

EXCERPTS FROM THE MINUTES OF THE 10^h REGULAR SESSION OF THE SANGGUNIANG BAYAN OF GUBAT, SORSOGON, HELD ON MONDAY, MARCH 19, 2018 AT THE SANGGUNIANG BAYAN SESSION HALL.

PRESENT:

Hon. Sixto F. Estareja	- Municipal Vice Mayor, P.O.
Hon. John Paul E. Erlano	- Member, Sanggunian Bayan
Hon. Cesar D. Esperida, Jr.	- Member, Sanggunian Bayan
Hon. Danilo E. Enaje	- Member, Sanggunian Bayan
Hon. Kenneth D. Escandor	- Member, Sanggunian Bayan
Hon. Anthony C. Callos	- Member, Sanggunian Bayan
Hon. Valentin A. Pura IV	- Member, Sanggunian Bayan
Hon. Aiza E. Encinares	- Member, Sanggunian Bayan
Hon. Ramon E. Entico	- Member, Sanggunian Bayan
Hon. Arnel E. Billones	- Acting Liga President

ABSENT: N O N E

RESOLUTION NO. 39 S-2018

A RESOLUTION AUTHORIZING PHILIPPINE REGIONAL INVESTMENT DEVELOPMENT CORPORATION (PRIDE), TO MEET, STUDY AND DISCUSS IN BEHALF OF THE MUNICIPALITY OF GUBAT WITH THE NATIONAL GOVERNMENT ITS AGENCIES AND INSTRUMENTALITIES (NG), THE SPECIFIC TERMS OF THE IMPLEMENTATION OF THE DECISION OF THE SUPREME COURT ON THE PETITION FILED BY FORMER CONGRESSMAN/GOVERNOR MANDANAS, ET. AL UNDER SC-G.R. NO. 199802 FOR CERTIORARI, PROHIBITION AND MANDAMUS WITH PRAYER FOR PRELIMINARY INJUNCTION AND/ OR TEMPORARY RESTRAINING ORDER (TRO) INVOLVING THE SUM P600 BILLION UNRELEASED INTERNAL REVENUE ALLOTMENT (IRA) TO LOCAL GOVERNMENT UNITS (LGUs).

WHEREAS, Governor Hermilando I. Mandanas, as lead petitioner, on January 10, 2012, filed with the Supreme Court a Petition for Certiorari, Prohibition and Mandamus with Prayer for Preliminary Mandatory Injunction and/or Temporary Restraining Order against Respondents Executive Secretary Paquito N. Ochoa, Secretary Cesar V. Purisima - Department of Finance (DOF), Secretary Florencio H. Abad - Department of Budget and Management (DBM), Commissioner Kim Jacinto-Henares - Bureau of Internal Revenue (BIR), and Treasurer Roberto B. Tan- Bureau of Treasury (BTr);

WHEREAS, the aforesaid Petition has been filed to seek the automatic release of the full share of the LGUs, also known as Internal Revenue Allotment (IRA) in the national internal revenue taxes collected by the National Government its Agencies and instrumentalities (NG) as provided for in the Constitutions and as determined by law;

WHEREAS, the National Government in the persons of the herein mentioned Respondents, should automatically release the Internal Revenue Allotment (IRA) or just shares of the Local Government Units (LGUs) in the national taxes as determined by law;

WHEREAS, the unreleased amount of IRA collected by the Bureau of Customs as agent of the BIR due to the Provinces, Cities Municipalities and Barangays from 1992 to 2012 has already reached SIX HUNDRED BILLION PESOS (P600 Billion);

WHEREAS, compliance by the National Government with the provisions of the 1987 Philippine Constitution and existing laws as regard the full and automatic release of the above mentioned amount of IRA, will enable the LGUs to hasten delivery of much needed services to their constituents such as: Health, Education, Livelihood, Environmental Protection, Housing, Roads and Bridges, Agriculture, Safe drinking water, Disaster preparedness, etc.,

WHEREAS, there is a need of representation on behalf of the LGUs to discuss and determine with the NG the terms of implementation when the Supreme Court decides the IRA petition in favor of the LGUs,

WHEREAS, the Philippine Regional Investment Development Corporation (PRIDE) for brevity), is a corporation duly organized under Philippine laws under S.E.C Registration No. 88668 and is a duly registered investment House authorized to do business in accordance with the Investment House Law and the Securities Regulation Code of the Philippines and their Implementing Rules and Regulation. It is also a member of good standing of the Investment House Association of the Philippines (IHAP);

WHEREAS, PRIDE is assisted by Governor Hermilando I. Mandanas, three term Member of the House of Representatives, three-term Governor and incumbent Governor of the Province of Batangas and former Chairman of the Regional Development Council -Region IV, and is also a Certified Public Accountant, Masters in the Business Administration (MBA), and Investment Banker.

NOW THEREFORE, on motion of Hon. Valentin A. Pura IV and duly seconded by Hon. Kenneth D. Escandor and Hon. Danilo E. Enaje, it was;

RESOLVED, as it is hereby resolved, to authorize PHILIPPINE REGIONAL INVESTMENT DEVELOPMENT CORPORATION (PRIDE) to meet, study and discuss in behalf of the Municipality of Gubat, Sorsogon with the National Government its Agencies and Instrumentalities, the specific terms of implementation of the decision of the Supreme Court on the Petition Filed by Former Congressman/Governor Mandanas, Et. Al, under SC-G.R. No. 199802 for Certiorari., Prohibition and Mandamus with Prayer for Preliminary Injunction and/or Temporary Restraining Order (TRO) involving the sum P600 Billion Unreleased Internal Revenue Allotment (IRA) to Local Government Units (LGUs);

RESOLVED FURTHER, that PRIDE will report to this LGU the specific terms and conditioned arrived at in the above-mentioned negotiations with the National Government its Agencies and instrumentalities, for this LGU's final decision;

RESOLVED FURTHERMORE, that PRIDE will be performing the above services for free at its own time and expense on a voluntary basis as part of its advocacy to hasten delivery of basic services through full and immediate implementation of the IRA mandate as provided for in the Constitution, existing laws, and decisions of the Supreme Court;

RESOLVED FINALLY, that copy of this resolution be furnished Philippine Regional Investment Development Corporation (PRIDE), Hon. Sharon Rose G. Escoto, Municipal Mayor, and other offices concerned for their information and guidance.

APPROVED.

I HEREBY CERTIFY TO THE
CORRECTNESS OF THE FOREGOING:

(Sgd) JOEY P. ENAJE
Secretary to the Sangguniang Bayan

Attested by:

(Sgd) HON. SIXTO F. ESTAREJA
Municipal Vice Mayor, Presiding Officer