



Republic of the Philippines
Leyte Provincial Government
Leyte Provincial Government Complex
West Bypass Road, Brgy. Guindapunan
Palo, Leyte
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SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE _____ REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF LEYTE CONDUCTED AT THE SESSION HALL, 3rd FLOOR, LEYTE PROVINCIAL GOVERNMENT COMPLEX, WEST BYPASS ROAD, BRGY. GUINDAPUNAN, PALO, LEYTE ON _____ 2025.

PHYSICALLY PRESENT:

VIRTUALLY PRESENT:

RESOLUTION NO. 2025-_____

A RESOLUTION APPROVING ON THIRD AND FINAL READING, AN ORDINANCE AMENDING PROVINCIAL ORDINANCE NO. 2020-17, ENTITLED "REVISED INTERNAL RULES OF PROCEDURE OF THE SANGGUNIANG PANLALAWIGAN OF LEYTE".

AUTHOR: Atty. Carlo P. Loreto

CO-AUTHORS:

WHEREAS, pursuant to Section 50 of Republic Act No. 7160 as well as Rule XVII, Article 103 of its Implementing Rules and Regulations, the Sangguniang Panlalawigan has the authority to adopt its Internal Rules on Administrative Proceedings and such other rules as it may deem necessary to expedite its proceedings;

WHEREAS, these Rules are promulgated within the context of the Local Government Code of 1991 and its Implementing Rules and Regulations, to serve as guidelines for the members of the Sangguniang Panlalawigan *ng Leyte*, to discharge their official functions, particularly insofar as internal organization, order of session, legislation process, parliamentary procedures, administrative and quasi-judicial proceedings and discipline are concerned;

WHEREAS, these Rules shall not have the effect of amending the provisions of the Local Government Code of 1991, as amended. Nor shall any part of these Rules be construed as otherwise delimiting the original and oversight powers of the Sangguniang Panlalawigan;

WHEREAS, these Rules incorporate in a unified document the major structural, functional and procedural principles and rules of the Sangguniang Panlalawigan;

WHEREAS, Ordinance No. 2020-17 was passed and approved in November 27, 2020;

WHEREAS, that Ordinance No. 2020-17 was adopted and approved with amendments on June 30, 2022 through Resolution No. 2022-325;

WHEREAS, in order to enhance the current rules of the Sangguniang Panlalawigan to make it march apace with the progress of Leyte, there is a need to enhance Ordinance No. 2020-17;

NOW, THEREFORE, on motion presented by Honorable _____, duly seconded by Honorable _____ and Honorable _____, be it

RESOLVED TO ENACT, as it is hereby **ENACTED** the following:

Ordinance No. 2025 - 06

AN ORDINANCE AMENDING PROVINCIAL ORDINANCE NO. 2020-17, ENTITLED "REVISED INTERNAL RULES OF PROCEDURE OF THE SANGGUNIAN PANLALAWIGAN OF LEYTE".

The Sangguniang Panlalawigan of Leyte, hereby **ORDAINS**, that:

RULE I

TITLE, PURPOSE AND SCOPE

Section 1. Title – These Rules shall be known as the **"2025 Revised Internal Rules of Procedure of the Sangguniang Panlalawigan of Leyte"**.

Section 2. Purpose and Scope – These Rules are promulgated within the context of the Local Government Code of 1991 and its Implementing Rules and Regulations, to guide the members of the Sangguniang Panlalawigan in the discharge of their official functions, particularly insofar as internal organization, order of session, legislative process, parliamentary procedure, and administrative, quasi-judicial proceedings and disciplinary proceedings are concerned. This shall not have the effect of amending the provisions of the Local Government Code of 1991, as amended. Nor shall any part of these Rules be construed as otherwise delimiting the original and oversight powers of the Sangguniang Panlalawigan.

RULE II

ORGANIZATION

Section 1. Officers – The following shall be the officers of the Sangguniang Panlalawigan of Leyte:

- a.) The Presiding Officer
- b.) Floor Leader
- c.) Two Deputy Floor Leaders

A.) The Presiding Officer – the Vice-Governor shall be the presiding officer of the Sangguniang Panlalawigan. He/She may, however, after he/she has called to order the session, and opt to actively participate in the deliberation on the floor, relinquish the chair to any member of the body to temporarily preside over the session.

from the passage of the ordinances enacted and resolutions adopted by the Sanggunian in the session over which he/she temporarily presided.

(1) Powers, Duties and Functions – The powers, duties and functions of the Presiding Officer shall be:

- (a.) To preside over the sessions of the Sangguniang Panlalawigan and sign all warrants drawn on the provincial treasury for all expenditures appropriated for the operation of the Sangguniang Panlalawigan;
- (b.) To appoint, subject to civil service law, rules and regulations, all officials and employees of the Sangguniang Panlalawigan, except those whose manner of appointment is specifically provided in the Local Government Code;
- (c.) Assume the office of the governor for the unexpired term of the latter in the event of permanent vacancy as provided in Section 44 of the Local Government Code;
- (d.) Assume the office of the governor in cases of temporary vacancy as provided for in Section 46 of the Local Government Code;
- (e.) To announce or cause to be announced the business in the order in which it should be acted upon by the Sangguniang Panlalawigan;
- (f.) To recognize any member who is entitled to the floor; the same into a vote, when regularly moved, and announce the results thereof;
- (g.) To expedite business compatible with the rights of the members, allowing brief remarks in cases of pending debatable motions;
- (h.) To preserve order and decorum during the sessions and in case of disturbance or disorderly conduct in the session hall, take such measures as he/she may deem necessary or as the Sanggunian may direct;
- (i.) To rule on all pending questions subject to appeal by any member of the Sanggunian;
- (j.) To authenticate and sign, whenever necessary, all orders, acts, proceedings and warrants of the Sangguniang Panlalawigan declaring its will and demanding obedience to its commands;
- (k.) To exercise supervision on all standing committees;
- (l.) To vote only in case of a tie;
- (m.) To declare the session adjourned to some other time or place in cases of fire, riots, serious disorders or grave emergency; and functions as may be prescribed by law or ordinance.

B.) The Floor Leader. The Floor Leader shall be elected by a majority of all members of the Sanggunian in their first regular session following their assumption to office. He/She shall hold office for three years unless sooner removed by a super majority or two-thirds (2/3) of all the members of the Sanggunian.

(1) **Powers, Duties and Functions.** The powers, duties and functions of the Floor Leader shall be:

- (a) Supervise the preparation of the agenda every session with the assistance of the Secretary to the Sangguniang Panlalawigan and the staff of the Office of the Vice-Governor;
- (b) To present on the floor which measures should be discussed or given prior consideration;
- (c) To request the chair for the recognition of a member who desires to speak, sing or otherwise express himself/herself;
- (d) To assist in the orderly conduct of business;
- (e) To act as liaison officer of the Sanggunian to the various offices/departments under the Office of the Provincial Governor and/or the Office of the Provincial Administrator on matters affecting the Sangguniang Panlalawigan and the administration of the provincial government; and
- (f) Exercise such other functions as may be prescribed by law or ordinances relative to his/her position or by official executive fiat by the Vice Governor.

C.) The Deputy Floor Leaders. There shall be two (2) Deputy Floor Leaders who shall be elected by a majority of all the members of the Sangguniang Panlalawigan also on the first regular session following their assumption to office. They shall hold office for three (3) years unless sooner removed by a super majority or two-thirds (2/3) of all the members of the Sangguniang Panlalawigan.

(1) **First Deputy Floor Leader: Powers, Duties and Functions** – The First Deputy Floor Leader shall have the following powers, duties and functions:

- (a) To assist the Floor Leader in his/her functions if needed;
- (b) To perform the duties and functions of the Floor Leader during sessions of the Sanggunian in the absence of the Floor Leader; and
- (c) Exercise such other functions as may be prescribed by law or ordinances relative to his/her position or by official executive fiat by the Vice Governor.

(2) **Second Deputy Floor Leader: Powers, Duties and Functions** – The Second Deputy Floor Leader shall have the following powers, duties and functions:

- (a) To assist the Floor Leader in his/her functions if needed;
- (b) To perform the duties and functions of the Floor Leader during sessions of the Sanggunian in the absence of the Floor Leader and the First Deputy Floor Leader; and

- (c) Exercise such other functions as may be prescribed by law or ordinances relative to his/her position or by official executive fiat by the Vice Governor.

Section 2. The Sangguniang Panlalawigan Members – The Sanggunian members shall be composed of the Provincial Vice-Governor as Presiding Officer, the regular Sanggunian members, the President of the Provincial Chapter of the Liga ng mga Barangay, the President of the Panlalawigang Pederasyon ng mga Sangguniang Kabataan, and the President of the Provincial Federation of Sanggunian Members of municipalities and cities.

The regular members of the Sanggunian Panlalawigan shall be elected in the manner as may be provided for by law. They shall assume office on the day and in the manner provided for by law, and shall hold the same until their successors shall have been duly chosen and qualified.

A.) Powers, Duties and Functions – The Sangguniang Panlalawigan, as the legislative body of the Province, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the Province and its inhabitants pursuant to Section 16 of the Local Government Code and in the proper exercise of the corporate powers of the province as provided for under Section 22 of the Local Government Code, and shall:

- (1.) Approve ordinances and pass resolutions necessary for an efficient and effective provincial government, and in this connection, shall:
 - (i) Review all ordinances approved by the Sanggunians of component cities and municipalities and executive orders issued by the Mayors of said component units to determine whether these are within the scope of the prescribed powers of the Sanggunian and of the Mayor;
 - (ii) Maintain peace and order by enacting measures to prevent and suppress lawlessness, disorders, riot, violence, rebellion or sedition and impose penalties for the violation of said ordinances;
 - (iii) Approve ordinances imposing a fine not exceeding Five Thousand Pesos (P5,000.00) or imprisonment not exceeding one (1) year, or both in the discretion of the court, for the violation of a provincial ordinance;
 - (iv) Adopt measures to protect the inhabitants of the province from the harmful effects of man-made or natural disasters and calamities, and to provide relief services and assistance for victims during and in the aftermath of said disasters and calamities and in their return to provide livelihood following said events;
 - (v) Enact ordinances intended to prevent, suppress and impose appropriate penalties for habitual drunkenness in public places, vagrancy, mendicancy, prostitution, establishment and maintenance of house of ill repute, gambling and other prohibited games of chance, fraudulent devices and ways to obtain money or property, drug addiction, maintenance of drug dens, drug pushing, juvenile delinquency, the printing, distribution or exhibition of obscene or pornographic materials or publications, and such other activities inimical to the welfare and morals of the inhabitants of the province;
 - (vi) Protect the environment and impose appropriate penalties for acts which endanger the environment, such as dynamite fishing and other

forms of destructive fishing, illegal logging and smuggling of logs, smuggling of natural resources products and endangered species of flora and fauna, slash and burn farming, and such activities which result in pollution, acceleration of eutrophication of rivers and lakes of ecological imbalance;

- (vii) Subject to the provisions of the Local Government Code and pertinent laws, determine the powers and duties of officials and employees of the province;
 - (viii) Determine the positions and the salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from the provincial funds and provide for expenditures necessary for the proper conduct of programs, projects, services and activities of the provincial government;
 - (ix) Authorize the payment of compensation to a qualified person not in the government service who fills up a temporary vacancy, or grant honorarium to any qualified official or employee designated to fill a temporary vacancy in a concurrent capacity, at the rate authorized by law;
 - (x) Provide mechanism and the appropriate fund thereof, to ensure the safety and protection of all provincial government property, public documents, or records such as those relating to property inventory, land ownership, records of births, marriages, deaths, assessments, taxation, accounts, business permits, and such other records and documents of public interest in the offices and departments of the provincial government; and
 - (xi) When the finances of the provincial government allow, provide for additional allowances and other benefits to judges, prosecutors, public elementary and high school teachers, and other national government officials stationed or assigned to the province.
- (2.) Generate and maximize the use of resources and revenues for the development plans, program objectives and priorities of the province as provided for under Section 18 of the Local Government Code, with particular attention to agro-industrial development and countrywide growth and progress and relative thereto, shall:
- (i.) Enact the annual and supplemental appropriations of the provincial government and appropriate funds for specific programs, projects, services and activities of the province, or for other purposes not contrary to law, in order to promote the general welfare of the province and its inhabitants;
 - (ii.) Subject to the provisions of Book II of the Local Government Code and applicable laws and upon the majority vote of all members of the Sangguniang Panlalawigan, enact ordinances levying taxes, fees and charges, prescribing the rates thereof for general and specific purposes and granting tax exemptions, incentives or relief;
 - (iii.) Subject to the provisions of Book II of the Local Government Code and applicable laws and upon the majority vote of all members of the

Sangguniang Panlalawigan, authorize the provincial governor to negotiate and contract loans and other forms of indebtedness;

- (iv.) Subject to the provisions of Book II of the Local Government Code and applicable laws and upon the majority vote of all the members of the Sangguniang Panlalawigan, enact ordinances authorizing the floating of bonds or other instruments of indebtedness, for the purpose of raising funds to finance development projects;
 - (v.) Appropriate funds for the construction and maintenance or the rental of buildings for the use of the province; upon the majority vote of all the members of the Sangguniang Panlalawigan, authorize the provincial governor to lease to private parties such building held in a proprietary capacity, subject to existing laws, rules and regulations;
 - (vi.) Prescribe reasonable limits and restraints on the use of property within the jurisdiction of the province;
 - (vii.) Review the comprehensive land use plans and zoning ordinances of component cities and municipalities and adopt a comprehensive provincial land use plan, subject to existing laws; and
 - (viii.) Adopt measures to enhance the full implementation of the national agrarian reform program in coordination with the Department of Agrarian Reform;
- (3.) Subject to the provisions of Book II of the Local Government Code, grant franchises, approve the issuance of permits or licenses, or enact ordinances levying taxes, fees and charges upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the province and pursuant to this legislative authority, shall:
- (i) Fix and impose reasonable fees and charges for all services rendered by the provincial government to private persons or entities; and
 - (ii) Regulate and fix license fees for such activities as provided for under the Local Government Code;
- (4.) Approve ordinances, which shall ensure the efficient and effective delivery of basic services and facilities as provided for under Section 17 of the Local Government Code, and in addition to said services and facilities, shall:
- (i) Adopt measures and safeguards against pollution and for the preservation of the natural ecosystem in the province, in consonance with approved standards on human settlements and environmental sanitation;
 - (ii) Subject to applicable laws, facilitate or provide for the establishment and maintenance of a waterworks system or district waterworks for supplying water to inhabitants of component cities and municipalities;
 - (iii) Subject to the availability of funds and to existing laws, rules and regulations, provide for the establishment and operation of vocational and technical schools and similar post-secondary institutions; and with the approval of the Department of Education Culture and Sports and

subject to existing laws on tuition fees, fix reasonable tuition fees and other school charges in educational institutions supported by the provincial government;

- (iv) Establish a scholarship fund for the poor but deserving students in schools located within its jurisdiction or for students residing within the province;
- (v) Approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases within its territorial jurisdiction;
- (vi) Provide for the care of paupers, the aged, the sick, persons of unsound mind, abandoned minors, abused children, disabled persons, juvenile delinquents, drug dependents and other needy and disadvantaged persons, particularly children and youth below eighteen (18) years of age; subject to availability of funds, establish and support the operation of centers and facilities and efforts to promote the welfare of families below the poverty threshold, the disadvantaged and the exploited;
- (vii) Establish and provide for the maintenance and improvement of jails and detention centers, institute a sound jail management program and appropriate funds for the subsistence of detainees and convicted prisoners in the province;
- (viii) Establish a provincial council whose purpose is the promotion of culture and the arts, coordinate with government agencies and non-government organizations and, subject to the availability of funds, appropriate funds for the support and development of the same; and
- (ix) Establish a provincial council for the elderly, which shall formulate policies and adopt measures mutually beneficial to the elderly and to the province; and subject to the availability of funds to support programs and projects for the elderly; and provide incentives to support the programs and projects of the elderly.

(5.) Be present in the session hall of the Sanggunian during its meeting unless expressly excused or necessarily prevented by doing so by reason of sickness or other unavoidable circumstances duly reported to the Sanggunian, through the Presiding Officer or the Secretary; and

(6.) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinances.

B.) The Secretary to the Sangguniang Panlalawigan – The Secretary of the Sangguniang Panlalawigan shall be a career official with the rank and salary equal to a head of a department or office and shall be appointed by the Vice Governor of the Province in accordance with the Local Government Code and existing laws, and Civil Service Rules and Regulations.

(1) **Powers, Duties and Functions** – The Secretary shall take charge of the Office of the Secretary to the Sanggunian and shall:

- (a) Attend meetings of the Sanggunian and keep a journal of its proceedings.

- (b) Keep the seal of the local government unit and affix the same with his/**her** signature to all ordinances, resolutions and other official acts of the Sanggunian and present the same to the Presiding Officer for his/her signature.
- (c) Forward to the Governor, for approval, copies of ordinances enacted by the Sanggunian and duly certified by the Presiding Officer, in the manner prescribed in Section 54 under Book I of the Local Government Code with the obligation to inform the body within 3 **calendar** days from receipt of all ordinances vetoed or disapproved by the governor.
- (d) Forward to the Governor, for approval, copies of resolutions adopting local development plan and public investment program, pursuant to Sec. **(37)** 55 (b) Book I of the Local Government Code.
- (e) Furnish, upon request of any interested party, certified copies of records of public character in his custody, upon payment to the treasurer of such fees as may be prescribed by ordinances.
- (f) Record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the Sanggunian, with the dates of passage and publication thereof.
- (g) Keep his/her office and all non-confidential records therein open to the public during the usual business hours.
- (h) Translate into the dialect used by the majority of the inhabitants all ordinances and resolutions immediately after their approval and cause the publication of the same together with the original version in the manner provided under the Local Government Code.
- (i) Take custody of the local archives and where applicable, the local library and annually account for the same; and
- (j) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance, or upon directive of the Vice Governor.

RULE III THE COMMITTEES

Section 1. Committee defined – A committee is a body composed of five or more members elected, appointed or designated by the Sangguniang Panlalawigan to consider, study or take action on matters or subjects referred to it.

Section 2. Composition – Each standing committee shall be composed of a chairperson, vice-chairperson and three or more members.

Section 3. Members, Officers, Election – The chairperson of each standing committee shall be elected by a majority of all members of the Sangguniang Panlalawigan on the first regular session after their assumption into office. He/She shall have the blanket authority to appoint his/her Vice-Chairperson and members and shall see to it that the different districts shall be represented in his/her committee.

- (g) Keep his/her office and all non-confidential records therein open to the public during the usual business hours.
- (h) Translate into the dialect used by the majority of the inhabitants all ordinances and resolutions immediately after their approval and cause the publication of the same together with the original version in the manner provided under the Local Government Code.
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Section 4. Limitations

- (a) The Presiding Officer **may chair and/or be** a member of any regular standing committee but may be designated by the body as chairperson of a special or Ad Hoc committee for a special purpose.
- (b) No member of the Sangguniang Panlalawigan shall be chairperson of more than four (4) standing committees. He/She may, however, be a vice chairperson and member of as many committees as he/she desires or would require his/her expertise.
- (c) No member shall be elected or appointed to any committee, which has jurisdiction over a matter regarding which such member or a member of his/her family within the fourth degree of consanguinity or affinity has direct personal or pecuniary interest.
- (d) No member of the committee shall vote on any matter regarding which he/she has a substantial pecuniary interest, whether direct or indirect.
- (e) Unexplained absences in three successive committee meetings may operate to relinquish membership therein.

- g. **Committee on Agriculture**, with the general jurisdiction over all matters relating to agriculture, food production; agribusiness, agricultural economics and research; fisheries and aquatic resources; soil survey and conservation; irrigation; agricultural education; fertilizer and pesticides; extension services; animal industry, including livestock quarantine; farm credit and farm security; crop and livestock insurance and guarantee schemes.
- h. **Committee on Appointments**, with general jurisdiction over all appointments submitted to the Sangguniang Panlalawigan for consideration and concurrence, including evaluation of the credentials and qualifications of the appointees.
- i. **Committee on Barangay Affairs and Community Development**, with general jurisdiction over all matters pertaining to the creation of new Barangay enactments, generally all barangay affairs.
- j. **Committee on Health and Sanitation**, with general jurisdiction over all matters relating to public health, hygiene and sanitation; and medical and hospital facilities and services within the Province of Leyte.
- k. **Committee on Education**, with general jurisdiction over matters relating to provincial schools and libraries and their maintenance, proposed school projects and naming of schools; student and teacher's welfare and centers of excellence; all matters pertaining to the promotion of arts and letters and preservation of the cultural heritage of the people.
- l. **Committee on Prisons and Jail Management**, with general jurisdiction over matters relating to provincial jails and their maintenance, transport facilities to and from Courts; including all matters pertaining to jail management.
- m. **Committee on Infrastructure**, with general jurisdiction over all matters relating to planning construction, maintenance improvements and repairs of public buildings, streets and bridges, shrines, parks, monuments and playgrounds and other public edifices of historic interest, drainage, flood control and protection and water utilities and utilization of waters of the public domain; as well as matters pertaining to donation, lease, exchange, conveyance or expropriation of lands, subdivision, building permits, **zoning regulations (zonification)**, and other public improvement projects.
- n. **Committee on Tourism, Trade and International Relations**, with general jurisdiction over all matters relating to the development and promotion of tourism and the tourist industry; all matters relating to domestic and foreign trade; intellectual property rights, patents, trade names and trademarks; standards; weights and measures; design; quality control; consumer protection; prices and marketing of commodities; handicrafts and cottage industries; all matters relating to the promotion of sisterhood between the Province of Leyte and governments of other countries.
- o. **Committee on Labor and Employment**, with general jurisdiction over all matters relating to labor, employment and manpower development; maintenance of industrial peace and promotion of employer-employee cooperation; labor education, standards and statistics; organization of the labor market, including promotion, development, recruitment, training and placement of manpower.
- p. **Committee on Public Order (Human-Rights) and Protective Services**, with general jurisdiction over all matters related to police matters, maintenance of peace **and** order, protective services, traffic rules and regulations, fire prevention and control measures.

- j. **Committee on Health and Sanitation**, with general jurisdiction over all matters relating to public health, hygiene and sanitation; and medical and hospital facilities and services within the Province of Leyte.
- k. **Committee on Education**, with general jurisdiction over matters relating to provincial schools and libraries and their maintenance, proposed school projects and naming of schools; student and teacher's welfare and centers of excellence;
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- p. **Committee on Public Order (~~Human Rights~~) and Protective Services**, with general jurisdiction over all matters related to police matters, maintenance of peace *and* order, protective services, traffic rules and regulations, fire prevention and control measures.
- q. **Committee on Human Rights and Justice**, with general jurisdiction over all matters pertaining to generally all human rights issues.
- r. **Committee on Boundary Disputes**, with general jurisdiction over all matters pertaining to settlement of boundary disputes.
- s. **Committee on Cooperatives and Accreditations**, with general jurisdiction over all matters pertaining to the promotion, establishment and operation of cooperatives, *Community Based Organizations (CBOs), Peoples Organizations (POs) and Civil Society Organizations (CSOs) (~~cooperativism~~)* among farmers, fishermen and similar entrepreneurial groups for the benefit of their members.

Committees for the promotion of our arts and letters to preserve our indigenous cultural heritage and the appropriation of funds thereof.

- bb. **Committee on Senior Citizens**, with general jurisdiction over all matters related to the care and benefits for senior citizens, including care of the elderly.
- cc. **Committee on Banking and Financial Institutions**, with general jurisdiction over all matters related to banking, financial grants and the generation of other sources and forms of financing for entrepreneurial activities including public investments.
- dd. **Committee on Housing, Land Use and Informal Settlers**, with general jurisdiction over all matters related to land use, housing and all issues related to informal settlers and both urban and rural land use planning, including agrarian reform issues.
- ee. **Committee on Trade, Investments and Economic Affairs**, with general jurisdiction over all matters relating to the development and promotion of investments and industries; all matters relating to domestic and foreign trade; intellectual property rights, patents, trade names and trademarks; standards weights and measures; design; quality control; consumer protection; prices and marketing of commodities; handicrafts and cottage industries.
- ff. **Committee on Disaster Risk Reduction and Management**, with general jurisdiction over all matters relating to disaster risk reduction and management, including but not limited to infrastructure planning and development, personnel training, acquisition and use of new technologies and procedures for disaster management and promotion of disaster preparedness; all matters relating to domestic and foreign disasters.
- gg. **Committee on Federalism Reforms and Good Governance**, with general jurisdiction over all matters relating to federalism, reforms and good governance.
- hh. **Committee on Games and Amusement**, with general jurisdiction over all matters or questions relating to the operation, establishment, and regulation of games and regulations.
- ii. **Committee on Overseas/Migrant Workers**, with general jurisdiction over all matters or questions relating to the protection and promotion of the rights and welfare of the Leyteño Migrant Workers and their families.
- jj. **Committee on Sexual Orientation, Gender Identity and Expression (SOGIE)**, with general jurisdiction over all matters or questions relating to the promotion of gender equality, inclusion, and protection of all individuals from SOGIE-based discrimination, gender-based harassment and abuse in line with existing laws, rules, regulations and legal frameworks.
- kk. **Committee on Differently Abled Persons**, with general jurisdiction over all matters and questions concerning the rights and welfare of differently abled persons, with emphasis on recognizing their abilities, potential, and full participation in society, especially in line with Republic Act No. 7277 as amended by Republic Act No. 10754 and Republic Act No. 10524, their respective Implementing Rules and Regulations, related laws, issuances, and jurisprudence.
- ll. **Committee on Solo Parents**, with general jurisdiction over all matters and questions in relation to ensuring the rights, welfare, and empowerment of solo parents and their children, especially in line with Republic Act No. 11861, or the Expanded Solo Parents Welfare Act of 2022.

- dd. **Committee on Housing, Land Use and Informal Settlers**, with general jurisdiction over all matters related to land use, housing and all issues related to informal settlers and both urban and rural land use planning, including agrarian reform issues.
- ee. **Committee on Trade, Investments and Economic Affairs**, with general jurisdiction over all matters relating to the development and promotion of investments and industries; all matters relating to domestic and foreign trade; intellectual property rights, patents, trade names and trademarks, standards weights and measures; design; quality control; consumer protection; prices and marketing of commodities; handicrafts and cottage industries.
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- kk. ***Committee on Differently Abled Persons**, with general jurisdiction over all matters and questions concerning the rights and welfare of differently abled persons, with emphasis on recognizing their abilities, potential, and full participation in society, especially in line with Republic Act No. 7277 as amended by Republic Act No. 10754 and Republic Act No. 10524, their respective Implementing Rules and Regulations, related laws, issuances, and jurisprudence.*
- ll. ***Committee on Solo Parents**, with general jurisdiction over all matters and questions in relation to ensuring the rights, welfare, and empowerment of solo parents and their children, especially in line with Republic Act No. 11861, or the Expanded Solo Parents Welfare Act of 2022.*

by reason of urgency and with the consent of the majority of the committee members, may make a verbal report to the Sangguniang Panlalawigan and the same shall be considered as the report of the committee unless objected by the majority of its members.

- (h) A committee, reporting on a proposed ordinance or resolution, shall submit a copy of its report and copy of the proposed ordinance or resolution either to the Floor Leader or the Vice Governor who shall calendar the same for second reading. Hard and soft copies thereof shall also be furnished every member of the Sangguniang Panlalawigan preparatory to its consideration on the floor.
- (i) A committee, which has failed to report on a particular question within a reasonable period or timeframe provided by the body may be discharged from further consideration of said questions upon motion duly approved by a majority of the members of the Sanggunian, after which the question may be assigned to another committee for consideration.
- (j) When a measure is referred to two or more committees, the corresponding committees may submit a joint report or separate report thereon.
- (k) Each committee may adopt, by a majority vote of its entire membership, supplementary rules consistent with the rules herein provided.
- (l) When a measure is adopted or lost, a member of the committee who voted with the majority may move for its reconsideration on the same day or on the next session. Only one motion for reconsideration shall be allowed.
- (m) Whenever vacancy occurs in any standing or special committee, the same shall be filled up by the Sanggunian during a regular session.

RULE IV THE SESSION

Section 1. Sessions – The sessions of the Sangguniang Panlalawigan may either be regular, special, e-session or remote communication meetings, or session *in consulta* or by collective consultation.

- (a) **Regular Sessions** – Unless the *Vice Governor or the Sanggunian (orders) unanimously agree on a different session day*, otherwise *(by means of a resolution)* the regular sessions of the Sanggunian shall be at least once a week, preferably on *Tuesdays (Mondays and Fridays alternately)* of every month, commencing on the first *Tuesday (Friday)* after assumption into office at the *Sangguniang Panlalawigan Session Hall, 3rd Floor, Leyte Provincial Government Complex, West Bypass Road, Brgy. Guidapunan, Palo, Leyte*. The sessions shall start at *10:00 (2:00)* o'clock in the *morning (afternoon)* until adjourned.
- (b) **Special sessions** – When public interest so demands, special sessions may be called by the local chief executive, by the vice governor, or by the majority of the members of the Sangguniang Panlalawigan.
 - b.1 A written notice to the Sangguniang Panlalawigan members stating the date, time and purpose of the meeting shall be served personally or left with a member of his or her household at his or her usual place of residence at least twenty-four (24) hours before the special session is held. An electronic

copy sent through text or email or social media would have the same legal effect as a written notice upon receipt through text, email or social media.

- b.2 Unless otherwise agreed upon by two-thirds vote of the members present, there being a quorum, no matter may be considered at a special session except those stated in the notice.
- (c) *Sesyon sa Bayan – refers to the conduct of regular or special sessions of the Sanggunian Panlalawigan in any municipality or city, for the purpose of bringing legislative governance closer to the constituents.*
- (d) **E-Sessions or Remote Communication Meetings** – shall refer to a method of holding regular or special sessions or meetings of the Sanggunian by means of electronic conferencing, and held with its members who are in different physical locations, via the internet or similar modes of synchronous virtual or electronic communication. This type of conference is also known as a virtual session because its attendees and participants do not have to be in the same room physically to communicate or share information. An e-session or virtual session shall make use of a teleconferencing software application installed in a computer, either desktop or laptop, or smartphone connected to an internet connection.
 - d.1 **Conduct of E-Session.** E-Session or virtual session shall be resorted to when the Vice Governor or Presiding Officer of the Sanggunian deems it necessary under the circumstances, or when the ordinary means of transportation going to the Sangguniang Panlalawigan and/or Session venue are unavailable, or the Session venue is unavailable as access to it is obstructed, or upon agreement of the super majority or two-thirds (2/3) of the Sanggunian members, without need of the 24 hour advance notice requirement under Rule IV, Section (b) (b.1) of the Revised Internal Rules of Procedure or as enshrined in their respective internal rules.
 - d.2 **How conducted.** The Vice Governor as the Presiding Officer shall set-up the e-session or virtual session through a teleconferencing software application installed in the electronic devices of the Presiding Officer and each of the participating Sangguniang Panlalawigan member, the Secretary to the Sangguniang Panlalawigan and the Secretariat. The Vice Governor shall log into his/her account and invite all the other participants to the e-session or virtual session with a meeting I.D. to be able to start the said session. All participants to the e-session or virtual session should be in a well-lighted room with ambient light that would sufficiently illuminate the participant's face so as not to appear as a shadow to the others in the session. Each participant's background should not have disturbances or traffic, and should preferably utilize a solid painted wall. Each participant's surroundings should be quiet, with no background noise that would tend to disturb the session.
- (e) *Hybrid Virtual and Physical Session. If at least one member of the Sangguniang Panlalawigan cannot be physically present during session, he or she may virtually participate in the session while the others are physically in attendance and discuss, interpellate, vote, and otherwise participate as if physically present.*
 - e.1 **Dress Code.** As provided in Rule XIII Section 1, all members of the Sangguniang Panlalawigan shall attend all sessions, whether regular, special, e-session or *hybrid virtual and physical session*, in appropriate or formal attire.

The male members shall either be in long sleeved barong tagalog or coat and tie, *paired* with pants, leather shoes, *and* (~~with~~) socks.

The female members shall *wear a* (~~be in either~~) centennial-inspired Filipiniana dress, *or a* business or executive suit, *in keeping with the formality of the session.*

On the first regular session day of each month, Filipiniana-inspired attire shall be the prescribed dress code for all members.

The Secretary to the Sanggunian shall likewise attend such sessions in similar attire as the members thereof.

e.2 **Manner of Addressing the Presiding Officer.** When a member desires to speak, he or she shall raise her hand physically or virtually by clicking on the hand icon on the teleconferencing application and unmuting her microphone by clicking on mute/unmute icon on the teleconferencing application or the mute/unmute button of their microphones when physically present inside the session hall and respectfully address the Presiding Officer as "Mr./Madam Chair" or "Mr./Madam Presiding Officer" and mute his/her microphone by clicking on the mute/unmute icon or button after speaking.

e.3 The e-session or *hybrid virtual and physical session* shall then proceed as in a regular session as provided in Rule IV Sections 2 to 10, and Rules IV to XIV.

(f) ***In consulta session.*** In consulta session or collective consultation session shall be resorted to during or after calamities or disasters for the sole purpose of declaring a state of calamity in the province. When it is physically or virtually impossible for Sangguniang Panlalawigan members to be present because roads and bridges going to the Sangguniang Panlalawigan Session Hall and/or Session venue are not passable, or so obstructed as to be unavailable, and internet connections are down. With the requisite damage assessment report caused by the disaster or calamity necessitating a declaration of state of calamity, the Vice Governor or Presiding Officer of the Sanggunian shall text or call a majority (50% plus one) of the Sangguniang members, the Secretary of the Sanggunian and personnel of the Secretariat who can be reached for the purpose of holding an *in consulta* session to declare the entire province in a state of calamity without need of the 24 hour advance notice requirement under Rule IV, Section (b) (b.1) of these Revised Internal Rules.

The declaration *in consulta* of the entire Province of Leyte as being in a state of calamity shall be ratified by two-thirds (2/3) vote of all the Sangguniang Panlalawigan members when they are able to conduct their regular, special, (~~or~~) e-session or *hybrid virtual and physical session* immediately following said declaration.

Section 2. Call to Order. The Presiding Officer shall open the session by calling the Sanggunian to order.

At the start of every session, a one-minute prayer or invocation will be led by any member designated by him/her. The Philippine National Anthem shall then be sung followed by the recitation of the *Panunumpa ng Katapatan sa Watawat ng Pilipinas* (~~Panatang-Makabayan~~), singing of the Leyte Hymn and PBMLP Hymn and the recitation of the PBMLP Creed.

Section 3. Attendance in Sessions. Every member shall be present in all sessions of the Sanggunian unless necessarily prevented from doing so by sickness or other unavoidable circumstances duly reported to the Secretary to the Sangguniang Panlalawigan.

Section 4. Session Open to the Public Exceptions. The sessions shall be open to the public unless a closed door session is ordered by an affirmative vote of a majority of the members present, there being a quorum, when public security or petitions or motions affecting the dignity of the Sanggunian or a member are being considered, in any of which events the Sanggunian may hold an executive session.

Section 5. Executive Session. When the Sanggunian decides to hold the executive session, the Presiding Officer shall direct the gallery to be cleared and the doors closed.

Section 6. Persons Allowed In Executive Sessions. Only the Secretary to the Sangguniang Panlalawigan and other persons specifically authorized by the Vice Governor shall be admitted to the executive sessions. They shall preserve the secrecy of whatever may be read or said at the session.

Section 7. Suspension and Adjournment of Sessions. Sessions shall not be adjourned except by the direction of the Sanggunian, but the Presiding Officer may, in his direction, declare at any time a suspension or recess of short interval. The Chair may suspend or adjourn the session when the members become unruly or uncontrollable.

Section 8. Recess. *A Recess may be declared by resolution of the Sanggunian in observance of the Christmas break, Holy Week, Regular and Special National Holidays, or as may otherwise be necessary.*

Section 9. Pre-Sessions Conference. A Pre-sessions conference shall be held at 10:00 o'clock in the morning in the office of the Presiding Officer.

Section 10. The exact hour of opening and adjourning each session shall be entered in the minutes of the Sanggunian.

Section 11. The Sanggunian shall keep a journal and record of its proceedings which may be published upon a resolution of the Sanggunian.

RULE V ROLL CALL AND QUORUM

Section 1. Roll Call. Upon every roll call, the names of members shall be called by districts, and by surnames, except when two or more have the same surname, in which case, the full name shall be called.

Calling of the roll of members at the start of the session may be dispensed with upon motion but only if it is obvious that all members of the Sanggunian are present.

Section 2. Quorum. A majority of all the members of the Sanggunian (one-half plus one) shall constitute a quorum to do business. The Sanggunian shall not transact business without a quorum.

Section 3. Absence of Quorum. In the absence of the quorum after the roll call, the Presiding Officer may declare a recess until such time as a quorum is constituted or a majority of the members present may adjourn from day to day or may compel the attendance of absent members by designating a member or members of the police force assigned in the territorial

advance notice requirement under Rule IV, Section (b) (b.1) of these Revised Internal Rules.

The declaration *in consulta* of the entire Province of Leyte as being in a state of calamity shall be ratified by two-thirds (2/3) vote of all the Sangguniang Panlalawigan members when they are able to conduct their regular, special, ~~(or)~~ e-session or *hybrid virtual and physical session* immediately following said declaration.

Section 2. Call to Order. The Presiding Officer shall open the session by calling the Sanggunian to order.

At the start of every session, a one-minute prayer or invocation will be led by any member designated by him/her. The Philippine National Anthem shall then be sung followed by the recitation of the *Panunumpa ng Katapatan sa Watawat ng Pilipinas* (~~Panatang-Makabayan~~), singing of the Leyte Hymn and PBMLP Hymn and the recitation of the PBMLP Creed.

Section 3. Attendance in Sessions. Every member shall be present in all sessions of the Sanggunian unless necessarily prevented from doing so by sickness or other unavoidable circumstances duly reported to the Secretary to the Sangguniang Panlalawigan.

Section 4. Session Open to the Public Exceptions. The sessions shall be open to the public unless a closed door session is ordered by an affirmative vote of a majority of the members present, there being a quorum, when public security or petitions or motions affecting the dignity of the Sanggunian or a member are being considered, in any of which events the Sanggunian may hold an executive session.

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Section 7. Suspension and Adjournment of Sessions. Sessions shall not be adjourned except by the direction of the Sanggunian, but the Presiding Officer may, in his direction, declare at any time a suspension or recess of short interval. The Chair may suspend or adjourn the session when the members become unruly or uncontrollable.

***Section 8. Recess.** A Recess may be declared by resolution of the Sanggunian in observance of the Christmas break, Holy Week, Regular and Special National Holidays, or as may otherwise be necessary.*

Section 9. Pre-Sessions Conference. A Pre-sessions conference shall be held at 9:00 o'clock in the morning in the office of the Presiding Officer.

Section 10. The exact hour of opening and adjourning each session shall be entered in the minutes of the Sanggunian.

Section 11. The Sanggunian shall keep a journal and record of its proceedings which may be published upon a resolution of the Sanggunian.

recommendation is favorable, the committee on Rules shall calendar it for second reading, otherwise, it shall be considered laid on the table.

Section 5. Unfinished Business. The consideration of unfinished business shall be resumed *immediately* after the committee reports (~~have been rendered~~) and *shall continue in* (~~so on at~~) each succeeding *session* (~~meeting~~) until such unfinished business is disposed of.

Section 6. Ordinances, resolutions and other legislative matters scheduled for consideration shall be made in the manner prescribed by law.

Section 7. Suspension of the Rules. On a motion to suspend the rules, *duly seconded and approved by the body, any item* (~~items~~) of business may be taken away from their fixed order and considered forthwith by the *Sanggunian* (~~body~~).

Section 8. Agenda. Matters that may be taken up in the sessions of the Sanggunian shall be limited only to those items listed in the same, the *subject* matter and substance of which must be *clearly* described except *for* the following:

- a. Likewise, the Sanggunian may, on motion by the chairperson or any member of the committee concerned, consider a proposed ordinance or resolution as urgent. Urgent matters are such matters which the public interest and welfare the delay in the consideration of which shall prejudice essential activities of the government.
- b. After the reading of the Order of Business, any member *who wishes* (~~desiring~~) to deliver a privilege speech, may *do so, provided they have registered* (~~after registration~~) with the Floor Leader and *obtained* (~~having had~~) the permission of the Presiding Officer. *The speech shall not exceed* (~~speak for not more than~~) twenty (20) minutes. (~~Provided,~~) However, (~~that~~) if more than one member registers *to deliver a privilege speech, (for this purpose,*) each speaker shall be *allotted a maximum of* (~~limited to only~~) ten (10) minutes.
- c. **Submission of Items for Inclusion in the Agenda.** Matters to be included in the Agenda shall be submitted to the Presiding Officer and the Floor Leader or (~~A~~) Deputy Floor Leaders on *or before* the Thursday (~~of the week~~) preceding the scheduled (~~of~~) session. Copies of the Agenda shall be distributed *to all* (~~among the~~) members at least one (1) day *prior to* (~~before~~) the session.
- d. Component Local Government Units of the Province of Leyte, all government and non-government agencies as well as private individuals, groups or entities transacting business with the Sangguniang Panlalawigan shall be required to submit at least one (1) soft copy in digital format together with the hard copy of any document that has bearing vis-à-vis their official transaction to facilitate real time transmission of the agenda on all matters to be considered during the sessions of the Sanggunian, to the Presiding Officer and Floor Leader/Deputy Floor Leaders, Sangguniang Panlalawigan members, and to all concerned.
- e. **Electronic Dissemination of Agenda and Attachments.** The Vice Governor and/or the Floor Leader *shall transmit* (~~will email~~) the approved agenda and *all* attachments to the Secretariat. *The Vice Governor and/or the Floor Leader shall then* (~~who shall~~) post the same *on* (~~to~~) the Sangguniang Panlalawigan (~~page in the Vice Governor's~~) website. The same shall be shared with the Sangguniang Panlalawigan members through the Sanggunian's preferred social media group messaging platform, or through email.

RULE VII PROCEDURES FOR ORDINANCES, RESOLUTIONS AND OTHER LOCAL LEGISLATIVE MATTERS

Section 1. Ordinances and Resolutions. The following rules shall govern the enactment of ordinances and resolutions:

- a. Legislative actions of a general and permanent character shall be enacted in the form of ordinances, while those which are of temporary character should be passed in the form of resolutions. Matters relating to proprietary functions and to private concerns shall be also be acted upon by resolution.
- b. Proposed ordinances and resolutions shall be signed by their author or authors and filed with the Secretary to the Sangguniang Panlalawigan, who shall assign to each a *corresponding* number.

(They shall contain a title or caption an enacting or ordaining clause and the date of their proposed effectivity. An ordinance or resolution shall embrace only one subject, which shall be expressed in the title thereof.)
- c. A resolution shall be enacted in the same manner prescribed for an ordinance, except that it need not go through a third reading for its final consideration unless decided otherwise by a majority of all the Sangguniang Panlalawigan members.
- d. No ordinance or resolution shall be considered on second reading in any regular meeting unless it has been reported out by the proper committee to which it was referred or certified as urgent by the provincial governor.
- e. Any legislative matter duly certified by the local chief executive as urgent, whether or not it is included in the calendar of business, may be presented and considered by the body at the same meeting without need of suspending the rules.
- f. The Secretary to the Sangguniang Panlalawigan of the province, shall prepare copies of the proposed ordinance or resolution in the form it was passed on second reading, and shall distribute to each Sangguniang Panlalawigan member a copy thereof, except that a measure certified by the provincial governor as urgent may be submitted for final voting immediately after debate or amendment during the second reading.
- g. No ordinance or resolution passed by the Sangguniang Panlalawigan in a regular/special session duly called for the purpose shall be valid unless approved by a majority of the members present, there being a quorum, except as otherwise provided by law. Any ordinance or resolution authorizing or directing the payment of money or creating liability, shall require the affirmative vote of a majority of all the Sangguniang Panlalawigan members for its passage.
- h. Upon the passage of all ordinances and resolutions directing the payment of money or creating liability, and the request of any member, of any resolution or motion, the Sangguniang Panlalawigan shall record the ayes and nays. Each approved ordinance or resolution shall be stamped with the seal of the Sangguniang Panlalawigan and recorded in a book kept for the purpose.

No ordinance may be approved unless it has passed three readings and copies thereof in its final form have been distributed to the members before its

passage, except when the provincial governor or the Sangguniang Panlalawigan itself certifies to the necessity of its immediate enactment to meet a public calamity or emergency, or when so required by the exigencies of public service.

Section 2. First Reading. The Secretary to the Sangguniang Panlalawigan shall report all bills and proposed resolutions to the Sanggunian for first reading within three (3) session days from receipt thereof.

During the first reading, the principal author may propose the inclusion of additional authors by submitting a list of such authors to the Secretary to the Sanggunian.

Section 3. Referral to Committee. The first reading shall only be by number, title and author, followed by referral of the Floor Leader to the appropriate committee.

A measure shall, as far as practicable, be referred to only one (1) committee. Whenever a measure covers subject matters falling within the jurisdiction of more than one (1) committee, the measure shall be referred to the committee within whose jurisdiction the principal subject matter falls provided, however, that measures entailing appropriations of funds of embodying tax or revenue proposals shall be referred, respectively, to the Committee on Appropriations for the appropriation or tax revenue aspect and, provided, further, that the Committee which acquires original jurisdiction on any measures shall be mainly responsible for submitting a report to the Sanggunian incorporating therein the appropriate recommendations of the Committee on Appropriations.

Section 4. Second Reading. On second reading of an ordinance or resolution, it shall be read in full with the amendments proposed by the committee, if any, unless copies thereof are distributed beforehand and such reading is dispensed with. Thereafter, the ordinance or resolution shall be subject to debate and pertinent motions.

Section 5. All ordinances, resolutions and other matters adopted by the Sangguniang Panlalawigan shall be prepared in proper form by its Secretary and transmitted to the Presiding Officer and other members of the Sangguniang Panlalawigan for their signatures within **seven (7) calendar** days from such adoption.

Section 6. All proposed ordinances, resolutions, and other matters disapproved by the Sangguniang Panlalawigan shall be returned to the Committee of origin or their authors together with the actions of the Sangguniang Panlalawigan. Motions for reconsideration of such approved or disapproved ordinance or resolution shall be entered in the agenda for the next following session of the Sangguniang Panlalawigan.

Section 7. Approval of Ordinances.

- (a) Every ordinance enacted by the Sangguniang Panlalawigan shall be presented to the Provincial Governor. If the Provincial Governor approves the same, he/she shall affix his or her signature on each and every page thereof, otherwise, he/she shall veto it and return the same with his or her objections to the Sangguniang Panlalawigan, which may proceed to reconsider the same.

The veto shall be communicated by the Provincial Governor to the Sangguniang Panlalawigan within fifteen (15) **calendar** days from receipt of the ordinance, otherwise, the same is deemed approved as if he/she has signed it. The Sanggunian may override the veto of the Provincial Governor by at least two-thirds (2/3) votes of all its members thereby making the ordinance or resolution effective for all legal intents and purposes.

Section 8. Veto Power of the Provincial Governor. The Provincial Governor may veto any ordinance of the Sangguniang Panlalawigan on the ground that it is *ultra vires* or prejudicial to the public welfare, stating his or her reasons therefor in writing.

The Provincial Governor shall have the power to veto any particular item or items of an appropriations ordinance, and ordinance or resolution adopting a local development plan and public investment program or an ordinance directing the payment of money or creating liability. In such case, the veto shall not affect the item or items which are not objected to. The vetoed item or items shall not take effect unless the Sangguniang Panlalawigan overrides the veto in the manner as provided in the immediately preceding article, otherwise, the item or items in the appropriations ordinance of the previous year corresponding to those vetoed, if any, shall be deemed reenacted.

The Provincial Governor may veto an ordinance or resolution only once. The Sangguniang Panlalawigan may override the veto of the Provincial Governor concerned by at least two-thirds (2/3) vote of all its members, thereby, making the ordinance effective even without the approval of the Provincial Governor.

Section 9. Effectivity of Ordinances or Resolutions.

- (a) Unless otherwise stated in the ordinance or the resolution approving the local development plan and public investment program, the same shall take effect after ten (10) *calendar* days from the date a copy thereof is posted in a bulletin board at the entrance of the provincial capitol and in at least two (2) other conspicuous places in the local government unit concerned.
- (b) The Secretary to the Sanggunian concerned shall cause the posting of an ordinance or resolution in the bulletin board at the entrance of the provincial capitol in at least two (2) conspicuous places in the provincial government not later than five (5) *calendar* days after approval thereof.

The text of the ordinance or resolution shall be disseminated and posted in Filipino or English and in the language or dialect understood by the majority of the people in the provincial government and the secretary to the Sanggunian shall record such fact in a book kept for the purpose, stating the dates of approval and posting.

- (c) The gist of all ordinances with penal sanctions shall be published in a newspaper of general circulation within the province where the local legislative body concerned belongs. In the absence of any newspaper of general circulation within the province, posting of such ordinances shall be made in all component municipalities and cities of the province where the Sanggunian of origin is situated.

**RULE VIII
MINUTES / JOURNALS**

Section 1. Minutes defined: Contents Thereof. The record of the proceedings of the Sangguniang Panlalawigan shall be referred to as the minutes, which shall comprise of a clear and categorical account of the business transacted and the actions taken thereon. The minutes shall contain the following:

- (a) Nature of the session, whether regular, special, e-session or remote communication meetings, or session *in consulta*;
- (b) Name of the Sangguniang Panlalawigan;
- (c) Date, time and place of the session;

- (d) Names of officers and members present or absent;
- (e) Statement of whether the minutes of the previous meeting were read and approved, or the reading thereof dispensed with;
- (f) Every ordinance or resolution, in full;
- (g) All motions, including those withdrawn, together with the names of proponents and opponents;
- (h) Points of order and appeals, whether sustained or lost; and
- (i) Time of adjournment

Section 2. The **original copy of the minutes** shall be signed by the members of the Sangguniang Panlalawigan present at the session showing those who voted for and against its approval.

Section 3. The minutes of every session shall be read, considered and approved by a majority of the members present at the meeting at which they are read, and if necessary, corrected by the same vote or general consent. The reading of the minutes shall not be dispensed with, interrupted or suspended except by unanimous consent of the body.

RULE IX DECORUM AND DEBATE

Section 1. Manner of Addressing the Presiding Officer. When a member desires to speak, he/she shall raise his or her hand and respectfully address the Presiding Officer as, "Mr./Madam Chair" or "Mr. or Madam Presiding Officer".

Section 2. Recognition of Member. The Presiding Officer shall recognize every member who manifests to speak upon the recognition and recommendation of the Floor Leader.

Section 3. Time Limit For Debate. It is a rule in debate that a member can speak only once on a particular question until the others have been given a chance to do so except the proponent of a motion who may open and close the debate if he chooses.

Main speeches during the discussion of any measures shall be limited to ten (10) minutes for each speaker and rebuttal speeches shall be limited to ten (10) minutes. After three (3) have spoken in favor of and two (2) against the measure, alternately, or only one speech in favor of and another against any amendment, or any member desiring to amend shall have delivered and none against, the motion to close the debate shall be in order.

If said motion is approved, the Sanggunian shall then proceed to consider amendments under the five-minute rule, with only one member being allowed to deliver a speech in favor and another against any amendment. Any member desiring to amend an amendment shall also be allowed five (5) minutes, after which discussion shall be terminated.

The Sanggunian, may, if it so desires, move to limit either the number or length of speeches, or the time for the entire debate, or close the debate at a certain point and vote on the question forthwith.

After the debate is closed and the amendments disposed of, the main measure shall be voted upon for final approval/disapproval.

Section 5. Decorum and Procedure. After general debate is closed and the amendments are disposed of, the main measure shall be voted upon for final approval/ disapproval. For purposes of decorum and orderly procedure, the following rules on debate shall be observed:

- (a) During debates, a member shall confine himself to the question before the body and shall avoid personalities. He shall refrain from indecorous words or acts. The Presiding Officer may *motu proprio*, or as the Sanggunian may direct, order such unparliamentary statements, remarks or words stricken off the record.

If the member is called to order by another for words spoken in debate, the latter shall indicate the words excepted to. The Secretary to the Sanggunian shall note and read aloud said words. However, the member called to order shall not be held to answer nor be subjected to censure by the Sangguniang Panlalawigan if further debate or other business intervenes.

- (b) In referring to another member, the latter shall always be referred to by his or her official title or as "the Gentleman from Baybay," etc.
- (c) Before any matter shall be debated upon, a motion shall first be made, duly seconded, and stated by the Chair.
- (d) It shall be the Chair who shall rule on any verbal motion as out of order, otherwise, the Chair shall state the question before the body for consideration and approval.
- (e) The members reporting a measure from a committee upon delivering the sponsorship speech of a proposed measure may open and close the debate within the limits as above-provided.
- (f) Words desired to be excepted by any member shall be stated aloud by the Presiding Officer; Provided, however, that the member who uttered the same shall not be held to answer nor be subjected to censure by the body if further debate or another business intervenes.
- (g) Non-members of the Sangguniang Panlalawigan shall not be allowed to speak during the deliberations unless so requested by any member thereof and only after being authorized by the body and recognized by the Chair.
- (h) When the Sangguniang Panlalawigan is in session, no member shall pass between another who has the floor and the Presiding Officer.
- (i) No member shall walk out of or cross the session hall when the Presiding Officer is addressing the body.
- (j) Cellphones shall be set to silent mode and no conversation by cellular phones or similar devices shall be made inside the session hall during the session.
- (k) Smoking is prohibited within the session hall while session is ongoing.

RULE X

MOTIONS AND THEIR PRECEDENCE

Section 1. Motions. A motion is a proposal of a member of the Sanggunian for a specific action to be taken up and a decision to be made on a particular issue before the body or any of its committee.

Section 2. Recording of Motion. Every motion shall be entered in the Journal with the name of the member marking it unless it is withdrawn on the same day.

Section 3. Reading and Withdrawal of Motions. The Presiding Officer shall state the motion or if in writing, shall cause it to be read by the Secretary before being debated. A motion may be withdrawn anytime before its approval.

Section 4. Precedence of Motions. When a question is under debate, or before the body, no motion shall be entertained except the following, which shall take precedence in the order named, to wit:

A. Privileged Motions

- (1) **Motion to Adjourn** is to formally terminate a session in progress. As a general rule, a motion to adjourn must not interrupt voting. It requires only a simple majority vote and takes precedence over all other motions.
- (2) **Motion for Recess** aims to provide an intermission in the proceedings of the Sanggunian. This takes effect immediately unless a definite time is specified. This is made by any member or *motu proprio* declared by the Presiding Officer, need not be seconded, and is undebatable. It cannot be made while someone has the floor.
- (3) **Motion to Raise a Question of Privilege** is raised to enable a member to secure immediate action upon a question that involves the comfort, convenience, rights or privileges of the organization or any of its members. This may be raised while another business is pending and may even interrupt a speaker.
- (4) **Motion to Call for the Order of the Day** is generally made to call the attention of the Sanggunian that the matter under discussion does not conform to the Order of Business for the session day.

B. Subsidiary Motions

- (5) **Motion to Lay on the Table** is used to enable the Sanggunian to attend to a more urgent business. This is to set aside a pending question for consideration at an undetermined time later.

Only questions which are pending can be laid on the table and this cannot be made while a member has the floor. This is non-debatable, not subject to amendment and requires only a majority vote of members present.

- (6) **Motion to Call for the Previous Question** is a proposal to close a debate on a pending question and to put it immediately to a vote.

This motion infringes on the fundamental principle of free and full debate, and for this reason, it generally requires a two-thirds (2/3) vote of the members present for its approval, unless otherwise allowed by the provisions of the Sanggunian's Internal Rules of Procedure.

- (7) **Motion to Postpone Definitely** is utilized to defer the consideration of a question to a day certain or definite time in the future.
- (8) **Motion to Commit or Refer** enables the Sanggunian to secure a careful and thorough investigation of a question before it without loss of time or of its rights to finally decide the same.

- (9) **Motion to Amend** is to modify a question in order to make it more satisfactory to the body. An amendment may be effected either by insertion, by elimination or by substitution of a word, phrase, clause or of an entire section or paragraph.

Amendments are of two (2) degrees: **first**, an amendment to a main motion or a question and **second**, an amendment to an amendment. Amendments are voted in reverse order, that is, the amendment of the second degree is voted upon first, and if lost, the amendment of the first degree is voted upon next. The amendments of the second degree if carried replace the amendment of the first degree.

- (10) **Motion to Postpone Indefinitely** is utilized to suppress or eject without allowing it to be voted upon on its merits. Approval of this motion is virtually a negative vote on the main question and if anyone desiring to bring up the same question at a future session, he may do so only by proposing it anew.

The First seven (7) motions shall be decided without debate, while the last three (3) motions shall be decided subject to the fifteen-minute rule. After a motion to postpone to any day certain, to refer or to postpone indefinitely is lost, it shall not again be allowed on the same day.

Section 5. Main Motions and Incidental Motions. A main motion may be defined as the formal presentation of any substantive proposition to the Sanggunian for its consideration and decision. Main motions are of two (2) classes: general main motion and specific main motions.

A. Main Motion

A General Main motion covers a wide range of subjects and does not have a particular name.

A Specific Main motion pertains to a specific subject. These include the following:

- (1) **Motion to Take from the Table** is to revive the consideration of a question that has been previously laid on the table or set aside temporarily. This motion is debatable and subject to amendment.
- (2) **Motion to Reconsider** is to set aside the vote previously taken on a question and to reopen it to new discussion and vote. This may be made after a decision on a question has been manifested through votes and it may be proposed only at the same session where the question sought to be considered has been decided.
- (3) **Motion to Rescind or Repeal** is to render, in part or in full, null and void a question previously passed, regardless of the time that has elapsed since its adoption. This is debatable and not subject to amendment.
- (4) **Motion to Expunge** is to strike or blot out certain statements or questions made during the session which are deemed objectionable. This motion is governed by the same rules on the motion to rescind or repeal, except that it is employed not only to nullify a question but at the same time to express strong disapproval to objectionable actions or words.
- (5) **Motion to Adopt a Committee Report** is to accept or agree to a report as an official act of the constituted body.

B. Incidental Motion

Incidental motions are those motions that have no individual or collective ranking and have no order of precedence. They arise only incidentally out of the pending question.

- (1) **Motion to Suspend the Rules** is designed to free the constituted body from technicalities so that it may be able to act with dispatch on an urgent question without violating its internal rules.
- (2) **Motion to Withdraw or Modify** is a motion that is made at the pleasure of the proponent.
- (3) **Motion to Raise a Point of Order** is to call attention to an error in the observance or enforcement of the rules of parliamentary or those of the internal rules of procedure. This must be raised immediately after a supposed error has been committed, even if it has to interrupt the Presiding Officer or the taking of a vote. This motion is primarily decided by the Chair.
- (4) **Motion to Raise a Parliamentary Inquiry** may be raised by any member who desires information, clarification of question pertaining to a parliamentary procedure or the internal rules of procedure. This may be raised anytime, even if someone has the floor. The Presiding Officer who is interrupted as a result of this motion must stop until the question has been answered.
- (5) **Motion to Raise a Point of Information** may be raised by any member who desires information on any matter related to the pending business or to the Sanggunian and its activities.
- (6) **Motion to Appeal from the Decision of the Chair** is to ask the Sanggunian to decide whether the decision made by the Chair should be upheld or overruled. Any decision made by the Chair may be appealed to the Sanggunian, whose decision on the matter is final. An appeal must be made immediately after the decision appealed from has been decided. Should any other business intervene, the appeal from the decision of the chair is out of order.
- (7) **Motion to Divide the House** is raised to verify the vote taken on a question or to secure a more accurate count of the vote
- (8) **Motion to Divide the Question** is stated as a request to divide long and complicated propositions into separate and distinct parts to facilitate their consideration.

A motion to divide a question needs no second and it is not debatable.

Section 6. Amendments. When any matter is under consideration, a motion to amend and a further motion to amend the amendatory motion shall be in order.

Section 7. Rider Prohibited. No motion or proposition on a subject matter different from that under consideration shall be allowed under the guise of amendment.

Section 8. One Motion for One Subject Matter. No motion shall cover more than one (1) subject matter.

RULE XI VOTING

Section 1. Manner of Voting. If the question is not debatable or debate has been closed by order of the body, the Chair, immediately after stating the question, shall put the same to vote, allowing only such time for members to raise their hand if they wish to state a motion of higher rank.

The Presiding Officer shall state in a clear, precise and simple language the proposition that is being put to a vote. Thereafter, he/she shall say "as many as in favor (as the question maybe) say "aye" and after the affirmative vote is counted, "as many as are opposed, say "nay". If the Presiding Officer doubts the outcome or a division is called for the Sanggunian shall divide. Those in favor shall first rise and then those against.

Section 2. When the Presiding Officer asks if there is any objection to a motion for the approval of any ordinance or resolution directing the payment of money or liability, and no one registers his or her objection thereto, the Secretary shall enter in the record as having voted affirmatively the names of all the members present at that particular time, this having the effect of nominal voting.

Section 3. No member can vote on a question in which he/she or any member of his or her family, within the third degree of consanguinity or affinity, has a direct or personal pecuniary interest. This does not however, preclude any member from voting for himself/herself for any position within the Sangguniang Panlalawigan.

Section 4. A member can change his or her vote only before the Chair announces the result of the voting. After the announcement, a member can change his or her vote by unanimous consent of the members present.

Section 5. Any member may explain his or her vote for not more than three (3) minutes.

Section 6. No member could be compelled to vote. He/She may, therefore, abstain. An abstention shall not be counted as a vote.

Section 7. A member who arrived late at the meeting shall be permitted to vote provided the result of the voting has not been announced yet by the Chair.

Section 8. The affirmative and negative votes may be entered in the minutes at the request of any member. Unless otherwise provided by the Constitution or by these rules, a majority of those voting, a quorum being present, shall decide the issue.

Section 9. No motion or question, except on the presence or absence of quorum, shall be entertained during the voting.

Section 10. Any member may ask the chair for secret balloting/voting of any vital matters submitted to the Sangguniang Panlalawigan for deliberation which affect public interest and welfare.

Section 11. Reconsideration. When a report, motion, resolution or proposed ordinance has been adopted or lost, only a member who voted with the prevailing side shall be entitled to present a motion for reconsideration when the matter is still within the control of the body; provided, however, that a member who voted with the minority may present a motion for reconsideration if seconded by a member from the prevailing side. Any member who abstained from voting shall have absolutely no right to ask for reconsideration.

RULE XII
ADMINISTRATIVE DISCIPLINARY ACTION

Section 1. Failure to abide by these Rules. Any member of the Sangguniang Panlalawigan who shall fail to observe the Rules as prescribed herein shall be declared out of order and if he or she has the floor, he or she may be compelled to take his or her seat. In case of refusal to abide by the ruling of the Chair, the Sangguniang Panlalawigan, upon motion of any member duly seconded, may officially reprimand the erring member which reprimand shall appear in the minutes. The same punishment may be imposed for dereliction of duty as when a member refuses to attend a session after a quorum is questioned. This does not preclude the Sangguniang Panlalawigan or the Chair from imposing whatever additional penalty it may deem proper to impose as provided in Art 127, Rule XIX of the Rules and Procedures implementing LGC of 1991.

Section 2. Disorderly Behavior. The following conduct of any member of the Sanggunian shall be considered disorderly behavior:

- a. Leaving the session hall after it has convened without the permission of the Presiding Officer and without returning thereto.
- b. Attending the sessions in inappropriate attire.
- c. Attending the session intoxicated or under the influence of liquor or prohibited drugs.
- d. Unruly behavior, and use of obscene or highly offensive language during the session.
- e. Engaging or having interest in activities which would tend to conflict with the functions of his or her office.

Section 3. Habitual Absenteeism. A member shall be considered habitually absent if he incurs four (4) consecutive absences from the session, regular or special without justifiable cause.

- a. A member may apply for a leave of absence for such justifiable reasons as ill health, travel outside the province of Leyte, and other emergency cases.

In cases of absence due to ill health, the member's application for leave of absence shall be filed with a medical certificate attached thereto, subject to verification by the Presiding Officer or his or her duly authorized representative.

Travels outside the Province of Leyte shall be duly approved by the Provincial Governor upon the recommendation of the Vice-Governor. It shall be filed with the Secretary to the Sangguniang Panlalawigan. However, no travel within and outside the Province of Leyte shall be allowed on session day, except for urgent reasons or matters relating to the member's committee.

Section 4. Habitual Tardiness. A member shall be considered habitually tardy if he comes thirty (30) minutes late to three consecutive sessions without justifiable reason.

Section 5. Sanctions. In order to maximize a member's attendance during sessions, the following penalty and disciplinary measures shall be imposed by the Sanggunian upon its members for the following acts:

- a. For a first offense or violation, a member found guilty of disorderly behavior and habitual tardiness shall be subjected to reprimand or censure by the Chair which shall be

announced and declared so that the same be entered into the records or minutes of proceedings.

- b. For a second offense or violation, a member found guilty of disorderly behavior and habitual tardiness shall be meted a fine of not less than P500.00 but not more than P1,000.00.
- c. For a third or succeeding offense or violation, a member found guilty of disorderly behavior and habitual tardiness shall be suspended for not more than 60 *calendar* days from the Sanggunian upon two-third vote of all the members.
- d. For four (4) unexcused consecutive absences, the erring member shall be suspended for a period not exceeding sixty (60) *calendar* days by a two-thirds vote of all the members of the Sanggunian.

RULE XIII DRESS CODE

Section 1. All members of the Sangguniang Panlalawigan shall attend all sessions, whether regular or special, in appropriate or formal attire.

The male members shall either be in long sleeved barong tagalog, or coat and tie, *paired* with pants, leather shoes, *and (with)* socks.

The female members shall *wear a (be in either)* centennial-inspired Filipiniana dress, *or a* business or executive suit, *in keeping with the formality of the session.*

On the first Tuesday or the first regular session day of each month, Filipiniana-inspired attire shall be the prescribed dress code for all members.

The Secretary to the Sanggunian shall likewise attend such sessions in the same attire as the members thereof.

RULE XIV SUSPENSION OF RULES

Section 1. Who can Move. Any member, through the committee on rules can move for the temporary suspension of the Rules.

Section 2. Vote Required. No Rule shall be suspended except by a vote of two thirds (2/3) of the members constituting a quorum.

A motion to temporarily suspend the Rules, when approved, shall have the effect of freeing the Sangguniang Panlalawigan from the technicalities so that it may be able to act with dispatch on important and urgent questions without violating the internal rules.

Section 3. Interruption of Motion. When a motion to temporarily suspend the Rules is pending, one (1) motion to adjourn maybe entertained. If the latter is lost, no similar motion shall be entertained until the vote is taken on the motion to suspend.

Section 4. When Rules may not be Suspended. Notwithstanding the provisions of preceding sections, no part of these rules may be suspended if its effect is to protect erring or absentee members.

**RULE XV
SP LOGO**

Section 1. SP Logo – The Sanggunian shall adopt its own SP Logo which shall be installed and shall remain in the session hall for the entire duration of the session.

**RULE XVI
PROCEDURE IN ADMINISTRATIVE DISCIPLINARY PROCEEDINGS**

PRELIMINARY PROVISIONS

Section 1. Scope. This rule shall govern the procedure in administrative disciplinary proceedings of the Sangguniang Panlalawigan in the following cases:

1. Administrative cases, originally filed before the Sangguniang Panlalawigan, involving elective officials of the different component municipalities and city of the Province of Leyte; and
2. Administrative cases, originally filed before the Sangguniang Bayan of the different component municipalities and city of the Province of Leyte, and the decision therein is appealed to the Sangguniang Panlalawigan, involving their respective elective barangay officials.

Section 2. Disciplinary Authority. All administrative complaints, duly verified, against elective local officials mentioned in the preceding Section shall be acted upon by the Sangguniang Panlalawigan.

Section 3. Investigating Authority. The Sangguniang Panlalawigan may designate as the Investigating Authority, the Blue Ribbon Committee or convene itself as a Committee of the Whole as it may deem appropriate.

Section 4. Construction. These Rules shall be liberally construed to carry out the objectives of the Constitution, the Local Government Code of 1991 and its Implementing Rules and Regulations, and to assist the parties in obtaining just, expeditious and inexpensive resolution. In the interpretation of these rules of procedures however, the Sangguniang Panlalawigan shall not be strictly bound by the technical rules of procedure and evidence as provided in the Rules of Court, as amended.

Section 5. Nature of Proceedings. The proceedings conducted by the Blue Ribbon Committee or the Committee of the Whole shall be governed by this Code and the pertinent provisions of the Local Government Code of 1991 and its Implementing Rules and Regulations. The proceedings are summary in nature and shall not be bound by the rules on evidence, which may be applied suppletory, and due process of law must be observed.

Section 6. Suppletory Application of the Rules of Court. In the absence of any applicable provision in these Rules, the pertinent provisions of the Rules of Court, as amended, may, in the interest of expeditious dispensation of justice and whenever practicable and convenient, be applied by analogy or in suppletory character and effect.

ORIGINAL JURISDICTION OF ADMINISTRATIVE DISCIPLINARY CASES

Section 7. Grounds for Filing Administrative Disciplinary Cases. An elective municipal official may be disciplined or suspended from office by the Sangguniang Panlalawigan on any of the following grounds:

1. Disloyalty to the Republic of the Philippines;
2. Culpable violation of the Constitution;
3. Dishonesty, oppression, misconduct in office, gross negligence, or dereliction of duty;
4. Commission of any offense involving moral turpitude or an offense punishable by at least prision mayor;
5. Abuse of authority;
6. Unauthorized absence for 15 consecutive days, in the case of municipal mayors and municipal vice mayors, and unjustifiable absences for four consecutive sessions, in the case of members of the Sangguniang Bayan;
7. Application for, or acquisition of, foreign citizenship or residence or the status of an immigrant of another country; and
8. Such other grounds as may be provided in Republic Act 7160 otherwise known as the Local Government Code of 1991; Republic Act No. 6713 also known as Code of Conduct and Ethical Standards for Public Officials and Employees; Republic Act No. 3019, the Anti-Graft and Corrupt Practices Act; Administrative Code of 1987; the Revised Penal Code and all other applicable general and special laws.

An elective municipal official may only be removed from office on the grounds enumerated above by order of the proper court.

Section 8. How Initiated. The prosecution of administrative disciplinary cases falling within the original jurisdiction of the Sangguniang Panlalawigan shall be initiated by filing a verified or sworn written complaint against any elective municipal or city official directly with the Sangguniang Panlalawigan, through the Office of the Secretary to the Sangguniang Panlalawigan. The complaint must be in such number of copies as there are respondents plus fifteen (15) hard copies for the Sangguniang Panlalawigan members and for the Sangguniang Panlalawigan's files and electronic copies of all materials they are submitting. Moreover, the complainant shall also furnish a copy of the complaint to the Provincial Governor's Office and the Department of Interior and Local Government (DILG) Provincial Office.

Section 9. 90-day Ban on Investigation. No complaint shall be investigated within ninety (90) *calendar* days immediately prior to any local election.

Section 10. Form of Complaint. No complaint against any local elective official shall be given due course unless the same is in writing and verified or under oath. The complaint shall be drawn in clear, simple, and concise language and in methodical manner as to apprise the respondent of the nature of the charge against him/her and to enable him or her to prepare his or her defense, and must be accompanied by the judicial affidavits of the complainant and of his or her witnesses. The party filing the complaint shall be called the Complainant while the official against whom the complaint is filed shall be called the Respondent.

The complaint shall also contain the following:

1. Full name and address of the complainant;
2. Full name and address of the respondent as well as his or her position and office;
3. A narration of the relevant and material facts, which show the acts or omissions allegedly committed by the respondent. Documentary evidence and sworn judicial affidavits of witnesses, if any, should be attached as annexes;
4. A certification by the complainant that no other administrative action or complaint against the same party involving the same acts or omissions and issues has been filed before any agency or administrative body performing quasi-judicial functions.

Section 11. Duty of the Secretary to the Sangguniang Panlalawigan. The Secretary to the Sangguniang Panlalawigan shall immediately enter the complaint in the dockets and assign the corresponding administrative disciplinary case number and shall likewise immediately include such administrative disciplinary case in the calendar of business for the next immediately following regular session of the Sangguniang Panlalawigan, which in no case shall be more than seven (7) *calendar* days after the complaint shall have been filed.

Section 12. Duty of the Sangguniang Panlalawigan. On the basis of the complaint and of the affidavits accompanying the same, the Sangguniang Panlalawigan may refer the said complaint to the Blue Ribbon Committee or constitute itself as a Committee of the Whole. The Blue Ribbon Committee or the Committee of Whole shall make a preliminary determination whether to recommend to dismiss the case outright for any of the following reasons:

1. For being patently without merit;
2. For failure to comply with the substantial or formal requirements in filing a complaint;
3. For lack of jurisdiction;
4. For failure to state cause of action; and
5. For being moot and academic.

Section 13. Summons. The Presiding Officer shall forthwith order that summons shall issue directing the respondents, as the case may be, to file his or her verified answer within a period of fifteen (15) *calendar* days from service of summons. In the event the answer is not verified, the case shall proceed as if there is no answer filed.

Section 14. Answer. The only responsive pleading allowed to be filed is the answer which must be filed within the period provided for in the immediately preceding Section hereof.

Section 15. Form of Answer. The answer must be accompanied by the judicial affidavits of the respondent and his or her witnesses and filed in the Sangguniang Panlalawigan in fifteen (15) copies and an electronic or soft copy for disposition in the manner provided for in Section 8 hereof, with proof of service of a copy of such answer to the complainant or his or her counsel. The respondent shall also furnish a copy of the answer to the Provincial Governor's Office and the Department of Interior and Local Government (DILG) Provincial Office. Failure to file the required number of copies or to serve a copy thereof to the complainant or his or her counsel shall be considered as if no answer is filed and shall be proceeded accordingly.

Section 16. Effect of Failure to Answer. Unreasonable failure of the respondent to file his/her verified answer within the reglementary 15-day period herein provided, shall be considered a waiver of his/her rights to present evidence in his behalf. The Sangguniang Panlalawigan upon the recommendation of the Blue Ribbon Committee, *motu proprio* or upon motion of the complainant, shall immediately render judgment as may be warranted by the facts alleged in the

complaint and the accompanying affidavits. However, whenever the Sangguniang Panlalawigan is of the opinion that further proceedings are necessary, the same shall be conducted notwithstanding the absence of an answer.

Section 17. Evaluation. Upon the receipt of the answer, the Blue Ribbon Committee or the Sangguniang Panlalawigan shall, in one of its sessions, determine the existence of a probable cause, and within ten (10) *calendar* days commence the investigation through the Blue Ribbon Committee or through another committee or through a joint committee as the Sangguniang Panlalawigan may deem appropriate. If there exists no *prima facie* evidence against the respondent, the Sanggunian may *moto proprio* dismiss the case.

Section 18. Preliminary Conference. Upon receipt of the answer and the accompanying affidavits, the Secretary to the Sangguniang Panlalawigan shall immediately inform the Presiding Officer, furnishing the members of the Sangguniang Panlalawigan with either a hard copy or soft copy of each of the answer and the accompanying affidavits, and the Presiding Officer shall immediately direct the Secretary to the Sangguniang Panlalawigan to calendar the administrative case for preliminary conference, wherein the following shall be considered.

1. Whether the parties could agree on an amicable settlement;
2. Whether to proceed following the Judicial Affidavit Rule;
3. Whether there is a necessity or desirability of amendments to the pleadings;
4. The possibility of obtaining stipulations or admissions of facts and of documents to avoid unnecessary proofs;
5. Such other matters as may aid in the prompt disposition of the administrative case.

A refusal or failure to stipulate shall not prejudice either party.

Section 19. Preliminary Conference Order. Everything that may have been considered during the preliminary conference shall be clearly and distinctly set forth in the order to be issued immediately after such preliminary conference, and the parties shall have three *calendar* days from notice thereof to file their comments and/or motions for corrections.

PREVENTIVE SUSPENSION

Section 20. Determination of Preventive Suspension. After the issues are joined, when the evidence of guilt is strong, and given the gravity of the offense, there is great probability that the continuance in office of the respondent could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence, the investigating authority may recommend to the Sangguniang Panlalawigan that respondent be placed under preventive suspension, which shall not extend beyond sixty (60) days; provided that in the event that several administrative cases are filed against the respondent, he cannot be preventively suspended for more than ninety (90) days within a single year on the same grounds existing and known at the time of the first suspension.

Section 21. Imposition of Preventive Suspension. Upon receipt of the Resolution of the Sangguniang of Preventive Suspension to the respondent, the Provincial Governor shall issue the order imposing the preventive suspension to the respondent without delay. A copy of the order duly served shall be furnished the Sanggunian and the Department of Interior and Local Government (DILG) Provincial Office.

Section 22. Ninety (90) Day Ban on Preventive Suspension. No preventive suspension shall be imposed within ninety (90) *calendar* days immediately prior to any local election. If the preventive suspension has been imposed prior to the ninety (90) *calendar* day period immediately preceding a local election it shall be deemed automatically lifted upon the start of the aforesaid period.

Section 23. Automatic Reinstatement. Upon expiration of the preventive suspension, the suspended municipal official shall be deemed reinstated in office, without prejudice to the continuation of the proceedings against him/her, which shall be terminated within one hundred twenty (120) *calendar* days from the time he/she was formally notified of the case against him/her. However, if the delay in the proceeding of the case is due to his/her fault, or request, other than the appeal duly filed, the duration of such delay shall not be counted in computing the time of termination of the case.

Section 24. Salary of Respondent Pending Suspension. The respondent, who is preventively suspended from office shall receive no salary or compensation during such suspension but upon subsequent exoneration and reinstatement, he/she shall be paid his full salary or compensation, including such emoluments accruing during such suspension.

FORMAL INVESTIGATION

Section 25. Procedure of Trial. After the lapse of three (3) *calendar* days from notice of preliminary conference order, the trial shall immediately proceed. The judicial affidavits submitted by the parties shall constitute the direct testimonies of the witnesses who executed the same. Witnesses who testified may be subjected to cross-examination, redirect or re-cross examination. Should the affiant fail to testify, his or her judicial affidavit shall not be considered as competent evidence for the party presenting the judicial affidavit, but the adverse party may utilize the same for any admissible purpose.

Except on rebuttal or surrebuttal, no witnesses shall be allowed to testify unless he had previously submitted a judicial affidavit in accordance with Sections 8 and 14 hereof.

However, should a party desire to present additional judicial affidavits or counter-affidavits as part of his or her direct evidence, he shall so manifest during the preliminary conference, stating the purpose thereof. If allowed by the Sangguniang Panlalawigan, the additional judicial affidavits or counter-affidavits shall be submitted to the Sangguniang Panlalawigan and served to the adverse party not later than three *calendar* days after the termination of the preliminary conference. Such affidavits or counter-affidavits submitted to the Sangguniang Panlalawigan shall be in fifteen (15) copies and a soft copy. If the additional judicial affidavits are presented by the complainant, the respondent may file his or her counter-affidavits in such number as herein required and serve the same to the complainant within three (3) *calendar* days from such service.

Section 26. Who Conducts the Hearing. The trial shall be conducted by the investigating authority, provided that the Sangguniang Panlalawigan, if it is not the investigating authority, is not precluded from assuming the conduct of the investigation at any stage of the proceedings, if it may deem necessary.

Section 27. Rights of Respondent. The respondent shall be accorded full opportunity to appear and defend himself/herself in person or by counsel, to confront and cross-examine the witnesses against him/her, and to require the attendance of witnesses and the production of documentary evidence in his or her favor through the compulsory process of subpoena or subpoena *duces tecum*; provided, that no witness may be required to appear unless he had previously submitted an affidavit in accordance with Sections 8 and 15 hereof; provided, further, that when so warranted, the Sanggunian shall invoke the aid of the proper court to sanction contumacious conduct.

Section 28. Prohibited Pleadings and Motions. The following pleadings or motions shall not be allowed in the cases covered by this Rule:

1. Motion to dismiss;
2. Motion for a bill of particulars;

3. Motion for new trial, or for reconsideration of either interlocutory or final order, or for reopening of trial;
4. Motion for extension of time to file pleadings, affidavits or any other paper;
5. Memoranda;
6. Motion to declare the respondent in default;
7. Motion for postponement, except when the same is grounded on the fact that the counsel or witness who is about to testify for either party is ill as shown in an affidavit that the presence of such counsel or witness at the trial is indispensable and that the character of his or her illness is such as to render his or her non-attendance excusable;
8. Reply.

Section 29. Submission of Judicial Affidavits and Exhibits in Lieu of Direct Testimonies.

- (a) The parties shall file with the Sangguniang Panlalawigan and serve on the adverse party, personally or by licensed courier service, not later than five (5) *calendar* days before preliminary conference or the scheduled hearing with respect to motions and incidents, the following:
 - (1) The judicial affidavits of their witnesses, which shall take the place of such witnesses' direct testimonies; and
 - (2) The parties' documentary or object evidence, if any, which shall be attached to the judicial affidavits and marked as Exhibits A, B, C, and so on in the case of the complainant, and as Exhibits 1, 2, 3, and so on in the case of the respondent.
- (b) Should a party or a witness desire to keep the original document or object evidence in his possession, he/she may, after the same has been identified, marked as exhibit, and authenticated, warrant in his or her judicial affidavit that the copy or reproduction attached to such judicial affidavit is a faithful copy or reproduction of that original. In addition, the party or witness shall bring the original document or object evidence for comparison during the preliminary conference with the attached copy, reproduction, or pictures, failing which the latter shall not be admitted.

This is without prejudice to the introduction of secondary evidence in place of the original when allowed by the Sangguniang Panlalawigan.

Section 30. Contents of Judicial Affidavit. A judicial affidavit shall be prepared in the language known to the witness and if not in English or Filipino accompanied by a translation in English or Filipino, and shall contain the following:

- (a) The name, age, residence or business address, and occupation of the witness;
- (b) The name and address of the lawyer who conducts or supervises the examination of the witness and the place where the examination is being held;
- (c) A statement that the witness is answering the questions asked of him, fully conscious that he does so under oath, and that he may face criminal liability for false testimony or perjury;
- (d) Questions asked of the witness and his or her corresponding answers, consecutively numbered, that:
 - (1) Show the circumstances under which the witness acquired the facts upon which he testifies;

- (2) Elicit from him those facts which are relevant to the issues that the case presents; and
- (3) Identify the attached documentary and object evidence and establish their authenticity in accordance with the Rules of Court;
- (e) The signature of the witness over his or her printed name; and
- (f) A jurat with the signature of the notary public who administers the oath or an officer authorized by law to administer the same.

Section 31. Sworn Attestation of the Lawyer.

- (a) The judicial affidavit shall contain a sworn attestation at the end, executed by the lawyer who conducted or supervised the examination of the witness, to the effect that
 - (1) He faithfully recorded or caused to be recorded the questions he asked and the corresponding answers that the witness gave; and
 - (2) Neither he nor any other person then present or assisting him coached the witness regarding the latter's answers.
- (b) A false attestation shall subject the lawyer mentioned to disciplinary action, including disbarment.

Section 32. Subpoena. If the government employee or official, or the requested witness, who is neither the witness of the adverse party nor a hostile witness, unjustifiably declines to execute a judicial affidavit or refuses without just cause to make the relevant books, documents, or other things under his or her control available for copying, authentication, and eventual production, the requesting party may avail himself/herself of the issuance of a subpoena *ad testificandum* or *duces tecum* under Rule 21 of the Rules of Court. The rules governing the issuance of a subpoena to the witness in this case shall be the same as when taking his deposition except that the taking of a judicial affidavit shall be understood to be *ex parte*.

Section 33. Offer Of and Objections to Testimony in Judicial Affidavit. The party presenting the judicial affidavit of his/her witness in place of direct testimony shall state the purpose of such testimony at the start of the presentation of the witness. The adverse party may move to disqualify the witness or to strike out his affidavit or any of the answers found in it on ground of inadmissibility. The Sangguniang Panlalawigan shall promptly rule on the motion and if granted, shall cause the marking of any excluded answer by placing it in brackets under the initials of an authorized Sangguniang Panlalawigan personnel, without prejudice to a tender of excluded evidence under Section 40 of Rule 132 of the Rules of Court.

Section 34. Examination of the Witness on His/Her Judicial Affidavit. The adverse party shall have the right to cross-examine the witness on his/her judicial affidavit and on the exhibits attached to the same. The party who presents the witness may also examine him/her as on re-direct. In every case, the Sangguniang Panlalawigan shall take active part in examining the witness to determine his/her credibility as well as the truth of his testimony and to elicit the answers that it needs for resolving the issues.

Section 35. Oral Offer of and Objections to Exhibits.

- (a) Upon the termination of the testimony of his/her last witness, a party shall immediately make an oral offer of evidence of his documentary or object exhibits, piece by piece, in their chronological order, stating the purpose or purposes for which he offers the particular exhibit.

- (b) After each piece of exhibit is offered, the adverse party shall state the legal ground for his/her objection, if any, to its admission, and the court shall immediately make its ruling respecting that exhibit.
- (c) Since the documentary or object exhibits form part of the judicial affidavits that describe and authenticate them, it is sufficient that such exhibits are simply cited by their markings during the offers, the objections, and the rulings, dispensing with the description of each exhibit.

Section 36. Effect of non-compliance with the Judicial Affidavit Rule.

- (a) A party who fails to submit the required judicial affidavits and exhibits on time shall be deemed to have waived their submission. The Sangguniang Panlalawigan may however, allow only once the late submission of the same provided, the delay is for a valid reason, and would not unduly prejudice the opposing party.
- (b) The Sangguniang Panlalawigan shall not consider the affidavit of any witness who fails to appear at the scheduled hearing of the case as required. Counsel who fails to appear without valid cause despite notice shall be deemed to have waived his client's right to confront by cross-examination the witnesses there present.
- (c) The Investigating Committee shall not admit as evidence judicial affidavits that do not conform to the content requirements of Section 29 and the attestation requirement of Section 30 above. The Investigating Committee may, however, allow only once the subsequent submission of the complaint replacement affidavits before the hearing or trial provided the delay is for a valid reason and would not unduly prejudice the opposing party.

Section 37. Hearing. In cases where a hearing is ordered, the same must be finished within ninety (90) *calendar* days from the date the initial hearing is commenced, insofar as practicable.

Section 38. Form and Notice of Decision. Within 30 *calendar* days after the termination of the hearing, the Sangguniang Panlalawigan shall render a decision in writing stating therein clearly and distinctly the facts and the reasons for such decision. Copies of said decision shall immediately be furnished the respondent and all interested parties.

Section 39. Appeal. The decision or final order the Sangguniang Panlalawigan shall be appealable to the Office of the President within thirty (30) days from receipt of the decision or final order, and such an appeal shall be made directly to the Office of the President in such manner and procedure as the Office of the President may provide.

Section 40. Execution Pending Appeal. An appeal shall not prevent a decision from becoming final and executory. The respondent shall be considered as having been placed under preventive suspension during the pendency of an appeal in the event he wins such appeal. In the event the appeal results in an exoneration, he shall be paid his salary and such other emoluments during the pendency of the appeal.

Decisions of the Office of the President shall be final and executory.

APPEALED ADMINISTRATIVE CASES

Section 41. Notice of Appeal. The party who is not satisfied with the decision of the Sangguniang Bayan may move for reconsideration thereof prior to filing a notice of appeal in the Sangguniang Bayan which rendered such decision, informing said Sangguniang Bayan that said party is appealing such decision to the Sangguniang Panlalawigan on the ground that the said

decision is not supported by evidence or is contrary to law. The notice of appeal shall be filed within a period of 30 **calendar** days from notice of the decision of the Sangguniang Bayan. Notice of appeal filed directly with the Sangguniang Panlalawigan shall not toll the running of the prescriptive period, and shall not be entertained by the Sangguniang Panlalawigan.

Section 42. Title of Cases. In all cases removed to the Sangguniang Panlalawigan, the party bringing the case shall be called the "appellant" and the adverse party the "appellee", but the title of the case shall remain as it was in the Sangguniang Bayan, which rendered the decision appealed from.

Section 43. Counsels. Counsels of the respective parties in the Sangguniang Bayan shall be considered as the counsels of the same parties respectively in the Sangguniang Panlalawigan. When others are appointed, notice thereof shall be served immediately on the adverse party and filed with the Sangguniang Panlalawigan.

Section 44. Order of Transmittal of Records. If the records of the case are not received by the Sangguniang Panlalawigan within 30 **calendar** days after the notice of appeal shall have been filed, the appellee may, upon notice to the appellant, move the Sangguniang Panlalawigan to grant an order directing the Municipal Secretary forthwith to transmit such records or to declare the same abandoned for failure to prosecute. However, within such 30-day period, the appellant may submit to the Sangguniang Panlalawigan a certified copy of each of the pleadings, motions or papers filed with or submitted to the Sangguniang Bayan in connection with the appealed administrative case in lieu of the records of the case. In either case, the appellant shall cause the reproduction of the records or the certified copies thereof in such number of copies as there are appellees plus fifteen (15) copies and electronic or soft copy for the Sangguniang Panlalawigan.

Section 45. Notice of Receipt of Record. The Provincial Secretary upon receiving the records of the case shall cause a notice of that fact to be served on the parties and shall require the appellant to reproduce the same in such number as hereinabove required.

Section 46. Duty of the Appellant upon Receipt of Notice. It shall be the duty of the appellant, within fifteen (15) **calendar** days from date of notice referred to in the preceding section, to cause the reproduction of the records of the case into such number of copies as hereinabove required and serve upon the appellees the copies intended for them and present to the Secretary to the Sangguniang Panlalawigan proof of service of such copy of the records of the case. Failure to cause the reproduction of the records in such number of copies as required or to serve copy of the records of the case to the appellee or to present proof to the Sangguniang Panlalawigan of such service is a ground for the dismissal of the appeal.

Section 47. Appellant's Brief. Within thirty (30) **calendar** days following receipt of notice mentioned in Section 43 hereof, it shall be the duty of appellant to file with the Secretary of the Sangguniang Panlalawigan fifteen (15) copies and one (1) electronic or soft copy of his/her brief together with proof of service of a copy thereof upon the appellee. The appellant's brief shall contain in order herein indicated the following:

1. A subject index of the matter in the brief with a digest of the arguments and page references and a table of cases alphabetically arranged, textbooks and statutes cited with reference to the pages where they are cited;
2. An assignment of the errors intended to be urged. Such errors shall be separately, distinctly and concisely stated without repetition, and shall be numbered consecutively;
3. Under the heading "State of the Case", a clear and concise statement of the nature of the administrative case, a summary of the proceedings, the appealed rulings and orders

of the Sangguniang Bayan, the nature of the decision and any other matters necessary to an understanding of the nature of the controversy, with page references to the record;

4. Under the heading "Statement of the Facts", a clear and concise statement in a narrative form of the facts admitted by both parties and of those in controversy, together with the substance of the proof relating thereto in sufficient detail to make it clearly intelligible, with page references to the record;
5. A clear and concise statement of the issues of fact or law to be admitted to Sangguniang Panlalawigan for its judgment;
6. Under the heading "Argument", the appellant's arguments on each assignment of error with page references to the record. The authorities relied upon shall be cited by the page of the report at which the case begins and the page of the report on which the citation is found;
7. Under the heading "Relief", a specification of the order or judgment which the appellant seeks;
8. A copy of the decision or order appealed from shall be attached to the appellant's brief as an appendix thereof.

Section 48. Appellee's Brief. Within thirty (30) *calendar* days from receipt of the appellant's brief, the appellee shall file with the Office of the Secretary to the Sangguniang Panlalawigan fifteen (15) copies and one (1) electronic or soft copy of his/her brief together with proof of service of a copy thereof upon the appellant. The appellee's brief shall contain in the order herein indicated the following:

1. A subject index of the matter in the brief with a digest of the arguments and page references and a table of cases alphabetically arranged, textbooks and statutes cited with reference to the pages where they are cited;
2. Under the heading "Statement of Facts", the appellee shall state that he accepts the statements of facts in the appellant's brief, or under the heading "Counter-Statement of Facts", he shall point out such insufficiencies or inaccuracies as he believes exist in the appellant's statements of facts with references to the pages of the record in support thereof, but without repetition of matters in appellant's statement of facts;
3. Under the heading "Arguments", the appellee shall set forth his arguments in the case on each assignment of error with page references to the record. The authorities relied on shall be cited by the page of the report at which the case begins and the page of the report on which the citation is found.

Section 49. Extension of Time in Filing Brief. Extension of time for filing of briefs shall not be allowed.

Section 50. Grounds for Dismissal of Appeal. An appeal may be dismissed by the Sangguniang Panlalawigan, *motu proprio* or upon motion by the appellee, on any of the following grounds:

1. Failure of the notice of appeal to show on its face that the appeal was perfected within the reglementary period to appeal;
2. Failure to file, within the reglementary period to appeal, the notice of appeal;

3. Failure of the appellant to prosecute his appeal under Section 46 hereof;
4. Failure of the appellant to serve and file the required number of copies of his brief within the time provided by these rules;
5. Want of specific assignment of errors in the appellant's brief, or of page reference to the record as required in Section 49; and
6. Failure of the appellant to cause the reproduction of the records of the case in such number of copies herein required within the time set forth herein.

Section 51. Effects of Dismissal. The dismissal of the appeal due to any grounds provided for in the immediately preceding section is immediately final and executory and the Secretary to the Sangguniang Panlalawigan shall immediately return to the Sangguniang Bayan of origin the records of the case with a certificate under the seal of the Sangguniang Panlalawigan showing that the appeal has been dismissed.

Section 52. Referral to the Presiding Officer of the Sangguniang Panlalawigan. Upon submission of the appellee's brief, or upon the expiration of the period within which to file such appellee's brief and no appellee's brief is filed, the Secretary to the Sangguniang Panlalawigan shall refer the same to the Presiding Officer who, shall calendar the same for consideration by the Sangguniang Panlalawigan.

Section 53. Form and Notice of Decision. Within 30 *calendar* days after the appeal has been considered, the Sangguniang Panlalawigan shall render a decision in writing, stating therein clearly and distinctly the facts and the reasons for such decision. Copies of said decision shall immediately be furnished the respondent and all interested parties.

The penalty of suspension or removal imposed by the Sangguniang Bayan shall not be affirmed unless the same is considered by the required number of votes as provided for in this Rule.

MISCELLANEOUS PROVISIONS

Section 54. Collective Consultation in Arriving at Conclusion. The conclusions of the Sangguniang Panlalawigan in any administrative case submitted to it for decision, shall be reached in consultation before the case is assigned to a member for the writing of the opinion of the Sangguniang Panlalawigan. A certification of this effect signed by the Presiding Officer of the Sangguniang Panlalawigan shall be issued and a copy thereof attached to the record of the case and served upon the parties. Any member who took no part, or dissented, or abstained from a decision or resolution must state the reason therefor.

Section 55. Votes required. A simple majority of all the members present constituting a quorum shall be needed to arrive at any decision, except when the penalty of suspension or removal is imposed. The penalty of suspension may only be imposed, or its imposition affirmed, by a majority vote of all the Members of the Sangguniang Panlalawigan, while the penalty of removal may only be imposed, or its imposition affirmed, by two-thirds vote of all the Members of the Sangguniang Panlalawigan.

RULE XVII PROCEDURE IN INQUIRIES IN AID OF LEGISLATION

Section 1. Power to Conduct Formal Inquiries or Investigations. The Sangguniang Panlalawigan of the Province of Leyte or any of its Committees is vested with 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 for the promotion, preservation and enrichment of culture, 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 its residents; maintain peace and order, and preserve the comfort and convenience of its inhabitants.

Such inquiries may refer to the implementation or reexamination of any law, ordinance or appropriation or in connection with any proposed legislation or the formulation of, or in connection with future legislation, or will aid in the review or formulation of a new legislative policy or enactment.

They may also extend to any and all matters vested in the Local Government of the Province of Leyte by Republic Act. No. 7160 otherwise known as the Local Government Code of the Philippines and its Implementing Rules and Regulations.

Section 2. Initiation of Inquiry. Inquiries may be initiated by the Sangguniang Panlalawigan or any of its Committees if the matter is within its competence, or upon petition filed or upon information given by any Non-Government Organization (NGO), Peoples Organizations (POs), business organizations or by any person not a member thereof.

Section. 3. Jurisdictional Challenge. If the jurisdiction of the Committee is challenged on any ground, the said issue must first be resolved by the Committee before proceeding with the inquiry.

If the Committee, by a majority vote of its members present there being a quorum, decides that its inquiry is pertinent or relevant to the implementation or reexamination of any law, ordinance or appropriation or in connection with any pending or proposed legislation or will aid in the review or formulation of a new legislative policy or enactment, or extends to any and all matters vested by the Local Government Code of 1991 and its Implementing Rules and Regulations, the Sangguniang Panlalawigan shall overrule such objection and proceed with the investigation.

Only one challenge on the same ground shall be permitted. The filing or pendency or any prosecution of criminal or administrative action shall not stop or abate any inquiry to carry out a legislative purpose.

Section 4. Quorum. One third of all the regular members of the Committee shall constitute a quorum but in no case shall it be less than two. The presence of *ex-officio* members may be considered in determining the existence of a quorum.

Section 5. Petition by Members of the Sangguniang Panlalawigan. A petition filed or information given by a Sangguniang Panlalawigan Member shall set forth the facts upon which it is based. It need not be under oath but may be accompanied by supporting affidavits.

Such petition or information shall be addressed to the Sangguniang Panlalawigan, which shall refer the same to the appropriate Committee.

Nothing in this provision shall preclude the Sangguniang Panlalawigan from referring to any Committee or Committees any speech or resolution filed by any of its Members, which, in its judgment, requires an appropriate inquiry in aid of legislation.

Section 6. Petition by Non-Members of the Sangguniang Panlalawigan. A petition filed or information given by any person not a Member of the Sangguniang Panlalawigan shall be under oath, stating the facts upon which it is based, and shall be accompanied by supporting judicial affidavits.

If the Sangguniang Panlalawigan finds the petition or information to be in accordance with the requirements of this Sangguniang Panlalawigan, it shall refer the same to the appropriate Committee.

Section 7. Inquiry by One or More Committees. The Sangguniang Panlalawigan shall determine the Committee or Committees to which a speech, resolution, petition or information, as the case may be, shall be referred: *Provided, however,* That in case referral is made to two Committees, a joint or a Committee of the Whole investigation shall be held as it may deem appropriate.

Section 8. Preliminary Determination. Except in cases of ordinances and resolutions, which do not call for an investigation or inquiry filed for consideration, the Committee to which a speech, resolution, petition, or information has been referred by the Sangguniang Panlalawigan shall meet within five (5) *calendar* days after such referral, with proper notice to all its members, in an executive meeting to determine the action it would take thereon.

A decision to conduct an inquiry shall require the concurrence of a majority of the members present provided there is a quorum.

The decision of a Committee, whether or not to conduct an inquiry, shall be reported to the Sangguniang Panlalawigan.

Section 9. Internal Rules. A Committee which decides to conduct an inquiry may adopt internal rules of procedure for such inquiry, subject to these Rules.

Section 10. Rule of Evidence. Technical rules of evidence applicable to judicial proceedings which do not affect substantive rights need not be observed by the Committee.

Section 11. Executive Session and Public Hearing.

- (1) If the Committee believes that the interrogation of a witness in a public hearing might endanger him or her, it may, *motu proprio* or upon motion of any interested party, conduct its inquiry in an executive session for the purpose of determining the necessity or advisability of conducting such interrogation thereafter in public hearing;
- (2) Attendance at executive sessions shall be limited to members of the Committee, other Members of the Sangguniang Panlalawigan, the Secretary to the Sangguniang Panlalawigan, and other persons whose presence is requested or authorized by the Chairperson. They shall preserve the secrecy of whatever may be read or said at the session; and
- (3) Testimony taken or material presented in an executive session, or any summary thereof, shall not be made public, in whole or in part, unless authorized by the Committee.

Section 12. Testimony Under Oath. All witnesses at executive sessions or public hearings who testify as to matters of fact shall give such testimony under oath or affirmation.

Witnesses may be called by the Committee on its own initiative or upon the request of the petitioner or person giving the information or any person who feels that he or she may be affected by the said inquiry.

Section 13. Transcript of Testimony. A complete and accurate record shall be kept of all testimonies and proceedings at hearings, both in public and in executive sessions.

Any witness or resource person or his/her counsel, at his or her expense, may obtain a transcript of any public testimony of the witness or resource person from the Secretary to the Sangguniang Panlalawigan as authorized by the Committee.

Any witness or resource person or his/her counsel may also obtain a transcript of his testimonies given in executive sessions under the following conditions:

- 1) When a special release of said testimony prior to public release is authorized by the Chairperson; or
- 2) After said testimony has been made public by the Committee.

Section 14. Right to Counsel.

- (1) At every hearing, public or executive, every witness or resource person shall be accorded the right of having a counsel of his or her own choice; and
- (2) Except as authorized by the Committee the participation of counsel during the course of any hearing and while the witness or resource person is testifying shall be limited to advising said witness or resource person as to his legal rights. Counsel shall not be permitted to engage in oral argument with the Committee, but shall confine his or her activity to the area of legal advice to his or her client.

Section 15. Conduct of Counsel. Counsel for a witness or resource person shall conduct himself or herself in a professional, ethical and proper manner. His or her failure to do so shall subject such counsel to disciplinary action, which may include a warning, censure and removal from the hearing room.

In such case of such removal of counsel, the witness or resource shall have a reasonable time to obtain another counsel.

Should the witness or resource person deliberately or capriciously fail or refuse to obtain the services of another counsel, the hearing shall continue and the testimony of such witness or resource person shall be taken.

Section 16. Statement of Witness or Resource Person.

- (1) Any witness or resource person desiring to make a prepared or written statement for the record shall file a copy of such statement with the Committee Secretary not less than twenty-four (24) hours in advance of the hearing at which the statement is to be presented; and
- (2) All such statements or portions thereof so received which are relevant and germane to the subject of investigation may, at the conclusion of the testimony of the witness or resource person, be inserted in the official transcript of the proceedings.

Section 17. Powers of the Committee. The Committee shall have the powers of an investigating committee, including the power to invite witnesses or resource persons willing to supply information which may be relevant to the proposed ordinance or inquiry in aid of legislation.

Outside of the Province of Leyte, service may be by licensed courier or electronic mail, or through social media or messaging platforms.

Section 18. Privilege Against Self-Incrimination. A witness can invoke his or her right against self-incrimination only when a question, which tends to elicit an answer that will incriminate

him or her is propounded to him or her. However, he or she may offer to answer any question in an executive session.

Section 19. Report of Committee. Within fifteen (15) *calendar* days after the conclusion of the inquiry, the Committee shall meet to begin the consideration of its Report.

The Report shall be approved by a majority vote of all its members. Concurring and dissenting reports may likewise be made by the members who do not sign the majority report within seventy-two (72) hours from the approval of the report. The number of members who sign the report concurring in the conclusion of the Committee Report shall be taken into account in determining whether the Report has been approved by a majority of the members: *Provided*, That the vote of a member who submits both a concurring and dissenting opinion shall not be considered as part of the majority unless he expressly indicates his or her vote for the majority position.

The Report, together with any concurring and/or dissenting opinions, shall be filed with the Secretary to the Sangguniang Panlalawigan, who shall include the same in the Agenda of the next regular session of the Sangguniang Panlalawigan.

Section 20. Action on Report. The Report, upon inclusion in the Agenda, shall be acted upon for proper disposition by the Sangguniang Panlalawigan.

RULE XVIII SUPPLEMENTARY RULES

Section 1. Supplementary Rules. The provisions of the Local Government Code of 1991 and other pertinent laws conflict with these rules shall be supplementary to these rules.

Nothing shall preclude the Sangguniang Bayan and the Sangguniang Panlungsod of the component local government units of the Province of Leyte from incorporating and providing for the supplementary application of these Revised Internal Rules of Procedure in their respective Internal Rules of Procedure.

RULE XIX AMENDMENTS

Section 1. Amendments. Any portion of these Rules may be amended by two-thirds vote of all the members of the Sangguniang Panlalawigan.

RULE XX EFFECTIVITY

Section 1. Effectivity. These Rules shall take effect immediately upon *its* (~~their~~) adoption by the Sangguniang Panlalawigan.

PASSED AND ENACTED on _____, 2025 by the Sangguniang Panlalawigan in session assembled.

Approved unanimously.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

ATTESTED:

HON. WILSON S. UY
Sangguniang Panlalawigan Member

ATTY. RONNAN CHRISTIAN M. REPOSAR
Sangguniang Panlalawigan Member

HON. RAISSA J. VILLASIN
Sangguniang Panlalawigan Member

ATTY. MILDRED JOY P. QUE
Sangguniang Panlalawigan Member

HON. MARIE KATHRYN VELOSO-KABIGTING
Sangguniang Panlalawigan Member

HON. ALAN PEREÑA ANG
Sangguniang Panlalawigan Member

HON. FLAVIANO C. CENTINO, JR.
Sangguniang Panlalawigan Member

HON. ELMER FREDERICO N. CODILLA
Sangguniang Panlalawigan Member

HON. MICHAEL L. CARI
Sangguniang Panlalawigan Member

ATTY. CARLO P. LORETO
Sangguniang Panlalawigan Member

HON. MA. MARTINA L. GIMENEZ
Sangguniang Panlalawigan Member

HON. CARMEN L. CARI
Sangguniang Panlalawigan Member

HON. MJ LUINLY D. LUMEN
Sangguniang Panlalawigan Member

HON. LEONARDO M. JAVIER, JR.
Vice Governor and Presiding Officer

APPROVED:

HON. CARLOS JERICHO L. PETILLA
Governor

Date: _____