

# ANNEX "A" OF MINUTES NO. 26 – 2016



Republic of the Philippines  
Province of Camiguin  
MUNICIPALITY OF CATARMAN  
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## **OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE 14<sup>TH</sup> SANGGUNIANG BAYAN OF CATARMAN, CAMIGUIN, HELD ON JULY 18, 2016, AT THE SB SESSION HALL.

Present:

Hon. Zosimo Babarin Borres	-	Municipal Vice Mayor Presiding Officer
Hon. Kiterio Antonio Uy Palarca II	-	SB Member
Hon. Virgilio Liloc Dinorog	-	SB Member
Hon. Nilo Patricio Kho Amao	-	SB Member
Hon. Virgilia Durante Lopez	-	SB Member
Hon. Clemente Elago Torro	-	SB Member
Hon. Thompson Ihong Babael	-	SB Member
Hon. Raul Matahum Buhisan	-	SB Member
Hon. Gilbert Abuzo Loquias, Jr.	-	SB Member, on sick leave
Hon. Melenciano C. Veloso, Jr.	-	SB Member, ABC President

Absent:

NONE

Others Present:

Mrs. Jesserie N. Dela Peña	)	
Mr. Hans N. Padayhag	)	- First Valley Bank
Mr. Norman Dave B. Busalla	)	

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**Author : Honorable Zosimo B. Borres**

### **EXPLANATORY NOTE**

The Sangguniang Bayan of Catarman, Camiguin, is a legislative Body duly organized pursuant to law to look into the general welfare of its constituents through enactment of ordinances and adoption of resolutions to improve the living conditions of the people. Pursuant to the provisions of the Local Government Code of 1991 and Article 103, of the Implementing Rules, the local Sanggunian has the inherent right and obligations of adopting its own rules of procedures for the proper discharge of its legislative functions.

This Internal Rules of Procedures is a vital part of the Sanggunian particularly in the maintenance of good order in Sanggunian deliberation for the interest of effective

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local legislation. Thus, approval and adoption of the Internal Rules of Procedures is imperatively necessary.

### **ORDINANCE NO. 04 Series of 2016**

#### **‘AN ORDINANCE ADOPTING AND APPROVING THE INTERNAL RULES OF PROCEDURES OF THE SANGGUNIANG BAYAN OF CATARMAN, CAMIGUIN’**

BE IT ORDAINED by the Sangguniang Bayan of Catarman, Camiguin, in its regular session, the above-entitled ordinance:

#### **RULE I - COMPOSITION**

Section 1. **COMPOSITION.** The Sangguniang Bayan shall be composed of the Municipal Vice Mayor, as Presiding Officer, the eight (8) members elected at large, representative of the Sangguniang Kabataan, representative of the Liga ng mga Barangay, and such other sectoral representatives, if any, as may be chosen pursuant to law.

Section 2. The members of the Sanggunian shall assume office on the day and in the manner provided for by law, and shall hold the same until their successors shall have been duly chosen and qualified. They shall hold regular sessions every Wednesday, to start at 9:00 o'clock in the morning, at the SB session hall or any other place, as agreed upon by the two-thirds vote of all the members of the sanggunian, and proceed to do business forthwith.

Section 3. **ABSENCES OF MEMBERS.** Members of the Sanggunian are required to attend all sessions. Any member who makes absences, except when he or she is on authorized official business, reasonable cause and/or unavoidable circumstances, shall be fined in the amount of Two Hundred (P200.00) Pesos per violation. The payment of the fine shall be collected by the Secretary and shall keep the same until further agreement by the Members of the Sanggunian after their affirmative majority votes.

Section 4. **DISORDERLY BEHAVIOR.** The Sanggunian may, for the disorderly behavior of any member, impose a fine amount to Five Hundred (P500.00) Pesos every offense or any penal sanctions to be determined by the members or both at the discretion of the Body by a simple majority votes. The same shall be collected by the Secretary.

#### **The following shall be considered disorderly behavior:**

- 4.a Making noise that tends to disturb the proceedings of the session;
- 4.b Using defamatory statements against the Presiding Officer, any member and/or the secretary;
- 4.c When a member challenges his colleagues or guests invited to attend the session to a fight;
- 4.d Insist on taking his/her floor in spite of the order of the Presiding Officer to stop talking;
- 4.e Smoking during session; Drinking hard drinks/wine/liquor and the like during the sessions or attending the session drunk or under the influence of wine/liquor. The scent of wine/liquor is a proof that a member had drunk the prohibited drink;

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Section 5. Every member shall be present in the session hall of the sanggunian during its session unless expressly excused by it or necessarily prevented from doing so by reason of sickness or other unavoidable circumstances duly reported to the sanggunian, through the Presiding Officer or the Secretary.

Section 6. Every member shall participate in the exercise of powers vested in, and in performing the duties imposed upon the Sanggunian, as a Body, and shall represent the interest of the people of the entire municipality.

Section 7. Every member present at a meeting shall vote on every question raised unless he has a direct personal or pecuniary interest therein.

### **RULE II - PRESIDING OFFICER**

Section 8. The Vice Mayor shall be the Presiding Officer of the Sanggunian, and, as such, shall have the following rights and duties:

- 8.a To preside over the meetings of the Sanggunian;
- 8.b To preserve order and decorum during the meetings and to exact from all present due respect and proper deportment, prevent disturbance and disorder and to order the session hall cleared of any or all persons behaving improperly;
- 8.c To decide all questions of order, subject to appeal by any member;
- 8.d To sign all ordinances and resolutions passed by the Sanggunian and all other orders, proceedings, and warrants issued by order of the Sanggunian;
- 8.e To declare the meeting adjourned to some other time or place in case of serious disorder or great emergency;

Section 9. The Presiding Officer shall assist in expediting the business of the Sanggunian and shall, for this purpose, be permitted to make brief remarks on matters pertaining to pending debatable questions, provided however, that if the Presiding Officer would want to participate in the debate and would argue for or against the issue under discussion, he/she shall first relinquish his position as Chairperson and turn it over to a temporary Chairman of his choice.

Section 10. As Presiding Officer, the Vice Mayor is entitled to vote but only to break a tie. He may not, however, be compelled to vote.

Section 11. In the event of the inability of the regular Presiding Officer to preside in a Sanggunian meeting, the members present and constituting a quorum shall elect from among themselves a temporary Presiding Officer. He shall certify to the passage of ordinances and resolutions within ten (10) days from the enactment or adoption thereof at the meeting over which he temporarily presided.

### **RULE III - SECRETARY**

Section 12. There shall be a Secretary to the Sanggunian. He shall keep his office in the building where the Sanggunian meets or at some other convenient place as the Sanggunian may direct. Apart from the functions inherent to his position, his duties shall be as follows:

- 12.a Notify and/or remind members of the LGU-Council, at least two (2) days prior to any session, and furnish them each a copy of an Order of Business for their guidance;

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- 12.b Attending meetings of the Sanggunian and keep a journal of its proceedings;
- 12.c Keep the seal of the local government unit and affix his signature to all ordinances, resolutions and other official acts of the Sanggunian and present the same to the Presiding Officer for his signature;
- 12.d Forward to the Mayor copies of ordinances and resolutions passed by the Sanggunian and duly certified by the Presiding Officer, for approval;
- 12.e Forward to the Sangguniang Panlalawigan, for review, within three (3) days after approval, copies of approved ordinances and resolutions on local development plans and public investment programs formulated by the local development council;
- 12.f Furnish, upon request of any interested party, certified copies of records of public character in his custody, upon payment to the Treasurer of such fees as may be prescribed by an ordinance;
- 12.g Record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the Sanggunian, with the dates of passage and publication thereof;
- 12.h Keep his office and all non-confidential records therein open to the public during the usual business hours;
- 12.i Translate into the dialect used by majority of the inhabitants all ordinances immediately after their approval, and cause the publication of the same together with the original version in the manner provided by law;
- 12.j Assume custody of the local archives and, where applicable, the local library and annual account for the same;
- 12.k Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance relative to his position;

Section 13. If the Secretary is absent or hindered by physical reasons to perform some of his duties, such as reading of the minutes, resolutions, ordinances and other documents or papers, the same may be performed by some other person who may be designated for the purpose by the Presiding Officer.

#### **RULE IV - COMMITTEES AND COMMITTEE REPORTS**

Section 14. The Sanggunian shall create by resolution not later than the second meeting at the beginning of each term mandatory and other standing committees, to include, among others, the following:

- 14.a **COMMITTEE ON FINANCE & APPROPRIATION** – with general jurisdiction over all matters relative to ways and means, funds for the expenditures of the municipal government and for the payment of public indebtedness; claims against government, appropriation of public funds, and in general, all matters pertaining to public expenditures;
- 14.b **COMMITTEE ON MUNICIPAL ECONOMICS & DEVELOPMENT** – with general jurisdiction over all matters relative to municipal economy, strategies, plans, programs and design to improve the living condition of the people and uplift the well-being of each and every Catarmanon;
- 14.c **COMMITTEE ON EDUCATION & SKILLS DEVELOPMENT** – with general jurisdiction over all matters pertaining to formal and non-formal education, promotion of culture and sports, operation of

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- educational institutions, both private and public; and all other matters related to education and culture;
- 14.d **COMMITTEE ON AGRICULTURE DEVELOPMENT** – with general jurisdiction over all matters pertaining to agricultural production, agricultural inputs, agricultural facilities, development of agri-business enterprises and all other matters related to agriculture, including plants and animals;
- 14.e **COMMITTEE ON RULES/LAWS/ORDINANCES & LEGAL MATTERS** – with general jurisdiction over all matters relating to the rules of Sanggunian, order of business, creation and reorganization of committees, and the disorderly behavior and privileges of its members, as well as all matters relating to the legal aspects of action taken by, or submitted to, the Sanggunian, enactments, revision or amendment of all kinds of ordinances, except appropriation ordinance; exercise of the legislative powers (taxing power, police power, corporate power and proprietary rights), legality of proposed measures to be acted by the Sanggunian, and review of ordinances and resolutions submitted by lower level LGUs;
- 14.f **COMMITTEE ON FISHERIES & AQUATIC RESOURCES** – with general jurisdiction over all matters pertaining to control and regulation of the usage/utilization of the municipal waters, fishing strategies, fishing methods, use of fishing gears, development of aquatic resources, coastal management, implementation of fishery administrative orders, development and protection of subsistence/marginal as well as commercial fishermen and the like;
- 14.g **COMMITTEE ON HEALTH & SANITATION** – with general jurisdiction over all matters pertaining to health, sanitation or hygiene; cleanliness and beautification of the community; propose measures related to hospitals, health centers and health programs and all matters related to health and sanitation;
- 14.h **COMMITTEE ON MARKET & SLAUGHTERHOUSE DEVELOPMENT & OPERATION** – with general jurisdiction over all matters pertaining to administration/operation of the public market and slaughterhouse, measure pertaining to market rental fees and other market and slaughterhouse charges; improvement of market facilities and all other matters related to market and slaughterhouse administration;
- 14.i **COMMITTEE ON WOMEN & CHILD DEVELOPMENT** – with general jurisdiction over all matters pertaining to the protection and well-being of women and children consistent with the provisions of law; and all other matters regarding social welfare services;
- 14.j **COMMITTEE ON TOURISM** – with general jurisdiction over all matters pertaining to the promotion of tourism industry in the municipality and all other matters related to tourism industry;
- 14.k **COMMITTEE ON CLEANLINESS & BEAUTIFICATION** – with general jurisdiction over all matters pertaining to the cleanliness & beautification of the whole municipality.
- 14.l **COMMITTEE ON SOCIAL WELFARE & DEVELOPMENT** – with general jurisdiction over all matters pertaining to the protection and well-being of families consistent with the provisions of law;

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social welfare services and all other matters pertaining to social welfare services;

- 14.m **COMMITTEE ON CALAMITY & DISASTER PREPAREDNESS & MANAGEMENT** – with general jurisdiction over all matters pertaining to disaster preparedness and calamity prevention, disaster and calamity due to natural and/or man-made incidents, safety and security of lives and properties and measures to prevent damages;
- 14.n **COMMITTEE ON ENVIRONMENT PRESERVATION & DEVELOPMENT** – with general jurisdiction over all matters pertaining to the protection of the environment against the destruction and pollution and all other matters pertaining to the development of the environment;
- 14.o **COMMITTEE ON PEACE & ORDER & SECURITY** – with general jurisdiction over all matters pertaining to police matters, maintenance of peace and order, protective services, traffic rules and regulations, fire prevention and control measures, public morale and all other matters related to peace and order and public safety;
- 14.p **COMMITTEE ON TRANSPORTATION & COMMUNICATIONS AND OTHER PUBLIC UTILITIES AND FACILITIES** – with general jurisdiction over all matters pertaining to operation/establishment of transport and communication systems; maintenance of public utilities including but not limited to plaza, parks, jail and other government buildings owned by this LGU and all other matters related to public utilities and facilities;
- 14.q **COMMITTEE ON INFRASTRUCTURE & ENGINEERING** – with general jurisdiction over all matters pertaining to construction, maintenance and repair of roads, bridges and other government infrastructure projects; measures that pertain to drainage and sewerage system and similar projects; all other matters related to public works and waterworks;
- 14.r **COMMITTEE ON SPORTS & CULTURE DEVELOPMENT** – with general jurisdiction over all matters pertaining to the promotion and development of sports and culture for nation-building and other related activities;
- 14.s **COMMITTEE ON YOUTH DEVELOPMENT** – over all matters pertaining to the development of youths through civic and social activities and all other matters related to youth development;
- 14.t **COMMITTEE ON BARANGAY AFFAIRS & DEVELOPMENT** – with general jurisdiction over all matters pertaining to the creation of new barangays; review of barangay enactments, and generally all barangay affairs;
- 14.u **COMMITTEE ON GOOD GOVERNANCE & ETHICS** – with general jurisdiction over all matters pertaining to organization and management, personnel administration, position classification and pay plan, and staffing pattern; creation of positions; policy formulation for the economical, efficient and effective local government administration; conduct an ethical standards for local officials and employees; public accountability of local officials and employees and all matters related to good governance;

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- 14.v **COMMITTEE ON BLUE RIBBON** – with general jurisdiction over all matters re: discipline of members, imposition of sanctions as provided for by the rules of procedures, etiquette of public servants, investigate graft and corruption and other outward behavior of municipal employees and officers;
- 14.w **COMMITTEE ON SPECIAL EVENTS, FESTIVALS AND GAMES AND AMUSEMENTS** – with general jurisdiction over all matters pertaining to special events and festivals; operation/establishment of amusement places; measures that affect the regulation of games and amusements, including but not limited to the promotion of cockfights, boxing, basketball tournaments and other kinds of games and amusements and all other matters related to games and amusements;
- 14.x **COMMITTEE ON SENIOR CITIZENS** – with general jurisdiction over all matters pertaining to the general welfare of senior citizens and all other matters related to senior citizens;
- 14.y **COMMITTEE ON COOPERATIVES/NGOs/POs/PRIVATE ORGANIZATIONS & ASSOCIATIONS** – with general jurisdiction over all matters pertaining to creation, accreditation of cooperatives/NGOs/POs/Private Organizations & Associations and the general welfare of same and all other matters related to cooperatives, non-government organizations, peoples' organizations, and other private organizations and associations;
- 14.z **COMMITTEE ON ECONOMIC ENTERPRISES** – with general jurisdiction over all matters pertaining to all economic enterprises operated by the Local Government Unit and all other related matters;
- 14.aa **COMMITTEE ON HUMAN RIGHTS** – with general jurisdiction over all matters pertaining to violation of human rights and all other matters pertaining to human rights;
- Section 15. Each committee shall be composed of a Chairman, a Vice Chairman, and such number of members as may be determined by the Sanggunian, provided that the sectoral representatives shall ipso facto Chair the committees corresponding to their respective sectors. The President of the local chapter of the Liga ng mga Barangays shall similarly Chair the Committee on Barangay Affairs or its equivalent. The department heads under the executive office shall be made ex-officio, non-voting members of any appropriate committee.
- Section 16. The Presiding Officer may be a Chairman or a Member of any regular committee as approved by at least two-thirds (2/3) votes of the Members of the Sanggunian.
- Section 17. A Member of the Sanggunian may be a Chairman or a Vice Chairman of four (4) committees unless assigned to more by the Chair and accepted by the Sanggunian.
- Section 18. No member shall be elected to any committee which has jurisdiction over a matter regarding which such member has a direct personal or pecuniary interest.
- Section 19. The committees shall meet at the call of their respective chairman or a majority of their members every Monday afternoon, provided that due notice is served upon each and every member thereof. Likewise, every

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Monday afternoon shall be scheduled as People's Day, where people, requests and solicitations shall be entertained.

Section 20. A majority of the members of the committee shall constitute a quorum to do business. Unexplained absences in four (4) consecutive committee meetings shall operate to relinquish membership therein.

Section 21. When a vacancy occurs in a committee, the same shall be filled by a majority vote of all the members of the Sanggunian.

Section 22. Any committee may request, through the Presiding Officer, the appearance before it of any official of the municipality over which the Sanggunian exercises jurisdiction. Any person may appear of a committee meeting and present his views on matters before it at such time as the committee may designate.

Section 23. Ordinances requiring direct appropriation of public funds, if favorably reported by the committee to which it was initially committed by the Presiding Officer, shall be referred to the committees on appropriation or its equivalent, for its action on so much of the proposed measure requiring appropriation of public funds.

Section 24. All committees shall report to the Sanggunian on every matter referred to them by the Presiding Officer. When a measure is referred to two or more regular committees, the committees concerned may submit a joint or separate report thereon.

Section 25. Committee reports shall be adopted formally. Securing signatures of committee members in lieu of a formal meeting is prohibited.

Section 26. A committee member, unless he has entered his objections to the committee report or, in lieu thereof, has filed with the Secretary his dissenting vote in writing before the report is submitted to the Body in open session, shall be presumed to have concurred in the report and shall thus be precluded from opposing it on the floor.

Section 27. A committee after the completion of its meeting or hearing shall submit a copy of its report, proposed resolution or ordinance to the Secretary who thereafter shall calendar the same for the second reading. The Secretary shall furnish every Sangguniang Member a copy of the proposed legislative measure preparatory to the deliberation on the floor in the next session.

Section 28. Special committees may be created by the Sanggunian for special purposes and as the need for them arises. They shall cease as soon as the Body shall have received their reports unless new assignments are given to them. They are subject to the same rules governing regular committees.

### **RULE V - MEETINGS**

Section 29. The Sanggunian shall hold regular meetings at least once a week on such day, time and place as it may designate by resolution. The series of meetings during a legislative year shall constitute a session. Immediately after the session is called to order it is presumed that all mobile cellular phones and other gadgets are turned off or put in silent mode. Otherwise, it shall be considered disorderly behavior of the erring Member(s) of the Sangguniang Bayan.



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The committees created by the Sanggunian shall hold its meeting to take up and resolve matters referred to it, at a time, venue and day agreed upon by its members within the week prior to the regular session where the committee report is required of them by the SB Chairperson.

Committee hearings when necessary for purposes of legislation may be scheduled on any day, time and venue, in a week prior to the scheduled SB session when the proposed legislation is the agenda for deliberation and appropriate action.

Any member who fails to attend any committee meeting after due notice is extended to his/her shall be fined in the amount of P100.00/absent made.

Section 30. Special meetings may be held as the need for them arises. The Local Chief Executive or majority of the Members of the Sanggunian may call a special meeting by giving written notice of it and serving it personally to each member or leaving a copy thereof with a member of his household at his usual place of residence at least twenty-four (24) hours before the special meeting is held. The notice must state the day, time, place and purpose of the meeting. Unless otherwise agreed upon by two-thirds (2/3) vote of the members present, there being a quorum, no other matter may be considered at a special meeting except those stated in the notice.

Section 31. Any meeting, regular or special, may, in case the amount of business shall require, be adjourned from day to day until the business is completed. No two meetings, whether regular or special, may be held in a single day.

Section 32. The meeting of the Sanggunian shall be open to the public, unless a closed-door meeting is ordered by an affirmative vote of a majority of the members present, there being a quorum, in the public interest or for reasons of security, decency or morality, or when considering appointments submitted to it by the Mayor or Vice Mayor, or other delicate matters.

Section 33. The Members of the Sangguniang Bayan shall be required to wear longsleeves barong tagalog, irrespective of what kind of materials, and dark long pants, every first session of the month for men, and barong and skirt or pants or any business attire for women, during session. Wearing of coat and tie shall be allowed but it shall be at the option of the Member. Failure to comply of wearing the herein prescribed attire shall be fined in the amount of Two Hundred (P200.00) Pesos, per offense. The Sanggunian concerned may from time to time prescribe other official uniform or attire, inclusive of the quality of cloth, color and cut.

Section 34. Every Member of the Sangguniang Bayan shall lead the session's opening prayer and it shall be according to rank.

Section 35. The Sangguniang Bayan shall have Cebuano, Tagalog or English as its medium of communication during its session.

Section 36. A majority of all the Members of the Sanggunian who have been duly elected and qualified shall constitute a quorum for it to transact official business.

Section 37. When there is no quorum, the Presiding Officer may declare a recess until such time that a quorum is constituted, or a majority of those present may adjourn from time to time and compel the immediate attendance of any member absent without justifiable cause by designating a Member of the Sanggunian, to be assisted by a Member or Members of the Police Force

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assigned in the territorial jurisdiction of the Local Government Unit concerned, to arrest the absent Member and present him at the session hall. If, in spite of the above, there is still an absence of a quorum or there is no prospect of constituting one, no other business shall be transacted and the Presiding Officer shall declare the meeting adjourned for lack of quorum. Members of the Sangguniang Bayan who are late of the scheduled session shall be required to present himself to the Secretary and to the Body to include his/her name in the list of Members present for the day's meeting. If however, a member is late for less than one hour, his/her being late shall be justified otherwise a fine of P100.00 shall be imposed upon him for the violation. Members who are late for more than one hour he shall be fined in the amount of P200.00 and shall be considered absent from the session and shall be subject to the sanction provided for under this rule.

Section 38. Should the question of lack of quorum be raised, the Presiding Officer, without debate, shall immediately proceed to a verification thereof causing the reading of the roll of members and announcing the result forthwith.

Section 39. No meeting shall be suspended or adjourned except when so directed by the Sanggunian, but the Presiding Officer may, in his discretion, declare a recess in short intervals or suspend or adjourn the meeting in case of grave emergency or when the same becomes unruly or uncontrollable.

### **RULE VI - ORDER OF BUSINESS**

Section 40. The order of business in the Sanggunian shall be as follows:

- 40.a CALL TO ORDER;
- 40.b INVOCATION/NATIONAL ANTHEM
- 40.c ROLL CALL
- 40.d READING, CORRECTION AND APPROVAL OF THE PREVIOUS MINUTES
- 40.e REFERENCE OF BUSINESS/NEW BUSINESS
  - 40.e.1 PROPOSED ORDINANCES
  - 40.e.2 PROPOSED RESOLUTIONS
  - 40.e.3 PETITIONS/REQUESTS
  - 40.e.4 OTHER COMMUNICATIONS
- 40.f COMMITTEE REPORTS
- 40.g UNFINISHED BUSINESS
- 40.h SECOND, THIRD AND FINAL READING
- 40.i UNASSIGNED BUSINESS
- 40.j OTHER MATTERS
- 40.k ADJOURNMENT

Section 41. The Committee on Rules shall prepare the calendar of business of every meeting and shall cause the Secretary to furnish a copy thereof to every Member of the Sanggunian not less than twenty- four (24) hours before every regular meeting.

Section 42. The Calendar of Business shall contain a brief description of each item of business to be taken up during the meeting, indicating the sources, in the case of communications, indorsements, petitions, memorials and memoranda; the name of the author or authors, in the case of ordinances, resolutions and motions; the committee or committees to which they have been referred. The report, consisting of the findings and recommendations of the majority of the committees, shall be made by its Chairman or, if he dissents with the majority opinion, by any committee member concurring

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therein and duly designated for the purpose. If the recommendation is favorable, the Committee on Rules shall calendar it for second reading otherwise, it shall be considered laid on the table.

Section 43. The consideration of unfinished business shall be resumed after the committee reports have been rendered, and so on at each succeeding meeting, until such unfinished business is disposed of.

Section 44. The business for the day shall consist of ordinances, resolutions and other legislative matters set on the calendar for the consideration of the Sanggunian, and each shall be taken up in the order of which it is set in the calendar.

Section 45. Ordinances, resolutions and other legislative matters scheduled for final reading shall be considered in the manner prescribed hereinafter.

Section 46. On a motion to suspend the rules, items of business may be taken away from their fixed order and considered forthwith by the Body.

### ***RULE VII – PROCEDURE FOR ORDINANCES, RESOLUTIONS, AND OTHER LEGISLATIVE MEASURES***

Section 47. Legislative actions of a general and permanent character shall be enacted in the form of ordinances, while those which are of temporary character shall be passed in the form of resolutions. Matters relating to proprietary functions and to private concerns shall also be acted upon by resolution.

Section 48. Every ordinance and resolution presented for consideration shall be, respectively, denominated as a “**DRAFT ORDINANCE**” and “**DRAFT RESOLUTION**”, and upon approval, it shall be as “**ORDINANCE**” or “**RESOLUTION**”, as the case may be.

Section 49. Ordinances and resolutions shall be proposed in writing and shall contain an assigned number, a title or caption, the name of the author or authors, an enacting or ordaining clause, and the date of its effectivity. They shall be signed by the author or authors and submitted to the Secretary who shall report them to the Sanggunian at its next meeting.

Section 50. Before an ordinance or a resolution may be finally enacted, it shall undergo three readings, as follows:

50.a First Reading, which shall consist of a reading by the secretary of the number and title of the draft ordinance or resolution and the name of the author or authors, after which it shall be referred by the Presiding Officer to the appropriate committee or committees without debate;

50.b Second Reading, at which the proposed ordinance or resolution, after having been sponsored on the floor by the Committee Chairman or by any manner recommended by the committee or committees, whereupon the measure shall be subject, first, to debate, and then, to amendments and all proper parliamentary motions;

50.c Third Reading, at which no debate or amendment shall be allowed, but the title of the proposed ordinance or resolution shall be read and the question upon its passage shall be immediately taken.

50.d A resolution shall be enacted in the manner prescribed for an ordinance but it need not go through a third reading for its final consideration unless it partakes of the nature of an ordinance or unless decided otherwise by a majority of all the members.

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- Section 51. In case of an erroneous reference of a measure to a committee, the same may be corrected at a subsequent meeting after the reading of the minutes containing the referral, by a majority vote of the Body on motion of the Committee on Rules or the Committee claiming jurisdiction over it or the committee to which it was erroneously referred.
- Section 52. In a proposed ordinance or resolution, resulting from a consolidation or substitution made by a committee, there shall be named as authors every member who has signed as such any of the proposed ordinance or resolution consolidated or substituted for, in the order of the names shown therein and according to the date of their filing.
- Section 53. No ordinance or resolution shall be considered on second reading in any regular meeting that has not been reported out by the proper committee except those prepared and introduced by the committees having proper jurisdiction over the subjects thereof and those certified as urgent by the Mayor.
- Section 54. The secretary shall prepare copies of the proposed ordinance or resolution in the form it was passed on second reading and shall distribute to each Member of the Sanggunian a copy thereof at least twenty-four (24) hours before it is voted upon for final approval, except if the measure has been certified by the Mayor as urgent in which case it may be submitted for final voting immediately after the second reading.
- Section 55. Motions may be presented orally or in writing and considered according to the rules prescribed for ordinance and resolution, provided, however, that any motion, which in the opinion of the Body, may be acted upon without reference to any committee, may be considered immediately for final action. An urgent motion, if substantive in character and presented orally, shall, if approved, be written out by the Secretary in resolution or ordinance form, as the case may be.
- Section 56. The affirmative votes of a majority of all the Members of the Sanggunian shall be necessary for the passage of any ordinance, resolution or motion directing the payment of money or creating liability. Other measures shall prevail upon the majority vote of the Members present and voting at any meeting duly called and held, there being a quorum.
- Section 57. The ayes (yes) and nays (no) shall be taken and recorded upon the passage of all ordinances, upon resolutions or motions directing the payment of money or creating liability, and, at the request of any member, upon any other resolution or motion. Each approved ordinance, resolution or motion shall be stamped with the seal of the Sanggunian and recorded in a book kept for the purpose.
- Section 58. Ordinances and resolutions on local development plans and public investment programs passed by the Sanggunian shall be approved and signed by the Mayor. The approval of the Mayor must be in writing, effected by him by endorsing the word "Approved" followed by his signature on each and every page of the ordinance or resolution.
- Section 59. The Mayor may veto any ordinance, resolution or any item thereon by signifying his or her disapproval in writing. Thereafter the official concerned shall return the pertinent papers or documents to the Sanggunian within ten (10) days from receipt thereof, otherwise the ordinance or resolution shall be deemed approved in its entirety.

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- Section 60. The Sanggunian upon two-thirds (2/3) votes of all members, may override the Mayor's veto, after which the vetoed ordinance, resolution or any of its item therein shall remain valid, effective and enforceable.
- Section 61. Any legislative matter, duly certified by the Mayor as urgent, whether or not it is included in the calendar of business, may, without need of suspending the rules, be presented and considered by the Body at the same meeting. An urgent matter is one which involves great public interest the delay of which shall prejudice essential government activities.
- Section 62. Every approved ordinance or resolution shall go into effect after ten days from the date of a copy thereof is posted on a bulletin board at the entrance of the municipal building and in at least two other conspicuous places in the municipality. Ordinances with penal sanctions shall be similarly posted for a minimum period of three consecutive weeks and shall also be published in a newspaper of general circulation, where available, within the territorial jurisdiction of the municipality concerned. Unless otherwise provided therein, said ordinance with penal sanctions shall take effect on the day following its publication, or at the end of the period of posting and shall spread his certificate upon the minutes of the Sanggunian. The secretary shall also translate or cause to be translated into the dialect used by the majority of the people of the municipality all ordinances immediately after their approval and to have posted, as translated into such dialect, at the main entrance of the municipal building and other conspicuous places in the municipality.
- Section 63. Within three days after approval, the Secretary shall transmit to the Sangguniang Panlalawigan, for review, copies of the approved ordinances and resolutions of the Sanggunian. If the Sangguniang Panlalawigan finds that any such ordinance or resolution is beyond the powers conferred upon the Sangguniang Bayan concerned, it shall declare such ordinance or resolution invalid in whole or in part. If no action is taken by the Sangguniang Panlalawigan within thirty days after the submission of such an ordinance or resolution, the same shall be presumed consistent with the law and, therefore, valid.
- Section 64. Proposed and approved ordinances and resolutions of the Sanggunian shall be kept in separate files and numbered infinitely in consecutive order, in the case of ordinances and consecutively in annual series, in the case of resolutions.

#### **RULE VIII - THE MINUTES**

- Section 65. The Sanggunian shall keep the minutes of the proceedings which shall comprise a succinct and exact account of the business transacted and the actions taken thereon. The minutes must be clearly show the following: nature of the meeting, whether regular or special, and if special, a copy of the call for such meeting; date, time and place of the meeting; names of members present and absent, whether the minutes of the previous meeting were read and approved citing corrections, if any, every resolution and ordinance, in full; if the resolution or ordinance was not approved unanimously, a brief statement of the minority opinion; nominal votings; all main motions, except those withdrawn; points of order and appeals, whether sustained or lost; veto message of the Mayor, in full and time of adjournment.
- Section 66. The original copy of the minutes shall be signed by the members of the Sanggunian present at the meeting, showing those who voted for and those

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who against its approval. Each copy of the minutes must be signed by the Presiding Officer and the Secretary.

Section 67. In the next session, the minutes of the previous meeting shall be read by the Secretary for the approval of the members present. For its validity, a majority vote is required. Corrections of the minutes may be entertained before its approval. The reading of the minutes shall not be interrupted or suspended except by the general consent of the Body.

Section 68. The reading of the minutes cannot be dispensed with but may be postponed to a later date or meeting, and no motion to amend shall be entertained after it has been read and approved.

### **RULE IX - DEBATES AND DECORUM**

Section 69. When any member desires to deliver any remarks to the Sanggunian, he shall rise and request the Chair to let him have the floor, which consent shall be necessary before he may proceed. When two or more members rise at the same time, the Presiding Officer shall name the Member who is to speak first, and shall alternate the floor between those who wish to speak for and against a given question.

Section 70. The Member who has obtained the floor shall address his remarks to the Chair, confine himself to the question under debate, avoiding personalities, and shall conduct himself with proper decorum.

Section 71. No member of the Sanggunian shall have more than thirty minutes in debate on any proposed motion, resolution or ordinance during the session and only three members shall be allowed to speak for the proposal and two for against a question. If however, only the sponsor/author delivered his speech and none speaks for against, to close the debate shall be in order. If said motion is approved, the Sanggunian shall proceed to consider amendment to the motion. Remarks on each amendment by any member shall not exceed five minutes.

Section 72. The Sanggunian may, by two-thirds vote of the members present, close a debate, upon motion for the previous question, and proceed to vote on the main question without debate.

Section 73. The Member reporting a measure from a committee or delivering the sponsorship speech of a proposed legislation may open and close the debate within the time permitted by the rules of the Sanggunian.

Section 74. If any member, by his speech or behavior, transgresses the Rules of the Sanggunian, the Presiding Officer, on his own initiative or at the request of any member, shall call him to order, and the Sanggunian shall, if appealed to, decide on the case without debate except for brief remarks by the appellant, explaining his appeal for not more than five minutes. If the decision is in favor of the member called to order, he may proceed, but not otherwise.

Section 75. During the meetings of the Sanggunian, the Members shall observe proper decorum. They shall remain in their seats during the roll call and when a vote is being taken no one shall pass between a member who has the floor and the Chair.

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Section 76. While the Presiding Officer is addressing the Sanggunian, no members shall walk out or cross the session hall or disturbingly move unnecessarily in the session hall.

Section 77. No person, including the Members of the Sanggunian, shall be permitted at any time to smoke and drink liquor or any similar beverages within the session hall.

#### **RULE X - VOTES AND VOTING**

Section 78. Voting in the Sanggunian shall be done by voice, raising of hand, rising, or by roll call, unless a different method is prescribed by the Sanggunian for a particular question. In taking the vote, the affirmative shall be taken first and then the negative.

Section 79. To pass an ordinance or any proposition creating indebtedness, the affirmative vote of 2/3 of all members of the Sanggunian is necessary. Other measures, except as otherwise specifically provided, shall prevail upon the majority vote of the members present at any meeting duly called and held.

Section 80. A tie vote defeats any measure or motion except an appeal from the decision of the Chair which shall be considered sustained by a tie vote.

Section 81. The Presiding Officer shall rise to put a question into a vote by saying, "As many as are in favor of (stating the question, say Yes, "and after the affirmative vote is expressed, "As many as are opposed, say No." If the Chair doubts the vote or if a division is called, the Body shall divide. Those in affirmative shall be asked to either raise a hand or rise from their seats, and then those in the negative to do the same. In any case, the Presiding Officer shall rise to state the decision.

Section 82. The yes and no votes shall be taken and entered in the minutes upon the passage of all ordinances, upon all propositions creating any liability against the municipality, and upon any other proposition if requested by any member even after a division has been made.

Section 83. When voting nominally, the Secretary shall call the roll of the Members of the Sanggunian according to rank, and, as each name is called, the member shall announce his vote by saying yes or no, as the case may be, or abstain, if he is not voting. A member may explain his vote not to exceed three minutes. After the roll call has been called, when voting nominally, the Secretary shall again call, according to rank, the names of those not voting in order that they may vote. After the second calling of the roll, no request shall be entertained by the Chair to record a vote.

Section 84. When an ordinance or any measure directing the payment of money or creating liability against the municipality is passed by general consent, the Secretary shall enter in the minutes the names of all the members present at that particular time, this having the effect of nominal voting.

Section 85. No member can vote on a question in which he or any member of his family within the third degree of consanguinity or affinity has a direct or personal pecuniary interest. This does not, however, preclude any member from voting for himself for any position within the Sanggunian.

Section 86. A member may change his vote only before the Chair announces the result of the voting and if his vote can be identified by the mode of voting,

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thereafter a member may change his vote only by majority vote of the members present.

Section 87. A member who arrives late at the meeting shall be permitted to vote, provided the result of the voting has not been announced yet by the Chair.

Section 88. No motion, except on the presence of a quorum shall be entertained during the voting.

#### **RULE XI - RULES OF MOTION**

Section 89. The following motions, in the order of their precedence (from highest to lowest rank), together with other motions hereinafter specified, shall be used in doing business in the Sanggunian.

- 89.a Fix the time to which to adjourn (Rank 1) to provide a future time for the continuation of the meeting in progress;
- 89.b Adjourn (Rank 2), to formally terminate the meeting in progress;
- 89.c Take a recess (Rank 3), to provide a brief intermission during the meeting;
- 89.d Question of Privilege (Rank 4), to secure immediate action upon matter that involves the comfort, convenience, rights or privileges of the Sanggunian or of any of its members;
- 89.e Call for order of the Day (Rank 5), to bring before the Body for consideration at a later but undetermined time;
- 89.f Lay on the table (Rank 6), to set aside a pending question for consideration at a later but undetermined time;
- 89.g Call for the previous question (Rank 7), to suppress discussion on a pending question and to bring it immediately to a vote;
- 89.h Modify the limits of debate (Rank 8) to remove a standing restriction to shorten or to permit more time for the discussion of a pending question;
- 89.i Postpone definitely (Rank 9), to defer the consideration of question to a definite time in the future;
- 89.j Commit (Rank 10), to refer a question or proposition to a committee for study and recommendation;
- 89.k Amend (Rank 11), to modify a question to make it more acceptable to the Body;
- 89.l Postpone Indefinitely (Rank 12), to defer indefinitely the consideration of a question;
- 89.m Main motion (Rank 13) to bring before the Body a substantive proposition for its consideration;

Section 90. The following motions shall have the rank of a main motion:

- 90.a Take from the table, to resume the consideration of a question that has been previously laid on the table;
- 90.b Reconsider, to set aside the vote previously taken on a question and to reopen it to a new discussion and vote;
- 90.c Reconsider and have entered on the minutes, to suspend action on a question that has been decided by a temporary majority;
- 90.d Rescind or repeal, to render null and void a question previously passed;
- 90.e Expunge, to express strong disapproval to an action taken by the Body and to have it rescinded;
- 90.f Adopt a report, to accept or agree to a report as an official act of the Body;



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Section 91. The following incidental motions have no fixed rank, but shall take precedence over the question from which they arise:

- 91.a Suspend the rules, to allow the Body to do something which is otherwise forbidden to do by the rules or previously adopted orders of the sanggunian;
- 91.b Withdraw or modify a motion, to remove a question from the consideration of the Body or to modify the same;
- 91.c Read papers, to allow a member to read a paper, document or book as part of his speech or remarks;
- 91.d Object to the consideration of a question, to avoid the consideration of a question which the Body considers irrelevant, contentious, unprofitable or generally objectionable;
- 91.e Point of order, to call attention to an error in the observance or enforcement of the rules of parliamentary procedure or those of the Sanggunian;
- 91.f Point of information, to be informed of any matter related to the pending question or to the Sanggunian;
- 91.g Parliamentary inquiry, to request information on matters related to parliamentary law and procedure;
- 91.h Appeal from the decision of the Chair, to ask the Body to decide whether the ruling made by Chair on a question of order should be upheld or overruled;
- 91.i Divide the assembly, to verify the votes taken on a question or to secure a more accurate count of the vote;
- 91.j Divide the question, to divide long and complicated proposition into separate and distinct parts to facilitate their consideration;

Section 92. Every motion presented to the Body shall be stated by the Chair or, if it be in writing, the Chair shall cause it to be read aloud by the Secretary, and shall be deemed as having been brought to the attention of the Body for its consideration.

Section 93. A motion to adjourn or to take a recess is in order even if a quorum is not present but not when the Body is engaged in voting or during the verification of the vote. If the Body has voted to adjourn but there are still important announcements to be made, the Presiding Officer may defer the adjournment of the meeting to allow the making of the announcement.

Section 94. The motions to fix the time to which to adjourn, take a recess, raise a question privilege, and call for orders of the day are privileged motions and may be presented, according to the order of their precedence, even if any other motion or question is pending before the Body. The motions to raise a question of privilege and to call for orders of the day may be made even if someone has the floor.

Section 95. Questions to lay on the table must be taken up not later than the next regular session, otherwise they shall be considered abandoned and may be brought up again only by a new motion.

Section 96. A motion calling for the previous question requires for its approval a two-thirds vote of the members present, but action on the principal question to which it is applied shall be determined by the vote necessary in each particular case as prescribed by the rules of the Sanggunian.

Section 97. A question cannot be postponed beyond the next regular session or to a special or adjourned meeting unless provisions have been made for the holding of such meeting.

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- Section 98. A question may be postponed as a general order by a majority vote, or as a special order, by a two-thirds vote, of the members present.
- Section 99. No order of the day may be considered before the time to which it was assigned except by general consent or by a two-thirds vote of the members present by suspending the rule fixing its time as an order of the day.
- Section 100. When a question is under consideration, a motion to amend and amendment shall be in order, and any of said amendment may be withdrawn before a decision thereon.
- Section 101. No motion on a subject different from the subject under consideration shall be admitted under color of amendment. An amendment which merely negates an affirmative proposition is likewise out of order.
- Section 102. Once an amendment has been adopted or rejected, the same or substantially the same amendment cannot be reintroduced at the same meeting unless the vote on the original amendment has been reconsidered or the motion to amend has been withdrawn.
- Section 103. Amendments to the title of an ordinance or resolution shall not be in order until after the text thereof has been approved. Amendments to the title shall be decided without debate.
- Section 104. When an ordinance or any other measure, decided by nominal voting, has been adopted or lost, it shall be in order for any member who voted with the majority, at the same or the next meeting, to move for the reconsideration thereof, and such motion shall take precedence over all other questions, except the motions to fix the time to which to adjourn, and to take a recess. The motion to reconsider shall be passed by a majority vote of the members present regardless of the vote required by the question to be reconsidered.
- Section 105. An ordinance, resolution or any other question may be rescinded, repealed, or expunged at any meeting subsequent to the one at which it was adopted, by a majority vote of the members present, with notice thereof given at the previous meeting, or by a two-thirds vote of the members present, made only if the time to reconsider the question has already elapsed.
- Section 106. Rules relating to the order of business, business procedure and similar standing rules, except those prescribed by statutory law, may be suspended by a two-thirds vote of the members present, provided, that said suspension shall be effective for as long as the question for which the rule is suspended remains pending before the Body.
- Section 107. The consideration of a question may be objected to by a two-thirds vote of the members present, but the motion may not be applied to directives or communications from a higher governing body, committee reports and amendments to the rules of the sanggunian.
- Section 108. An appeal must be made immediately after the decision has been made; if any business has intervened, it shall be out of order. It is debatable except when it relates to indecorum, priority of business, transgression of the rules of speaking, or if it arises out of an undebatable question. If the question is debatable, any member may speak in respect to the appeal once, but the Presiding Officer may speak on it twice, first, in explaining his decision, and then, in answer to the arguments against his decision.

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Section 109. A call for a division of the assembly should be made immediately after the result of the vote has been announced, even if someone has the floor but before another motion has been stated by the Chair.

Section 110. A motion to ready any part of the rules of the sanggunian is equivalent to a call to order and shall have the precedence corresponding to it.

Section 111. A motion may be withdrawn or modified as a matter of right before it has been stated by the Chair. If the request is made after the motion has been stated by the Chair, it may be withdrawn only by general consent, or, if there be an objection, by a majority vote of the members present.

Section 112. No motion, having failed passage, shall again be allowed at the same meeting unless there has been a substantial change in the proposition. The motions to fix the time to which to adjourn, call for orders of the day, close nominations of the polls, fix the limits of debate, lay on the table, postpone definitely or indefinitely, commit or refer, call for the previous question, take a recess, and take from the table, may be renewed after a change in parliamentary situation during the meeting. The motion to object to the consideration of a question, if rejected, may not again be renewed on the same question.

Section 113. All motions relating to nominations and voting, if made while a question or an election is pending, are incidental motions. If they are made in any other time, they shall be treated as main motions.

### ***RULE XII - UNFINISHED BUSINESS AT THE END OF THE SESSION***

Section 114. All businesses before the Sanggunian and its committees at the end of one session shall be resumed at the commencement of its next session.

Section 115. Business left unacted upon at the termination of one Sanggunian may be considered by the succeeding Sanggunian as matters of unfinished business.

Section 116. For purposes of the preceding sections, the Secretary shall return to the respective committee the papers relating to unfinished business and the papers delivered or returned to him at the close of a session or termination of a Sanggunian.

### ***RULE XIII - PAPERS AND DECORUM***

Section 117. As businesses are disposed of by the committees, all documents and papers related to such businesses shall be delivered to the Secretary who shall keep the same in the files of the Sanggunian.

Section 118. At the adjournment of the last session of a Sanggunian, all papers still in the possession of any committee shall be delivered to the secretary who shall preserve them in the files of the sanggunian in the manner required by the character of said papers.

Section 119. The secretary shall issue, upon demand of any person, a certified copy of any record within his control and shall be authorized to charge a fee for said purpose in the manner prescribed by law.

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**RULE XIV - SUSPENSION OF RULES**

Section 120. Any part of these rules, not prescribed by, or based on statutory law or higher act, may be suspended by general consent or by a two-thirds vote of the members present, provided that the suspension of the rule shall be for the sole purpose of the question pending at the time the motion for which said suspension is made.

Section 121. Notwithstanding the provision of the immediate preceding section, no part of these rules may be suspended if its effect is to protect absentee members or inevitably expose a member's vote.

**RULE V - AMENDMENTS TO RULES**

Section 122. The rules may be amended at any regular meeting by a two-thirds vote of all members of the sanggunian, provided that notice of the proposed amendment has been given at any meetings previous to the one at which said amendment is to be considered.

Section 123. No provision of these rules which are prescribed by, or based on, statutory law or any other higher authority may be amended or revised.

**RULE XVI - SUPPLEMENTARY RULES**

Section 124. The rules of procedures and parliamentary practices of the legislative bodies of the Philippines and Sanggunian Rules of Procedures and Parliamentary Rules both by Dr. Antonio Orendain and the Local Legislators' Toolbox of the Institute of Government Studies, shall serve as supplementary authorities of the Sanggunian insofar as they are not incompatible with its own rules and standing orders.

**RULE XVII - DATE OF EFFECTIVITY**

Section 125. These rules shall take effect immediately.

APPROVED this 18<sup>th</sup> day of July 2016.

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*Sponsor* : *Honorable Virgilio L. Dinorog*

CERTIFIED CORRECT:

**GRACE NIEVES B. VELOSO**  
SB Secretary

ATTESTED:

**ZOSIMO B. BORRES**  
Municipal Vice Mayor, Presiding Officer

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APPROVED:

**HON. ZOSIMO B. BORRES**  
Municipal Vice Mayor, Presiding Officer

APPROVED:

**HON. KITERIO ANTONIO U. PALARCA II**  
SB Member

**HON. VIRGILIO L. DINOROG**  
SB Member

**HON. NILO PATRICIO K. AMAO**  
SB Member

**HON. VIRGILIA D. LOPEZ**  
SB Member

**HON. CLEMENTE E. TORRO**  
SB Member

**HON. THOMPSON I. BABAEL**  
SB Member

**HON. RAUL M. BUHISAN**  
SB Member

**HON. GILBERT A. LOQUAS, JR.**  
SB Member

**HON. MELENCIANO C. VELOSO, JR.**  
SB Member, ABC President