

Item No.: 14  
Date: 05 2025 NOV



Republic of the Philippines  
**PROVINCE OF LEYTE**  
Provincial Capitol  
Tacloban City

Province of Leyte  
Legal Office  
Date: 10-28-25

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**PROVINCIAL LEGAL OFFICE**

Sangguniang Panlalawigan  
Province of Leyte  
**RECEIVED**  
Date: OCT 29 2025  
By: JCM

**2<sup>nd</sup> INDORSEMENT**  
October 17, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2025-10 of the Sangguniang Bayan of San Miguel, Leyte.

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

- Ordinance No. 2025-10 entitled: “ **AKAP Ordinance of 2024.**”

**REVIEW/RECOMMENDATION/LEGAL OPINION:**

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan under Sections 447(a)(1)<sup>1</sup> 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.

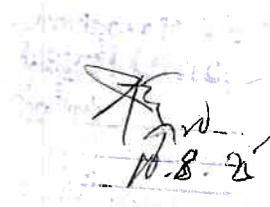
**ATTY. JOSE RAYMUND A. ACOL**  
*Provincial Legal Officer* X

<sup>1</sup> (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, and shall:  
(1) Approve ordinances and pass resolutions necessary for an efficient and effective municipal government

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

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1<sup>ST</sup> INDORSEMENT  
08 October 2025



A handwritten signature in blue ink is written over a faint blue stamp. Below the signature, the date "10.8.25" is written in blue ink.

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 2025-10, s. 2025** of the **Municipality of San Miguel, Leyte**, entitled: **An Ordinance prescribing the localized policies and guidelines for the Rice Assistance under the Ayuda Para sa Kapos ang Kita Program (AKAP) in the Municipality of San Miguel and for other purposes.**



A handwritten signature in black ink, appearing to be "Florinda", is written above the typed name.

**FLORINDA JILL S. UYVICO**  
Secretary to the Sangguniang



Republic of the Philippines  
PROVINCE OF LEYTE  
MUNICIPALITY OF SAN MIGUEL  
-oOo-

**OFFICE OF THE SANGGUNIANG BAYAN**

October 06, 2025

**SANGGUNIANG PANLALAWIGAN**



The Honorable Members of the Sangguniang Panlalawigan of Leyte  
Thru: The Sangguniang Panlalawigan Secretary  
Provincial Legislative Building,  
Candahug, Palo, Leyte

Gentlemen/Ladies:

I have the honor to forward herewith pertinent documents of the Sangguniang Bayan of the Municipality of San Miguel, Leyte for review and approval, to wit:

1. Sixteen (16) copies of Municipal Ordinance No. 2025-10, Series of 2025 as embodied under Resolution No. 186, Series of 2025 entitled: **"AN ORDINANCE PRESCRIBING THE LOCAL POLICIES AND GUIDELINES FOR THE RICE ASSISTANCE UNDER THE AYUDA PARA SA KAPOS ANG KITA PROGRAM (AKAP) IN THE MUNICIPALITY OF SAN MIGUEL AND FOR OTHER PURPOSES."**

Kindly acknowledge receipt hereof.

Very truly yours, 

**BRYAN NEIL B. BRAZIL**  
Secretary to the Sangguniang Bayan



SANGGUNIANG PANLALAWIGAN  
**RECEIVED**  
OCT 2025  
PROVINCE OF LEYTE

**OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN, SAN MIGUEL, LEYTE, HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, SAN MIGUEL, LEYTE SEPTEMBER 15, 2025

Certified Correct:

Attested by:

Concurred:

Approved:

BRYAN NEIL B. BRAZIL  
Secretary to the Sangguniang Bayan  
HON. FRANCIS JAY D. SABDAO  
SB MEMBER

HON. ESTANISLAO D. SABDAO, JR.  
Municipal Vice-Mayor/Presiding Officer  
HON. THELMA M. BRAZIL  
SB MEMBER  
HON. RAUL A. SALAÑO  
SB MEMBER

HON. JEROME P. PEÑARANDA  
SB MEMBER  
HON. RICHARD LEN B. LAPIDARIO  
SB MEMBER

HON. DANILLO L. AUREO  
SB MEMBER  
HON. SAMUEL P. SALOMON  
President, Liga ng mga Barangay

HON. NORMAN NIEL G. MARTIJA  
SB MEMBER  
ATTY. NORMAND SABDAO  
Municipal Mayor

HON. LETECIA G. ESPOS  
SB MEMBER

**PRESENT:**

- Hon. Estanislao D. Sabdao, Jr. - Municipal Vice-Mayor/Presiding Officer
- Hon. Jerome P. Peñaranda - SB Member
- Hon. Danilo L. Aureo - SB Member
- Hon. Norman Niel G. Martija - SB Member
- Hon. Letecia G. Espos - SB Member
- Hon. Francis Jay D. Sabdao - SB Member
- Hon. Thelma M. Brazil - SB Member
- Hon. Raul A. Salano - SB Member
- Hon. Richard Len B. Lapidario - SB Member
- Hon. Samuel P. Salomon -Ex-Officio Member, President, Liga ng mga Barangay

**ABSENT:**

- Hon. Joss Novem B. Labaclado -Ex-Officio Member, President, Sangguniang Pambayang Pederasyon (on official leave)

**Resolution No. 186  
Series of 2025**

**"AN ORDINANCE PRESCRIBING THE LOCALIZED POLICIES AND GUIDELINES FOR THE RICE ASSISTANCE UNDER THE AYUDA PARA SA KAPOS ANG KITA PROGRAM (AKAP) IN THE MUNICIPALITY OF SAN MIGUEL AND FOR OTHER PURPOSES."**

**WHEREAS**, the State shall promote a just and dynamic social order thereby uplifting its citizens and marginalized sectors from poverty through policies that provide adequate social services, promote full employment, a rising standard, and an improved quality of life for all. The State further recognizes the need to foster social justice as provided in Article XIII of the 1987 Constitution;

**WHEREAS**, pursuant to of Republic Act 11795 or the 2024 General Appropriations Act, the amount of Twenty-Six Billion Seven Hundred Million Pesos (P26,700,000,000) appropriated herein under the Ayuda sa Kapos ang Kita Program (AKAP) shall be used to implement and provide financial assistance to minimum wage earners falling under the category of low-income that were severely affected by rising inflation;

**WHEREAS**, the Department of Social Welfare and Development has started to implement the AKAP, which is a timely initiative of the government to assist the near-poor segment of the population, responding to the economic difficulties of low income earners;

**WHEREAS**, the AKAP is the government's proactive approach in shielding vulnerable Filipinos, who are low-income earners and at risk of slipping back into poverty because of economic fluctuations and crises;

**WHEREAS**, the rising cost of living and fluctuating prices of basic commodities, including rice, have disproportionately affected low-income families and marginalized sectors, necessitating government intervention to ensure that basic food needs are met;

**WHEREAS**, rice is the staple food of the Filipino population, and ensuring its accessibility and affordability is crucial to maintaining food security, promoting public health, and sustaining social stability;

Certified Correct:

BRYAN NEIL B. BRAZIL  
Secretary to the Sangguniang Bayan

HON. FRANCIS JAY D. SABDAO  
SB MEMBER

Attested by:

HON. ESTANISLAO B. SABDAO, JR.  
Municipal Vice-Mayor/Presiding Officer

HON. THELMA M. BRAZIL  
SB MEMBER

Concurred:

HON. JEROME P. BENARANDA  
SB MEMBER

HON. RAUL A. SALAÑO  
SB MEMBER

HON. RICHARD LEN B. LAPIDARIO  
SB MEMBER

HON. DANIL D. AUREG  
SB MEMBER

HON. SAMUEL P. SALOMON  
President, Liga ng mga Barangay

Approved:

HON. NORMAN D. SABDAO  
SB MEMBER

ATTY. NORMAN D. SABDAO  
Municipal Mayor

HON. LETECIA G. BERNARDO  
SB MEMBER

**WHEREAS**, DSWD Memorandum Circular No. 30 provides that the AKAP may also be implemented through the Local Government Units (LGUs). These LGUs may refer to the Provincial, Municipality, City, or Barangay Level that is capable and prepared to assist the DSWD in the implementation of the program. The assistance provided to qualified beneficiaries through the LGUs shall be called "Rice Assistance" as it shall be used for purchasing rice to meet the nutritional requirements of beneficiaries for sustenance;

**WHEREAS**, in the desire of the Municipality of San Miguel to alleviate our constituents' situations and shield low-income corners from the effects of inflation and market fluctuations through the implementation of the Rice Assistance under the Ayuda para Kapos ang Kita Program (AKAP);

**WHEREAS**, Republic Act 7160 or the Local Government Code of 1991, consistent with local autonomy and decentralization, the provision for the delivery of basic services and facilities shall be devolved from the National Government to provinces, cities, municipalities and barangays so that each LGUs shall be responsible for a minimum set of services and facilities following established national policies, guidelines and standards;

**NOW THEREFORE**, BE IT ENACTED, AS IT IS HEREBY ENACTED BY THE SANGGUNIANG BAYAN OF SAN MIGUEL, LEYTE, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, IN SESSION ASSEMBLED, that:

**MUNICIPAL ORDINANCE NO. 2025-10  
Series of 2025**

**AN ORDINANCE PRESCRIBING THE LOCALIZED POLICIES AND GUIDELINES FOR THE RICE ASSISTANCE UNDER THE AYUDA PARA SA KAPOS ANG KITA PROGRAM (AKAP) IN THE MUNICIPALITY OF SAN MIGUEL AND FOR OTHER PURPOSES**

**Sponsor: HON. FRANCIS JAY D. SABDAO  
SB Member/Chairman on Rules, Privileges, Ordinance and Health**

**SECTION 1. TITLE.** This Ordinance shall be known as the "AN ORDINANCE PRESCRIBING THE LOCALIZED POLICIES AND GUIDELINES FOR THE RICE ASSISTANCE UNDER THE AYUDA PARA SA KAPOS ANG KITA PROGRAM (AKAP) IN THE MUNICIPALITY OF SAN MIGUEL, LEYTE AND FOR OTHER PURPOSES" or otherwise known as AKAP Ordinance of 2024

**SECTION 2. PURPOSE.** This Ordinance is aimed in institutionalizing local support by providing mechanism in the implementation of the Ayuda para sa Kapos ang Kita Program (AKAP) in the [NAME OF LGU] to improve the living conditions of the vulnerable constituents, especially the low income earners and minimum wage earners through rice subsidy, through the following:

- a. Identify the AKAP recipients of the rice subsidy;
- b. Prescribe the qualifications of the recipients, and the amount of rice subsidy per family.
- c. Provide guidance to LGU Department Heads and Barangay Functionaries on the criteria and mechanics of entitlement of rice subsidy in and its process of the availment.

**SECTION 3. QUALIFICATION OF BENEFICIARIES**

The assistance may be extended once every three (3) months to all qualified and deserving families who must be bonafide resident of San Miguel, Leyte, and shall possess the following eligibility requirements to be able to avail the AKAP Rice Subsidy, to wit:

- I. Minimum wage earners - workers in the private sector paid the statutory minimum wage, or to an employee in the public sector with compensation income of not more than the statutory minimum wage in the non- agricultural sector where he/she is assigned.

2. Low Income Earners - those whose income from economic activities, either in the formal or informal sector, is insufficient to cover living expenses or basic needs.

**SECTION 4. DOCUMENTARY REQUIREMENTS**

The following documentary requirements shall be complied with to be able to qualify as beneficiaries of AKAP, to wit;

- 1. Any valid identification card
- 2. Barangay Resident Certificate or COMELEC registration card
- 3. Any of the following:

- a. Certificate of Employment or Income Tax Return or Pay slip or any such document that will show that he/she is a minimum wage earner.

- b. Any of following documents issued within the last three (3) months that may aid in the determination whether the beneficiary is a low-income earner:

- i. Certification from his/her direct employer, indicating the length of service, and monthly income, including the full name, and signature of the employer, certified by any barangay or Local Social Welfare and Development Office (SWDO) Authorized officials/ any Registered Social Worker, as in the case of domestic workers, individuals who are directly employed individuals like house helpers, babysitters, caretakers, construction workers/laborers, personal drivers, personal assistants, etc.;

- ii. Certification issued by any government offices (national, regional, or local level) recognizing certain sectors or groups (i.e, farmers, fisherfolk, etc.); or

- iii. Certification from the association's president/ head, or their authorized representative, as in the case of public utility vehicle drivers; or

- iv. Small Business permit certification issued by the barangay captain or their authorized representative, as in the case of small business owners; or

- v. Social Case Summary or Social Case Study Report issued by LSWDO / any Registered Social Worker certifying that per home visitation or validation, the individual is a low-income earner; or

- vi. Certificate of Attestation indicating the name, age, occupation, and address of the beneficiary issued by the Barangay or any Registered Social Worker;

**SECTION 5. POLICY and OPERATIONAL GUIDELINES**

1. The Rice subsidy shall be given to the beneficiaries who have met the qualifications under Section 3 thereof;

2. Rice Subsidy shall be given in the form of a physical voucher or a digital voucher issued through a digital platform that the LGU may develop, to be claimed from the registered rice retailers of their choice within the jurisdiction of the Municipality of San Miguel;

3. The total amount of rice subsidy shall **be 50% of 25 kilo rice of the suggested retail price to be determined by the Local AKAP Advisory Committee**, using the following computation to wit:

If the Suggested Retail price	50% of the Subsidy for 25 kilos	Amount of the Subsidy to the paid by the LGU
P50.00	12.5	P625

(the beneficiary opted to buy a much lower price than the SRP, this means he will get more than 12.5 kilo subsidy)

4. The number of beneficiaries shall be determined depending upon the availability of funds from the Department of Social Welfare and Development;

5. Change in the amount and continuation/discontinuation of the provision of the rice subsidy shall be subject to the availability of funds.

Certified Correct:

BRYAN NEIL B. BRAZIL  
Secretary to the Sangguniang Bayan

HON. FRANCIS JAY D. SABDAO  
SB MEMBER

Attested by:

HON. ESTANISLAO D. SABDAO, JR.  
Municipal Vice-Mayor/Presiding Officer

HON. THELMA M. BRAZIL  
SB MEMBER

Concurred:

HON. JEROME F. PELARANDA  
SB MEMBER

HON. RAUL A. SALAÑO  
SB MEMBER

HON. RICHARD LEN B. LAPIDARIO  
SB MEMBER

HON. DANILLO L. AUREO  
SB MEMBER

HON. SAMUEL P. SALOMON  
President, Liga ng mga Barangay

Approved:

HON. NORMAN T. SABDAO  
SB MEMBER

ATTY. NORMAN T. SABDAO  
Municipal Mayor

HON. LETECIA G. TERPOS  
SB MEMBER

## SECTION 6. ELIGIBILITY OF RICE RETAILERS

There shall be an accreditation of rice retailers who are eligible to supply/sell to the beneficiaries and shall collect payment thereafter from Municipality of San Miguel. The following are the eligibility requirements, to wit:

1. Local Business Permit
2. BIR Certificate of Registration
3. Sworn Statement of Capitalization
4. Any public or official document showing that they have been in the rice retailing industry for not less than 5 years.

## SECTION 7. LEAD OFFICE

The Local Social Welfare and Development Office (LSWDO) shall serve as the implementing body of the Program. It shall establish an arrangement of line of authority, communications, and the roles and responsibilities of the different departments in the Municipality of San Miguel, including the Barangay Local Government Unit, in the implementation of the Program.

In the implementation of this Ordinance, the (LSWDO) shall perform the following functions:

1. Select and use an appropriate, effective and cost-efficient method to identify and select qualified beneficiaries;
2. Identify and select the target beneficiaries on the basis of a uniform, objective and transparent selection process as indicated in Section 3 of this ordinance;
3. Coordinate with different national agencies and barangay local government unit including organizations from the private sector to ensure full implementation of the Ordinance;
4. Set up participatory monitoring and evaluation systems and methodologies on the selection of beneficiaries, accreditation of the rice retailers and processing of the downloading of the funds as well as the payment of the obligations to the rice retailers.
5. It shall also coordinate with the AKAP Advisory Committee to verify compliance on a monthly basis and recommend measures and policies for the responsive delivery of the commitments under this ordinance.
6. Perform such other functions as may be necessary or incidental to the proper implementation of this ordinance.

## SECTION 8. AKAP MUNICIPAL ADVISORY COMMITTEE

An Advisory Committee shall be created to provide policy directions on the implementation program to ensure the availability and provision of necessary support services. The Municipal Advisory Committee shall have the following members:

Chairperson : Municipal Mayor  
Vice Chairperson: Chairman Committee on Social Welfare  
Members:  
Local Treasurer  
Local Social Welfare and Development Officer  
Local Economic Enterprise Manager  
Local Information Management System Officer  
Representative from the Department of Trade and Industry

The Advisory Councils shall have the following functions:

- a. Meet regularly to promote coordination, enhance the implementation of the program and address program implementation issues;
- b. Determine and set the Suggested Retail Price (SRP) of the Rice per kilo and update the SRP every three (3) months as basis for the computation of 50% of the subsidy;

Certified Correct:

BRYAN NEIL B. BRAZIL  
Secretary to the Sangguniang Bayan

HON. FRANCIS JAY D. SABDAO  
SB MEMBER

Attested by:

HON. ESTANISLAO D. SABDAO, JR.  
Municipal Vice-Mayor/Presiding Officer

HON. THELMA M. BRAZIL  
SB MEMBER

Concurred:

HON. JEROME S. PEÑARANDA  
SB MEMBER

HON. RAUL A. SALANO  
SB MEMBER

HON. DANIL O. AUREO  
SB MEMBER

HON. RICHARD L. EN B. LAPIDARIO  
SB MEMBER

HON. NORMAN NIEL D. MARTUA  
SB MEMBER

HON. SAMUEL P. SALOMON  
President, Liga ng mga Barangay

Approved:

ATTY. NORMAND SABDAO  
Municipal Mayor

HON. LETECIA G. ASPOTOS  
SB MEMBER

c. Recommend to the Local Chief Executive measures and policies for the responsive delivery of the commitments under this Ordinance and integration with the general poverty reduction strategy of the Local Government Unit;

d. Review the monitoring reports and submit necessary policy recommendations to improve and strengthen the program, if necessary.

**SECTION 9. APPROPRIATIONS.** - The amount necessary to carry out the provisions of this Ordinance shall be charged and coming from the National Government through the Department of Social Welfare and Development as authorized in the current and subsequent General Appropriations Act.

**SECTION 10. SEPARABILITY CLAUSE.** - Should any provision of this Ordinance be found unconstitutional by a court of law, such provision shall be severed from the remainder of this Ordinance, and such action shall not affect the enforceability of the remaining provisions of this ordinance.

**SECTION 11 . REPEALING CLAUSE-** All ordinances, resolutions, and orders which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

**SECTION 12. DISSEMINATION.** Let copies of this Ordinance, through the Municipal Information Office, be furnished all concerned for their information and guidance.

**SECTION 13. EFFECTIVITY.** This Ordinance shall take effect immediately upon compliance of publication requirements following its approval.

**DATE APPROVED** - **September 15, 2025**

**I HEREBY CERTIFY** to the correctness of the foregoing resolution/ordinance.

**BRYAN NEIL B. BRAZIL**  
Secretary to the Sangguniang Bayan

Page No. 05, Mun. Ord. No. 2025-10, Series of 2025

Attested by:

HON. ESTANISLAO D. SABDAO, JR.  
Municipal Vice-Mayor/Presiding Officer

HON. FRANCIS JAY D. SABDAO  
SB MEMBER

Concurred:

HON. JEROME P. PANARANDA  
SB MEMBER

HON. THELMA M. BRAZIL  
SB MEMBER

HON. DANIL O. L. AUREO  
SB MEMBER

HON. RAUL A. SALANO  
SB MEMBER

HON. NORMAN NIE G. MARTIJA  
SB MEMBER

HON. RICHARD LENA B. LAPIDARIO  
SB MEMBER

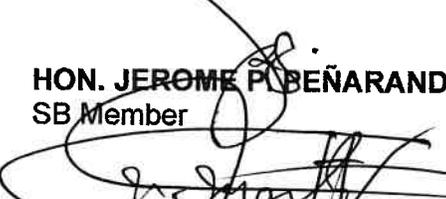
HON. LETECIA Q. ESPINO  
SB MEMBER

HON. SAMUEL P. SALOMON  
President, Liga ng mga Barangay

Approved:

ATTY. NORMAN D. SABDAO  
Municipal Mayor

Concurred:

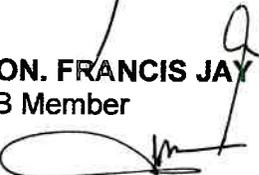
  
**HON. JEROME P. BEÑARANDA**  
SB Member

  
**HON. NORMAN NIEL G. MARTIJA**  
SB Member

  
**HON. THELMA M. BRAZIL**  
SB Member

  
**HON. LETECIA G. ESPOS**  
SB Member

  
**HON. DANILO L. AUREO**  
SB Member

  
**HON. FRANCIS JAY D. SABDAO**  
SB Member

  
**HON. RAUL A. SALANO**  
SB Member

  
**HON. RICHARD LEN B. LAPIDARIO**  
SB Member

  
**HON. SAMUEL P. SALOMON**  
Ex-Officio Member, President  
Liga ng mga Barangay

Attested by:

  
**HON. ESTANISLAO D. SABDAO, JR.**  
Municipal Vice-Mayor/Presiding Officer

Approved:

  
**ATTY. NORMAN D. SABDAO**  
Municipal Mayor





Republic of the Philippines  
**PROVINCE OF LEYTE**  
MUNICIPALITY OF SAN MIGUEL  
-oOo-

**OFFICE OF THE SANGGUNIANG BAYAN**

**CERTIFICATE OF POSTING**

**THIS IS TO CERTIFY** that Municipal Ordinance No. 2025-10, Series of 2025 as embodied under Resolution No. 186, Series of 2025 entitled: **“AN ORDINANCE PRESCRIBING THE LOCAL POLICIES AND GUIDELINES FOR THE RICE ASSISTANCE UNDER THE AYUDA PARA SA KAPOS ANG KITA PROGRAM (AKAP) IN THE MUNICIPALITY OF SAN MIGUEL AND FOR OTHER PURPOSES.”** has been posted in three (3) conspicuous places within the municipality and shall remain posted for three (3) consecutive weeks.

Done this day 6<sup>th</sup> day of October at San Miguel, Leyte.



**BRYAN NEIL B. BRAZIL**  
Secretary to the Sangguniang Bayan