



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF CARIGARA
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

Telephone No. (053) 530-5144 E-mail Address: sangguniang bayancarigara@gmail.com

Item No.: 03

Date: 28 2026 APR



BAGONG PILIPINAS

EXCERPT FROM THE MINUTES/JOURNAL OF THE 40TH REGULAR SESSION OF THE 20TH COUNCIL OF THE SANGGUNIANG BAYAN OF CARIGARA HELD AT THE SESSION HALL, LEGISLATIVE BUILDING, CARIGARA, LEYTE, ON APRIL 6, 2026

**Sangguniang Panlalawigan
Province of Leyte**

RECEIVED

APR 16 2026

Date: _____
By: Arnie

* * * * *

RESOLUTION NO. 2026-155

A RESOLUTION APPROVING THE AMENDMENTS TO MUNICIPAL ORDINANCE NO. 2025-011 PER RECOMMENDATION UNDER SP RESOLUTION NO. 2026-728

WHEREAS, Municipal Ordinance No. 2025-011, entitled “AN ORDINANCE INSITUTIONALIZING THE LEGISLATIVE OVERSIGHT AND ACCOUNTABILITY MECHANISM OF THE SANGGUNIANG BAYAN IN THE MUNICIPALITY OF CARIGARA, LEYTE PROMOTING TRANSPARENCY, ACCOUNTABILITY AND PROPER UTILIZATION OF PUBLIC FUNDS” was enacted by the Sangguniang Bayan of Carigara on December 10, 2025;

WHEREAS, on January 9, 2026, Municipal Ordinance No. 2025-011 was endorsed to the Sangguniang Panlalawigan for review and approval;

WHEREAS, on January 23, 2026 the Provincial Legal Counsel endorsed that Municipal Ordinance No. 2025-011 is generally in accordance with its power under Section 447 (a) of the Local government Code of 1991 (RA 7160) pursuant to Section 3 (b) (d) of the same Code and recommended for the declaration of its validity;

WHEREAS, on February 3, 2026, Municipal Ordinance No. 2025-011 series of 2025 was referred to the SP Committee on Rules, Laws and Privileges, for further study, per SP Res. No. 2026-676;



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I. BACKGROUND

Upon review, the SP Committee on Rules, Laws and Privileges found that certain provisions of the ordinance though well-intentioned, may inadvertently extend legislative authority into areas traditionally reserved for the executive, these include:

(a) On-site Inspections and Monitoring - While oversight is legitimate, direct involvement in operational monitoring could be construed as administrative supervision;

(b) Mandatory Appearance of Department Heads – Frequent summons of executive officials may interfere with the efficient management of day-to-day operations; and

(c) Budgetary Adjustments – Strict limitations on supplemental budgets and augmentation procedures may reduce the executive’s flexibility in responding to urgent financial needs;

To safeguard the integrity of both legislative and executive functions, the SP Committee recommended the following amendments:

(a) Clarify Oversight Boundaries – Insert language affirming that oversight shall not extend to administrative supervision or operational control, which remain the prerogative of the Municipal Mayor;

(b) Define Inspection Purpose – Specify that inspections are fact-finding only, intended to inform legislative review and policy-making, not to direct



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implementation;

(c) Regulate Appearances – Ensure that requests for executive officials to appear are limited to matters directly related to legislative oversight and coursed through the Mayor as a matter of courtesy;

(d) Maintain Executive Flexibility – Provide mechanisms for expedited legislative action on supplemental budgets in cases of urgent financial need.

II. ACTION TAKEN FROM SP RECOMMENDATION

The Sangguniang Bayan of Carigara with due consideration to the SP Committee recommendations adopts the following actions:

(a) Clarification of Oversight Boundaries

Section 3 (1) of Municipal Ordinance 2025-011 already provided that administrative control or the direct management of day-to-day operations of the executive offices which remains the sole prerogative of the Municipal Mayor, is excluded from the scope or coverage of the ordinance.

(b) Define Inspection Purpose.

Section 7 (8) is hereby amended as follows:

The Sangguniang Bayan can conduct on-site inspections as this is generally considered a necessary and proper component of the Sangguniang Bayan’s duties, especially in the context of:

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- (a) Oversight and Accountability. By monitoring the implementation of programs and projects that were approved by the body, such as infrastructure projects or local services. This is to ensure transparency and accountability in local governance. This duty often necessitates checking if projects are being executed according to the approved plans and ordinances.
- (b) Budgetary Oversight. The Sangguniang Bayan is responsible for appropriating funds (approving the municipal budget). To ensure that funds are used for the specific programs, projects and services for which they were appropriated, the legislative body must have the power to monitor the implementation of these projects and an on-site inspection is a direct way to verify the physical progress and fund utilization.
- (c) In aid of legislation. The Sangguniang Bayan can conduct legislative inquiries to gather information needed for creating, amending, or reviewing ordinances and resolutions. The committee involved, or the entire Sangguniang Bayan, may decide to conduct an on-site inspection to gather facts and see the situation firsthand before passing a relevant ordinance.
- (d) Enacting Regulatory Ordinances. The Sangguniang Bayan is responsible for enacting ordinances that regulate various aspects of community life, which inherently grants the power to monitor compliance. This may include, but is not limited to:

- i. Building permits and zoning – While the Municipal

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Engineer’s Office conducts the primary inspection for permits, the Sangguniang Bayan has the authority to oversee and monitor the implementation of the ordinances it passed on these matters.

- ii. Sanitation and environment – Ordinances on waste management or environmental protection require monitoring to ensure compliance by residents and businesses.
- iii. Business regulation – Ordinances authorizing the issuance of permits and licenses, which may necessitate monitoring for compliance with a set of conditions.
- iv. Others, as may be deemed necessary in enacting regulatory ordinances.

In essence, while the executive branch is responsible for the day-to-day hands-on, on-site inspection and enforcement, the Sangguniang Bayan holds the authority for legislating the rules and monitoring the compliance and effectiveness of the executive’s actions, *subject to the following protocols:*

1. **Primary Purpose.** *Inspections shall be conducted solely for the purpose of (a) assessing the effectiveness of existing legislation, (b) verifying the status of projects*

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funded by the municipal budget and (c) gathering data for the formulation of new policies or amendments to existing ones.

2. Oversight Boundaries.

- *Non-interference. Members of the Sangguniang Bayan shall not issue direct orders to project contractors, department heads, or field personnel during an inspection. Any findings requiring corrective action must be formally endorsed to the Local Chief Executive (LCE).*
- *Notification. Except in cases of declared emergencies, the Committee shall provide written “Notice of Inspection” to the Office of the Mayor and the concerned Department Head at least forty-eight (48) hours prior to the visit.*
- *Coordination. Inspections must be conducted in the presence of authorized representatives from the executive department concerned to ensure technical accuracy and safety.*

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3. **Inspection Report.** *Within five (5) working days following the inspection, the Committee shall submit a formal “After-Inspection Report” to the Sangguniang Bayan plenary detailing (a) physical progress vs. reported progress, (b) observed bottlenecks, and (c) legislative recommendations.*
4. **Right to Access.** *All municipal-funded facilities, construction sites, and offices shall be accessible to the Sangguniang Bayan’s committees at reasonable times for these purposes, provided that such access does not disrupt essential public services.*

(c) Regulate Appearances

Section 7 (7) already provides that -

“The Sangguniang’s power to legislate is generally understood to include the inherent power to conduct inquiries in aid of legislation. This means the Sangguniang Bayan can conduct inquiries on matters that will help them enact relevant and effective ordinances and resolutions by getting information for a genuine legislative purpose. The Sangguniang Bayan may request the presence of department heads or employees especially those receiving appropriated funds to appear before the Sangguniang Bayan with the permission of the local chief executive as a matter of inter-branch courtesy.”

This includes:



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- a. Appearing before the Sangguniang Bayan or its Committees when officially invited;
- b. Providing accurate, complete and timely official documents, data and reports, as requested.”

(d) Maintain Executive Flexibility

Section 7 (5) was hereby amended to provide for a mechanism to expedite legislative action on supplemental budgets in cases of urgent financial need, and is now stated as follows –

“No appropriated funds shall be used for purposes other than those specifically authorized under the Annual or Supplemental Budget Ordinances approved by the Sangguniang Bayan.

Pursuant to Chapter III, Article I, Section 25 of PD 477, changes in the annual budget may be made within the fiscal year by way of a supplemental budget which shall be enacted in the manner as the annual budget. Whenever, any change is made in the annual budget, the supplemental budget ordinance must clearly indicate the various items of appropriations affected and the reasons for the change.

For the passage of a supplemental budget ordinance, there must be evidence of a potential shortfall in the original budget or there is a new, unforeseen, urgent financial need. The request for a supplemental budget must be supported by actual or newly certified available funds from unappropriated balances, new revenues or savings from other items or from an approved annual budget which remains unobligated, shall be

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reverted to the General Fund. The Local Finance Committee must certify, under oath, the sources of funds and the items affected to support the supplemental budget appropriation.

In cases of public calamity, disaster, or urgent financial need that threatens to interrupt essential government services, endanger public safety, or cause loss of life or property, the Sangguniang Bayan herein adopts an expedited procedure for the enactment of an Appropriation Ordinance for Supplemental Budget, subject to the following:

- b. Urgent Need. “Urgent Financial Need” is defined as a deficiency in appropriations for existing programs, projects or activities (PPAs), or the necessity to fund new PPAs arising from (1) natural or man-made disasters, (2) emergencies declared by the Local Chief Executive (LCE), or (3) urgent contractual or statutory obligations.*
- c. Waiver of Procedures. Upon written certification by the LCE that a supplemental budget is urgent and essential for public welfare, the Sangguniang Bayan may, by a majority vote, waive the requirement for the proposed ordinance to undergo three (3) readings on separate days. The ordinance may be read and approved on the same day.*
- d. Mandatory Documentation. The expedited budget must still be accompanied by:
 - i. A Certification of Available Funds by the Local Treasurer and Accountant.**

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ii. A revised Local Budget Preparation (1) Statement of Funding Sources and (2) Statement of Supplemental Appropriation.

e. Immediate Effectivity. Upon approval, the supplemental budget ordinance shall take effect immediately and shall be posted in at least three (3) conspicuous places in the municipality.”

WHEREAS, the August Body, deemed it proper to approve and adopt the amendment to Municipal Ordinance No. 2025-011 and re-submit to the Sangguniang Panlalawigan for review;

NOW, THEREFORE, on motion presented by Hon. Fernando N. Moriel, duly seconded by the Members of the Sangguniang Bayan, be it:

RESOLVED, as it is hereby resolved, **TO APPROVE AND ADOPT THE AMENDMENT TO MUNICIPAL ORDINANCE NO. 2025-011 series of 2025.**

RESOLVED FURTHER, that copies of this Resolution be furnished to the Sangguniang Panlalawigan of Leyte and all other concerned offices for information and appropriate action.

APPROVED UNANIMOUSLY this 6th day of April 2026 at the Sangguniang Bayan Session Hall, Carigara, Leyte

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I HEREBY CERTIFY to the correctness of the foregoing excerpt.


PAULINO T. MARQUEZ

Legal Assistant I
OIC-Secretary to the Sanggunian

Attested:


GUILLERMO I. PANAL

SB Member / Temporary Presiding Officer



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Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE 31st REGULAR SESSION OF THE 12TH SANGGUNIANG PANLALAWIGAN OF LEYTE CONDUCTED AT BENJARONG, DUSIT THANI MANILA, ON MARCH 2, 2026

RESOLUTION NO. 2026-728

A RESOLUTION APPROVING AND ADOPTING THE COMMITTEE REPORT OF THE SANGGUNIANG PANLALAWIGAN COMMITTEE ON RULES, LAWS AND PRIVILEGES AND RETURNING TO THE SANGGUNIANG BAYAN OF ORIGIN MUNICIPAL ORDINANCE NO. 2025-011 SERIES OF 2025 OF CARIGARA, LEYTE FOR AMENDMENTS.

WHEREAS, on January 27, 2026, the Sangguniang Panlalawigan was in receipt of **MUNICIPAL ORDINANCE NO. 2025-011, SERIES OF 2025** of the **Municipality of Carigara, Leyte**, entitled: **“AN ORDINANCE INSTITUTIONALIZING THE LEGISLATIVE OVERSIGHT AND ACCOUNTABILITY MECHANISM OF THE SANGGUNIANG BAYAN IN THE MUNICIPALITY OF CARIGARA, LEYTE PROMOTING TRANSPARENCY, ACCOUNTABILITY AND PROPER UTILIZATION OF PUBLIC FUNDS”**;

WHEREAS, on February 3, 2026, Municipal Ordinance No. 2025-011, Series of 2025 was referred to the SP Committee on Rules, Laws and Privileges, for further study, per SP Res. No. 2026-676;

WHEREAS, submitted to the Sangguniang Panlalawigan is the Committee Report of the Sangguniang Panlalawigan Committee on Rules, Laws and Privileges, to wit:

**“COMMITTEE ON RULES, LAWS and PRIVILEGES
COMMITTEE REPORT
No. 1 S. 2026**

Date: February 20, 2026

RE: Proposed Municipal Ordinance No. 2025-011
“Carigara Legislative Oversight and Accountability Ordinance of 2025”

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

I. BACKGROUND

The proposed ordinance seeks to institutionalize legislative oversight and accountability mechanisms in Carigara, Leyte. It emphasizes fiscal discipline, transparency, and participatory governance, aligning with the Local Government Code of 1991 (RA 7160), RA 6713, and RA 3019.

While the objectives are laudable, the Committee recognizes the need to ensure that oversight powers do not encroach upon the executive functions vested in the Municipal Mayor under RA 7160.

II. FINDINGS

Upon review, the Committee finds that certain provisions of the ordinance, though well-intentioned, may inadvertently extend legislative authority into areas traditionally reserved for the executive. These include:

- **On-Site Inspections and Monitoring** – While oversight is legitimate, direct involvement in operational monitoring could be construed as administrative supervision.
- **Mandatory Appearances of Department Heads** – Frequent summons of executive officials may interfere with the efficient management of day-to-day operations.
- **Budgetary Adjustments** – Strict limitations on supplemental budgets and augmentation procedures may reduce the executive's flexibility in responding to urgent financial needs.

These provisions, if not carefully worded, risk transforming oversight into operational control, thereby upsetting the balance of powers envisioned under RA 7160.

III. RECOMMENDATION

To safeguard the integrity of both legislative and executive functions, the Committee recommends the following general amendments:

- **Clarify Oversight Boundaries** – Insert language affirming that oversight shall not extend to administrative supervision or operational control, which remain the prerogative of the Municipal Mayor.
- **Define Inspection Purpose** – Specify that inspections are fact-finding only, intended to inform legislative review and policy-making, not to direct implementation.
- **Regulate Appearances** – Ensure that requests for executive officials to appear are limited to matters directly related to legislative oversight and coursed through the Mayor as a matter of courtesy.

- **Maintain Executive Flexibility** – Provide mechanisms for expedited legislative action on supplemental budgets in cases of urgent financial need.

Conclusion

The Committee supports the spirit and intent of the ordinance, recognizing its potential to strengthen transparency and accountability in local governance. However, amendments are necessary to prevent legislative overreach into executive functions. By adopting the recommended safeguards, the ordinance will achieve its objectives while preserving the proper balance of powers between the legislative and executive branches of the municipal government.

Prepared by:

(Original Signed)

HON. ATTY. RONNAN CHRISTIAN M. REPOSAR
Chairperson, Committee on Rules, Laws and Privileges

Concurred in to by:

(Original Signed)

HON. ATTY. CARLO P. LORETO
Vice Chairperson

(Original Signed)

HON. WILSON S. UY
Member

(Original Signed)

HON. MICHAEL L. CARI
Member

(Original Signed)

HON. MA. MARTINA L. GIMENEZ
Member

Attested by:

(Original Signed)

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian”

WHEREAS, the August Body, deemed it proper to approve and adopt said committee report and return the subject ordinance to SB of origin to clarify oversight boundaries;

NOW, THEREFORE, on motion presented by Atty. Ronnan Christian M. Reposar, duly seconded by Honorable Raissa J. Villasin and Atty. Mildred Joy P. Que, be it

RESOLVED, as it is hereby resolved, **TO APPROVE AND ADOPT THE COMMITTEE REPORT NO. 1, SERIES OF 2026 OF THE SANGGUNIANG PANLALAWIGAN COMMITTEE ON RULES, LAWS AND PRIVILEGES.**

**RESOLVED FURTHER, TO RETURN TO THE SANGGUNIANG BAYAN OF
ORIGIN MUNICIPAL ORDINANCE NO. 2025-011 SERIES OF 2025 OF CARIGARA,
LEYTE.**

Approved unanimously.

I HEREBY CERTIFY to the correctness of the foregoing resolution.


FLORINDA JILLS VYVICO
Secretary to the Sanggunian

X

ATTESTED:


HON. LEONARDO M. JAVIER, JR.
Vice Governor/Presiding Officer

Copy furnished:

LCE and the Sangguniang Bayan
Carigara, Leyte