

Item No.: 11
Date: 30 2025 JUL



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Province of Leyte
Legislative Office
Res Agud

2nd INDORSEMENT
June 13, 2025

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: JUN 26 2025
By: *[Signature]*

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 19-25-002 of the Sangguniang Bayan of Isable, Leyte.

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

- Ordinance No. 19-25-002 entitled: “ **An Ordinance Amending Municipal Ordinance No. 18-19-006.**”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution¹. Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer *[Signature]*

¹ (Constantino vs. Desierto, 288 SCRA 654) April 13, 1998

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-o0o-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1ST INDORSEMENT

18 June 2025

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 19-25-002** of the **Municipality of Isabel, Leyte**, entitled: **An Ordinance amending Municipal Ordinance No. 18-19-006: An Ordinance prohibiting contrabands inside the premises of the Isabel District jail and providing penalties hereof.**

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
Municipality of Isabel
-o0o-
OFFICE OF THE SANGGUNIANG BAYAN

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: JUN 18 2025
By: *[Signature]*

TRANSMITTAL

Date: June 17, 2025

THE SANGGUNIANG PANLALAWIGAN
Province of Leyte
Provincial Capitol, Palo, Leyte

THRU: THE OFFICE OF THE SECRETARY TO THE SANGGUNIANG PANLALAWIGAN
Provincial Capitol
Palo, Leyte

MA'M:

RESPECTFULLY TRANSMITTING YOUR END FIFTEEN (15) SETS OF THE FOLLOWING DOCUMENTS.
WITH DETAILS AS FOLLOWS:

<u>ITEM NO.</u>	<u>REF. NO.</u>	<u>TITLE/CAPTION/DESCRIPTION</u>
1	Municipal Ordinance No. 19-25-002	AN ORDINANCE AMENDING MUNICIPAL ORDINANCE No. 18-19-006: AN ORDINANCE PROHIBITING CONTRABANDS INSIDE THE PREMISES OF THE ISABEL DISTRICT JAIL AND PROVIDING PENALTIES THEREOF.

ATTACHMENTS:

1	Certificate of Public/Committee Hearing Conducted
2	Copy of the Attendance of the Public Hearing
3	Certificate of Public Posting
4	Copy of Mun. Ordinance No. 18-19-006: AN ORDINANCE PROHIBITING CONTRABANDS INSIDE THE PREMISES OF THE ISABEL DISTRICT JAIL AND PROVIDING PENALTIES THEREOF

FOR YOUR INFORMATION, REFERENCE, AND APPROPRIATE ACTION.

THANK YOU.

Respectfully yours,

[Signature]
JULIUS CESAR T. MATIGA
Secretary to the Sangguniang Bayan



REPUBLIC OF THE PHILIPPINES
 PROVINCE OF LEYTE
 Municipality of Isabel
 -o0o-
 OFFICE OF THE SANGGUNIANG BAYAN

Sangguniang Panlalawigan
 Province of Leyte
RECEIVED
 Date: JUN 18 2025
 By: *[Signature]*

EXCERPT FROM THE MINUTES OF THE 120th REGULAR SESSION OF THE 19th SANGGUNIANG BAYAN OF THE MUNICIPALITY OF ISABEL, PROVINCE OF LEYTE, HELD ON APRIL 4, 2025 AT THE SB SESSION HALL.

Present: Vice-Mayor Adam A. Fuentes, Presiding Officer
 SB Member Teddy E. Alemla
 SB Member Romelo P. Mappala
 SB Member Rey Zaldy S. Rojas
 SB Member Deborah G. Bertulfo
 SB Member Alden A. Martin
 SB Member Manuel D. Amodia
 SB Member Ailene J. Dearos
 SB Member Dan Antonio G. Tentativa
 Liga Ng Mga Barangay Pres. Marilyn A. Cordero
 SK Fed. President Kissi Lynn C. Martin

SB Member REY ZALDY S. ROJAS- SPONSOR

WHEREAS, the Bureau of Jail Management and Penology (BJMP) is a Philippine government agency under the Department of Interior and Local Government (DILG) responsible for the operation of all district, city, and municipal jails;

WHEREAS, the BJMP primarily handles detainees accused before a court who are temporarily confined in jails while undergoing investigation, awaiting final judgment, and those serving sentences of three years or below;

WHEREAS, the Isabel District Jail currently is currently located at the ground floor of the Isabel Municipal Hall building;

WHEREAS, the 18th Sangguniang Bayan of Isabel on July 27, 2020, passed Municipal Ordinance No. 18-19-006: An Ordinance Prohibiting Contrabands Inside the Premises of the Isabel District Jail and Providing Penalties Thereof;

WHEREAS, the Regional office VIII of the Bureau of Jail Management and Penology on January 22, 2025 issued Memorandum Circular requesting City and Municipalities in Region VIII to enact an ordinance against contraband in Jails which should contain a provision on the automatic forfeiture in favor of the BJMP of the contraband seized or confiscated pursuant to the BJMP Service Manual;

WHEREAS, Municipal Ordinance No. 18-19-006 do not contain the provision on the automatic forfeiture of the contraband seized or confiscated in favor of the BJMP;

WHEREAS, in-order to rectify such absence and to clarify and hasten the disposal of the contraband seized or confiscated, this Ordinance is passed and ordained by the 19th Sangguniang Bayan of Isabel, province of Leyte.

MUNICIPAL ORDINANCE NO. 19-25-002

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 18-19-006: AN ORDINANCE PROHIBITING CONTRABANDS INSIDE THE PREMISES OF THE ISABEL DISTRICT JAIL AND PROVIDING PENALTIES HEREOF.

BE IT ORDAINED by the 19th Sangguniang Bayan of the Municipality of Isabel, Leyte.

[Handwritten signatures of the Sangguniang Bayan members]

SECTION 1. Amendments – The following provisions of Municipal Ordinance No. 18-19-006 are hereby amended:

SECTION 5. DEFINITION OF TERMS:

5.1 Contraband = any article, item, or thing prohibited by law and/or forbidden by jail rules that would pose as security hazards or endanger the lives of PDL and jail personnel.

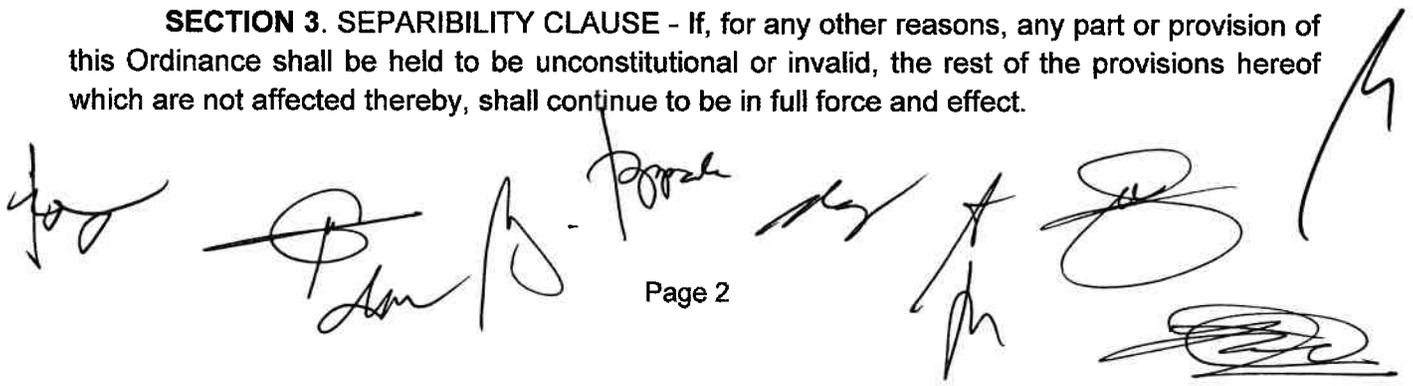
- A. Serious/Dangerous Contraband – are items or articles that are prohibited by law that can cause death or serious physical injuries, such as:
 - a. Firearms;
 - b. Firearms replica (toy guns);
 - c. Ammunition;
 - d. Knives;
 - e. Dangerous drugs;
 - f. Controlled precursors;
 - g. Drug paraphernalia;
 - h. Improvised explosive;
 - i. improvised deadly weapon;
 - j. Other items the possession of which is prohibited or regulated by law.

- B. Nuisance Contraband – not classified as illegal under the law but are forbidden by jail rules, such as:
 - a. Cellphone;
 - b. Subscribers identification module (SIM);
 - c. Money;
 - d. Alcoholic liquor or beverages;
 - e. Cigarettes per stick, E-cigarettes, Vapes, and other Tobacco products, matches, and lighters;
 - f. Camera;
 - g. Gambling paraphernalia;
 - h. Inks and tattoo paraphernalia;
 - i. Shavers, scissors, pens, glass bottles, mirror, other pointed and/ or improvised or sharpened objects;
 - j. pornographic materials;
 - k. Jewelry;
 - l. Computer, other electronic devices and gadgets;
 - m. Cutting saws, claw bars, shovels, and other construction implements;
 - n. Items containing information on plans for possible escape, location of security facilities and defense infrastructure;
 - o. Other related items or articles the possession of which inside, or their entry to the jail facility is prohibited or regulated by the jail authorities.

SECTION 7. PENAL CLAUSE. Any visitor found violating Section 6 of the Ordinance shall be issued a Municipal Citation Ticket and shall pay an administrative fine of One Thousand Pesos (Php 1,000.00) for each Nuisance Contraband as define and/or enumerated under Section 5.1.B, and a fine of Two Thousand Pesos (Php 2,000.00) for each Serious or Dangerous Contraband as defined and/or enumerated by Section 5.1.A, and/ or imprisonment of not more than One (1) month per Contraband item at the discretion of the court, in addition to the confiscation and forfeiture of the subject contraband shall be in favour of the Bureau of Jail Management and Penology pursuant to the BJMP Service Manual and other existing rules and regulations.

SECTION 2. REPEALING CLAUSE -All other ordinances or any parts thereof which are inconsistent herewith are deemed repeated or modified accordingly.

SECTION 3. SEPARIBILITY CLAUSE - If, for any other reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, the rest of the provisions hereof which are not affected thereby, shall continue to be in full force and effect.



Page 2

SECTION 4. EFFECTIVITY - This Ordinance shall take effect upon its approval and after ten (10) days from date a copy hereof is posted in the bulletin board at the entrance of the Municipal Hall and in at least two (2) other conspicuous places within the Municipality.

Voting on the foregoing Ordinance as follows:

Ayes:

HON. ROMELO P. MAPPALA

HON. REY ZALDY S. ROJAS

HON. DEBORAH G. BERTULFO

HON. ALDEN A. MARTIN

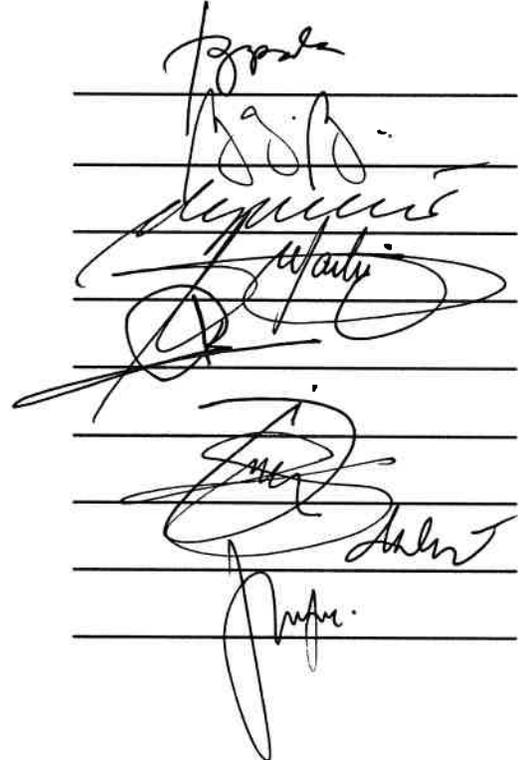
HON. MANUEL D. AMODIA

HON. AILENE J. DEAROS

HON. DAN ANTONIO G. TENTATIVA

HON. MARILYN A. CORDEÑO

HON. KISSI LYNN C. MARTIN



Nays: NONE

I HEREBY CERTIFY to the correctness and authenticity of the foregoing Ordinance.

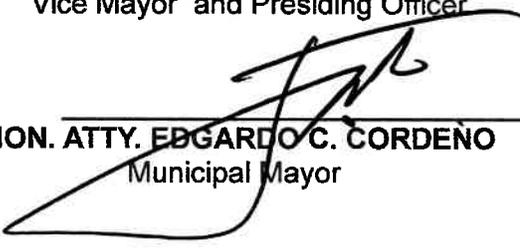
JULIUS CESAR T. MATIGA
Secretary to the Sangguniang Bayan

ATTESTED BY:



HON. ADAM A. FUENTES
Vice Mayor and Presiding Officer

APPROVED:



HON. ATTY. EDGARDO C. CORDEÑO
Municipal Mayor



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
Municipality of Isabel
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF PUBLIC HEARING CONDUCTED

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that the Committee on Peace and Order had conducted a Committee hearing/public consultation last and March 24, 2025 at the SB Session Hall at 1:30 in the afternoon for Municipal Ordinance No. 19-25-002 : AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 18-19-006: AN ORDINANCE PROHIBITING CONTRABANDS INSIDE THE PREMISES OF THE ISABEL DISTRICT JAIL AND PROVIDING PENALTIES THEREOF.

Done this 16th day of June 2025, at SB Office, LGU-Isabel, Leyte, Philippines.


JULIUS CESAR T. MATIGA
SB Secretary



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
Municipality of Isabel
-o0o-
OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

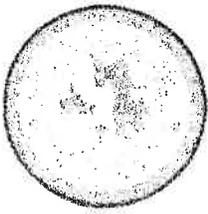
TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY THAT pursuant to Section 59 of RA 7160, otherwise known as the Local Government Code of the Philippines, a copy of Municipal Ordinance No. 19-25-002 : AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 18-19-006: AN ORDINANCE PROHIBITING CONTRABANDS INSIDE THE PREMISES OF THE ISABEL DISTRICT JAIL AND PROVIDING PENALTIES THEREOF, was posted within the period from April 14, 2025 to April 30, 2025 on the Bulletin Board located at the lobby of Isabel Town Hall, another one (1) copy at Isabel Public Market Bulletin Board, and one (1) more copy at Isabel Public Utility Vehicles Terminal, this municipality.

This certifies further that this document is being posted by the Sangguniang Bayan for public information, guidance, and for whatever legal purpose this may serve best.

Done this 16th day of June 2025, at SB Office, LGU-Isabel, Leyte, Philippines.


JULIUS CESAR T. MATIGA
SB Secretary



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
Municipality of Isabel

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OFFICE OF THE SANGGUNIANG BAYAN

COMMITTEE MEETING / HEARING ON: PEACE AND ORDER

Re: MUNICIPAL ORDINANCE NO. 19-25-002 - AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 18-19-006: AN ORDINANCE PROHIBITING CONTRABANDS INSIDE THE PREMISES OF THE ISABEL DISTRICT JAIL AND IMPOSING PENALTIES THEREON.

Date : MARCH 24, 2025

Time : 1:30 PM

Venue : SB Session Hall

ATTENDANCE

Name	Office/Designation	Address	Time of Arrival	Contact Number	Signature
1. Evelyn S. Puche	Proy. Treasurer	Mark Hope	1:10	09075008158	[Signature]
2. Christie E. Selibran	PROY.	Mark Hope	1:10	0907-746-744	[Signature]
3. APOLIN D. LORON	PROY.	Mark Hope	1:10	0906-747-7822	[Signature]
4. RIVERA ANCELINA	Proy. Treasurer	Can-andan	1:17	09056573907	[Signature]
5. FABRICA ELMER	SK Chairperson	Can-andan	1:10	09352696816	[Signature]
6. LAMOSTE, R. LAMOSTE	PUNONG BIRY.	CAN-ANDAN	1:15	09269146195	[Signature]
7. Gabo Mary Jane	Proy. Treas.	Antipolo	1:15	0904169010	[Signature]
8. ANCHETA LORRAINE	Sec.	Antipolo	1:15	09439915609	[Signature]
9. NELSON A. CANTILAN	PUNONG BIRY	ANTIPOLO	1:17	09058427923	[Signature]
10. PEDRERO ALVARO	Kagawad	TABUNOK	1:17		[Signature]
11. RIZALYN B. MARTINEZ	PROY. SEC./TABUNOK	TABUNOK	1:17	0975-834-9818	[Signature]
12. VILMA D. SUMAYU	Antipolo Brgy. Sec.	Brgy. Antipolo	1:19	09163812034	[Signature]
13. REXMOC GONZALES	KAGAWAD	Brgy. SAN FRANCISCO	1:30	09774649890	[Signature]
14. PADUA, ROMERA	Barangay Secretary	Marul	1:00	09056266850	[Signature]
15. CARIL, ZALITA	Treasurer	"	1:00		[Signature]
16. AMODIA, BRENDA	Punong Barangay	"	1:10		[Signature]
17. ANSELMA C. NUENA	Punong Brgy.	Mahayag	1:15	0997 146 3482	[Signature]
18. DANLISA E. CARSON	PROY. TREASURER	MAHAYAG	1:15	09773678816	[Signature]
19. VIVENCIA C. MACAS	KAGAWAD	"	1:15		[Signature]
20. ELVIRA C. ALVARO	PROY. SECRETARY	"	1:15	0965 690 204	[Signature]



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
Municipality of Isabel
-o0o-
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 49TH REGULAR SESSION OF THE 18th SANGGUNIANG BAYAN OF THE MUNICIPALITY OF ISABEL, PROVINCE OF LEYTE, HELD ON JULY 27, 2020 AT THE SB SESSION HALL.

Present: Coun. Adam A. Fuentes, Presiding Officer Pro-Tempore
Coun. Teddy E. Alemla
Coun. Marc B. Medina
Coun. Alden A. Martin
Coun. Allan F. Romero
Coun. Noel B. Banaag
Coun. Luvilla C. Fullon
Coun. Ma. Linda M. Salamat
ABC- Pres. Edgar F. Bandal
SK Fed. Pres. Mariel M. Astillero

Absent: NONE

COUNCILOR MARC B. MEDINA – SPONSOR
COUNCILOR NOEL B. BANAAG – CO-SPONSOR

**MUNICIPAL ORDINANCE NO. 18-19-006 - AN ORDINANCE PROHIBITING
CONTRABANDS INSIDE THE PREMISES OF THE ISABEL DISTRICT JAIL
AND PROVIDING PENALTIES HEREOF**

BE IT ORDAINED BY THE 18TH Sangguniang Bayan of the Municipality of Isabel, Province of Leyte:

TITLE

SECTION 1. TITLE. This ordinance shall be known as "ANTI-CONTRABAND IN ISABEL DISTRICT JAIL ORDINANCE 2020".

SECTION 2. PURPOSE AND GENERAL COVERAGE. This ordinance shall cover only the Isabel District Jail.

SECTION 3. DECLARATION OF POLICY. The provisions of this ordinance is in line with the Municipal Government's commitment to good governance and upholding of public order and safety. The existence and/or proliferation of contrabands inside the Isabel District Jail are prejudicial to public safety and counterproductive to rehabilitation programs of the government.

SECTION 4. GOVERNING PRINCIPLES. In an effort of preserving law and order inside the Isabel District Jail, it is imperative that stern measures are observed by the personnel and jail visitors alike. This is geared to serve the tenets that:

- 4.1 One of the most important thrust of the BJMP Isabel District Jail total security program is the identification and control of the entry of contraband;
- 4.2 Control in the entry of contraband inside the Isabel District Jail is a primarily responsibility of all its jail officers and/or personnel; and
- 4.3 Proper security in a jail facility sets the pre-cursor for a complete and effective rehabilitation programs for its Persons Deprived of Liberty (PDLs).

SECTION 5. DEFINITION OF TERMS. For purposes of this Ordinance, the following terms shall be defined as follows:

5.1 CONTRABAND shall refer to any item or article or merchandise or things

not considered illegal by existing laws but prohibited inside the jail premises, such as but not limited to the following:

- a. Playing Cards and other Gambling Paraphernalia such as Mahjong Set, Bingo Set, Other Card Games, Betting Stubs;
- b. Alcohol Beverages;
- c. Pornographic Materials;
- d. Cigarettes, E-Cigarettes, Vapes and other Tobacco Products, Matches and Lighters;
- e. Mobile Phones and other Communication Devices;
- f. Cameras;
- g. Shavers, Scissors, Pens, Glass Bottles, Mirror, other Pointed and/or Improvised or Sharpened Objects;
- h. Computer, other Electronic Gadgets or Devices;
- i. Portable Video Players;
- j. Jewelries; and
- k. Money in excess of Three Hundred Pesos (Php 300.00).

5.2 HOLDING CENTER shall refer to the area of the Isabel District Jail where visitors and even jail personnel including all packages and other things to be brought inside the jail premises are thoroughly checked.

5.3 JAIL PREMISES shall refer to any area beyond the holding center of the Isabel District Jail.

5.4 LOCAL BJMP shall refer to Isabel District Jail.

5.5 PERSONS DEPRIVED OF LIBERTY (PDLs) shall refer to those persons detained or held in custody or imprisoned inside the detention cells of the Isabel District Jail.

5.6 PERSONNEL – any officer, staff or personnel of the Isabel District Jail.

5.7 VISITORS shall refer to those persons who will visit the jail facility other than the jail personnel and those persons deprived of liberty.

5.8 SNEAK-IN / SMUGGLE shall refer to an act of bringing and/ or possessing of contraband within the holding center and within the jail premises.

SECTION 6. PROHIBITION. It is hereby prohibited for any person who shall come and visit a Person/s Deprived of Liberty (PDL/s) in the Isabel District Jail to sneak-in or smuggle any form of contraband without any authority enumerated under Section 5.1 hereof inside the jail premises

It is also hereby prohibited for any person to cause and/ or aid the entrance, in any way, of defined contrabands enumerated under Section 5.1 hereof inside the jail premises.

Violation of this ordinance shall be deemed consummated if the visitors shall be found in possession of contraband either in the holding area (for those contraband not surrendered) or in any part of the jail premises.

The violation of those persons who aid in the entrance of any contraband under this Ordinance shall be deemed consummated if he/ she shall be found or caught in the act (in flagrante delicto) of causing and/ or aiding in any way (the intent of sneaking-in or smuggle the contraband inside the jail premises is apparent) the entrance thereof inside the jail premises or such prohibited act is established by proof or any circumstantial and/ or collaborative evidence.



SECTION 7. PENAL CLAUSE. Any visitor found violating Section 6 of this Ordinance shall be issued a Municipal Citation Ticket and shall pay a fine of Not Less Than One Thousand Philippine Pesos (Php 1,000.00) and Not More Than Two Thousand Pesos (Php 2,000.00) and or imprisonment of not more than One (1) month per Contraband Item at the discretion of the court.

The violator may opt to pay an Administrative Fine of Five Hundred Philippine Pesos (Php 500.00) per Contraband Item at the Treasurer's Office of Isabel Leyte within Three (3) Days from the issuance of the Municipal Citation Ticket, otherwise, an appropriate case shall be filed in court.

SECTION 8. AUTHORITY OF THE LOCAL BJMP TO ISSUE GUIDELINES.

The Local BJMP shall issue Guidelines on the procedure of frisking or checking, search, confiscation or seizure, safekeeping and disposal of the contraband items, as well as the filing of appropriate case (s) in court.

SECTION 9. SEPARABILITY CLAUSE. If for any reason, any provision, portion or part of this ordinance is found to be inconsistent with any law, other provisions or part or parts thereof not so affected shall remain in full force and effect.

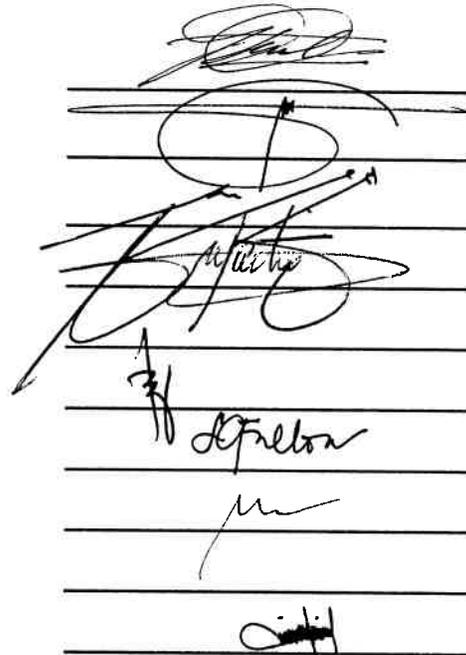
SECTION 10. REPEALING OR AMENDATORY CLAUSE. All other ordinances rules and regulations or part or parts thereof, which are inconsistent or in conflict with the provisions of this ordinance are hereby repealed, amended and modified accordingly.

SECTION 11. EFFECTIVITY. This Ordinance shall take effect upon its approval and publication in the local newspaper of general circulation and posting in conspicuous places in the Municipality of Isabel as required under Section 511 of Republic Act No. 7160 or the Local Government Code.

Voting on the foregoing Ordinance as follows:

Ayes:

COUN. ADAM A. FUENTES
COUN. TEDDY ALEMIA
COUN. MARC B. MEDINA
COUN. ALDEN A. MARTIN
COUN. ALLAN F. ROMERO
COUN. NOEL B. BANAAG
COUN. LUVILLA C. FULLON
COUN. MA. LINDA M. SALAMAT
ABC Pres. EDGAR F. BANDAL
SK Fed. Pres. MARIEL M. ASTILLERO



Nays: NONE

I HEREBY CERTIFY to the correctness and authenticity of the foregoing Ordinance.


JULIUS CESAR T. MATIGA
Secretary to the Sangguniang Bayan

ATTESTED BY:


GODFREY T. ALCANTARA
Vice-Mayor and Presiding Officer

APPROVED:


SATURNINO M. MEDINA, JR.
Mayor