

Item No.: 11

Date: 09 2025 SEP



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
August 20, 2025

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: SEP 03 2025
By: [Signature]

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 6 series of 2025 of the Sangguniang Bayan of Capoocan, Leyte.

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

- Ordinance No. 6, series of 2025: **“An Ordinance abolishing the following Plantilla positions: Administrative Assistant IV-MTO, Mun. Govt. Assistant Dept. Head 1(HRMO IV) – Office of the HRMO, Mun. Govt. Assistant Dept. Head 1(Assistant PESO Manager) PESO Office .”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)(1)(viii)¹ of the Local Government Code of 1991 (R.A 7160) in consonance with Section 76². 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(viii) Determine the positions and salaries, wages, allowances and other emoluments and benefits of officials and employees paid wholly or mainly from municipal funds and provide for expenditures necessary for the proper conduct of programs, projects, services, and activities of the municipal government;

² Section 76. Organizational Structure and Staffing Pattern. - Every local government unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission.

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

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
31 July 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 6, series of 2025 of the Municipality of Capoocan, Leyte, entitled: Municipal Ordinance No. 6 series of 2025, Ordinance abolishing the following plantilla positions:**

1. **Administrative Assistant IV – MTO**
2. **Mun. Govt. Assistant Dept. Head 1 (HRMO IV) – Office of the HRMO**
3. **Mun. Govt. Assistant Dept. Head1 (Assistant PESO Manager) PESO Office**


FLORINDA JILL SUYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Capoocan
Office of the Sangguniang Bayan

✉ sbcapoocan@gmail.com / sbcapoocan@yahoo.com
☎ 09976874138

July 31, 2025

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: JUL 31 2025
By: [Signature]

THE HONORABLE BODY

Sangguniang Panlalawigan
4th Floor, Provincial Government Complex
West Bypass Road, Campetic
Palo, Leyte

Dear Gentlemen / Mesdames:

Good Day!

Submitting **Ordinance No. 6, Series of 2025** of the Sangguniang Bayan of Capoocan, Leyte entitled, for review of the Honorable Body. **ORDINANCE NO. 6, Series of 2025** is entitled, "**ORDINANCE ABOLISHING THE FOLLOWING PLANTILLA POSITIONS:**

1. **ADMINISTRATIVE ASSISTANT IV – MTO**
2. **MUNICIPAL GOV'T ASSISTANT DEPT. HEAD 1 (HRMO IV) – OFFICE OF THE HRMO**
3. **MUNICIPAL GOV'T ASSISTANT DEPT. HEAD 1 (ASSISTANT PESO MANAGER) PESO OFFICE"**

Earliest and favorable action shall be gratefully acknowledged.

Respectfully yours,

JUDE R. DELA TORRE
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Capoocan
Office of the Sangguniang Bayan

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☎ 09976874138

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
JUL 31 2025

Date: _____
By: _____

SANGGUNIANG BAYAN OF THE MUNICIPAL GOVERNMENT OF CAPOOCAN, LEYTE IN ITS 2nd REGULAR SESSION
HELD ON JULY 7, 2025 AT THE MUNICIPAL SESSION HALL LEGISLATIVE BUILDING

MUNICIPAL ORDINANCE NO. 6 SERIES OF 2025

ORDINANCE ABOLISHING THE FOLLOWING PLANTILLA POSITIONS:

1. ADMINISTRATIVE ASSISTANT IV – MTO
2. MUNICIPAL GOV'T ASSISTANT DEPT. HEAD 1 (HRMO IV) – OFFICE OF THE HRMO
3. MUNICIPAL GOV'T ASSISTANT DEPT. HEAD 1 (ASSISTANT PESO MANAGER) PESO OFFICE

WHEREAS, Section 76 of Republic Act 7160 states that "Every Local Government Unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirement and financial capability";

NOW THEREFORE, BE IT ENACTED BY THE SANGGUNIANG BAYAN IN SESSION DULY ASSEMBLED, THAT;

Section 1. The following Plantilla Positions are hereby abolished:

- a. ADMINISTRATIVE ASSISTANT IV – MTO
- b. MUNICIPAL GOV'T ASSISTANT DEPT. HEAD 1 (HRMO IV) – OFFICE OF THE HRMO
- c. MUNICIPAL GOV'T ASSISTANT DEPT. HEAD 1 (ASSISTANT PESO MANAGER) PESO OFFICE

Section 2. Separability Clause. If any provision of this Ordinance is declared invalid, the remainder or any provision hereof not affected thereby shall remain in force and effect.

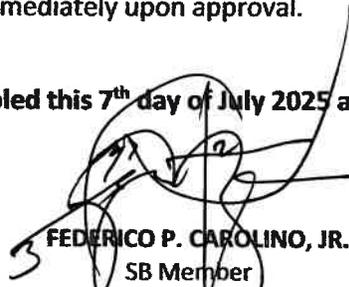
Section 3. Repealing Clause. Any ordinance found inconsistent hereof, in whole or in part, is hereby repealed or modified accordingly.

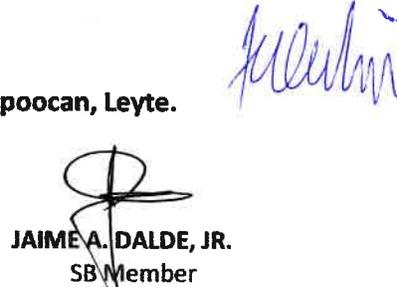
Section 4. Effectivity. This ordinance shall take effect immediately upon approval.

ENACTED by the Sangguniang Bayan, in session assembled this 7th day of July 2025 at Capoocan, Leyte.

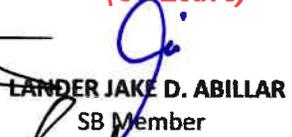

GRACIA G. PIGAR
SB Member

VON LITO Q. VALLAR
SB Member
(On Leave)


FEDERICO P. CAROLINO, JR.
SB Member

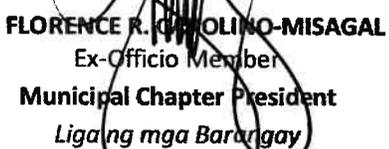

JAIME A. DALDE, JR.
SB Member


ARNOLD A. CAING
SB Member


LANDER JAKE D. ABILLAR
SB Member

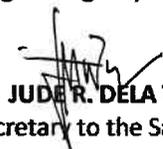

TERESA C. BALQUIN
SB Member


JOJO N. NEPOMUCENO
SB Member


FLORENCE R. CAROLINO-MISAGAL
Ex-Officio Member
Municipal Chapter President
Ligang mga Barangay


DAVE A. MISAGAL
Ex-Officio Member
President
Pambayang Pederasyon ng mga Sangguniang Kabataan

I HEREBY CERTIFY to the correctness of the foregoing resolution of the Sangguniang Bayan of Capoocan, Leyte.


JUDE R. DELA TORRE
Secretary to the Sanggunian

ATTESTED:


ATTY. FE CLAIRE P. CAROLINO-PARAGATOS
Municipal Vice-Mayor/Presiding Officer

APPROVED:


ATTY. FEDERICO H. CAROLINO, SR.
Municipal Mayor
Date: 7.29.25