



Republic of the Philippines
Province of Leyte
Sangguniang Panlalawigan



**COMMITTEE ON RULES, LAWS and PRIVILIGES
and COMMITTEE ON GAMES and AMUSEMENT**

**JOINT COMMITTEE REPORT
NO. 2025-___**

Subjects:

1. **Request for Investigation of Mr. Rene Leria to investigate the revocation of Franchise Granted to Alvin D. Obaob To operate Cockpit Arena in the Municipality of Macarthur, Leyte, in relation to Municipal Ordinance No. 08, 2025**
2. **Municipal Ordinance No. 08, 2025 entitled "*An Ordinance Revoking the Franchise Granted to Alvin D. Obaob To operate Cockpit Arena in the Municipality of Macarthur, Leyte and Declare the same Vacant and Open for Application Subject to all laws, Rules, Regulation and Ordinances*"**

Date: September 22, 2025

Prepared by: Committee on Laws, Rules and Privileges and Committee on Games and Amusement

I. BACKGROUND

The joint committee received a referral regarding a request for investigation of Mr. Rene Leria in connection with the revocation of a franchise for cockpit operation within a municipality of Macarthur, Leyte through Municipal Ordinance No. 8, series of 2005. The request alleges that the revocation is with pernicious motive by the Sangguniang Bayan members of the said municipality and seeks action from the Sangguniang Panlalawigan (SP) to conduct a formal inquiry into the matter.

II. FINDINGS

Upon careful review of the request and relevant legal frameworks, the joint committee finds the following:

As to the request for Investigation

1. **Lack of Jurisdiction of the SP to Review Judicially-Filed Matters** - The incident subject of the requested investigation has already been referred to the proper judicial forum, and a case is currently pending before RTC Branch 10, docketed as RTC -ABG-25-867-CV, for annulment of Municipal Ordinance No. 8, series of 2025 with prayer for Writ of Preliminary Injunction.

Pursuant to the doctrine of separation of powers and the principle of judicial independence, the Sangguniang Panlalawigan is precluded from encroaching upon matters that are sub judice. Any parallel investigation by the SP may be construed as interference with judicial proceedings.

2. Limitations on the Oversight Authority of the SP - While the SP exercises oversight functions over component municipalities, such authority is limited to matters expressly provided under the Local Government Code and other applicable laws. The revocation of a franchise, being a legislative act of the municipal government, is presumed regular unless overturned by a competent court. The SP does not possess any authority to investigate such legislative actions, especially when the matter is already under judicial review.
3. Improper Venue and Procedural Deficiency - The request for investigation, insofar as it pertains to a complaint against the Sangguniang Members of Macarthur, Leyte must be filed through the proper venue and forum as prescribed under the Internal Rules of Procedure of the Sangguniang Panlalawigan and relevant administrative issuances. The Committee notes that no formal complaint was lodged in accordance with said procedures, and the request lacks the necessary supporting documents and sworn statements required for the initiation of any disciplinary or investigative action.

As to the validity of Municipal Ordinance No. 08, S. 2025

After due deliberation and legal evaluation, the joint committee agrees with the findings of the Provincial Legal Office and its recommendation to declare the subject ordinance valid, pursuant to the following:

1. Authority of the Municipality to Grant and Revoke Franchises - Under Section 447(a)(3)(iv) of the Local Government Code, the Sangguniang Bayan has the power to grant franchises for the operation of cockpits and other amusement places. Corollary to this power is the authority to revoke such franchises for cause, subject to due process and applicable laws.
2. Guidance from DILG Opinion No. 79, Series of 2019 - The Department of the Interior and Local Government, in Opinion No. 79, s. 2019, affirmed that the power to revoke a franchise granted by a local legislative body is inherent in its authority to regulate and supervise such operations.

III. CONCLUSION AND RECOMMENDATION

In view of the foregoing, the joint committee respectfully recommends the following:

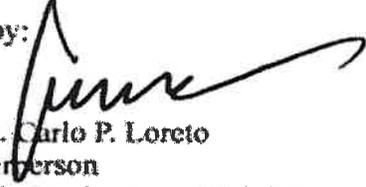
- That the request for investigation of Mr. Rene Leria be DENIED for lack of jurisdiction, procedural infirmity, and the pendency of a related case before the court;
- That the requesting party be advised to pursue appropriate remedies through the proper judicial or administrative forum, in accordance with law and established procedure;
- That the SP refrain from entertaining matters that are judicially pending or improperly filed, in order to uphold institutional integrity and respect for due process.
- Declare Municipal Ordinance No. 08, S. 2025 of Macarthur, Leyte Valid.

Prepared and submitted by:


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


Hon. Michael L. Cari
Chairperson, Committee on Games and Amusement
Member Committee on Rules, Laws and Privileges

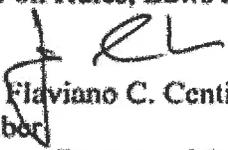
Concurred in to by:


Hon. Atty. Carlo P. Loreto
Vice Chairperson
Com. on Rules, Laws and Privileges

Hon. Elmer Frederico N. Codilla
Vice Chairman
Com. on Games & Amusement

Hon. Wilson S. Uy
Member
Com. on Rules, Laws and Privileges

Hon. Ma. Martina L. Gimenez
Member
Com. on Rules, Laws and Privileges


Hon. Flaviano C. Centino, Jr.
Member
Com. on Games and Amusement


Hon. Raissa J. Villasin
Member
Com. on Games and Amusement

Attested by:

Florinda Jill S. Uyvico
Secretary to the Sanggunian