

Item No.: 11

Date: 16 2025 SEP



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

2nd INDORSEMENT

August 20, 2025

Date: SEP 02 2025
by: [Signature]

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2023-174 of the Sangguniang Bayan of Carigara, Leyte.

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

- Ordinance No. 2023-174 entitled **“The Municipality of Carigara People’s Law Enforcement Board.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 43 of R.A. No. 6975¹ in relation to Section 447(a)² of the Local Government Code of 1991 (R.A 7160). 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

¹ "Department of the Interior and Local Government Act of 1990."

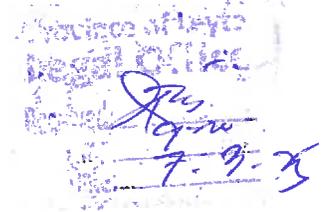
Section 43. People’s Law Enforcement Board (PLEB). – (a) Creation and Functions. – Within thirty (30) days from the issuance of the implementing rules and regulations by the Commission, there shall be created by the sangguniang panlungsod/bayan in every city and municipality such number of People's Law Enforcement Boards (PLEBs) as may be necessary: Provided, That there shall be at least one (1) PLEB for every municipality and for each of the legislative districts in a city. The PLEB shall have jurisdiction to hear and decide citizen's complaints or cases filed before it against erring officers and members of the PNP. There shall be at least one (1) PLEB for every five hundred (500) city or municipal police personnel.

² (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code

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Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
02 July 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2023-174** of the **Municipality of Carigara, Leyte**, entitled: **An Ordinance creating the People's Law Enforcement Board (PLEB) in the Municipality of Carigara; prescribing the composition and term of office of members and appropriating funds needed therefore; and for other purposes.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

Copy for SP



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA



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OFFICE OF THE SANGGUNIANG BAYAN

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1st INDORSEMENT
July 2, 2025

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: JUL 02 2025
By: [Signature]

Respectfully forwarded to the Honorable Members of the Sangguniang Panlalawigan of Leyte, thru the Provincial Board Secretary, Florinda Jill S. Uyvico, the herein **Municipal Ordinance No. 2023-174** – *“An Ordinance Creating the People’s Law Enforcement Board (PLEB) in the Municipality Of Carigara; Prescribing the Composition and Term of Office of Members And Appropriating Funds Needed Therefore; And for Other Purposes”*.

For your perusal and appropriate action.


PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian



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BAGONG PILIPINAS

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EXCERPT FROM THE MINUTES/JOURNAL OF THE 146TH REGULAR SESSION OF THE 19TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE ON JUNE 19, 2025

* * * * *

PRESENT:

Hon. Jimmy A. Camposano	-----	Mun. Vice Mayor-Pres. Officer
Hon. Joenlee C. Larraga	-----	SB Member
Hon. Mildred C. Modesto	-----	SB Member
Hon. Raul Z. Lloren	-----	SB Member
Hon. Joselu N. Guia	-----	SB Member
Hon. Kim Anthony G. Agner	-----	SB Member
Hon. Leny T. Ong	-----	SB Member
Hon. Daniel N. Ariaso, Jr.	-----	SB Member-SK Fed. Pres.
Hon. Arvin. N. Urmeneta	-----	SB Member-LnB Pres.

Sangguniang Panlalawigan
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ABSENT:

Hon. Anabella N. Crisostomo	-----	SB Member - Forced Leave
Hon. Lorna A. Marpa	-----	SB Member - Forced Leave

* * * * *

MUNICIPAL ORDINANCE NO. 2023-174

AN ORDINANCE CREATING THE PEOPLE'S LAW ENFORCEMENT BOARD (PLEB) IN THE MUNICIPALITY OF CARIGARA; PRESCRIBING THE COMPOSITION AND TERM OF OFFICE OF MEMBERS AND APPROPRIATING FUNDS NEEDED THEREFORE; AND FOR OTHER PURPOSES.

Authors/Sponsors:

Hon. Jimmy A. Camposano
Hon. Kim Anthony G. Agner

Co-Authors:

Hon. Joenlee C. Larraga	Hon. Leny T. Ong
Hon. Mildred C. Modesto	Hon. Anabella n. Crisostomo
Hon. Lorna A. Marpa	Hon. Raul Z. LLloren
Hon. Joselu N. Guia	Hon. Arvin N. Urmeneta
Hon. Daniel Ariaso, Jr.	

WHEREAS, Sec 1. Rule II of DILG MC No. 91-002, state that "the Sangguniaig

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“An Ordinance Creating the People’s Law Enforcement Board in the Municipality of Carigara; Prescribing the Composition and Term of Office of Members and Appropriating Funds Needed Therefore; and For Other Purposes”

Panglungsod/ Bayan in every city and municipality shall create such number of People’s Law Enforcement Board (PLEBs) as may be necessary; Provided, that there shall be at least one (1) PLEB for every five hundred (500) city or municipal police personnel and for each of the legislative districts in a city/ municipality.”;

WHEREAS, Sec 66 of RA No. 8551 also known as the “Philippine National Police Reform and Reorganization Act of 1998” states that “The PLEB shall be the central receiving entity for any citizen’s complaint against the officers and members of the PNP. Subject to the provisions of Sec 41 of R.A. 6975, the pleb shall take cognizance of or refer the complaint to the proper disciplinary or adjudicatory authority within three (3) days upon filing of the complaint.”;

WHEREAS, Sec. 3 Rule II of DILG MC No. 91-002, designates any member of the Sangguniang Bayan chosen by its Sangguniang concerned to comprise on of the members of the PLEB;

NOW, THEREFORE, in the interest of public service and in pursuant to existing laws and regulations governing the creation of the People’s Law Enforcement Board, upon motion of Hon. Kim Anthony G. Agner, seconded by all SB members present;

BE IT ORDAINED, as it is hereby ordained by the Sangguniang Bayan of Carigara, in session assembled that:

Section 1. Title. This ordinance shall be known as The Municipality of Carigara People’s Law Enforcement Board. Hereinafter referred to as Carigara People’s Law Enforcement Board or “CPLEB”.

Section 2. There is hereby created a People’s Law Enforcement Board in the Municipality of Carigara whose function is to hear and decide citizen’s complaints on cases filed before it against erring officers and members of the Philippine National Police as defined under Republic Acts 6975 and 8551, otherwise known as the Department of the Interior and Local Government Act of 1990, the above-cited laws

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supplemented by the NAPOLCOM Memorandum Circular No. 2017-157, provided for the creation of the said PLEB, the composition of which shall be:

- 1) One (1) Member of good standing to be chosen by the Sanggunian from among its members;
- 2) One (1) Punong Barangay of good standing as chosen by the Liga ng mga Barangay;
- 3) Three (3) Members who are removable only for cause; to be chosen by the Municipal Peace and Order Council (MPOC), from among the respected members of the community known for their probity and integrity, one of whom must be a woman and another a member of the BAR, or in the absence thereof, a college graduate, or the district supervisor of the DepEd or Principal of the central school in the locality as determined by the Division of Municipal Schools, Carigara.

Section 3. The Chairperson of the CPLEB shall be elected from among its members. The duties and responsibilities of the members of the PLEB shall be pursuant to the provisions of Republic Acts 6975 and 8551 supplemented by the NAPOLCOM Memorandum Circular No. 2016-002 and DILG Memorandum Circular No. 2017-157.

Section 4. The term of office of the members of the CPLEB shall be for a period of three (3) years from assumption of office, and to hold office until their successors shall have been chosen and qualified; PROVIDED, the term of office of elected local officials shall be co-terminus with their respective term of office and shall in no case extend beyond three (3) years.

Section 5. Any member of the CPLEB may be removed for cause any time before the expiration of their term of office by the nominating agency.

Section 6. The CPLEB is hereby authorized to avail of the services of any staff, to be designated as Secretary of any existing department, office, bureau or branch or instrumentality of the municipal government of Carigara, who shall be responsible for

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documentation of the proceedings, preparations of reports, and such other functions that may be required in the discharge of its functions.

Section 7. Member of the CPLEB and the Secretary, with the exception of the member of the Sangguniang Bayan, shall be compensated in the form of per diem at the rate not exceeding Php1,000.00 per meeting/session actually attended but not to exceed Php4,000.00 per month, subject to the following condition:

- 7.1.1 That the law creating such bodies does not bar them from receiving compensation as members.
- 7.1.2 That the grant thereof is subject to the budgetary limitation on personal services under Section 325 of RA 7160 (Local Government Code of 1991), and availability of funds.
- 7.1.3 If the law expressly provides the rate of compensation, the pertinent provision of the law shall prevail.

The administrative support staff rendering services to the board/ body may be compensated in the form of honoraria not exceeding Php200 per session but not to exceed Php800 per month, subject likewise to 7.1.2 above. (DBM LBC NO. 73, dated Jan 10,2001)

The Municipal Administrator, is likewise authorized to sign all papers and documents on matters affecting PLEB.

Initially, the amount of Php300,000.00 or so much thereof as may be necessary is hereby appropriated out of any fund or funds existing in the Municipal Mayor’s Office not otherwise appropriated to be made available as payment for honorarium of CPLEB member. Subsequent thereto, the yearly appropriation for honorarium shall be incorporated in the annual budget.

Section 8. The amount of Php300,000.00 or so much thereof as may be needed, is

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likewise appropriated out of the unappropriated fund of the Municipality as initial operating expenses for the six (6) members of the People’s Law Enforcement Board.

Section 9. The Sanggunian and the Liga ng mga Barangay, as well as the Municipal Peace and Order Council are hereby enjoined to submit within 30 days from approval of this Ordinance the names of the members of the CPLEB.

Section 10. The Rules of Procedure to be followed in PLEB proceedings shall be in accordance with the provisions of Republic Acts 6975 and 8551 supplemented by the NAPOLCOM Memorandum Circular No. 2016-002 and DILG Memorandum Circular No. 2017-157.

Section 11. Repealing clause. All ordinances, resolutions, circulars, memorandum, or rules and regulations inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 12. Separability Clause. If, for any reason, any portion or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 13. Supplementary Clause. On matters not provided in this Ordinance, any existing applicable laws and their corresponding Implementing Rules, Executive Orders and relevant issuances issued therefore shall apply in a supplemental manner.

Section 14. Transitory Clause. This Ordinance shall be amended as may be necessary or modified in pursuance to the issuance of the new programs, laws applicable for the creation of the People’s Law Enforcement Board of Carigara

Section 15. Effectivity Clause. This Ordinance shall take effect upon compliance of the mandatory posting requirement prescribed under RA 7160, otherwise known as the Local Government Code of 1991.

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“An Ordinance Creating the People’s Law Enforcement Board in the Municipality of Carigara;
Prescribing the Composition and Term of Office of Members and Appropriating Funds Needed

ENACTED: This 19th day of June 2025 at the SB Session Hall, Carigara, Leyte

* * * * *

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE
ORDINANCE ENACTED BY THE SANGGUNIANG BAYAN ON 19 JUNE 2025.


PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:

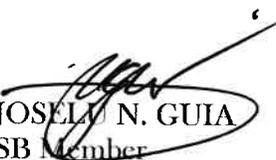

JIMMY A. CAMPOSANO
Municipal Vice Mayor /Presiding Officer

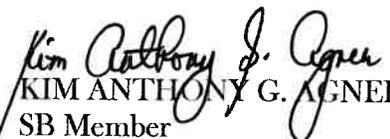
Concurred:


JOENLEE C. LARRAGA
SB Member


MILDRED C. MOBESTO
SB Member


RAUL Z. DLOREN
SB Member


JOSEFA N. GUIA
SB Member


KIM ANTHONY G. AGNER
SB Member


LENY T. ONG
SB Member



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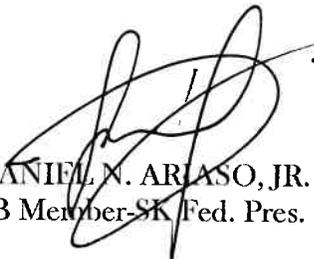
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*“An Ordinance Creating the People’s Law Enforcement Board in the Municipality of Carigara;
Prescribing the Composition and Term of Office of Members and Appropriating Funds Needed*


ARVIN N. URMENETA
SB Member-LnB Pres.


DANIEL N. ARIASO, JR.
SB Member-SK Fed. Pres.

Approved:


EDUARDO T. ONG, JR.
Municipal Mayor

Date of Approval: 06/30/2025



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OFFICE OF THE SANGGUNIANG BAYAN

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BAGONG PILIPINAS

CERTIFICATION

THIS IS TO CERTIFY Municipal Ordinance No. 2023-174 –
“An Ordinance Creating the People’s Law Enforcement Board (PLEB) in the Municipality of Carigara; Prescribing the Composition and Term of Office of Members and Appropriating Funds Needed Therefore; And for Other Purposes”,
has been posted last June 30, 2025 in accordance with R.A. 7160, otherwise known as the Local Government Code of 1991.

ISSUED this 2nd day of July, 2025.


PAULINO T. MARQUEZ
Legal Assistant I
OIC-Secretary to the Sanggunian