



Republic of the Philippines  
Province of Leyte  
Sangguniang Panlalawigan



## COMMITTEE ON RULES, LAWS and PRIVILIGES

### COMMITTEE REPORT

NO. 2025-\_\_\_

Re: Review of Municipal Ordinance No. 2025-001 of Santa Fe, Leyte

Title: **Municipal Ordinance No. 2025- 001 “An Ordinance Establishing the Persons with Disability Affairs Office (PDAO) in the Municipality of Santa Fe, Leyte”**

Date: September 23, 2025  
Prepared by: Committee on Laws, Rules and Privileges  
Chairperson: BM Atty. Ronnan Christian “Bolingling” M. Reposar  
Vice-Chairperson: BM Atty. Carlo P. Loreto  
Members: BM Wilson Uy,  
BM Michael L. Cari  
BM Ma. Martina L. Gimenez

### I. BACKGROUND

Pursuant to the mandate of the Sangguniang Panlalawigan to review municipal ordinances for conformity with existing laws and regulations, the Committee received for evaluation Municipal Ordinance No. 2025-001 of Santa Fe, Leyte, entitled “*An Ordinance Establishing the Persons with Disability Affairs Office (PDAO) in the Municipality of Santa Fe, Leyte.*”

The ordinance seeks to institutionalize a local PDAO to promote the rights and welfare of persons with disabilities (PWDs), in alignment with Republic Act No. 10070 and its Implementing Rules and Regulations (IRR).

### II. FINDINGS

Upon thorough review, the Committee finds that:

#### Substantive Merit

The ordinance is well-crafted and demonstrates a sincere commitment to inclusive governance. It aligns with the principles of the 1987 Constitution and the objectives of R.A. 10070, particularly in promoting accessibility, representation, and service delivery for PWDs.

#### Conflict with National Law – Rule IV of the IRR of R.A. 10070

Rule IV of the IRR of R.A. 10070 explicitly provides that:

*“Only first, second-, and third-class municipalities are mandated to establish a Persons with Disability Affairs Office (PDAO). Fourth, fifth, and sixth class municipalities may designate a Focal Person for PWDs instead.”*

Based on the latest classification, Santa Fe, Leyte remains a Fourth-Class Municipality. As such, the mandatory establishment of a PDAO is not yet applicable under current national guidelines.

However, on how Rule IV is articulated, it does not explicitly prohibit lower class municipalities from enacting a PDAO, hence the question?

Can the municipality of Santa Fe, Leyte still pass a PDAO ordinance in a way that it would not be in conflict with the provision of Rule IV of the IRR of R.A. 10070?

The Committees Opinion

Yes, it can, but with qualifications.

In statutory construction there is this principle Permissive vs. Mandatory language.

Rule IV of the IRR states: “Only first, second-, and third-class municipalities are mandated to establish a PDAO. Fourth, fifth, and sixth class municipalities may designate a Focal Person for PWDs.”

This provision does not explicitly prohibit lower-class municipalities from creating a PDAO. It merely limits the mandate to higher-class LGUs.

The use of the word “mandated” implies a requirement, not a restriction. Therefore, voluntary creation by a 4th class municipality is not barred, particularly if the said lower-class municipality can ensure, based on its fiscal capacity that it can fund and sustain the operation of such office without relying on the support from the national government based on the mandates of R.A. 10070; and, provided that the ordinance must not claim compliance with the mandatory provision of R.A. 10070. Instead, it should be framed as a local initiative to enhance disability inclusion.

**III. CONCLUSION AND RECOMMENDATION**

The Committee commends the Municipality of Santa Fe for its proactive and rights-based approach to disability inclusion, and therefore recommends the validity of Municipal Ordinance No. 2025-001 on the ground that the creation of the PDAO is a voluntary initiative aligned with the spirit of R.A. 10070.

Prepared and submitted by:

  
Atty Ronnan Christian “Bolingling” M. Reposar  
Chairperson, Committee on Rules, Laws and Privileges

Concurred in to by:

Hon. Atty. Carlo P. Loreto  
Vice Chairperson

Hon. Wilson S. Uy  
Member

Hon. Michael L. Cari  
Member

Hon. Ma. Martina L. Gimenez  
Member

Attested by:

  
Florinda J. S. Dyvico  
Secretary to the Sanggunian