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SAMAHAAN Act No. 002-2425

AN ACT REPEALING THE 2023 STUDENT ASSEMBLY CODE OF LEGISLATIVE PROCEDURES AND IMPLEMENTING THE 2024 STUDENT ASSEMBLY CODE OF INTERNAL PROCEDURES

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ARTICLE I General Provisions

- SECTION 1** **Short Title.** This Act shall otherwise be known as the "2024 Student Assembly Code of Internal Procedures Act."
- SECTION 2** **Declaration of Policy.** The Student Assembly of the Samahan ng Mga Mag-aaral ng Pamantasang Ateneo de Davao (SAMAHAN) reaffirms its dedication to promoting transparency, efficiency, and effective governance within the Student Assembly. This Act is established to replace the 2023 Student Assembly Code of Legislative Procedures with the 2024 Student Assembly Code of Internal Procedures. The goal is to enhance the legislative processes, internal operations, and overall functionality of the Student Assembly, ensuring that it serves the student body with integrity and accountability.
- SECTION 3** **Scope.** This Act shall apply to all legislative and procedural matters of the Student Assembly as outlined in the 2024 Student Assembly Code of Internal Procedures.
- SECTION 4** **Definition of Terms.** For the purposes of this Act, the following terms are defined as follows: :
- Student Assembly – refers to the legislative body of SAMAHAN.
 - 2024 Student Assembly Code of Internal Procedures – refers to the new governing document attached as Exhibit A.
 - 2023 Student Assembly Code of Legislative Procedure – refers to the previous governing document that is being repealed.



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ARTICLE II

Purpose and Other Preliminary Provisions

SECTION 1 Objectives.

- a. To adopt and implement the 2024 Student Assembly Code of Internal Procedures to enhance legislative efficiency and clarity;
- b. To streamline the processes and operations of the Student Assembly to better align with current best practices and student needs; and
- c. To provide a framework for continuous review and improvement of internal procedures to maintain effectiveness and adherence to best practices.

SECTION 2 Transitory Provisions.

- a. All actions, resolutions, and proceedings conducted under the 2023 Student Assembly Code of Legislative Procedures prior to the enactment of this Act shall remain valid and effective unless explicitly stated otherwise in the 2024 Student Assembly Code of Internal Procedures.
- b. Any ongoing legislative matters or proceedings shall be transitioned to adhere to the new provisions of the 2024 Student Assembly Code of Internal Procedures.
- c. The Student Assembly shall ensure that all relevant documentation and records related to the transition are properly archived and made accessible for future reference.

ARTICLE III

Final Provisions

SECTION 1 Repealing Clause. All other laws, rules, or regulations contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 2 Separability Clause. If any provision of this Act or the 2024 Student Assembly Code of Internal Procedures is held to be invalid or unconstitutional, the remaining provisions shall continue in full force and effect.

SECTION 3 Effectivity. This Act shall take effect immediately, following its approval by the Student Assembly and publication in the official student government channels.



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Exhibit A: 2024 Student Assembly Code of Internal Procedures



2024 THE STUDENT ASSEMBLY CODE OF INTERNAL PROCEDURES

The Code of Internal Procedures of the legislative department of the Samahan ng Mga Mag-Aaral ng Pamantasang Ateneo de Davao (SAMAHAN)



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Preamble

We, the members of the Student Assembly, as the legislative arm of the Samahan ng Mga Mag-aaral ng Pamantasang Ateneo de Davao (SAMAHAN), the highest undergraduate student government of the Ateneo de Davao University, in order to fulfill our constitutional duty to craft legislation that effectively responds to the needs and aspirations of our student body, contribute to a just and dynamic university community where every student can thrive, and adhere to principles of transparency, fairness, and effective governance, guided by the University's mission to develop individuals who are persons for others, hereby promulgate and pledge faithful adherence to the provisions stated herein.

Declaration of Principles and Objectives

I

The Student Assembly, as the legislative arm of the Samahan ng Mga Mag-aaral ng Pamantasang Ateneo de Davao (SAMAHAN), is dedicated to serving the entire student body. The Student Assembly is committed to encouraging and ensuring active student participation in the legislative process, with a focus on addressing and representing the diverse needs and aspirations of the student body.

II

Public service within the Student Assembly is regarded as a profound trust. Each member is accountable to their peers and is expected to perform their legislative duties with the highest standards of competence, integrity, and dedication, prioritizing the welfare and interests of all students.

III

The Student Assembly values transparency and effective communication. It is committed to providing accurate and timely information to the student body, utilizing technology to enhance transparency and keep students informed about legislative actions and performance.

IV

Continuous development of the Student Assembly members is essential for effective legislation. The Student Assembly will support ongoing education



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programs related to legislative functions and management and will seek partnerships with various institutions to foster growth and development within.

V

Collaboration and a sense of community are central to the Student Assembly's operations. It is committed to fostering a cooperative environment within and with other student organizations, working together to achieve common goals and build a supportive and inclusive university community.

ARTICLE I

General Provisions

Section 1 Short Title. This document shall be known and cited as the "Student Assembly Code of Internal Procedures." For brevity, it shall be referred to as the "Student Assembly CIP."

Section 2 Definition of Terms. The following terms shall be used in this document:

- a. Samahan ng Mga Mag-aaral ng Pamantasang Ateneo de Davao (SAMAHAN) – the sole autonomous and highest undergraduate student government of the Ateneo de Davao University.
- b. Student Assembly – the legislative arm of the SAMAHAN, composed of the Cluster Student Executive Council External Vice Presidents, Sectoral Representatives, the Council of Class Presidents Chairperson, and the Independent and Autonomous SAMAHAN Head Commissioners, charged with the crafting of legislation for the student body.
- c. Cluster Student Executive Councils (Cluster SECs) – the student executive councils of each cluster, led by their elected Cluster Representatives.



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- d. Sectoral Representatives – presidents who are elected/appointed in accredited sectoral organizations who are tasked to represent a particular sector of students.
- e. Council of Class Presidents (CCP) – the authorized representative of class presidents in the University.
- f. Independent and Autonomous SAMAHAN Commissions – include the Commission on Audit (COA), Commission on Elections (COMELEC), and Commission on Student's Rights and Welfare (StRAW).
- g. Office of the Legislative Secretary (OLS) – comprises the Legislative Secretary, Legislative Undersecretary, and the Legislative Support and Monitoring Bureau (LSMB), which is the legislative support and technical reference arm of the Student Assembly that assists the conduct of its meetings and sessions, and provides support in legislation drafting, as well as performs other duties and functions the Convener and Chairperson of the Student Assembly may delegate.

Section 3 Objective. The Student Assembly CIP is intended to stipulate the mandates and tasks of the Members of the Student Assembly, procedures for conducting plenary sessions, and procedures for the review and approval functions of the legislative department. It shall articulate the goals of the Student Assembly and its limits and jurisdictions.

Section 4 Scope. The coverage of the provisions of the Student Assembly CIP is to be regarded by the Members of the Student Assembly as part and parcel of their duties and shall be only limited to the Student Assembly alone.

Section 5 Implementer. The Convener of the Student Assembly, which is also the Chairperson, is called upon to implement this code.



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ARTICLE II

Composition of the Student Assembly

- Section 1 Membership.** As per Section 2, Article V of the 2020 SAMAHAN Constitution, “The Student Assembly shall be composed of the Vice President, Council of Class Presidents (CCP) Chairperson, Cluster External Vice Presidents, Sectoral Representatives, Commission On Audit (COA) Representative, Commission on Elections (COMELEC) Representative, and Student’s Rights and Welfare (STRAW) Chairperson.”
- Section 2 Convener and Chairperson.** The Student Assembly shall be presided over by the SAMAHAN Central Board Vice President.
- Section 3 Office of the Legislative Secretary.** This office shall consist of the Legislative Secretary, the Legislative Undersecretary, and the Legislative Support and Monitoring Bureau (LSMB), considered the Office of the Legislative Secretary (OLS) Staff.
- Section 4** The Convener and Chairperson, the Legislative Secretary, the Legislative Undersecretary, and the OLS Staff shall not be included in determining the quorum and are regarded as non-voting members.

ARTICLE III

Duties and Responsibilities of the Members

- Section 1 General Duties.**
- 1.1** Members are expected to represent the interests and concerns of their constituents with integrity and diligence.
 - 1.2** Members shall actively participate in all Student Assembly



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sessions and other official functions.

- 1.3 Members must adhere to the Student Assembly CIP and any other governing documents.
- 1.4 Members shall respect and follow the rules of order and decorum established by the Student Assembly.
- 1.5 Members are required to act in a manner that reflects positively on the Student Assembly and upholds its reputation.
- 1.6 Members shall avoid conflicts of interest and shall not engage in any behavior that compromises their impartiality or integrity.

Section 2 Specific Responsibilities.

- 2.1 Members must attend all scheduled sessions and meetings unless excused for valid reasons.
- 2.2 Members are expected to be punctual and prepared for all meetings and sessions.
- 2.3 Members shall diligently perform any assigned roles or tasks, including serving on committees and working groups.
- 2.4 Members must review all materials and documents related to their responsibilities prior to meetings and sessions.
- 2.5 Members are responsible for maintaining effective communication with their constituents, colleagues, and the Student Assembly.
- 2.6 Members shall promptly respond to communications from the Chairperson, other Members, and the Office of the Legislative Secretary.
- 2.7 Members shall respect the confidentiality of sensitive or classified information obtained during their service.
- 2.8 Members must not disclose any confidential information without proper authorization from the Student Assembly.
- 2.9 Members must disclose any potential conflicts of interest and recuse themselves from discussions or decisions where a



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conflict exists.

- 2.10** Members shall avoid using their position for personal gain or advantage.

Section 3 Compliance and Accountability.

- 3.1** Members are required to comply with all Student Assembly rules and regulations, stipulated in the Student Assembly CIP, including the Code of Conduct and disciplinary procedures.
- 3.2** Members must cooperate with any investigations or inquiries conducted by the Student Assembly.
- 3.3** Members are accountable to the Student Assembly and their constituents for their actions and decisions.
- 3.4** Members must accept and address any feedback or criticisms related to their performance or conduct.

ARTICLE IV

Duties and Responsibilities of the Non-Voting Members

Section 1 Convener and Chairperson. The SAMAHAN Central Board Vice President shall be the Convener and Chairperson of the Student Assembly. His/her duties and powers are as follows:

- a. Preside over all sessions of the Student Assembly, ensuring orderly conduct and adherence to the established procedures.
- b. Ensure that all members maintain proper conduct and decorum during sessions, and address any breaches as necessary.
- c. Enforce the Student Assembly CIP, ensuring compliance and consistency in legislative processes.
- d. Maintain order during sessions and make rulings on questions of order. These rulings may be appealed by members to the Student Assembly for a final decision.



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- e. Sign all legislative documents, including but not limited to bills, resolutions, and other official documents that require their signature.
- f. Declare a recess during sessions when necessary, with the duration not exceeding fifteen (15) minutes.
- g. Adjourn sessions to a later date, time, and place in cases of extreme emergencies, significant disorder, public disturbances, or other unavoidable circumstances.
- h. Make brief remarks, comments, or clarifying questions on any measure under consideration, provided they do not express support or opposition to the measure.
- i. Participate in the deliberation of any legislative measure, relinquishing the chair to the Deputy Chairperson or another designated member during such participation. This includes the right to vote on matters under deliberation.
- j. Cast a vote only to break a tie. This vote is discretionary; if the Chairperson chooses not to vote, the matter shall be considered unresolved. The Chairperson shall not vote to create a tie.
- k. Review and approve the Order of Business prepared by the Legislative Secretary before each session.
- l. Require the submission of performance reports from the Legislative Secretary and other relevant officers at the end of each regular session and fiscal year.

Section 2 Deputy Convener and Chairperson.

- 2.1 He/she shall be elected among the Members of the Student Assembly. He/she must be able to get two-thirds ($\frac{2}{3}$) of the votes of all Members to become the official Deputy Convener and Chairperson.
- 2.2 The duties and powers of the Deputy Convener and Chairperson are as follows:
 - a. Assume the duties and responsibilities of the



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Chairperson in cases of absence or temporary incapacity, and continue to perform these duties until the Chairperson resumes their role. In the event of resignation, removal, permanent incapacity, or death of the Chairperson, the Deputy Convener and Chairperson shall fulfill these duties until a new Chairperson is duly qualified and elected.

- b. Preside over sessions in the absence of the Chairperson or if the Chairperson has not designated another member as the temporary presiding officer, even if the Chairperson is present.
- c. Oversee, coordinate, and facilitate actions on measures, requests, and other concerns from members representing their respective constituencies, as assigned by the Chairperson.
- d. Advise the Chairperson on appropriate policies, strategies, and programs to enhance the legislative process, improve the quality of legislative measures, and effectively address members' concerns regarding their constituencies and the overall operation and integrity of the Student Assembly.
- e. Perform additional duties and functions as delegated or assigned by the Chairperson.

2.3 The Deputy Convener and Chairperson shall certify within twenty-four (24) hours the passage of any legislative measures adopted by the Assembly during the session in which they temporarily presided.

2.4 When presiding, the Deputy Convener and Chairperson may cast a vote only to break a tie. This voting right is discretionary; they are not obligated to vote. If the Deputy Chairperson chooses not to vote, the matter shall be considered unresolved. The Deputy Chairperson shall not use their vote to create a tie.



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- 2.5 The Deputy Convener and Chairperson may, at their discretion, temporarily relinquish the Chairperson to any member of the Student Assembly if they wish to participate in deliberations as a regular member, provided that the Chairperson is not present. Such relinquishment shall be valid for only one (1) session.
- 2.6 The Deputy Convener and Chairperson shall relinquish the chair in favor of the Chairperson upon the Chairperson's request or manifestation.
- 2.7 In the absence of both the Chairperson and the Deputy Convener and Chairperson during a session, the members present who constitute a quorum may elect a temporary presiding officer from among themselves. This designation shall be effective for one (1) session only.

Section 3 Legislative Secretary. The duties and powers of the Legislative Secretary are:

- a. To attend all sessions of the Student Assembly.
- b. To maintain an accurate record and journal of the proceedings of the Student Assembly and to certify them personally.
- c. To prepare and distribute the Student Assembly's Calendars of Business to all members.
- d. To publish and distribute the journal and record of the Student Assembly.
- e. To serve as the records custodian of the Student Assembly, ensuring the safekeeping of all official documents.
- f. To certify all measures, orders, and resolutions approved by the Student Assembly and to affix the official seal of the Student Assembly, which shall also be under the Legislative Secretary's custody.
- g. Exercise supervision and control over the Office of the Legislative Secretary (OLS).



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- h. Perform such other duties and functions as the Chairperson may delegate.

Section 4

Legislative Undersecretary. The duties and powers of the Legislative undersecretary are:

- a. To assist the Legislative Secretary in attending all sessions of the Student Assembly.
- b. To help maintain an accurate record and journal of the proceedings of the Student Assembly and assist in certifying them.
- c. To support the preparation and distribution of the Student Assembly's Calendars of Business to all members.
- d. To assist in publishing and distributing the journal and record of the Student Assembly.
- e. To help serve as a custodian of records for the Student Assembly, ensuring the safekeeping of all official documents.
- f. To assist in certifying all measures, orders, and resolutions approved by the Student Assembly and help affix the official seal of the Assembly.
- g. To exercise supervision and control over the Office of the Legislative Secretary (OLS) in coordination with the Legislative Secretary.
- h. To perform such other duties and functions as may be delegated by the Legislative Secretary or the Chairperson.

Section 5

Office of the Legislative Secretary. The OLS is the secretariat arm of the Student Assembly that is responsible for rendering assistance and providing adequate and timely support to the Student Assembly through the Legislative Support and Monitoring Bureau (LSMB). The duties and powers of the LSMB include:

- a. To provide legislative support, oversee legislative activities, ensure effective monitoring and evaluation of bills and resolutions, assess compliance with applicable laws, and



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regulations, relevance to the student body, and monitor consistency of legislation with the goals of SAMAHAN and the university.

- b. To gather pertinent data on targets and objectives from the resolution or bills proposed and approved by the Student Assembly.
- c. To track the status of policy implementation and provide technical references to assist members of the Student Assembly in drafting legislation.
- d. To perform such other duties and functions as may be directed by the Legislative Secretary or the Chairperson.

ARTICLE V

Assembly Sessions

- Section 1** The Student Assembly shall determine the regular session of the Student Assembly with the approval of the Members.
- Section 2** Special or Emergency sessions may be called by the Convener and Chairperson when public interest demands or when the SAMAHAN Central Board President certifies an immediate action is needed.
- Section 3** A written notice to the Student Assembly stating the date, meeting place, time, and purpose of the session shall be served to each Member at least seventy-two (72) hours before the scheduled regular sessions, forty-eight (48) hours before the scheduled special sessions, and twenty-four (24) hours prior to the scheduled emergency session.
- Section 4** No other matter shall be considered at a special session except those agenda stated in the Notice of Meeting unless agreed upon by two-thirds ($\frac{2}{3}$) votes of the Members present there being a quorum.



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- Section 5** No other matter shall be considered at an emergency session except those agenda stated in the Notice of Meeting.
- Section 6** All sessions shall be open to the public unless a closed session is ordered by an affirmative majority vote of all the Members present, there being a quorum, in the interest of the public or for reasons of security, decency, or morality.
- Section 7** An “adjourned session” may be called in any of the following situations:
- Where there is no quorum, by a majority vote of all the Members present in the session. The Members present may decide to adjourn the session from time to time, or day to day, until such time that the necessary number be obtained to constitute a quorum. The Members present may compel the attendance of the absent Members in order to obtain the necessary quorum.
 - When an adjournment is moved by a Member, provided that all businesses of the day are already resolved.
 - When the written time on the Notice of Meeting is already consumed. In cases where the time for adjournment is not indicated in the Notice of Meeting, any of the House Members may raise a motion to set time for adjournment provided that a quorum is present.

ARTICLE VI

Quorum

- Section 1** A majority (50% + 1) of all the Members of the Student Assembly who have been elected or appointed shall constitute a primary quorum.



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Section 2 In computing the presence of a quorum, the term majority shall be based on the actual Membership or incumbents in the Student Assembly and shall exclude the following:

- a. A Member who is on official leave of absence;
- b. A deceased Member;
- c. A Member who has resigned;
- d. A Member who has been suspended, expelled, or removed by final judgment.

Section 3 In the absence of a quorum, the Chairperson may declare a recess for a period of not more than fifteen (15) minutes and wait for other Members to arrive. Whenever there is no quorum despite the enforcement of the aforementioned remedial measures, the Chairperson, upon proper motion from the floor duly adopted by the body, may declare the session adjourned for lack of quorum.

Section 4 Whenever any Member raises a question of lack of quorum, the Chairperson shall immediately order the Legislative Secretary of the Student Assembly to do the roll call of Members, announce the result thereof, and thereafter declare whether a quorum is present or not. A request or motion to determine the presence of a quorum shall not be debatable.

ARTICLE VII

Order of Business

Section 1 The Order of Business shall be as follows:

- a. Call to Order
- b. Opening Ceremonies
- c. Roll Call
- d. Reading and Consideration of the Minutes of the Previous



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Session

- e. Privilege Hour/Question Hour (if any)
- f. Calendar of Business
 - i. Unfinished Business
 - ii. Business for the Day
 - iii. Unassigned Business
- g. Other Matters
- h. Announcements
- i. Adjournment

Section 2 The Legislative Secretary shall prepare the Calendar of Business, approved by the Chairperson, and a copy thereof shall be furnished to every Member of the Student Assembly not less than three (3) days before the date of the regular session.

Section 3 The Calendar of Business shall contain the following:

- a. Unfinished Business – refers to the proposals or measures that were left untreated, postponed, or unresolved during the previous meeting or session. Items of business left unfinished at the end of a previous administration's period are also included.
- b. Business for the Day – refers to a list of items that have been reported out by a committee to which a legislative measure has been referred to, and is ready for deliberation. This may also include new measures to be acted upon by the body.
- c. Unassigned Business – refers to pending legislative matters or measures, including new ones that have arisen during deliberation but have not yet been provided an appropriate action.

Section 4 The Calendar of Business shall contain brief description of the item of business to be taken up during a regular session which includes the following:



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- a. The title of the proposed act or resolution;
- b. In the case of petitions, letters, endorsements and other communications, the source or the name of sender and;
- c. In case of privilege speech, the topic and the name of the Member who shall deliver the same.

Section 5 Deviation from the prescribed Order of Business shall only be allowed under the following circumstances:

- a. Whenever the Student Assembly decides to suspend the rules through an “assumed motion” by the Chairperson or through a motion by any Member duly seconded by the body to suspend the rules.
- b. A decision to suspend the rules shall require a vote by general consent, a unanimous vote, or at least a two-thirds ($\frac{2}{3}$) vote of the Members present.
- c. When a measure referred to the Student Assembly is certified as urgent by the SAMAHAN Central Board President, it takes precedence over all other items of business and is considered without the need to suspend the rules or even if it is not on the Calendar of Business for the day.

ARTICLE VIII

Legislative Process

Section 1 In the enactment of bill and adoption of resolutions, including other matters requiring legislative actions, the following rules shall be observed:

- a. Matters involving the creation, amendment, or repeal of policies, rules, or regulations within the SAMAHAN and the Student Assembly shall be addressed through a bill.
- b. Matters involving proprietary functions, such as the management or operation of specific assets or private



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concerns within the student body, shall be addressed through a resolution. A resolution is a formal decision by the Student Assembly, used for issues that do not require the full legislative process of a bill. Resolutions may express the Assembly's position on specific issues, endorse actions, recognize individuals, establish temporary committees, authorize events, approve budgets, or resolve internal matters.

- c. Any bonafide undergraduate student of the Ateneo de Davao University, who is not a member of the Student Assembly, may draft and propose legislation for consideration by the Assembly. Such non-members may actively participate in discussions and deliberations regarding the legislation they propose. However, they shall not have voting power on any matter brought before the Assembly.
- d. Proposed acts and resolutions shall contain an assigned number, a title or caption, an ordaining clause, and the date of its proposed effect. In addition, a brief explanatory note containing the justification for its approval may accompany every proposed act. It shall be signed by the author or authors and submitted to the Legislative Secretary who shall report the same to the Student Assembly for the immediate next session and shall be calendared.
- e. Any legislative matter duly certified by the Chairperson as urgent, whether or not it is included in the Calendar of Business, may be presented and considered by the body during a regular or special session without the need of suspending the rules.
- f. The Legislative Secretary shall prepare copies of the proposed acts or resolutions with the necessary corrections made as passed by the body. He/she shall distribute a copy of the same to each Member. Provided that a measure is duly certified by the SAMAHAN Central Board President as urgent,



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it may be submitted immediately for final voting after the debate or amendments have been made during its Second Reading.

- g. No act or resolution passed by the Student Assembly in a regular, special or emergency session duly called for the purpose shall be valid unless approved by a majority vote of all the Members present, there being a quorum.
- h. Upon the passage of any act or resolution directing the payment of money or creating liability, and upon proper motion of any Member of any resolution or motion, the Student Assembly shall record the "YES" and "NO" or "AYE" and "NAY" votes. Each approved act or resolution shall be stamped with the seal of the Student Assembly and recorded in a book kept for that purpose.

Section 2 The approval of an act by the SAMAHAN Central Board President, as the case may be, and the exercise of his/her veto power shall be governed by the following rules:

- a. Every measure, except on measures that are in the exclusive jurisdiction of the Assembly, enacted by the Student Assembly shall be presented to the SAMAHAN Central Board President for his/her approval. If he/she approves the same, he/she shall affix his/her signature on each and every page thereof, otherwise, he/she shall veto it and return the same with his/her objections to the Student Assembly, which may proceed to reconsider the same. The Student Assembly may override the said veto by a two-thirds ($\frac{2}{3}$) vote of all its Members thereby making the act or resolution effective for all legal intents and purposes.
- b. The veto shall be communicated by the SAMAHAN Central Board President to the Student Assembly within three (3) days, otherwise, the measure shall be deemed approved as if he/she had signed it.



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- c. The SAMAHAN Central Board President may veto any measure, except on measures that are in the exclusive jurisdiction of the Student Assembly, approved by the Student Assembly on the ground that it is prejudicial to the student's welfare, stating his/her reasons therefore in writing.

Section 3 The so-called "three reading principle" which is commonly adopted in legislative bodies, shall also be followed by the Student Assembly. Hence, it is a general rule that before any measure is finally enacted, it shall undergo the following stages:

- a. **FIRST READING.** At this stage, the Legislative Secretary shall read the number of the proposed draft measure (e.g. Assembly Bill No.____), its title, name of the author or authors, or the name of the Members introducing it. At this stage, no debate shall be allowed.
- b. **SECOND READING.** Every Member of the Student Assembly is supposed to have a furnished copy of the draft measure. In that case, the proposed draft measure may no longer be read in full unless the sponsor or the Student Assembly itself decides otherwise. The author will have the opportunity to provide a sponsorship speech. After the usual sponsorship speech has been delivered, the proposed draft measure shall be subjected to the following:
 - i. Period of Interpellation - this period shall be purely questions about the proposed measures.
 - ii. Period of Debate - this period may include questions to support the points of any Member but the primary purpose of this period is for persuasion on a certain point of view.
 - iii. Period of Amendment - Members may propose changes to the measure.
 - iv. Approval on Second Reading - A vote is taken on the



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proposed measure with any amendments.

- c. **THIRD (FINAL) READING.** At this stage, the Legislative Secretary shall read the proposed draft measure by its number, title, and the name of the sponsor or co-sponsor, if any. The proposed measure, along with the amendments, shall be read aloud in full. The reading of the draft measure may be suspended if decided upon by the Student Assembly. Immediately thereafter, the Chairperson shall put the proposed measure to a vote. The Chairperson shall then formally announce the result hereof and direct the Legislative Secretary to enter it in the record.

Section 4 Assembly Bills shall strictly adhere to the rulings under the Second Reading. Resolutions, however, may suspend any phase under the Second Reading Process by general consent.

Section 5 The three-reading process could be done in a single session, especially on measures that are certified urgent by the SAMAHAN Central Board President or at the will of the majority of the Members present, there being a quorum. Moreover, the Second and Third Reading of all acts and resolutions could be done in a single session, provided that the Assembly had no other more important matters to discuss.

Section 6 Except on measures certified urgent by the SAMAHAN Central Board President, the Members may assert jurisdiction on the measures, in this case, it shall be decided by the Members present, and there being a quorum.

Section 7 Once a draft measure has been approved by the Student Assembly, the final copy of the draft measure is forwarded to the Office of the Legislative Secretary (OLS) for its publication. The legislation shall then be published in the Student Assembly Archives and



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disseminated to the public through the official social media accounts, as stipulated in Article XV of this Student Assembly CIP.

ARTICLE IX

Votes and Voting

Section 1 Unless the Student Assembly prescribes a different method for a particular measure, voting shall be one of the following methods:

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

Section 2 Whenever a nominal voting (roll call voting) is conducted, the Legislative Secretary shall call the roll of Members either in random order or alphabetical order. As each name is called, the Member shall announce his/her vote by stating “YES” or “NO” or “AYE” or “NAY,” as the case may be. As a general rule, a Member may explain his/her vote but not to exceed three (3) minutes. Any Member from the chair may request a second roll call. Provided that 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 to determine the number of Members who might have violated the “rule on abstention”. After his/her second roll call, the Chairperson shall entertain no other request of the same kind.

Section 3 A Member is allowed to change his/her vote provided that the Chairperson has not yet announced the result of the voting process. Otherwise, he/she can only change his/her vote by a unanimous consent of the Members present, provided that this rule shall not



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be applied whenever the voting is by ballot.

- Section 4** Any Member who arrives late during the session and arrives while voting is in progress will not be permitted to cast their votes. As long as the Chairperson has not yet declared the result of the voting procedure.
- Section 5** Except for a motion pertaining to a question of quorum, the Chairperson shall entertain no other motion while voting is in progress.
- Section 6** A tie vote resulting from a vote taken on any motion, measure, or proposal shall be constructed to mean that the particular motion, measure, or proposal is defeated, unless the Chairperson decides to break it. Exemption to this rule is whenever a “motion to appeal from the decision of the Chair” is put to a vote and it results in a tie, the tie vote shall sustain the decision of the Chairperson.
- Section 7** In case of a tie, the Chairperson is allowed to cast his/her vote if he/she desires.
- Section 8** A majority vote of all the Members of the Student Assembly is required for the enactment of acts/resolutions and imposing sanctions.
- Section 9** For purposes of this section, a percentage vote shall be constructed to mean as a proportion of a certain whole. Percentage vote shall be defined as following:
- A two-thirds ($\frac{2}{3}$) vote of all the Members of the Student Assembly shall be required in overriding the veto of the SAMAHAN Central Board President for any acts or resolution, thereby making the particular act or resolution effective for all intents and purposes.



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- b. The penalty of suspension or expulsion that may be imposed or meted out by the Student Assembly to an erring Member shall require the concurrence of at least two-thirds ($\frac{2}{3}$) of all the Student Assembly.
- c. At least two-thirds ($\frac{2}{3}$) affirmative vote of the Members present, there being a quorum, shall be required for the adoption of the following motions:
 - i. Motion to suspend rules;
 - ii. Motion to expunge; and
 - iii. Motion to call for the previous question.

Section 10 Indubitably, when a Member of the Student Assembly is presenting the students, it is not necessarily his own self and such he/she should be required to take a stand, whether on the affirmative side or in the negative side, on every issue or measure submitted for decision of the body. Hence, it is hereby made a general rule that no Member of the Student Assembly shall abstain from voting, except when there is a conflict of interest on the part of the legislator to cast his vote. Abstention, whenever allowed to a Member, shall not be considered in computing the majority vote. Since abstention is not a vote it does not count either way. Mere silence and abstention are not the equivalent of affirmative votes or of negative votes.

Section 11 Except as otherwise provided in this Student Assembly CIP, a vote by a “simple majority” shall prevail on the other measures, motion or propositions provided there is a quorum. In a parliamentary parlance, the term “simple majority” means fifty percent plus one ($50\% + 1$) of the total votes cast by the Members present, there being a quorum. It might be less than the majority of the entire Membership.

Section 12 In situations wherein an actual face-to-face session cannot be held due to unprecedented events which includes but is not limited to



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emergency health crises and terrorist situations. The Student Assembly shall develop an electronic voting (E-voting) mechanism which will best fit in their situation.

ARTICLE X

Officer-In-Charge

- Section 1** In the absence of a voting Member of the Student Assembly, the Member is required to appoint an Officer-In-Charge to represent their organization, sector, or commission on their behalf. The designated Officer-In-Charge must inform the Legislative Secretary of their status as a representative when their organization, sector, or commission is called during the roll call.
- Section 2** The voting Member who is unable to attend must notify the Chairperson and the Legislative Secretary in writing at least twenty-four (24) hours before the scheduled session, indicating the reason for their absence and the name of the appointed Officer-In-Charge.
- Section 3** The Officer-In-Charge has no innate authority to vote. However, during the plenary session, a motion must be raised and approved by the present voting Members to grant the Officer-In-Charge the authority to vote on all matters of the Student Assembly. The Officer-In-Charge's voting rights are contingent upon this approval.
- Section 4** A voting Member may designate an Officer-In-Charge as his/her permanent proxy for the duration of his/her term. This designation must be made in writing, with the approval of the Chairperson and a majority vote of the Student Assembly. Once approved, the permanent proxy shall assume all duties, responsibilities, and voting rights of the voting Member for the remainder of the term,



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unless revoked as outlined in Section 9.

- Section 5** The Legislative Secretary shall maintain a record of all instances where an Officer-In-Charge represents a voting Member. This record shall include the name of the absent Member, the Officer-In-Charge, the dates of representation, and the outcomes of any votes or actions taken during their representation.
- Section 6** The Officer-In-Charge is bound by the same rules of confidentiality and responsibility as the voting Member they represent. Any breach of these rules by the Officer-In-Charge may result in disciplinary action against both the Officer-In-Charge and the absent Member.
- Section 7** Unless designated as a permanent proxy, the appointment of an Officer-In-Charge is temporary and only valid for the duration of the session(s) for which the voting Member is absent. The voting Member is expected to resume their duties immediately upon their return.
- Section 8** The rights and duties of the Officer-In-Charge are non-transferable. The Officer-In-Charge cannot appoint another person to act on their behalf.
- Section 9** The voting Members of the Student Assembly may revoke the proxy rights of an Officer-In-Charge, whether temporary or permanent, by a majority vote if it is deemed that the Officer-In-Charge is not fulfilling their duties responsibly or in the best interest of the Assembly.

ARTICLE XI

Debates and Amendment



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- Section 1** As a general rule, no Member shall speak before the Student Assembly without first “obtaining the floor”. A Member who has obtained the floor shall address all his/her remarks to the Chairperson. He/she shall conduct himself/herself with proper decorum by confining his/her remarks or arguments to the question under debate and by avoiding personalities.
- Section 2** No Member delivering the sponsorship speech shall speak for more than ten (10) minutes, unless allowed by the Chairperson.
- Section 3** During the period of amendments, every Member shall observe the so-called “three-minute rule”, i.e. interpellation, remarks, or argumentation by any Member on each amendment, and shall not exceed five (5) minutes.
- Section 4** A Member delivering the sponsorship speech of a proposed measure may move to open or close the debate within the thirty-minute (30) period allowed of him/her. If he/she fails to exercise his/her option, the Chair may use the “assumed motion” to open or close the debate, or any Member may formally move for it.
- Section 5** While having the floor, a Member may be interrupted in his/her speech or talk by the Chairperson to state a point of order, to respond to a question from the floor, to clarify something related to the issue being discussed, or to make certain remarks within his/her privilege.
- Section 6** Another Member may also interrupt the speaker whenever the latter desire to ask questions through his/her privilege and by proposing the following motions:
- a. Point of Order
 - b. Point of Information
 - c. Point of Parliamentary Inquiry



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- d. Call for Orders of the Day
- e. Divide the Assembly
- f. Raise a Question of Privilege
- g. Reconsider
- h. Appeal from the Decision of the Chair

Section 7 All questions to the speaker of the Member having the floor must always be coured through the Chairperson.

Section 8 If the person speaking is interrupted, he/she has the option of declining to answer the questions.

Section 9 No Members shall speak against his/her own motion or proposition. He/she may, however, be permitted to withdraw his/her motion or proposition by two-thirds ($\frac{2}{3}$) votes of the Members present. If his/her request to withdraw is denied, he/she may vote against it.

Section 10 While the period of debate is in progress, no Member shall be permitted to roam around the session hall or leave the premises without the permission of the Chairperson.

Section 11 A motion to close the debate is in order if three (3) Members have already spoken on the affirmative side and two (2) on the negative side; or only one (1) Member has spoken in favor but more against it. The Chairperson, however, may allow for the number of speakers to be increased.

Section 12 Subject to the requirement of the preceding section, if no Member moves to close the period of debate, the Chairperson may use the “assume motion” to close the period of debate.

Section 13 Whenever the Chairperson addresses the Student Assembly, no



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Member shall leave his/her seat or interrupt the former in delivering his/her address.

Section 14 After the period of debate has closed, the period of amendment shall immediately follow.

ARTICLE XII

Rules in Motion

Section 1 When addressing the Student Assembly or presenting a matter, members shall abide by the following:

- a. To speak during a Student Assembly session, a Member must formally request the floor.
- b. Stand and respectfully address the Chairperson as "Mr. Chair" or "Madam Chair," as applicable.
- c. All Members of the Student Assembly shall refer to any other Member by their cluster, commission, or sector they represent and their position.
- d. All Members of the Student Assembly shall address their remarks to the Chairperson and must refrain from addressing them one another directly.

Section 2 Whenever someone "has the floor," whether or not he/she is speaking, a pending motion or question before the body is allowed. A Member who makes a motion is given the first opportunity to speak to the motion. In the instance that two Members request recognition at the same time, it is the Chair's discretion as to who speaks first.

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



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Section 4 The following motions can be presented or proposed even if someone has the floor:

- a. Appeal from the decision of the Chair;
- b. Call for Orders of the day;
- c. Divide the 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 take a recess is “in order” provided that nobody else has the floor.

Section 6 Any motion or question laid on the table, maybe taken up through a motion to that particular session or during the next regular session.

Section 7 The following motions require to be seconded:

- a. Adjourn
- b. Adopt a report or resolution, except when proposed by the reporting Member
- c. Amend
- d. Appeal from the decision of the chair
- e. Commit or Refer to a Committee
- f. Expunge
- g. Extend or Limit the time for debate
- h. Fix the time to adjourn
- i. Lay on the table
- j. Postpone Definitely
- k. Postponed Indefinitely



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- l. Call for Previous question
- m. Recess
- n. Reconsider
- o. Reconsider and have entered on the minutes
- p. Rescind or Repeal
- q. Suspend the rules
- r. Take from the table
- s. All main motions

Section 8 A motion to amend (amendment of the 1st Degree) and a 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 (2nd) degree. Thus, a motion “to amend an amendment to an amendment” shall be ruled as 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 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.

ARTICLE XIII

Legislative Summons and Invitations

Section 1 The Student Assembly has the authority to summon and invite anyone pertinent to a current situation, so long as it is in assistance of legislation.

Section 2 The Student Assembly has the authority to summon a party that may be deemed helpful during a legislative investigation, so long as



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the letter of summons includes the investigation's schedule, the full reason and context for the summons, the name of the session's chairperson, and the assurance that the party may refuse to appear or have their identity concealed. The session journal shall record the details of the summons if the individual complies and has not elected to have their identity disguised.

Section 3 The party that received a letter of summons reserves the right to refuse to cooperate or conceal its name from the session journal, provided that the cause is reported to the Student Assembly in a timely manner.

Section 4 The Student Assembly may invite parties or request that they be invited for the purpose of presenting an advocacy, a proposal, or a similar matter. Their appearance and presentation will be considered separate items on the orders of business.

ARTICLE XIV

Journal and Record Proceeding

Section 1 The Student Assembly shall keep a “journal and record” of its proceedings, which may be published upon a resolution by a majority of the Members thereof.

Section 2 The Student Assembly, through its Legislative Secretary, shall record its proceedings in the form of “minutes,” which shall be submitted to the Members for appropriate action.

Section 3 The Student Assembly shall first determine if there are corrections to be made to the minutes and act on it accordingly before the same is adopted by the body and become its property. Consideration of the minutes shall not be dispensed with if the



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Members were already furnished a copy thereof beforehand. Being all responsible men and women, all Members are presumed to have read the minutes already before attending the session. In any case, the minutes submitted by the Secretary shall be acted upon by the Member's present one way or the other.

Section 4 The minutes shall contain the following information:

- a. Place, date, and time of the session;
- b. Whether it is special or regular;
- c. Name of Members present and those who were absent;
- d. Action taken in the minutes of the previous session, including correction/s, if any; name of who adopted (or approved) the minutes under consideration and those who did not;
- e. Text of every measure (resolution or act. Etc.) adopted if enacted;
- f. Brief resume of the minority opinion, if any;
- g. The "YES" and "NO" or "AYE" and "NAY" votes on every question (measure), and if voting is done through nominal voting or roll call, vote the names of those who voted on either side;
- h. All motions presented or proposed, whether lost or carried, except those withdrawn;
- i. Full text of the veto message of the local chief executive, if any; and
- j. Time of adjournment.

Section 5 The Chairperson, the Members of the Student Assembly, and the Legislative Secretary shall sign the original copy of the minutes in the appropriate space therein.

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.



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ARTICLE XV

Publication

- Section 1** All legislation approved by the Student Assembly shall be published through the official online social media platforms managed by the Office of the Legislative Secretary (OLS). This includes but is not limited to Facebook page, X account, and Instagram account.
- Section 2** Approved legislation shall be disseminated via email to the undergraduate student body, relevant campus organizations, and interested stakeholders to ensure wide accessibility and transparency.
- Section 3** The votes of the members on each legislation shall be documented and published alongside the approved measures. This publication will include a record of how each member voted, whether in favor, against, or abstaining, to maintain transparency and accountability within the Student Assembly.
- Section 4** A quarterly report detailing the attendance of all Student Assembly Members shall be compiled and published. This report will include the names of members present, absent, tardy, or if represented by an officer-in-charge for each session, as well as any justifications provided for absences or tardiness. The attendance report will be made available through the same online social media platforms and email distribution lists used for publishing approved measures, ensuring that it reaches all relevant parties.
- Section 5** The OLS shall oversee the publication process and ensure that all materials are accurate and up-to-date. The publication policy shall be reviewed annually to assess its effectiveness and make any



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necessary adjustments to improve dissemination and accessibility.

ARTICLE XVI

Code of Conduct

- Section 1 General Conduct.** Members of the Student Assembly shall act at all times in a manner that reflects creditably on the Student Assembly, upholding the highest standards of integrity, professionalism, and accountability.
- Section 2 Adherence to Procedures.** A Member shall adhere to the spirit and the letter of the Student Assembly CIP, ensuring that their actions align with the rules and principles established by the Student Assembly.
- Section 3 Conflict of Interest.** A Member shall not intervene in any matter before any office of the student council for personal benefit or in cases where the Member may be required to act due to their official capacity.
- 3.1 Personal Interests.** A Member shall not acquire or maintain any personal interest in any specific business enterprise that will be directly and particularly favored or benefited by any law or resolution authored by the Member, which is approved or adopted by the Student Assembly during their term. It shall be unlawful for the Member to continue to retain such interest thirty (30) days after such approval.
- Section 4 Unauthorized Use of Assembly Name and Symbols.** A Member may not authorize or allow an individual, group, or organization not under the direction and control of the Assembly to use the words “Samahan ng Mga Mag-Aaral ng Pamantasang Ateneo de Davao,” “Student Assembly,” “Official Business,” or any combination of these



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words, or the seal of the Student Assembly, or any other representation thereof on any letterhead, envelope, or for any other purpose.

Section 5 Confidentiality. A Member shall not disclose any classified information received during their service with the Student Assembly except as authorized by the Assembly or in accordance with its Code of Internal Procedures.

5.1 Handling of Classified Information. Members are expected to exercise discretion and caution in the handling of sensitive information, ensuring that it is protected from unauthorized access or disclosure.

Section 6 Professional Conduct in Public Life. Members are expected to uphold the dignity and honor of the Student Assembly in their public lives. Any actions that bring disrepute to the Assembly shall be subject to review and possible disciplinary action.

Section 7 Conduct Towards Other Members. Members shall treat their colleagues with respect, fairness, and courtesy, avoiding language or actions that could be considered offensive, discriminatory, or hostile. Any forms of harassment or abuse, verbal or otherwise, are strictly prohibited.

Section 8 Misuse of Position. A Member shall not use their position for personal gain or to unduly influence others for non-official matters. Members shall avoid any actions that could be perceived as exploiting their office for personal or external advantage.

Section 9 Attendance and Participation. Members are expected to regularly attend sessions, participate actively in discussions, and fulfill their duties responsibly. Repeated absences without a valid reason or lack of participation may be subject to disciplinary measures.



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9.1 Members of the Student Assembly may be excused from official meetings and sessions if they present valid reasons for their absence through a formal letter, which is to be forwarded to the Legislative Secretary. The following shall be considered valid absences:

1. **Medical Reasons.** Illness or injury that prevents attendance, supported by a medical certificate or doctor's note.
2. **Family Emergencies.** Immediate family emergencies, such as the death or hospitalization of a family member, requiring the member's presence. Proper documentation must be provided where applicable.
3. **Academic Commitments.** Examinations, official academic requirements, or school-sanctioned activities that directly conflict with the schedule of the Assembly, with proof from the instructor or academic department.
4. **Official University Representation.** Participation in university-sanctioned events or competitions where the member represents the university or student body, with formal documentation or invitation.
5. **Religious Obligations.** Participation in significant religious events or observances that prevent attendance, provided prior notice is given.
6. **Natural Calamities.** Absences due to natural disasters, extreme weather conditions, or transportation issues that make attendance impossible.
7. **Other Extraordinary Circumstances.** Any other situation deemed extraordinary by the Convener and Chairperson, subject to approval on a case-by-case basis.



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Section 10 Accountability and Transparency. Members must be accountable for their actions and decisions. They are required to maintain transparency in all activities related to their role in the Assembly, including the handling of funds, resources, and any entrusted responsibilities.

Section 11 Enforcement of the Code of Conduct. Violations may result in sanctions, including but not limited to censure, reprimand, exclusion from session, suspension, or expulsion, as outlined in this Student Assembly CIP.

ARTICLE XVII

Disciplinary Actions

Section 1 Grounds for Discipline. Members of the Student Assembly may face disciplinary actions for the following offenses:

- a. Violating the provisions of the Student Assembly CIP.
- b. Engaging in disorderly behavior, including unparliamentary conduct.
- c. Accumulating three (3) consecutive unexcused absences from sessions.

Section 2 Sanctions. The following disciplinary actions may be imposed:

- a. **Censure.** A formal statement of disapproval issued by the Student Assembly. It serves as a public reprimand for the Member's misconduct, documented in the official records, but carries no further penalties.
- b. **Reprimand.** A formal written warning, more severe than a censure, recorded in the Member's official record. It serves as a warning that further misconduct may result in harsher penalties.



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- c. **Exclusion from Session.** Temporary prohibition of the Member from attending or participating in Assembly sessions. This sanction is aimed at maintaining order and decorum within the Assembly.
- d. **Suspension.** Temporary suspension of the Member from all duties and responsibilities within the Assembly for a period not exceeding one (1) month. During this period, the Member is barred from all Assembly activities and sessions.
- e. **Expulsion.** The most severe sanction, involving the permanent removal of the Member from the Assembly. This action is reserved for cases of extreme misconduct or repeated offenses, resulting in the loss of all rights and privileges associated with membership.

Section 3 Imposition of Penalties During Sessions. During an Assembly session, if a Member is found in violation of the Student Assembly CIP or engaged in disorderly behavior, the Chairperson may impose immediate disciplinary actions limited to censure and exclusion from the current session. The Chairperson shall inform the Member of the action taken and provide an opportunity for the Member to respond. The decision of the Chairperson may be appealed to the Assembly during the session, which will be in accordance to the following proceedings:

- a. **Request for Appeal.** The Member may request an appeal of the Chairperson's decision directly to the Assembly during the same session. This request must be made verbally or in writing to the Chairperson immediately after the decision is announced.
- b. **Review.** Upon receipt of the appeal request, the Student Assembly shall convene in a brief recess to deliberate the appeal. The Member shall be allowed to present their case to the Assembly.
- c. **Voting.** The Student Assembly shall vote on whether to



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uphold or overturn the Chairperson's decision. A simple majority vote is required to overturn the decision.

- d. **Resolution.** The Student Assembly's decision on the appeal shall be communicated to the Member immediately. If the Student Assembly overturns the Chairperson's decision, the Member shall be reinstated to participate in the session or have the censure nullified.
- e. **Record Keeping.** All actions taken and decisions made during the appeal process, including the Member's response and the Student Assembly's vote, shall be documented by the Legislative Secretary and included in the session's official records.

Section 4 Imposition of Penalties Outside Sessions. For violations occurring outside of sessions or during periods when the Student Assembly is not in session, disciplinary actions such as reprimand, suspension, or expulsion require the following process:

- a. **Notice of Violation:** The Member shall be notified in writing of the alleged violation and the proposed disciplinary action.
- b. **Opportunity to Respond:** The Member shall be given an opportunity to respond to the allegations before any penalties are imposed.
- c. **Decision:** A majority vote of the Assembly members present and voting is required to impose sanctions other than censure or exclusion from a session.

Section 5 Imposition of Severe Penalties. Suspension or expulsion requires the concurrence of at least two-thirds ($\frac{2}{3}$) of all Student Assembly Members present and voting.

Section 6 Automatic Expulsion. A Member convicted by final judgment of a crime involving moral turpitude, with a penalty of imprisonment for at least one (1) year, shall be automatically expelled from the Student Assembly.



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Section 7 Appeal Process. A Member subject to disciplinary action may appeal the decision to the Student Assembly. The appeal must be submitted in writing within seven (7) days of the imposition of the penalty. The Assembly shall review the appeal and may uphold, modify, or overturn the original decision by a majority vote.

Section 10 Record of Disciplinary Actions. Disciplinary actions, including reprimand, exclusion, suspension, and expulsion, shall be documented and recorded in the Member's official file. These records shall be maintained by the Legislative Secretary and may be reviewed upon request by the Member or other authorized persons.

Section 11 Rehabilitation and Reinstatement. A Member who has been suspended or expelled may apply for reinstatement after the penalty period has elapsed. The Member must demonstrate adherence to the Code of Conduct and the Student Assembly CIP during the penalty period. Reinstatement requires a majority vote of the Student Assembly.

ARTICLE XVIII

Constitutional Obligations

Section 1 Review of New Departments and Committees.

1.1 As stipulated in Article V, Section 5.1 of the 2020 SAMAHAN Constitution, the Student Assembly shall "Review, approve and/or reject proposals to create new Committees, Projects, and Departments made by any member of the SAMAHAN Central Board."

1.2 The following requirements shall be submitted by the new Departments and Committees to aid the Student Assembly in the deliberation process:

a. **Code of Internal Procedures (CIP).** In the creation of



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its Constitution and By-Laws or Code of Internal Procedures (CIP), the new Departments may adopt any format used by an already existing organization as long as it contains the following essential provisions:

- i. Official Name of the new Department;
- ii. Logo
- iii. General Declaration of Objectives and Principles;
- iv. Vision and Mission;
- v. Organizational Chart/Structure;
- vi. Specific Functions and Responsibilities of the Officers;
- vii. Membership;
- viii. Appointments, vacancies, and amendments; and
- ix. Other provisions that the new Department deems necessary.

- b. **Flagship Projects.** Flagship Projects refer to the principal programs, activities, and initiatives the new Departments plan to champion during their term. The Flagship Projects of the new Departments shall be in accordance with their respective vision, mission, functions, and responsibilities. For each Flagship Project, the new Departments shall provide a brief explanation of the nature and purpose, including the planned schedule or time frame of such project.

- 1.3 A Member must submit a draft measure to initiate the establishment of a department or committee which will still be subject to Article VIII of this Student Assembly CIP.

Section 2 Review of Appointments of Department Directors and Head Commissioners.

- 2.1 As stipulated in the 2020 SAMAHAN Constitution, Article V, Section 5.3 that the Student Assembly shall “Serve as the



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Commission on Appointments which shall review, approve, and/or reject appointments made by the SAMAHAN Central Board, which shall only include Department Heads and Commissioners.”

2.2 As per Section 5.3.1, Article V of the 2020 SAMAHAN Constitution, the following requirements shall be submitted by the appointees to aid the Student Assembly in the deliberation process:

- a. **Curriculum Vitae.** The curriculum vitae shall be limited to two (2) pages only. The curriculum vitae shall have a recent 2x2 photo attached. The curriculum vitae shall include the following highlights:
 - i. Personal Information
 - ii. Two-to-three-sentence Description of the Appointee
 - iii. Educational Background
 - iv. Affiliations and Other Leadership Experiences
 - v. Awards and Recognitions
 - vi. Notable Seminars and Training
 - vii. Talents and Skills
- b. **Letter of Endorsement.** If the appointee comes from an existing department, the Letter of Endorsement shall come from the former Department Director/Head Commissioner. If the appointed incoming Department Director/Head Commissioner is also the former Department Director/Head Commissioner, the Letter of Endorsement shall come from the former Deputy Director/Assistant Head Commissioner instead. If the appointee comes from a new department, the Letter of Endorsement shall come from the head of the appointee's previous organization. The Letter of Endorsement shall be addressed to the Chairperson. The Letter of



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Endorsement shall highlight the following:

- i. Incoming position of the appointee
- ii. What makes the appointee qualified for the position
- iii. Work ethics and other traits of the appointee
- iv. The Letter of Endorsement shall be duly signed by the endorser.

2.3 The review, approval, and/or rejection of appointments shall adopt the following proceedings:

- a. At the beginning of its term, the Student Assembly must release a copy of the guidelines and requirements for New Department Directors and Head Commissioners.
- b. Once it receives the requirements of the appointees, the Student Assembly shall give its Members access to the related documents for their individual review and deliberation.
- c. As part of the deliberation process, a panel interview with the new Department Directors and Head Commissioners must be conducted inside the Student Assembly. A schedule of the interview must be sent to them at least three (3) days before their actual interview.
- d. After the Panel Interview, the Chairperson shall schedule regular or special sessions for the First and Second Readings of the Resolutions confirming the appointments of the new Department Directors and Head Commissioners. Consequently, Article VIII of this Student Assembly CIP must take effect accordingly.

Section 3 Investigation and Impeachment of Magistrates of the Student Judicial Court.

3.1 As stipulated in the 2020 SAMAHAN Constitution, Article V,



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Section 5.4 that the Student Assembly shall “*Investigate and impeach magistrates of the Student Judicial Court.*”

- 3.2** The provisions in this section shall apply to all impeachment proceedings in the Student Assembly against the Magistrates of the Student Judicial Court for culpable violation of the SAMAHAN Constitution, treason, bribery, graft and corruption, other serious violations, or betrayal of public trust.
- 3.3 Mode of Impeachment Initiation.** Impeachment is commenced by the submission and subsequent referral to the Student Assembly of the following documents:
- a. An impeachment petition filed by any member of the SAMAHAN; or
 - b. A verified complaint made by any member of the Student Assembly upon a resolution of endorsement by a member of the legislature, or
 - c. A validated complaint or impeachment resolution is filed by at least one-third ($\frac{1}{3}$) of the entire Student Assembly.
- 3.4 Evidences.** In an investigation, evidence is admissible if any of the following conditions are met:
- a. Direct relevance to the issue;
 - b. Indirect relevance to the issue provided a reasonable person can prove its relevance to the problem;
 - c. Circumstantial, provided a reasonable person can prove that a fact or series of facts have occurred.
- 3.5 Determination of Form and Substance Sufficient.**
- 3.5.1** Upon proper referral, the Student Assembly shall evaluate the sufficiency of the complaint's form and substance. If the Student Assembly determines that the form of the complaint is deficient, it must return it to the Legislative Secretary within three (3) session days with a written explanation of the deficiencies.



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The Legislative Secretary should return the same to the complainant(s) and the Student Assembly's written explanation within three (3) session days of receiving the Student Assembly's resolution dismissing the complaint as lacking merit.

3.5.2 If the Student Assembly determines that the complaint meets the formal requirements, it will subsequently consider whether it meets the substantive requirements. The criteria of substance are met if there is a statement of the facts establishing the alleged offense and determining the assembly's jurisdiction. If the Student Assembly determines that the complaint lacks sufficient substance, it shall dismiss it and submit its findings per the provisions below.

3.6 Notification to Respondents and Time to Respond.

3.6.1 If the Student Assembly determines that the complaint is sufficient in form and substance, it shall immediately provide the respondent(s) with a copy of the resolution and/or verified complaint, as applicable, along with written notice that the respondent must respond to the complaint within ten (10) days of receiving notice thereof and serve a copy of the response to the complainant(s). No request to dismiss shall be permitted during the time allotted to respond to the complaint.

3.6.2 The sworn response may contain affirmative defenses. If the respondent fails or refuses to file an answer within the prescribed time frame, the respondent is said to have denied the complaint in general. Within three (3) days of receiving the response, the complainant may submit a reply and serve a copy to the respondent. Within three (3) days of receiving the



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reply, the respondent may file a rejoinder and serve a copy to the complainant. If the complainant fails to file a response, all material accusations in the response are presumed to be contested. In addition to their pleadings, the parties must provide their affidavits or counter-affidavits, as appropriate, and their documentary proof. These affidavits and counter-affidavits must be signed in the presence of the Chairperson of the Student Assembly or the Legislative Secretary. Despite the preceding, the respondent is not precluded from introducing evidence to support the defenses if he or she fails to file an answer.

3.6.3 When there are several respondents, each shall get a copy of the verified complaint of a Member of the Student Assembly or a copy of the verified complaint of a private person, as well as the resolution of endorsement by a Member of the Student Assembly and a written notice to answer. In this instance, the term respondent refers to respondents as used in these Rules.

3.7 Submission of Documents and Evidence.

3.7.1 After receiving the pleadings, affidavits, counter-affidavits, and pertinent documents specified in Section 5, or the end of the time they may be filed, the Student Assembly shall assess if the complaint establishes adequate grounds for impeachment.

3.7.2 If the Assembly determines insufficient grounds for impeachment, it shall dismiss the complaint and provide the required report. If the Student Assembly determines sufficient grounds for impeachment, it will hold a hearing. Through its chairperson, the Student Assembly may limit the duration of direct and



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cross-examination. The Student Assembly must have the authority to issue subpoenas mandating witnesses' attendance and submitting relevant papers and other evidence.

3.7.3 After the presentation of evidence, the Student Assembly may request the filing of memoranda before submitting the subject for a vote.

3.8 Protection of Complainants and Witnesses.

3.8.1 The Student Assembly may, upon sufficient petition, offer reasonable protection to a complainant or witness whose personal safety is in peril due to his or her participation in an impeachment hearing.

3.9 Report and Recommendation

3.9.1 Within ten (10) session days after receiving the verified complaint and/or resolution, the Office of the Legislative Secretary shall provide a report to the Student Assembly, including its findings and recommendations. A majority vote must approve this report of its members. Along with the report, the Member of the Student Assembly shall submit a formal resolution about filing the complaint, which shall be scheduled for consideration by the Assembly within five (5) session days of its receipt.

3.9.2 If the Student Assembly determines, by a majority vote of all its members, probable cause exists based on the evidence presented, it shall submit a resolution outlining the Articles of Impeachment with its report. Aside from that, the complaint will be dismissed.

3.10 Vote Required for Approval.

3.10.1 The approval of the resolution outlining the Articles of Impeachment requires the affirmative vote of at least one-third ($\frac{1}{3}$) of the members of the Student Assembly. If the resolution receives the needed approval, it will



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be forwarded to the Second (2nd) Reading of the resolution.

3.10.2 Alternatively, if the resolution fails to receive the required vote of approval, it will result in the dismissal of the impeachment charge.

3.11 Where Dismissal Is Recommended.

3.11.1 When the report of the Student Assembly recommends dismissal of the complaint, the Student Assembly shall submit to the Plenary a resolution for dismissal of the verified complaint and/or impeachment resolution. To override this resolution, a vote of at least one-third (1/3) of all Student Assembly members is required, in which case the Student Assembly shall immediately prepare the Articles of Impeachment.

3.12 Roll Call Voting.

3.12.1 The voting on a resolution containing the Articles of Impeachment of the Magistrates or a resolution to the contrary dismissing the Impeachment Complaint shall be by roll call, and the Legislative Secretary shall record each voting Member.

ARTICLE XIX

Supplementary Rules

Section 1 If there is no rule applicable to a specific case, the precedents of the Legislative Department of the Philippines shall be resorted to, and as a supplement to these, the Rules contained in Robert's Rule, Jefferson's Manual, Riddick's Precedents and Practices, and Hind's Precedents.



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ARTICLE XX

Suspension of Rules

Section 1 Any part of this Student Assembly CIP, except those prescribed by existing laws, may be suspended at any particular session by general consent of all its Members or upon the initiative of the Presiding Officer.

ARTICLE XXI

Amendments

Section 1 These Student Assembly CIP may be amended or repealed by a two-thirds (2/3) vote of all the Members of the Student Assembly, provided that prior notice of such proposed amendment is given to all Members and provided further that no provision herein which is based on, or prescribed by, existing laws shall be amended.

ARTICLE XXII

Effectivity

Section 1 If any provision or part of this Student Assembly CIP is declared invalid or unconstitutional, the unaffected remainder of this Code shall prevail its validity thereby.

Section 2 This Student Assembly CIP shall immediately take effect on the date of adoption.

Section 3 The proceedings shall immediately be modified and/or conformed to the standards of this ruling



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Approved by:

[Sgd.] HON. JAN A.G. ADRIAN LARIEGO
Head Commissioner
Commission on Audit

[Sgd.] HON. YVAN ZEDRICK C. LUZANO
External Vice President
Computer Studies Student Executive
Council

[Sgd.] HON. MATTHEW DATE E. PAYUMO
External Vice President
Humanities and Letters Student Executive
Council

[Sgd.] HON. FRENCH BAYER BANDONG
Head Commissioner
Commission on Students' Rights and
Welfare

[Sgd.] HON. TRISHA MAE B. MANAPOL
External Vice President
Accountancy Student Executive Council

[Sgd.] HON. HIDDEN ZEAL M. CORPUZ
External Vice President
Education Student Executive Council

**[Sgd.] HON. ALYANNA STEPHANIE ROSS
CASTAÑARES**
External Vice President
Business & Management Student Executive
Council

[Sgd.] HON. NAOMI GRACE B. LANZO
External Vice President
Natural Sciences & Mathematics Student
Executive Council

[Sgd.] HON. DATU IZZAT S. AMPATUAN
President
SALAM - The Ateneo Muslim Society

[Sgd.] HON. RIANNE CALSA
President
Ateneo Libulan Circle

[Sgd.] HON. PAULA ISABELLE G. MANUEL
President
POWER AdDU



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Attested by:

[Sgd.] HON. SUNG GOON L. ACOSTA

Chairperson & Chief Convener
4th Student Assembly

Signed by:

[Sgd.] LEEN JULIET S. LAPATIS

President
SAMAHAN Central Board