P. MALDOS SKF President

Approved:

HON, RUDIN T. BABANTE Municipal Mayor

Date Approved: DECEMBER 18, 2023

- 2nd Place or Silver Medalist ₱ 3,000.00
- 3<sup>rd</sup> Place or Bronze Medalist ₱ 2,000.00
- National Level
- 1st Place or Gold Medalist ₱ 25,000.00
- 2nd Place or Silver Medalist ₱ 15,000.00
- 3rd Place or Bronze Medalist ₱ 10,000.00
- International/Worldwide Level
- 1st Place or Gold Medalist ₱ 200,000.00
- 2nd Place or Silver Medalist ₱ 150,000.00
- 3<sup>rd</sup> Place or Bronze Medalist ₱ 100,000.00
- b) For paired or group sports, or academic competitions, each grantee shall be entitled to receive the following incentives:
- Provincial/Division Level
- 1st Place or Gold Medalist ₱ 1000.00 / grantee
- 2nd Place or Silver Medalist ₱ 500.00 / grantee
- 3rd Place or Bronze Medalist ₱ 300.00 / grantee
- Regional Level
- 1st Place or Gold Medalist ₱ 2,000.00 / grantee
- 2<sup>nd</sup> Place or Silver Medalist ₱1,000.00 / grantee
- 3rd Place or Bronze Medalist ₱ 500.00 / grantee
- National Level
- 1st Place or Gold Medalist ₱ 12,000.00 / grantee
- 2nd Place or Silver Medalist ₱ 8,000.00 / grantee
- 3<sup>rd</sup> Place or Bronze Medalist ₱ 5,000.00 / grantee
- International/Worldwide Level
- 1st Place or Gold Medalist ₱ 100,000.00 / grantee
- 2<sup>nd</sup> Place or Silver Medalist ₱ 75,000.00 / grantee
- 3<sup>rd</sup> Place or Bronze Medalist ₱ 50,000.00 / grantee
- c) Only the qualified grantee/s shall be entitled to receive the financial incentive. The grant shall be non-transferrable.
- d) Coaches/Trainers of qualified grantees shall receive:
- Financial incentive equivalent to fifty percent (50%) of the financial incentive received by the grantee for provincial, regional, and national level competitions;
- 2. Financial incentive equivalent to twenty percent (20%) of the financial incentive received by the grantee for international and world competitions.

HON RAY E MUNDALA

SB Member Presiding, Pro-Tempore

HON. JESUS A. BARANDA Municipal Vice Mayor (On Official Travel)

Concurred.

HON. GWENDOLYN M. BERISO SB Member

HON. VICTORIANO T. LAZAR SB Member

HON. JONATHAN T. BARQUIN SB Member

Morrany

HON.TRINA C. BURAWIS SB Member

HON. LEONARDO R. LEPJA JR. SB Menyber

HON TRENEO G. REMANES JR. SB Member

HON. XANDRIX P. PANTIN
SB Member

HON. PEPITO C. CUIMALAN ABC President

HON. MEL ANDREW P. MALDOS SKF President

Approved:

HON. KUDIN T. BABANTE Municipal Mayor

Date Approved: DECEMBER 18,2023

Section 8. Funds for the Program. To carry out the provisions of this ordinance, the amount of five hundred thousand pesos (P 500,000.00) shall be appropriated annually from the General Fund of the Municipality as the fund for this program. Supplemental budget should be done in supplemental appropriation.

Section 9. Issuance of Rules and Regulations. The Municipal Incentive Committee shall formulate and issue the Implementing Rules and Regulations as maybe necessary to carry out the provisions of this ordinance.

Section 10. Separability Clause. The provisions of this ordinance are hereby declared separable and if one or more provisions are held invalid or unconstitutional, the remainder, or any provision hereof not affected, shall remain valid and effective.

Section 11. Repealing Clause. All ordinances, resolutions, rules and regulations inconsistent with or contrary to the provisions of this ordinance are hereby repealed, amended or modified accordingly.

Section 12. Effectivity. This ordinance shall take effect in accordance with the provisions of R.A. 7160, otherwise known as "The Local Government Code of 1991."

ENACTED by the Sangguniang Bayan in session assembled on November 20, 2023 at MacArthur, Leyte, Philippines. Approved unanimously.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

MARIE STEPHANIE D. PULGA Secretary to the Sanggunian