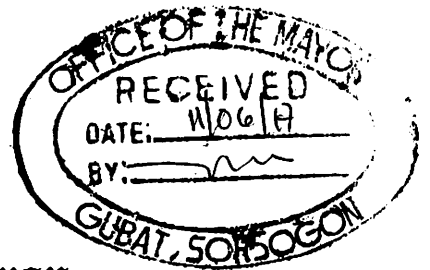




Republic of the Philippines  
PROVINCE OF SORSOGON  
MUNICIPALITY OF GUBAT



## Office of the Sangguniang Bayan

EXCERPTS FROM THE MINUTES OF THE 37<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN OF GUBAT, SORSOGON HELD ON MONDAY, OCTOBER 30, 2017 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

ON LEAVE:

HON. NELSON E. QUINONES	- Liga ng mga Barangay President
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### MUNICIPAL ORDINANCE NO. 2017 - 008

AN ORDINANCE PROVIDING CASH INCENTIVE TO ALL BARANGAY TANOD AND LUPONG TAGAPAMAYAPA MEMBERS WHO OPTED TO RETIRE AT THE AGE OF 60 OR ABOVE AND RENDERED AT LEAST TEN YEARS OF SERVICE.


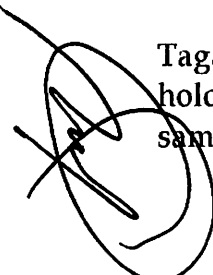
*Author: Hon. Anthony C. Callos*

*Co Authors: Hon. John Paul E. Erlano, Hon. Cesar D. Esperida, Jr.,  
Hon. Danilo E. Enaje, Hon. Kenneth D. Escandor, Hon. Valentin A. Pura IV,  
Hon. Ramon E. Entico, and Hon. Aiza E. Encinares*

BE IT ENACTED BY THE SANGGUNIANG BAYAN OF GUBAT THAT:

Section 1. TITLE - for brevity, this ordinance shall be known as the "Barangay Tanod and Lupong Tagapamayapa Members Cash Incentive Ordinance".

Section 2. COVERAGE.- This Ordinance covers all Barangay Tanod and Lupong Tagapamayapa Members in the 42 barangays of Gubat, Sorsogon excluding those holding government elected positions and such other officials receiving benefits, of the same nature, granted by the local government unit.



**Section 3. -DEFINITION.-**

- a) Barangay Tanod- those persons appointed by the Barangay Captain and concurred by the Sangguniang Barangay to perform the functions and duties of maintaining peace and order in their respective barangays.
- b) Lupong Tagapamayapa- is the body organized in every barangay composed of the punong barangay as Chairman and not less than ten (10) nor more than twenty (20) members from which the members of every Pangkat shall be chosen. It is that group of mediators or conciliators in the barangay who acts as facilitators and sometimes as arbitrators in order that disputing parties may find mutually acceptable solution to their conflicts and differences.
- c) Ten (10) years of service - means that the barangay tanod or lupong tagapamayapa member rendered Ten (10) years of cumulative or consecutive service .

**Section 4. - CASH INCENTIVE.-** Cash Incentive in the amount of One Thousand Pesos (P 1,000.00) for every year of service shall be granted to a Barangay Tanod or any member of Lupong Tagapamayapa , who :

- 1) has reached at least the age of 60,
- 2) has rendered no less than ten (10) years of service in the barangay as Barangay Tanod or Lupong Tagapamayapa Member and
- 3) has opted to retire.

A Barangay Tanod or Lupong Tagapamayapa member who has not fully complied with the prerequisite stated in the previous paragraph shall not be entitled to the said cash incentive.

**Section 5. -AVAILMENT.-**The following documents shall be required for the availment of the cash incentive:

- a) Application for the cash incentive benefit
- b) Birth Certificate
- c) Certified Service Record if applicable and Certification from the DILG that the applicant has rendered at least ten years of service or more as Lupong Tagapamayapa Member or Barangay Tanod.
- d) Certified Service Record and Certification from the Barangay Captain that the applicant has rendered at least ten years of service or more as Lupong Tagapamayapa Member or Barangay Tanod
- e) Others as may be required by the accounting department for the processing of claims.

**Section 6. FUNDING.** The needed amount to be disbursed in connection with the benefit ordained in this ordinance shall be provided for under the annual budget.

Section 7. -NON-RETROACTIVITY.- This Ordinance is non-retroactive. Former barangay tanod or members of Lupong Tagapamayapa who met the qualifications but retired before the enactment of this ordinance shall not be covered and shall not be entitled to the aforementioned cash incentive.

Section 8.- REPEALING CLAUSE. - Any or all ordinances, rules and regulations or provisions thereof which are inconsistent or in conflict with the provision of this ordinance are hereby repealed and modified accordingly.

Section 9. -EFFECTIVITY. - This ordinance shall take effect on June 1, 2018.

ENACTED AND APPROVED.

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I HEREBY CERTIFY TO THE  
CORRECTNESS OF THE FOREGOING:

  
JOEY P. ENAJE  
Secretary to the Sangguniang Bayan

Attested by:

  
HON. SINTO P. ESTAREJA  
Municipal Vice Mayor/ Presiding Officer

Approved by:

HON. SHARON ROSE G. ESCOTO  
Municipal Mayor



Republic of the Philippines  
PROVINCE OF SORSOGON  
MUNICIPALITY OF GUBAT

**Office of the Sangguniang Bayan**

December 13, 2017

**THE HONORABLE MEMBERS**

Sanggunian Panlalawigan  
Province of Sorsogon  
Capitol Compound, Sorsogon City



Gentlemen and Ladies:

The Office of the Sangguniang Bayan approved Municipal Ordinance No. 2017-008 on October 30, 2017. This ordinance was received by the Office of the Mayor on November 6, 2017 for signature and approval. Said ordinance was returned on November 7, 2017 at the Office of the Sangguniang Bayan with attached letter of disapproval from the Local Chief Executive.

The said letter was later referred to the Committee on Rules, Ethics and Revision of Ordinances for study, analysis and evaluation. The concerned committee after a meeting duly called for the purpose presented its report with the following findings, action taken and recommendation, to wit:

**"Findings:**

1. That the letter of the Local Chief Executive dated November 07, 2017 contain her disapproval of Municipal Ordinance No. 2017-08 for reason of financial constraint of this local government unit in implementing said ordinance;

2. That another ground for the disapproval of the Local chief Executive is the failure of the Sangguniang Bayan to consult the Municipal Budget Officer as to the availability of funds before the approval of the subject Ordinance that is why it is not funded under the 2018 Annual Budget.;

3. That the local chief executive viewed the said letter as her veto message purporting disapproval of the ordinance in its totality;

4. That Sec. 55, par. (a) of the Local Government Code of 1991 provides that *"The local chief executive may veto any ordinance of the sangguniang panlalawigan, sangguniang panlungsod, or sangguniang bayan on the ground that it is ultra vires or prejudicial to the public welfare, stating his reasons therefor in writing"*.

5. That the reasons conveyed by the local chief executive on her letter of disapproval has been viewed by the majority of the members of the committee as not falling within an ultra vires act of the Sangguniang Bayan contemplated under the Local government Code of 1991 as the same is within the scope of authority provided by law neither the same to be prejudicial to the public welfare as the concept of the ordinance is to provide minimal amount of incentive only to those retiring Barangay Tanod and Lupon members who opted to retire at the age of 60 and having served an aggregate of ten years. The annual fund requirement of the ordinance was considered not too huge to deprive implementation of basic services of the municipality.

Action taken and Recommendation:

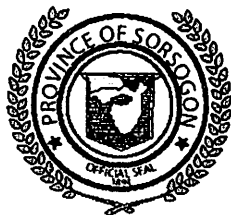
In the light of the foregoing findings, the letter of disapproval of Municipal Ordinance No. 2017-08 by the Local Chief Executive cannot be considered as veto message, thus, it is hereby recommended by this committee to submit subject ordinance for review at the Sangguniang Panlalawigan, the same having considered as signed by the local chief executive after the lapse of ten (10) days from her receipt."

Therefore, the undersigned is submitting the subject ordinance herein attached for review.

Thank you.

Respectfully yours 

JOEY P. ENAJE  
SB Secretary



Republic of the Philippines  
Province of Sorsogon  
SANGGUNIANG PANLALAWIGAN  
**OFFICE OF THE SECRETARY**  
SP Building Capitol Compound, Sorsogon City - 4700

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February 6, 2018

TRANSMITTAL NO. **46-2018**

ATTENTION:

THE HONORABLE SANGGUNIANG BAYAN  
LGU – Gubat, Sorsogon

DEAR SIR/MADAM,

Respectfully transmitting the attached subject for information/file/record/reference purposes:

**RESOLUTION NO. 11-2018-** RESOLUTION DECLARING VALID GUBAT MUNICIPAL ORDINANCE NO. 2017-008 ENTITLED: "AN ORDINANCE PROVIDING CASH INCENTIVE TO ALL BARANGAY TANOD AND LUPONG TAGAPAMAYAPA MEMBERS WHO OPTED TO RETIRE AT THE AGE OF 60 OR ABOVE AND RENDERED AT LEAST TEN YEARS OF SERVICE."

Transmitted by:

FLOREFE MATEOS-DELIGERO, MPA  
Local Legislative Staff Officer III

NOTED:

RODOLFO C. DEALCA, JR.  
Secretary to the Sangguniang Panlalawigan



Republic of the Philippines  
PROVINCE OF SORSOGON  
Sorsogon City

## SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE MINUTES OF THE 78<sup>th</sup> REGULAR SESSION OF THE 8<sup>th</sup> PROVINCIAL BOARD ON JANUARY 15, 2018 AT THE PHILIPPINE COUNCILORS LEAGUE BUILDING, CAPITOL COMPOUND, SORSOGON CITY.

**PRESENT:** Hon. Ma. Ester E. Hamor, Vice Governor/Presiding Officer

**2nd District**

Hon. Arze G. Glipo  
Hon. Renato V. Guban  
Hon. Marnellie B. Robles  
Hon. Benedict T. Hao  
Hon. Maria Teresa G. Fragata

**1st District**

Hon. Krunimar Antonio D. Escudero II, MDMG  
Hon. Rebecca D. Aquino  
Hon. John Ryan C. Dioneda  
Hon. Franco Eric O. Ravanilla  
Hon. Loreto Rene G. Llamas

**EX-OFFICIO MEMBER:**

Hon. Dennis Alfonso L. Escudero, Provincial President, Philippine Councilors League  
Hon. Neson A. Maraña, Provincial President, Liga ng mga Barangay

**ABSENT:** None

### RESOLUTION NO. 11-2018

**RESOLUTION DECLARING VALID GUBAT MUNICIPAL ORDINANCE NO. 2017-008 ENTITLED: "AN ORDINANCE PROVIDING CASH INCENTIVE TO ALL BARANGAY TANOD AND LUPONG TAGAPAMAYAPA MEMBERS WHO OPTED TO RETIRE AT THE AGE OF 60 OR ABOVE AND RENDERED AT LEAST TEN YEARS OF SERVICE."**

**WHEREAS**, submitted for consideration of the Sanggunian was Gubat Municipal Ordinance No. 2017-008;

**WHEREAS**, subject ordinance is *intra vires* as mandated by the Local Government Code of 1991;

**NOW, THEREFORE**, on motion of Hon. Krunimar Antonio D. Escudero II, unanimously seconded, the Board **RESOLVED**, as it is hereby **DONE**, to **DECLARE VALID GUBAT MUNICIPAL ORDINANCE NO. 2017-008 ENTITLED: "AN ORDINANCE PROVIDING CASH INCENTIVE TO ALL BARANGAY TANOD AND LUPONG TAGAPAMAYAPA MEMBERS WHO OPTED TO RETIRE AT THE AGE OF 60 OR ABOVE AND RENDERED AT LEAST TEN YEARS OF SERVICE."**

**LET COPIES** of this resolution be furnished the Honorable Mayor and Sangguniang Bayan of Gubat, Sorsogon for their information.

**APPROVED UNANIMOUSLY.**

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I HEREBY CERTIFY to the correctness of the foregoing.

  
RODOLFO C. DEALCA, JR.  
Secretary to the Sangguniang Panlalawigan

ATTESTED:

  
MA. ESTER E. HAMOR  
Vice Governor / Presiding Officer