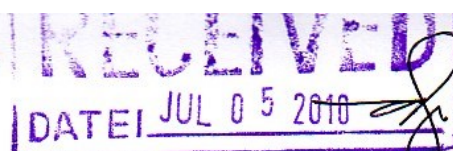




REPUBLIKA NG PILIPINAS
SANGGUNIANG PANLUNGSOD
LUNGSOD NG ORMOC



EXCERPT FROM THE MINUTES OF THE INAUGURAL SESSION OF THE TWELFTH
SANGGUNIANG PANLUNGSOD NG ORMOC HELD AT THE
SANGGUNIANG PANLUNGSOD SESSION HALL,
NEW ORMOC CITY HALL BUILDING
ON JUNE 30 2010

PRESENT:

Hon. Nepomuceno P. Aparis I,
Hon. Ruben R. Capahi,
Hon. Rolando M. Villasencio,
Hon. Claudio P. Larrazabal,
Hon. Mario M. Rodriguez,
Hon. Lea Doris C. Villar,
Hon. Filomeno P. Maglasang,
Hon. Jose C. Alfaro, Jr.,
Hon. Sotero M. Pepito,
Hon. Demosthenes F. Tugonon,
Hon. Rafael C. Omega, Jr.,
Hon. Antonio M. Codilla,

Vice Mayor & Presiding Officer
City Councilor, Majority Floor Leader
City Councilor, Minority Floor Leader
City Councilor, Presiding Officer "Pro-Tempore"
City Councilor, Assist. Minority Floor Leader
City Councilor, Assist. Majority Floor Leader
City Councilor
City Councilor
City Councilor
City Councilor
City Councilor
Ex-Oficio, City Councilor
Chapter President, Liga ng mga Barangay ng Ormoc
Ex-Oficio City Councilor, SK Federation President

Hon. Corinne M. Corro,

ABSENT:

NONE

RESOLUTION NO. 2010-001

**A RESOLUTION ADOPTING THE INTERNAL RULES OF
PROCEDURE OF THE 12TH SANGGUNIANG PANLUNGSOD
NG ORMOC**

WHEREAS, Section 50 of the Local Government Code of 1991, provides; " On the First Regular Session following the election of its members and within ninety (90) days thereafter the Sanggunian concerned shall adopt and or update its existing rules and procedures".

WHEREAS, the Internal Rules of Procedure adopted by this Sanggunian has been updated to conform with the provisions of the Local Government Code of 1991;

WHEREFORE, on motion of Councilor Ruben R. Capahi, Member of the 12th Sangguniang Panlungsod, severally seconded City Councilors Rafael C. Omega, Jr., Jose C. Alfaro, Jr., Claudio P. Larrazabal and Lea Doris C. Villar; be it

RESOLVED, AS IT IS HEREBY RESOLVED, to pass a resolution ADOPTING THE INTERNAL RULES OF PROCEDURE OF THE 12TH SANGGUNIANG PANLUNGSOD NG ORMOC.

SANGGUNIANG PANLUNGSOD INTERNAL RULES OF PROCEDURE

RULE I - INAUGURAL SESSION

Section 1. – On the very day fixed by law for assumption of office of newly elected officials, or at the first opportunity after their assumption of office, the Sangguniang Panlungsod shall convene for the Inaugural Session at the Session Hall to be presided by the Vice-Mayor-elect who shall act as Presiding Officer thereof.

Section 2. – The Order of Business of the Inaugural Session shall be as follows:

- (a) Call to Order
- (b) Invocation
- (c) Singing of the Philippine National Anthem
- (d) Pledge of Allegiance to the Philippine Flag
- (e) Roll Call and Determination of Quorum
- (f) Resolution Adopting the Internal Rules of Procedure of the Sanggunian
- (g) Election of the following:
 1. Presiding Officer "Pro-Tempore"
 2. Majority Floor Leader
 3. Assistant Majority Floor Leader
 4. Minority Floor Leader
 5. Assistant Minority Floor Leader
- (h) Resolution creating the Sanggunian Districts and District In Charge.
- (i) Resolution Thanking The Good People Of Ormoc City For A Peaceful and Orderly Election And For Their Expression of Popular Will.
- (j) Resolution Expressing And Pledging Full Support To The City Mayor-elect In His/Her Leadership And Program Of Government.
- (k) Resolution Expressing And Pledging Full Support To The Representative-elect of the 4th Congressional District of Leyte In His/Her Leadership And Program Of Government
- (l) Resolution Manifesting Confidence In The Administration Of The President-elect Of The Republic Of The Philippines In His/Her Leadership of Government.
- (m) Designation Of A Committee Of Three (3) By The Vice-Mayor and Presiding Officer To Officially Advise The Honorable City Mayor That The Sangguniang Panlungsod Members Are Ready To Hear His Inaugural Address.
- (n) Inaugural Address
- (o) Adjournment.

RULE II - COMPOSITION

Section 1. – The composition of this Sanggunian shall be provided in existing laws, specifically Section 457 of Republic Act 7160 otherwise known as the "Local Government Code of 1991".

RULE III - POWERS, DUTIES AND FUNCTIONS OF THE SANGGUNIAN

Section 1. – The powers, duties and functions of this Sanggunian shall be as provided for under Rule XVII of the Rules and Regulations Implementing the Local Government Code of 1991.

RULE IV - DUTIES AND RESPONSIBILITIES OF INDIVIDUAL MEMBERS

Section 1. – Every member of this Sanggunian shall make a full disclosure of his financial and business interests as required of him under Article 104, Rule XVII of the Rules and Regulations Implementing the Local Government Code of 1991.

Section 2. - Every member shall attend all the session of the Sanggunian unless he is prevented from doing so by reason of sickness or other unavoidable circumstances provided that, as a general rule, previous notice thereto shall be sent to the Sanggunian thru the Presiding Officer or the Secretary to the Sanggunian.

Section 3. – As a general rule, every member is required to vote on every question or proposed measure being voted upon by the Sanggunian. Abstentions may only allowed if it can be shown that the member concerned has a pecuniary interest, either directly or indirectly, on the matter being acted upon by the body.

Section 4. – Every member shall observe proper deportment and decorum during sessions.

RULE V - OFFICERS

Section 1. The following shall be the officers of this Sanggunian:

- (1). PRESIDING OFFICER. – The Vice Mayor shall be the Presiding Officer of this Sanggunian and as such, shall have the following rights and duties:
- (a). To preside over the sessions of the Sanggunian and pre-session caucuses of the Sanggunian
 - (b). To exact from all the members present during the sessions proper deportment and decorum.
 - (c). To enforce the internal rules and procedures of the Sanggunian.
 - (d). To maintain order during sessions and render a ruling on questions of order, subject to appeal by the member concerned to the body for final decision.
 - (e). To sign all the legislative documents, papers or checks requiring his signature.
 - (f). To declare a recess during sessions anytime he deems it necessary provided that the duration of the recess is less than fifteen(15) minutes.
 - (g). To declare the session adjourned to some other date, time and place in cases of extreme emergencies, serious and uncontrollable disorder, public disturbances and other unavoidable circumstances.

- (h) To make brief remarks, comments or clarificatory questions on any measure pending deliberation by the body provided that he shall not express himself either for or against the said measure or question.
- (i) To vote but only to break a tie. Hence, he cannot vote in order to create a tie. His right to vote to break a tie is not compulsory. He may or may not exercise it.
- (j) To relinquish the Chair to the Presiding Officer Pro-Tempore, or in the latter's absence, to any member of the Sanggunian who shall act as "temporary presiding officer" but only if he is going out of the session hall for whatever reasons.

(2) PRESIDING OFFICER 'PRO-TEMPORE'. There shall be a Presiding Officer "Pro-Tempore" to be elected from among the members of the Sanggunian who, without losing his status as a regular member including the rights and prerogatives, shall temporarily exercise all the powers and duties and functions of the regular Presiding Officer.

In the event of the inability of the regular Presiding Officer and the Presiding Officer "Pro-Tempore" to preside over a Sanggunian session, the members present thereby constituting a "quorum" shall elect from among themselves a "temporary presiding officer".

The Presiding Officer "Pro-Tempore" or the "Temporary Presiding Officer", as the case may be, shall certify within ten(10) days from the passage of ordinance enacted or resolutions adopted by the Sanggunian in the session over which he temporarily presided.

The Presiding Officer "Pro-Tempore" or the "Temporary Presiding Officer" may, motu proprio, relinquish the Chair temporarily to any member of the Sanggunian if he would like to go down the floor and participate in the deliberation in his capacity as a regular and constituent member.

(3) MAJORITY FLOOR LEADER. – This Sanggunian shall elect by a majority vote a Majority Floor Leader from among the members and shall have the following powers and duties:

- a. He shall assist the Presiding Officer in the speedy transaction and orderly conduct of every business and deliberations on the floor by announcing from time to time the business in the order in which it is to be acted upon by the Sanggunian as per agenda;
- b. He shall confer with the Secretary to the Sangguniang Panlungsod from time to time as to efficient methods of accomplishing the work of the Sanggunian;
- c. He may seek the help of the heads of the different departments of the City Government with a view of collecting data for ready reference of the Presiding Officer and members;
- d. He shall hold office for such period of time as may be fixed by the Sanggunian members and be removed for loss of confidence by a majority vote of the members;
- e. He shall attest the agenda which shall contain matter taken up during the pre-Session Caucus.

(4) ASSISTANT MAJORITY FLOOR LEADER. – This Sanggunian shall elect by a majority vote an Assistant Majority Floor Leader from among themselves who shall assume the powers and duties of the majority floor leader in the latter's absence.

(5) MINORITY FLOOR LEADER & ASSISTANT MINORITY FLOOR LEADER. –

(6) SECRETARY TO THE SANGGUNIAN. – There shall be a Secretary to the Sanggunian appointed by the Vice-Mayor subject to Civil Service Law, Rules and Regulations, who shall have the following duties and functions:

- a. He shall attend all the sessions of the Sanggunian and keep a journal of its proceedings;
- b. He shall draw up, prepare or cause the preparation of the minutes of the sessions of the Sanggunian and certify said minutes;
- c. He shall read or cause to be read, by himself or through a reader designated by him, all ordinances, motions, memorials, petitions or other documents which he shall report to the Sanggunian, or when required by the Presiding Officer and the members;
- d. He shall certify all acts, orders, motions, resolutions and ordinances approved by the Sanggunian and stamp them with the official seal of the Sanggunian which shall be under his custody;
- e. He shall transmit to the proper committee all matters referred to it by the Presiding Officer;
- f. He shall send out proper notices of all called sessions, meetings and public hearings;
- g. He shall provide technical support to the Sanggunian members in the performance of their legislative functions;
- h. He shall conduct researches in aid of legislation; and
- i. Exercise such other powers and perform such other duties and functions as may be prescribed by the Sanggunian;

(7) OTHER OFFICERS. – This Sanggunian may, when expedience so demands, create committees and/or positions for other officers as it may deem proper.

RULE VI – ORGANIZATION OF SANGGUNIAN DISTRICTS

Section 1. – For purposes of efficient supervision and administration of City, this Sanggunian thru a resolution shall create ELEVEN(11) SANGGUNIAN DISTRICTS, the composition of which shall be subject to change at any time upon approval of the majority vote of the Sanggunian members;

RULE VII - REGULAR COMMITTEES

Section 1. – Creation of Committees. – The following rules shall be observed in the creation of regular committees:

- (a) A regular committee may be created or re-organized by a majority vote of all the members of the Sanggunian;

- (b) The Presiding Officer may recommend the creation or re-organization of any regular committee. The Sanggunian shall act on his recommendation without debate and vote on it immediately.
- (c) Special or Ad Hoc Committees may be created upon the initiative of the Chair or thru a motion by any member, subject however, to the affirmative votes of a majority of the members present, there being a quorum.

Section 2. – Composition. – Every regular committee to be created shall be composed of not more than five(5) members including the Chairman and Vice-Chairman except the Committee on Finance, Budget and Appropriation; Committee on Good Government and Ethics; and Committee on Oversight and Legislative Tracking.

Section 3. Restrictions –

- (a) The Presiding Officer shall not be a member of any regular committee. However, he may be designated by the body as Chairman of Ad Hoc Committee or Special Committee, provided that the purpose or task for which the committee is created does not involve legislative matters or policy-making.
- (b) No person other than members of the Sanggunian shall be made a member of any regular committee.
- (c) No member shall participate in the committee's deliberations if he has a direct or indirect personal or pecuniary interest on the matter being handled by that committee.

Section 4. Committee Hearings or Public Hearings. – No tax ordinance or revenue measure shall be enacted by the Sanggunian in the absence of a public hearing duly conducted by the committee concerned.

Section 5. Committee Meetings. – As a general rule, a committee meeting shall be attended only by committee members unless a majority of the members thereof decide to allow other persons to be present especially invited resource persons or consultants.

Section 6. Quorum. – A majority of all the members of the committee shall constitute a quorum to do business.

Section 7. Calling a Committee Meeting. – A committee meeting may be called by the following:

- (a) Chairman
- (b) Vice-Chairman, if he is in the capacity of "acting chairman"
- (c) Majority of the committee members

Provided, that due notice is served upon each and every committee member.

Section 8. Vacancy. – Vacancy in any committee shall be filled:

- (a) By a majority vote of all the members of the Sanggunian, or
- (b) By the Presiding Officer, by general consent (unanimous assent) of the members present, there being a quorum.

Section 9. Appearance of Head of Department or Offices in Committee Meetings. – The following rules shall be observed in requesting for the appearance of heads of department or offices:

- (a) Official invitation or request by any committee to appear before it of any head of department or office, whether local or national, shall be coursed thru the Presiding Officer. The Presiding Officer shall then instructs the Secretary to the Sanggunian to endorse it to the head of local and national offices concerned.
- (b) The invitation or request shall specify the reason for such appearance or the assistance needed, as the case may be.

Section 10. The Sanggunian shall, thru a resolution, create the following regular committees:

- I. COMMITTEE ON FINANCE, BUDGET AND APPROPRIATION & WAYS AND MEANS – All matters or questions pertaining to or connected with local taxes, fees and charges, loans and other sources of local revenue; annual and supplemental budgets; appropriation ordinances and all other matter related to local taxation and fiscal administration.
- II. COMMITTEE ON ACCREDITATION OF NON-GOVERNMENT ORGANIZATIONS – Committee to which shall be referred all matters or questions pertaining to or connected with the accreditation of non-government organizations and institutionalizing people's participation in decision-making and project implementation.
- III. LEGISLATIVE TRACKING AND OVERSIGHT COMMITTEE – Committee to which shall determine whether an enacted measure/resolution is actually implemented or enforced and if implemented or enforced, assess the effectiveness of the same and prepare a report. In case of negative feedbacks, recommends options to the sanggunian.
- IV. COMMITTEE ON SOCIAL WELFARE, SENIOR CITIZENS, WOMEN & FAMILY - All matters or questions pertaining to or connected with social welfare and services; senior citizens welfare, rights and privileges; women's welfare, rights and privileges; women's organization, family and social welfare and all other matters related thereto.
- V. COMMITTEE ON HUMAN RIGHTS. – All matters or questions pertaining to or connected with human rights, prevention of human rights violation and all matters affecting human rights.
- VI. COMMITTEE ON YOUTH & SPORTS DEVELOPMENT – All matters or questions pertaining to or connected with sports development; youth welfare and development; and operation and maintenance of sports complex.
- VII. COMMITTEE ON ENVIRONMENTAL PROTECTION, NATURAL RESOURCES AND ENERGY DEVELOPMENT AND CONSERVATION– All matters or questions pertaining to or connected with environmental protection; air and water pollution,; wanton destruction of the environment and its natural resources and all matters or measures affecting the environment, climate change and energy development and conservation.

- VIII. COMMITTEE ON LIVELIHOOD DEVELOPMENT & COTTAGE INDUSTRY – All matters or questions pertaining to or connected with livelihood, small scale industry and all matters affecting livelihood and cottage industry program of the government.
- IX. COMMITTEE ON INTERNAL RULES OF PROCEDURE - All matters or questions pertaining to or connected with Sanggunian Internal Rules and violations thereof, Order of Business and disorderly conduct of members and investigations thereof and privileges of members.
- X. COMMITTEE ON LAWS AND ORDINANCES & LEGAL MATTERS – All matters or questions pertaining to or connected with enactment, revision or amendment of all kinds of ordinances except appropriation ordinances; exercise of legislative powers (taxing power, corporate powers and proprietary rights); legality of proposed measures to be acted upon by the Sanggunian and review of ordinances and certain resolutions submitted by lower level local government units as well as legal orders from the courts on city ordinances.
- XI. COMMITTEE ON PEACE AND ORDER, POLICE, FIRE PREVENTION & PENOLOGY - All matters or questions pertaining to or connected with police matters, maintenance of peace and order, protective services, traffic rules and regulations, fire prevention and control measures, public morals and all matters related to peace and order.
- XII. COMMITTEE ON PUBLIC SAFETY – All matters or questions pertaining to or connected with public safety and disaster control management.
- XIII. COMMITTEE ON HEALTH - All matters or questions pertaining to or connected with health, sanitation or hygiene, cleanliness of the community, proposed measures related to hospitals, health centers and health programs and all matters related to health and sanitation.
- XIV. COMMITTEE ON AGRICULTURE & FISHERIES – All matters or questions pertaining to or connected with agricultural production, agricultural inputs, agricultural facilities, development of agri-business enterprise, fishery and aquatic resource preservation, development of fishing grounds, construction of fish ponds, corals, oyster beds and regulatory measures thereof and all other matter related to agriculture and fishery, including plants and animals.
- XV. COMMITTEE ON EDUCATION, CULTURE AND THE ARTS – All matters or questions pertaining to or connected with formal and non-formal education, educational facilities, promotion of culture and the arts, operation of educational institutions, both private and public and all matters related to education and culture.

- XVI. COMMITTEE ON GAMES AND AMUSEMENTS- All matters or questions pertaining to operation/establishment of amusement places, measures that affect the regulation of games and amusements including, but not limited to, the promotion or holding of cockfights, boxing, basketball tournaments, and other kinds of games and amusements.
- XVII. COMMITTEE ON GOOD GOVERNMENT, PUBLIC ETHICS AND ACCOUNTABILITY – All matter or questions pertaining to or connected with organization and management, personnel administration, position classification and pay plan, staffing patterns, creation of positions, policy formulation for the economical, efficient and effective local government administration, conduct and ethical standards for local officials and employees, public accountability of local officials and employees and all other matters related to good governance.
- XVI. COMMITTEE ON MARKET, SLAUGHTERHOUSE & ECONOMIC ENTERPRISE – All matters or questions pertaining to or connected with administration/operation of the public market, slaughterhouse and other economic enterprise but not limited to operation of superdome and waterworks system, measures pertaining to market rental fees, slaughter charges, superdome fees and water rates, improvement of market facilities and its premises including the slaughterhouse, superdome and water system, and all other matters related to market, slaughterhouse, superdome and water system administration. .
- XVII. COMMITTEE ON COOPERATIVE, TRADE, COMMERCE AND INDUSTRY –All matters or questions pertaining to or connected with cooperatives organization and development, incentive to cooperatives, all matters affecting the cooperatives development program of the government. Establishment/operation of all kinds of trade and industry, measures that affect trade, commerce and industry, incentives to promote trade, commerce and industry and all other matters related to trade, commerce and industry.
- XVIII. COMMITTEE ON INFRASTRUCTURE DEVELOPMENT- All matters or questions pertaining to or connected with construction, maintenance and repair of roads, bridges and other government infrastructure projects, measures that pertain to drainage and sewerage system and similar projects and all other matters related to public works and infrastructure projects.
- XIX. COMMITTEE ON ZONING, HOUSING AND LAND UTILIZATION – All matters or questions pertaining to or connected with housing program, subdivision development/real estate development, measures pertaining to land uses, zonification or zoning code enactment, problems on informal settlers and all matters related to housing and land utilization.
- XX. COMMITTEE ON BARANGAY AFFAIRS –All matters or questions pertaining to or connected with creation, division, merging, abolition; or alteration of boundaries of barangays, naming and renaming of barangays, naming or renaming of barangay roads and all matters pertaining to barangay government affairs.

- XXI COMMITTEE ON CITIES SISTERHOOD PROGRAM-** All matters or questions pertaining to or connected with establishing a tie-up with sister cities and promoting exchange program in public administration, culture and socio-economic activities.
- XXII COMMITTEE ON AGRICULTURAL & INDUSTRIAL LABOR AND AGRARIAN REFORM-** All matters or questions pertaining to agricultural labor and industrial labor, stevedoring, arrastre services and the like.
- XXIII COMMITTEE ON MANPOWER DEVELOPMENT-** All matters or question pertaining to or connected with manpower development, availability of human resources or personnel for competent services in industries in the community and maintenance and operation of Ormoc Manpower and Technological Research Center.
- XXIV COMMITTEE ON PUBLIC INFORMATION –** All matters or questions pertaining to or connected with dissemination of information on government administration but not limited to projects through the press, radio and television.
- XXV COMMITTEE ON PUBLIC PROPERTIES –** All matters or questions pertaining to or connected with acquisition and disposition of public properties but not limited to lease of government properties, donation, naming of streets and schools, titling and registration of real properties owned by the city.
- XXVI COMMITTEE ON TRANSPORTATION AND COMMUNICATION-** All matters or questions pertaining to or connected with operation of motorized tricycles, granting of franchises as well as planning, modernization, installation and construction of transportation and telecommunication facilities.
- XXVII COMMITTEE ON TOURISM –** All matters or questions pertaining to management, accommodation and guidance of tourist, and other programs relating to the development of tourism industry.

RULE VIII - REGULAR AND SPECIAL SESSIONS AND PRE-SESSION CAUCUS

Section 1. – The regular session of this Sanggunian shall be "once a week" to be held at the Sanggunian Session Hall every Thursday at exactly 2:00 o'clock in the afternoon.

Section 2. – Special sessions may be called by the City Mayor or by a majority of the members of this Sanggunian.

Section 3. A written notice to the Sanggunian members stating the date, time and purpose of the special session shall be served personally or left with a member of his household at his usual place of residence at least twenty-four(24) hours before the special session is held.

Section 4. – 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 session except those stated in the notice.

Section 5. – All sessions shall be open to the public unless a close door session 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.

Section 6. – No two(2) sessions, whether regular or special, may be held in a single day.

Section 7. – All members attending all sessions of this Sanggunian shall be in a formal attire, such as coat and tie or long sleeves barong tagalong.

Section 8. – The Pre-Session Caucus shall be held every Friday at 9:00 in the morning at the Sanggunian Panlungsod Conference Room. If, however, pre-session caucus day happens to be a holiday, the Pre-Session Caucus shall be held on a day agreed upon by the members during the regular session day.

Section 9. - The purpose of the pre-session caucus is to determine and discuss the agenda for the regular session. Only matters that have been deliberated in the Committee level shall be considered during the Pre-Session Caucus. Matter not discussed or taken up during the pre-session caucus shall not be included in the agenda for the regular session unless it is urgent and needs immediate action provided there is a written request for its inclusion by a member concerned addressed to the Presiding Officer or Sanggunian Secretary.

Section 10. – The Pre-Session Caucus shall not be opened to the public. Non-members of the Sanggunian may attend the pre-session caucus only if he/she is so invited.

Section 11. – Appearance of Head of Departments/Offices in Pre-Session Caucus. The following rules shall be observed in requesting for the appearance of heads of department or offices:

- (a) Official invitation or request by any committee to appear before during the Pre-Session Caucus of heads of department or offices, whether local or national, shall be coursed thru the Presiding Officer. The Presiding Officer shall then instruct the Secretary to the Sanggunian to endorse it to the head or local and national offices concerned.
- (b) The invitation or request shall specify the reason for such appearance or the assistance needed, as the case may be.

RULE IX - QUORUM

Section 1. – A majority of the members of the Sanggunian who have been elected and qualified shall constitute a quorum to transact business.

Section 2. – Other interpretations to the contrary notwithstanding, the term "elected and qualified shall be construed to include not only the regular member but also the "ex-officio" members.

Section 3. – In computing the presence of a "quorum" the term "majority" shall be based on the actual membership or incumbents in the Sanggunian which shall exclude the following:

- Presiding Officer (regular)
- A member who is abroad
- A member who is on official leave of absence
- A deceased member

- A member who has resigned
- A member who has been suspended
- A member who was expelled; or removed by final judgment

Section 4. – No quorum at the start of the session. When the appointed time has come to start the regular session, the Presiding Officer (regular or temporary), as the case may be) shall call the session to order, with or without a quorum.

In the absence of a quorum after calling the session to order, the Presiding Officer may perform any of the following:

- (a) He may adjourn the session from hour to hour if he would like to wait for other members who may be late in coming to the session.
- (b) He may adjourn the session from day to day; or
- (c) He may adjourn the session for lack of quorum.

Section 5. – No quorum during the session which was started with a quorum. During a session which was started with a quorum and a question on the lack of quorum is raised by any member, the Presiding Officer shall immediately cause the reading of the roll of members and announce the result thereof and then declare whether or not there exists a quorum.

In the absence of a quorum, the Presiding Officer may declare a recess of not more than one(1) hour and wait for other members to come, or a majority of the members present may adjourn from hour to hour, or day to day and may 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 to arrest the absent member and present him at the session hall.

If there still no quorum despite the enforcement of the above remedial measures, the Presiding Officer may, motu proprio or upon proper motion from the floor duly adopted by the body, then declare the session adjourn for lack of quorum.

RULE X - ORDER OF BUSINESS

Section 1. – The Order of Business of this Sanggunian shall be as follows:

- (a) Call to Order
- (b) Invocation
- (c) Roll Call
- (d) Reading and consideration of previous minutes
- (e) Privilege Hour
- (f) Reference of Business
- (g) Committee Reports
- (h) Calendar of Business:
 - Unfinished Business
 - Business for the Day
 - Unassigned Business
- (i) Announcement (if any)
- (j) Adjournment.

Section 2. Invocation. The Invocation shall be led by a member of the Sanggunian on a rotation basis to be determined by the Majority Floor Leader. Hereunder are suggested prayers that may be used in the Invocation. However, a member assigned to lead the Invocation may adopt his/her own prayer provided that the same will not be more than three(3) minutes.

"PRAYER BEFORE SESSION"

I.

Lord God, Our Almighty and All Knowing Father, as we gather to deliberate what is good for Ormoc City and her residents, teach us to reason together by learning to share some of our ideas and accept some ideas from others, and not to insist all to be our way.

This O Lord, we offer for Your Greater Honor and Glory. Amen.

II.

Lord God, Our Almighty and All Knowing Father, as we come together to discuss matters for the betterment of Ormoc City and her constituents, imbue us with tolerance and understanding, teach us to take a little, give a little and not insist all to be our way.

This O Lord, we offer for Your Greater Honor and Glory. Amen.

Section 3- Privilege Hour. Before the consideration of any business during a regular session, any member may ask permission from the Presiding Officer to deliver a privileged speech for not more than fifteen(15) minutes to express the sentiments of his constituents or his own views, opinions, comments or position on various issues and affairs of public interests.

Section 4 – The Reference of Business. At this stage of the Order of Business, the Secretary to the Sanggunian reads all the proposed measures which came from the members other than the members of the Committee concerned and also other kinds of communications that his office received in behalf of the Sanggunian. Only the title of the proposed measure and its author or authors, or the name of the member who introduced it, shall be read. In the case of communications, only its substance and the name of its sender shall be read. Thereafter, the Presiding Officer shall refer it to the "regular committee concerned" for study and appropriate action. If there is no "regular committee" having jurisdiction on the matter to be referred to, a special committee (also known as ad-hoc committee) shall be created right then and there to handle it.

An erroneous referral to a committee made by the Presiding Officer may be corrected upon his own initiative, by the committee members to whom the matter was erroneously referred to; or by the committee members who are supposed to have original jurisdiction on that matter. This may be done when the item for "unassigned business" comes.

Section 5 – Committee Reports – In rendering committee reports, priority shall be given to regular committees to be followed by special committees (ad hoc committees).

As a general rule, committee reports shall be rendered by its Chairman, unless he dissents with the majority decision. In his absence, the Vice-Chairman shall take his place.

If neither of them is present, any committee member concurring with the report and duly designated by the said committee shall render the report.

- (a) Submission of Committee Reports. Every committee to which a particular measure is referred by the Presiding Officer shall submit its report in writing to the Sanggunian, thru the Secretary, after finishing its task.
- (b) Joint Committee or Multiple Committee Report. When a measure is referred to two or more committees, the committees concerned may submit a "joint committee report" or "multi-committee report" as the case maybe, or separate report thereon.
- (c) Content of Committee Report. The committee report shall contain the following information:
 - (1) Name of the reporting committee or committees.
 - (2) Brief statement of the subject matter referred to it and the action taken thereon including information gathered during the conduct of committee hearings or meetings and other relevant information.
 - (3) Finding or conclusions.
 - (4) Recommendation (either to "file it away" or "to calendar it for "second reading")
 - (5) Names and signature of concurring members
 - (6) Appendices (Minutes of the committee hearings or committee meetings, as the case may be).
- (d) Discharge of Committee. A committee which failed to submit a committee report within the time required may be discharged by the Sanggunian from further consideration of the measure or question referred to it. Upon motion by any member, the said measure can be re-assigned to another committee or submit to the body for proper disposition.
- (e) Recommitting a Measure. When the Sanggunian is not satisfied with the report of a particular committee on a measure referred to it, the same may be re-committed or return back to that committee for further study.

If the reporting committee's recommendation is for the Sanggunian not to take action and that recommendation has been adopted by the body, the proposed measure remains shelved in the committee.

If the reporting committee's recommendation is for the Sanggunian to file the proposed measure away and that recommendation has been adopted, then it is "filed away" which means in layman's language that the proposal will be filed in the archive of the Sanggunian.

As a general rule, no member of a committee shall oppose or object to the report of his committee unless he submits his dissenting opinion to the majority decision in writing, or orally in open session, before the said committee renders its reports. Otherwise, he shall be precluded to oppose it on the floor.

- (f) **Calendaring a Measure for Second Reading.** After the committee has rendered its report and is recommending favorably the enactment of a proposed ordinance it has "reported out", a copy thereof shall be furnished every Sangguniang member by the committee chairman concerned and shall be submitted for consideration during the pre-session caucus to have it calendared for "second reading".

Section 6. The Calendar of Business shall include only those determined and discussed during the Pre-Session Caucus except under the circumstance provided in Section 9, Rule VII of this Internal Rules of Procedure. It shall be signed by the Majority Floor Leader and approved by the Presiding Officer. A copy thereof shall be furnished to every member of this Sanggunian not less than one(1) day before the date of the regular session.

The Calendar of Business shall contain the following:

- (a) **Unfinished Business** – refers to proposals or measures that have been left unacted upon; postponed or left unfinished during the previous meeting or session. This also includes items of business left unfinished or unacted upon at the end of the term of the previous administration;
- (b) **Business of the Day** – refers to a list of items that have been reported out by committees and are ready for deliberation on "second reading" as determined during the pre-session caucus. This also include those items for the body's session on "third and final reading".
- (c) **Unassigned Business** – refers to pending matters or measures including new ones that arises out during the deliberation but not yet assigned or referred to any committee for appropriate action.

The Calendar of Business shall contain brief description of the item of business to be taken up during the regular session including, but not limited, to the following:

- (a) The title of the proposed ordinance or resolution;
- (b) The name of the sponsor or authors and the committee to which it was referred or the committee sponsoring it;

Section 7. Deviation from the prescribed Order of Business may be done only under the following circumstances:

- (a) When the Sanggunian decided to suspend the rules thru an "assumed motion" by the Chair or thru a motion to suspend the rules by a member. In any case, the decision to suspend the rules shall require a vote by general consent, a unanimous vote or at least two-third(2/3) vote of the members present.
- (b) When the measure to be acted upon by the Sanggunian is "certified by the local chief executive as urgent", it shall have priority over all other items of business, and shall be considered without need of suspending the rules or even if it is not included in the calendar of business.

RULE XI - LEGISLATIVE PROCESS

Section 1. – Rules in the enactment of ordinance and adoption of resolutions. In the enactment of ordinances and adoption of resolutions including other matters requiring legislative actions, the following rules shall be observed:

- (a) Legislative action 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.
- (b) Proposed ordinances and resolutions shall be in writing and shall contain an assigned number, a title or caption, an enacting or ordaining clause, and the date of its proposed effectivity. In addition, every proposed ordinance shall be accompanied by a brief explanatory note containing the justification for its approval. It shall be signed by the author or authors and submitted to the Secretary to the Sanggunian.
- (c) A resolution shall be enacted in the same manner prescribed for in ordinance, except that it need not go through a third reading for its final consideration unless decided otherwise by a majority of the sanggunian members present.
- (d) No ordinance or resolution shall be considered on second reading in any regular meeting unless it has been reported out by the proper committee to which it was referred or certified as urgent by the local chief executive.
- (e) Any legislative matter duly certified by the local chief executive as urgent whether or not it is included in the calendar of business may be presented and considered by the body at the same meeting without need of suspending the rules.
- (f) The Secretary to the Sanggunian shall prepare copies of the proposed ordinance or resolution in the form it was passed on second reading, and shall distribute to each sanggunian member a copy thereof except that a measure certified by the local chief executive as urgent may be submitted for the final voting immediately after it has undergone the periods of debate and amendment during the second reading.
- (g) No ordinance or resolution passed by the Sanggunian in a regular or special session duly called for the purpose, shall be valid unless approved by a majority of the members present, there being a quorum.
- (h) Upon the passage of all ordinances and resolutions directing the payment of money or creating a liability, and at the request of any member, the Sanggunian Secretary shall record the ayes and nays. Each approved ordinance or resolution shall be stamped with the seal of the Sanggunian and recorded in a book kept for the purpose.

- (i) In the case of highly urbanized and independent component cities, the main features of the ordinance or resolution duly enacted or adopted shall, in addition to being posted, be published once in a local newspaper of general circulation within the city; Provided, That in the absence thereof, the ordinance or resolution shall be published in any newspaper of general circulation.
- (j) An Ordinance levying fees, taxes or charges shall not be enacted without prior public hearing conducted (for purpose) in the manner outlined in Article 276 par. (b) of the Implementing Rules and Local Government Code of 1991.
- (k) Effectivity of Approved Ordinances and Resolutions. Unless otherwise stated in the ordinance or the resolution approving the Local development plan and public investment program, the same shall take effect after ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the City Hall, or Barangay hall in at least two (2) other conspicuous places within the territorial jurisdiction of Ormoc City.

Section 2. Approval of Ordinance and Veto Power of the Local Chief Executive. The approval of the ordinance by the Chief Executive and the exercise of his veto power shall be governed by the following rules:

- (a) Every ordinance enacted by the Sanggunian shall be presented to the Chief Executive for his approval. If he approves the same, he shall affix his signature on each and every page thereof, otherwise, he shall veto it and return the same with his objections to the Sanggunian, which may proceed to reconsider the same. The Sanggunian may override the said veto by two-thirds (2/3) vote of all its members thereby making the ordinance or resolution effective for all legal intents and purposes.
- (b) The veto shall be communicated by the Chief Executive to the Sanggunian within ten(10) days otherwise, the ordinance shall be deemed approved as if he had signed it.
- (c) The Chief Executive may veto any ordinance of the Sanggunian on the ground that it is "ultra vires" or prejudicial to the public welfare, stating the reasons thereof in writing.
- (d) The Chief Executive shall have the power to veto any particular item or items of an appropriation ordinance, an ordinance or resolution adopting a local development plan and public investment program or an ordinance directing the payment of money or creating liability. In such a case, the veto shall not affect the item or items which are not objected to. The vetoed item or items shall not take effect unless the Sanggunian overrides the veto in the manner as provided in this section, otherwise, the item or items in the appropriation ordinance of the previous year corresponding to those vetoed, if any, shall be deemed re-enacted.

Section 3. The THREE-READING PRINCIPLE. The so-called three-reading principle which is commonly adopted in legislative bodies shall also be followed by this Sanggunian. Hence, as a general rule, before an ordinance is finally enacted, it shall undergo the following steps:

(a) **FIRST READING** – At this stage and during the Reference of Business, the Secretary shall read the number of the proposed draft ordinance (e.g. Draft Ordinance No. ____); its title; name of the author or authors or the name of the members introducing it. Thereafter, the Presiding Officer shall refer it to the appropriate committee with or without instructions. At this stage no debate shall be allowed.

(b) **SECOND READING** – At this stage, any proposed ordinance that has already been reported out by the concerned committee and has been calendared during the Pre-session caucus for "second reading" may be sponsored by the reporting committee chairman, or his vice chairman, or any committee member designated for that purpose. Since every member of the Sanggunian is supposed to have been furnished a copy thereof, the proposed ordinance may no longer be read in full unless the sponsoring committee or the Sanggunian itself decided otherwise.

After the usual sponsorship speech has been delivered and proposed ordinance shall be subjected to the following:

- Period of Debate
- Period of Amendment
- Approved on "Second Reading"

(c) **THIRD (FINAL) READING** – At this stage, the Secretary shall read the proposed draft ordinance by its number, title and the name of its sponsor or co-sponsors, if any, immediately thereafter, the Presiding Officer shall put the proposed ordinance to a vote. The Presiding Officer shall then formally announce the result thereof and directs the Secretary to enter it in the record.

Section 4. Methods of Voting. – Voting shall be either one of the following:

- (a) by voice (viva voce);
- (b) by raising of hand (or show of hand);
- (c) by rising;
- (d) by ballot; or
- (e) by nominal voting (or roll call).

Section 5. Putting the Question to a Vote. The Presiding Officer shall rise whenever he is putting a question to a vote. In taking the vote, the Presiding Officer shall take first the affirmative votes and then the negative votes. While still in standing position, the Presiding Officer shall announce the result thereof.

RULE XII - VOTES AND VOTING

Section 1. - Voting on the Question. Whenever a nominal voting (or roll call voting) is being applied, the Secretary shall call the roll of members either in alphabetical order, by rank, or by representative districts. As each name is called, the member shall announce his vote by stating "YES" or "NO", as the case may be. As a general rule, a member may explain his vote but not to exceed three(3) minutes.

A second roll call may be requested by any member from the Chair but this time only the names of those who failed to vote shall be called. This is to give another opportunity to those who failed to cast their vote to exercise their right and also to determine the number of members who might have violated the "rule on abstention". After this second roll call, no other request of the same kind shall be entertained by the Chair.

Section 2. – Voting Restriction. No member can vote, or be allowed to vote, on any measure in which he or any of his relatives within the third degree of consanguinity or affinity, has a direct or personal pecuniary interest. This rule, however, does not apply in voting for elective positions in the Sanggunian where a member, as a matter of right, can vote for himself.

Section 3. Change of Vote. A member may change his vote but only when the result of the voting has not yet been announced by the Chair. Otherwise, he can only change his vote by a unanimous consent of the members present. Provided that this rule shall not be applied if voting is by ballot.

Section 4. Vote by late-comer. A member who came in late during the session but who happens to arrive while voting is in progress shall be allowed to vote, provided that the result of the voting has not yet been announced by the Chair.

Section 5. Allowable Motion during Voting. Except for a motion pertaining to a question of quorum, no other motion shall be entertained by the Chair while voting is in progress.

Section 6. Tie Vote. A tie vote resulting from a vote taken on any motion, measure or proposal, shall be construed to mean that the particular motion, measure or proposal is defeated, unless the Chair decided to break it. Exception to this rule is when a "motion to appeal from the decision of the Chair" is put to a vote and it resulted in a tie. In this case, the tie vote is considered to sustain the decision of the Chair.

Section 7. Breaking a Tie. In case of tie, the Presiding Officer of this Sanggunian is allowed to cast his vote if he so desires. He is, however, precluded under existing laws to cast his vote in order to create a tie.

Section 8. Majority Vote of all the Members. As provided for under RA 7160 and its implementing rules and regulations, a "majority vote of all the members of the Sanggunian" is required in the following circumstances:

- (a) Enact ordinances levying taxes, fees and charges, prescribing the rates thereof for general and specific purposes, and granting tax exemption, incentives or reliefs; (par. 2-ii, Section 458, RA 7160);
- (b) Authorize the City Mayor to negotiate and contract loans and other forms of indebtedness; (par. 2-iii, Section 458, RA 7160);
- (c) Enact ordinances authorizing the floating of bonds or other instruments of indebtedness, for the purpose of raising funds to finance development projects; (par. 2-iv, Section 458, RA 7160)
- (d) Appropriate funds for the construction and maintenance or the rental of buildings for the use of the city; authorize the City Mayor to lease to private parties such public buildings held in proprietary capacity, subject to existing laws, rules and regulations; (par. 2-v, Section 458, RA 7160)
- (e) Grant a franchise to any person, partnership or corporation or cooperative to do business within the City, Establish, construct, operate and maintain ferries, wharves, markets or slaughterhouses; or undertake such other activities within the city as may be allowed by existing laws; Provided, That, cooperatives shall be given preference in the grant of such franchise; (par. 3-vii, Section 458, RA 7160)

- (f) Concurrence of the appointments of heads of departments and offices appointed by the City Mayor subject to civil service law, rules and regulations; (par. (d), Section 454, RA 7160);

Section 9. – Majority Vote of the Members Present (thereby constituting a quorum). Except as provided in Section 8 hereof, all other legislative matters or measures shall require only a “majority vote of the members present therein having a quorum” for its passage, adoption or enactment, as the case may be;

Section 10. – Plurality Vote. A decision of the Sanggunian thru a “plurality vote” shall be valid only and enforceable if it is the result of an election of officers of the Sanggunian or members of committees. No legislative proposal or measure of whatever nature shall be passed, adopted or enacted by this Sanggunian thru a mere plurality of vote;

Section 11. – Percentage Vote. For purposes of this section, a percentage vote shall be construed to mean as a “proportion of a certain whole”. Percentage vote shall be applied in the following:

- (a) A two-thirds(2/3) votes of ALL the members of this Sanggunian shall be required in overriding the veto of the local chief executive for any ordinance or resolution, thereby making the particular ordinance or resolution effective for all intents and purposes.
- (b) Unless otherwise concurred in by two-thirds(2/3) of the Sanggunian members present, there being a quorum, no other matters may be considered at a special session except those stated in the notice;
- (c) The penalty of suspension or expulsion that may be imposed or meted out by the Sanggunian to an erring member “shall require the concurrence of at least two-thirds(2/3) vote of ALL the Sanggunian members”;
- (d) At least a two-thirds(2/3) affirmative vote of the members present, there being a quorum, shall be required for the adoption of the following measures:
 - (1). Motion to suspend the rules;
 - (2). Motion to expunge;
 - (3). Motion to extend or limit debate;
 - (4). Motion call for a the previous question;
- (e) At least a two-thirds(2/3) NEGATIVE VOTE of the members present, there being a quorum, shall be required in order to sustain the “motion to object to the consideration of a question”;

Section 12. – Abstentions. Indubitably, a member of this Sanggunian is representing the people and not necessarily his own self and as such he should be required to take a stand, one way or the other, on every issue or measure submitted for decision of this august body. Hence, it is hereby made as a general rule that no member of this Sanggunian shall abstain from voting, except as provided under Section 2, Rule XII of this Internal Rules of Procedure; This rule shall not apply in voting for elective positions, if a member is qualified.

Section 13. – Simple Majority. Except as otherwise provided in the Internal Rules of Procedure and existing laws, rules and regulations, a vote by a “simple majority” shall prevail on all other measures, motions or propositions provided there is a quorum. In parliamentary parlance, the term “simple majority” means one-half(1/2) plus one of the total votes cast by the members present there being a quorum.

RULE XIII - RULES ON DEBATES & AMENDMENTS

Section 1. – As a general rule, no member shall speak before this Sanggunian without first “obtaining the floor”. A member who has obtained the floor shall address all his remarks to the Chair. He shall conduct himself with proper decorum by confining his remarks or arguments to the question under debate and by avoiding personalities.

Section 2. – No member rendering a committee report or delivering the sponsorship speech shall speak for more than fifteen (15) minutes unless allowed by a majority vote of members present.

Section 3. – No member shall speak for more than fifteen (15) minutes on a particular issue or question being debated upon unless allowed to do so by a majority of the members present.

Section 4. – During the period of amendments, every member shall observe the so-called “five-minute rule”, i.e., remarks or argumentation by any member on each proposed amendment shall not exceed five(5) minutes.

Section 5. – The member rendering a committee report or delivering the sponsorship speech of a proposed measure may move to open or close the debate within the fifteen(15) minute period allowed to him. If he fails to exercise his option, the chair may use the “assumed motion” to open or close the debate, or any member may formally move for it. In any case, after a member has rendered a committee report or has finished his sponsorship speech of a propose measure, it shall be considered open to debate.

Section 6. – While having the floor, a member may be interrupted in his speech or talk by the Presiding Officer to state a point of order, to respond to questions from the floor, to clarify something related to the issue being discussed or to make certain remarks within his privilege.

Section 7. – The speaker may also be interrupted by another member if the latter desires to ask questions thru his privilege to interpellate and by proposing the following motions:

- Point of Order
- Point of Information
- Point of Parliamentary Inquiry
- Call for Orders of the Day
- Divide the Assembly
- Raise a Question of Privilege
- Reconsider
- Appeal from the Decision of the Chair

Section 8. All questions addressed to the speaker or the member having the floor must always be coured thru the Presiding Officer

Section 9. The speaker being interpellated may decline to answer questions, if he so desires.

Section 10. No member shall speak against his own motion or proposition. He may, however, be permitted to withdraw his motion or proposition and if his request to withdraw is denied, he may vote against it.

Section 11. While the period of debate is in progress, no member shall roam around the session hall or leave the premises without the permission of the Chair.

Section 12. A motion to close the debate is in order if three(3) members have already spoken in the affirmative side and two(2) in the negative side or only one(1) member has spoken in favor but none against it.

Section 13. Subject to the requirement of the preceding Section, if no member moves to close the period of debate, the Chair, motu proprio, may use the "assumed motion" in order to close the period of debate.

Section 14. When a motion "to call for the previous question" is proposed by a member which would result in the closing of the debate on a pending question, a two-thirds(2/3) affirmative vote is hereby required.

Section 15. Whenever the Presiding Officer is addressing the Sanggunian, no member shall leave his seat nor interrupt the former in his talk.

Section 16. After the period of debate has been closed, the period of amendments shall immediately follow;

Section 17. Amendments to any proposed measure, or parts thereof, shall be in SERIATIM. Under this SERIATIM method, the proposed measure is read paragraph by paragraph or section by section and after each one is read, amendments can be proposed and debated upon. Thereafter, a vote is taken on the proposed amendments. Eventually, this process will reach its conclusion and the original measure or proposition is said to have passed the "SECOND READING".

RULE XIV - JOURNAL AND RECORD OF PROCEEDINGS

Section 1. – Record of Proceedings. The Sanggunian shall keep a "journal and record" of its proceedings which may be published upon resolution of the majority members thereof.

Section 2. – Minutes. In addition to the "journal of proceedings" which is required by law (RA 7160) to be kept, the Sanggunian, thru its Secretary shall also record its proceedings in the form of a "minutes" which shall be submitted by the Secretary to the Sanggunian for appropriate action.

Section 3. Reading and Consideration of Previous Minutes. The minutes of the previous session shall be submitted by the Secretary to the Sanggunian during its succeeding regular session. The Sanggunian shall first determine if there are corrections to be made on the minutes and act on it accordingly before the same is adopted and becomes its property. Consideration of the minutes shall not be dispensed with. Reading of the minutes "verbatim" may be dispensed with if the members were already furnished a copy before hand. Being all responsible men and women, the members are presumed to have read the minutes already before they come to the session. In any case, the minutes submitted by the Secretary shall be acted upon by the members present, one way or the other.

Section 4. Contents of Minutes. The minutes shall contain the following information:

- Place, date and time of the session
- Whether it is special or regular
- Name of members present therein and those who were absent
- Action taken on the minutes of the previous session including the correction, if any; names of those who adopted the minutes under consideration and those who did not, if any.
- Text of every measure (resolution or ordinance, etc.) adopted or enacted;
- Brief resume of the minority opinion, if any;
- The "ayes" and the "nays" or "yes" or "no" vote on every question (measure) and if voting is done thru normal or roll call vote, the names of those who voted on either side;
- All motions presented or proposed, whether lost or carried, except those withdrawn;
- Full text of the veto message of the local chief executive, if any;
- Time of adjournment.

Section 5. – Signing of Minutes. The original copy of the minutes shall be signed by the members who adopted it at the appropriate space therein. The Presiding Officer at that particular session and the Secretary shall also sign or affix their signature on the said minutes.

Section 6. – Excerpts to be taken out of the minutes shall be certified and attested to as correct by the Secretary and the Presiding Officer on that particular session, respectively.

RULE XV - RULE ON MOTIONS

Section 1. – All motions relating to a committee report, if presented or proposed by the reporting committee Chairman, or the reporting committee member, shall need no second.

Section 2. – If someone "has the floor" whether or not he is speaking, a "motion to adjourn" shall be ruled "out of order";

Section 3. – All "privilege motions" may be proposed even if there is a pending motion or question before the body.

Section 4. – The following motions can interrupt the speaker and can be presented or proposed even if someone has the floor, viz:

- (a) Appeal from the decision of the Chair;
- (b) Call for Orders of the Day;
- (c) Divide the Body or House;
- (d) Divide the Question;
- (e) Object to the Consideration of a Question
- (f) Point of Order
- (g) Point of Information
- (h) Point of Parliamentary Inquiry
- (i) Reconsider
- (j) Reconsider and have entered on the minutes
- (k) Raise a Question of Privilege

Section 5. – When there is no quorum present, a motion to adjourn or to take a recess is "in order" provided, that nobody else has the floor.

Section 6 – Motion or questions which were laid on the table may be taken up thru a motion to that effect during that particular session or during the next regular session but not beyond.

Section 7. – The following motions require a SECOND, viz:

- (a) Adjourn
- (b) Adopt a report or resolution, except when proposed by the reporting committee Chairman
- (c) Amend
- (d) Appeal from the decision of the Chair
- (d) Commit or refer to a Committee
- (e) Expunge
- (f) Extend or limit the time for debate
- (g) Fix the time to which to adjourn
- (h) Lay on the Table
- (i) Postpone Definitely
- (j) Postpone Indefinitely
- (k) Call for the Previous Question
- (l) Recess
- (m) Reconsider
- (n) Reconsider and have entered on the minutes
- (o) Rescind or repeal
- (p) Suspend the Rules
- (q) Take from the Table
- (r) All main motions

Section 8. – A motion to amend (amendment of the 1st degree) and motion to amend an amendment (amendment of the 2nd degree) may be withdrawn but only before a decision is made thereon.

Section 9. – A motion to amend is in order only up to the second degree. Thus, a motion "to amend an amendment to an amendment" is out of order.

Section 10. – A motion can be withdrawn only when it is not yet being discussed or debated upon by the body. Otherwise, any request to withdraw it shall require a vote by general consent and if there is an objection raised for its withdrawal, a majority vote of the members present is required.

RULE XVI - DISCIPLINARY ACTION

Section 1. – Penalty – Any member who commits an act in transgression of the foregoing Internal Rules of Procedure shall be punished with the corresponding penalties hereunder prescribed, to wit:

PENALTY

- | | |
|---|---|
| (1) For disorderly conduct or behavior during a session, committee hearing or committee meeting | First offense – reprimand
Second offense – exclusion from the membership in the committee concerned; |
|---|---|

- | | |
|---|---|
| (2) For any absence with prior notice. | None |
| (3) For any absence without prior notice | Fine of not more than <u>P200.00</u> |
| (4) For "unjustified" absence in four (4) consecutive sessions. | Fine of not less than <u>P3,000.00</u> <u>w/o prejudice to the filing of the corresponding charge as per Art. 124 (6), IRR of RA 7160</u> |
| (5) For coming late in any kind, of sessions per hour of being late or fractions thereof. | Fine of not less than <u>P50.00</u> . |
| (6) Conviction by final judgment to imprisonment of at least one(1) year for any crime involving moral turpitude. | Automatic expulsion |
| (7) For "unjustified" absence in committee hearing of which he is a corresponding site member | P500.00 but not more than P1,000 without prejudice to the filing of corresponding administrative charge for neglect of duty. |

Section 2. Requisites. – The penalty of suspension or expulsion to be imposed shall require the concurrence of at least two-thirds(2/3) vote of all the members of this Sanggunian. For other kinds of penalty only a majority vote of all the members of the Sanggunian shall suffice.

Section 3. Initiation of Action and Conduct of Investigation. – The Committee on Internal Rules shall take cognizance of all the offenses enumerated in the preceding section committed by any member of this Sanggunian, both composite member and constituent member, i.e. including the Regular Presiding Officer and shall initiate the necessary disciplinary action. It shall forthwith conduct the necessary fact-finding investigation and thereafter shall submit its committee report together with the corresponding recommendation of the Sanggunian sitting en banc.

For purposes of this Section, only a fact-finding investigation and NOT an "administrative investigation" shall be conducted, and thus, the technical rules of court practice, procedure and evidence shall not be applied. However, the substantive due process requirement of fairness and reasonableness should be observed.

Section 4. Collection of Fines and its Disposition. – The Secretary to the Sanggunian shall collect the fines as may be imposed by this Sanggunian and shall take custody thereof as a private trust fund. In the disposition or disbursement of the said fund, the Sanggunian shall convert itself into a "Committee of the Whole" and then decide upon a majority vote of all its members how and for what purpose the said fund would be spent.

RULE XVII - SUSPENSION OF RULES

Section 1. Any part of this "Internal Rules of Procedure", except those prescribed by existing laws may be suspended at any particular session by general consent or by two-thirds(2/3) vote of the members present therein.

RULE XVIII - AMENDMENTS

Section 1. – This "Internal Rules of Procedure" may be amended at any regular session by two-thirds(2/3) vote of ALL the members of this Sanggunian, provided that prior notice of such proposed amendment is given to all the members of the Sanggunian; and provided further that no provision herein which is based on, or prescribed by, existing laws shall be amended.

RULE XIX - SUPPLEMENTARY RULES

Section 1. The rules, procedure and parliamentary practices of the Philippine Congress and books dealing on this subject shall serve as supplementary authorities of the Sanggunian but only insofar as they are not incompatible with the rules and procedures adopted herein.

RULE XX - EFFECTIVITY

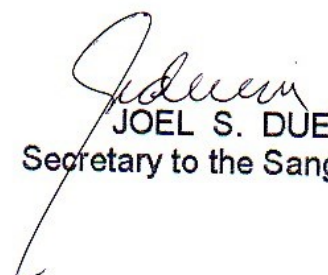
Section 1, This "Internal Rules of Procedure" shall take effect on the date of its adoption.

Date adopted: June 30, 2010.

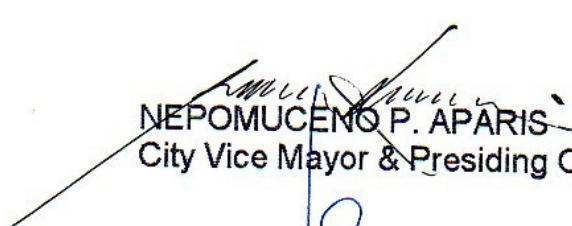
RESOLVED, FURTHER, to furnish copies of this resolution to His Honor, Honorable City Mayor Eric C. Codilla, the Honorable Vice-Mayor & Presiding Officer, Nepomuceno P. Aparis I, and the Honorable City Councilors;

CARRIED UNANIMOUSLY.

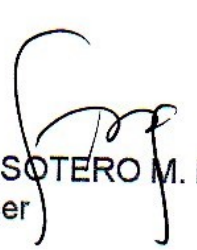
I hereby certify to the correctness of the foregoing "Internal Rules of Procedure" which was duly approved by the Sanggunian during its regular session held on June 30, 2010.



JOEL S. DUERO
Secretary to the Sanggunian

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:


NEPOMUCENO P. APARIS
City Vice Mayor & Presiding Officer


HON. RUBEN R. CAPAHI
Member



HON. SOTERO M. PEPITO
Member



HON. ROLANDO M. VILLASENIO
Member




HON. DEMOSTHENES F. TUGONON
Member




HON. CLAUDIO P. LARRAZABAL
Member



HON. RAFAEL C. OMEGA, JR.
Member




HON. MARIO M. RODRIGUEZ
Member



HON. ANTONIO M. CODILLA
President, Liga ng mga Barangay
Ex-officio Member



HON. LEA DORIS C. VILLAR
Member



HON. CORINNE M. CORRO
SK Federation President
Ex-Oficio Member



HON. FILOMENO P. MAGLASANG
Member



HON. JOSE C. ALFARO, JR.
Member