



Republic of the Philippines
Province of Laguna
MUNICIPALITY OF LOS BAÑOS
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN
Municipal Hall, National Highway, Brgy. Timugan,
Los Baños, Laguna 4030 Philippines
Email: losbaños@laguna.net

EXCERPTS FROM THE MINUTES OF THE THIRTEENTH (13TH) REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON OCTOBER 11, 2019 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

Present : Vice Mayor Antonio L. Kalaw, Presiding Officer
S.B. Member Josephine S. Evangelista
S.B. Member Miko C. Pelegrina
S.B. Member Janos S. Lapid
S.B. Member Geronimo A. Ciceron
S.B. Member Marlo PJ A. Alipon
S.B. Member Dexter A. Concio
S.B. Member Mark Lester B. Dizon
S.B. Member Cris Dayril B. Bagnes
S.B. Member Arlene P. delos Santos, Liga President
S.B. Member Jozylyn N. Manansala, SK Fed. President
Secretary Dona T. Alborida
Ms. Jellyn S. De Una, LLSA II

Absent : None

Visitor(s) : Ms. Lilian Banca, Barangay Malinta
Ms. Jocelyn Lapis, Barangay Timugan
Mr. Cataino J. Gordula, Jr., Barangay San Antonio
Ms. Cherille Zaira S. Gordula, Barangay San Antonio
Ms. Karen S. Gordula, Barangay San Antonio
Mr. Ariel B. Doria, GAWAD Laguna Inc.

RESOLUTION NO.2019-65

A RESOLUTION ADOPTING THE NEW INTERNAL RULES OF PROCEDURES OF THE SANGGUNIANG BAYAN OF LOS BAÑOS

Author : Councilor Janos S. Lapid

WHEREAS, the Sangguniang Bayan of Los Baños is a legislative body duly organized pursuant to law for the enactment and the adoption of resolutions for the governance of the municipality of Los Baños;

WHEREAS, Article 103 of the Rules and Regulations Implementing the Local Government Code of 1991 provides that the local legislative bodies have the inherent right and obligation of adopting its own rules of procedures for the proper discharge of legislative functions;



WHEREAS, in the maintenance of good order and pursuant to its legislative functions, it is necessary that specific rules be adopted and enforced in its deliberations in the interest of effective legislative legislation;

NOW THEREFORE, on motion of Councilor Janos S. Lapiz, duly seconded by all the councilors present;

RESOLVED AS IT IS HEREBY RESOLVED, to adopt the New Internal Rules of Procedures of the Sangguniang Bayan of Los Banos.

RULE I - COMPOSITION

SECTION 1. The composition of this Sanggunian shall be provided by existing laws specifically by RA 7160 otherwise known as the "Local Government Code of 1991."

RULE II - POWERS, DUTIES AND FUNCTION OF THE SANGGUNIAN

SECTION 1. The power, 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 III - DUTIES AND RESPONSIBILITIES OF INDIVIDUAL MEMBERS

SECTION 1. Every member of this Sanggunian shall make a full disclosure of his financial and business interest as required of him under Art. 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 this 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 by call or written notice only thru the Sangguniang Bayan Secretary and/ or Presiding Officer.

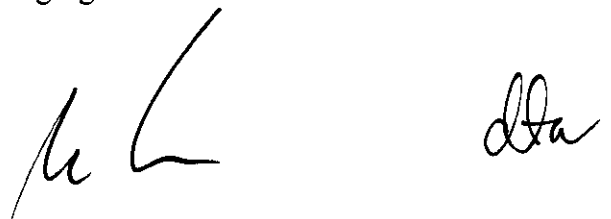
SECTION 3. As a general rule, every member is required to vote on every question or proposed measures being voted upon by the Sanggunian. Abstentions may only be allowed if it can be shown that the member concerned has a pecuniary interest, either directly or indirectly, on the matter being acted upon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

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

SECTION 5. Author/s of ordinance or resolution shall submit to the Secretary to the Sangguniang Bayan the final draft of the subject legislative document before its enactment or adoption by the Sanggunian.

RULE IV - PRESIDING OFFICER

SECTION 1. The Vice Mayor shall be the Presiding Officer of this Sangguniang Bayan and, as such, shall have the following rights and duties:




- (a) To preside over the sessions 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 certify ordinance or resolution, enacted or adopted in the session he presided, within twenty (20) working days upon receipt of the signed document from the Secretary to the Sangguniang Bayan.
- (g) To declare a recess during sessions anytime he deems it necessary provided that the duration of the recess is less than fifteen (15) minutes.
- (h) 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.
- (i) To make brief remarks, comments or clarificatory questions on any measure pending deliberation by the body provided that shall not express himself either for or against the said measure or questions.
- (j) 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.
- (k) 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 and not to participate in the deliberation of the body.

RULE V - PRESIDING OFFICER PRO-TEMPORE AND TEMPORARY PRESIDING OFFICER

SECTION 1. There shall be a Presiding Officer "Pro-Tempore" to be elected from among the members of the Sanggunian who, without losing his status as regular member including his rights and prerogatives, shall temporarily exercise all the powers, duties and functions of the regular Presiding Officer.

SECTION 2. 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."



SECTION 3. The Presiding Officer “Pro-Tempore” or the “temporary Presiding Officer,” as the case may be, shall certify within ten (10) working days from the passage of ordinance enacted or resolutions adopted by the Sanggunian in the session over which he temporarily presided.

SECTION 4. While presiding, the Presiding Officer “Pro-Tempore” or the temporary Presiding Officer, as the case may be, shall have no right to vote even if there is a tie.

SECTION 5. 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, but not the Vice Mayor / Presiding Officer.

RULE VI - REGULAR AND SPECIAL SESSIONS

SECTION 1. The regular session of this Sanggunian shall be “once a week” to be held at the Sanggunian Session Hall every Friday at exactly 10:00 a.m.

SECTION 2. Special sessions may be called by the 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 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 session shall be open to 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. Adjourned Session. An “adjourned session” may be held:

(a) Thru the initiative of the Chair, by using the “assumed motion”; or by a majority of the members present in a session where there is NO quorum, wherein they may decide to adjourn from hour to hour, or day to day, and compel the attendance of the absent members in order to obtain the necessary quorum.

(b) By a majority vote of the members present in any regular or special session, there being a quorum, in order to finish very important business which needs immediate action.



- SECTION 8.** No regular session will be held whenever the Regular Friday Session of the Sangguniang Bayan falls on a proclaimed regular public holiday/special holiday or in case of calamity.

RULE VII – QUORUM

- SECTION 1.** A majority of the members of the Sanggunian who have been **elected** and **qualified** shall constitute a quorum to transact official 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 and Sectoral representatives of this Sanggunian.

- 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:

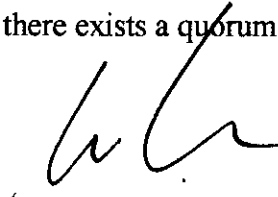
- (a) A member who is abroad;
- (b) A member who is outside the municipality but not on official business;
- (c) A member who is on official leave of absence;
- (d) A member who is resigned;
- (e) A member who has been suspended;
- (f) A member who was expelled; or removed by final judgment.

- 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 suspend or call for a recess of 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 who are 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." (See Section 53, RA 7160).

If there is 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 adjourned for lack of quorum.

SECTION 6. Dress Code. Regular and Special Meetings of the Sangguniang Bayan members must be attended in formal wear either in:

- | | | |
|---------------------------|---|--|
| First Friday of the Month | - | Polo Barong with municipal seal |
| Succeeding Fridays | - | Any color of polo barong/
Long sleeve polo/Short sleeve
polo/formal attire |

RULE VIII - ORDER OF BUSINESS

SECTION 1. The order of business of this Sanggunian shall be as follows:

- (a) Call to order
- (b) National Anthem and Invocation
- (c) Roll Call
- (d) Reading and Approval of Minutes of the Previous Session
- (e) Reference of Business
 - Proposed Ordinances
 - Proposed Resolutions
 - Petitions of Requests
 - Other Communications

If the letter or request for enactment or adoption of legislative measures coming from the Local Chief Executive is not addressed, or wrongly addressed, to a specific member of the Sanggunian, the same shall be referred to the proper committee and be authored by the Chairman and/or his/her members or all the members of the Sanggunian.

- (f) Committee Reports
- (g) Calendar of Business

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- Unfinished Business
- Business for the Day
- Unassigned Business

(h) Business on Second and Third (Final) Reading

(i) Privilege Hour

(j) Other Matters

(k) Adjournment

SECTION 2. The calendar of Business shall be prepared by the Committee on Rules and 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 Presiding Officer shall cause the Office of the Secretary to the Sanggunian to provide the necessary administrative support or secretarial services to the Committee on Rules and other standing or special committees.

SECTION 3. The calendar of business shall contain the following:

- (a) **Unfinished Business** - refers to proposal 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 for 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 by the Committee on Rules. 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.

SECTION 4. The calendar of business shall contain a brief description of the item or 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;
- (c) In the case of petitions, letters, endorsements and other communications, the source or the name of senders.

SECTION 5. In rendering committee reports, priority shall be given to standing committees (aka regular committees) to be followed by special committees (aka Ad Hoc committees).



SECTION 6. 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.

SECTION 7. If the reporting committee recommends a favorable action on the measure referred to it or if the reporting committee recommends the proposed measure for appropriate action by the Sanggunian, the Committee on Rules shall calendar it for "second reading". 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.

SECTION 8. 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.

SECTION 9. 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.

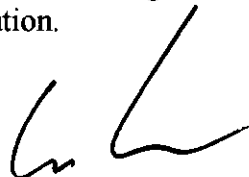
RULE IX - LEGISLATIVE PROCESS

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



- (b) Proposed ordinance 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 Bayan, three (3) calendar days before the start of the regular session.
- (c) All ordinances proposed to the Sanggunian for enactment need to go through a third reading unless certified urgent by the Local Chief Executive.
- (d) A resolution shall be enacted in the same manner prescribed for an 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.
- (e) 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.
- (f) 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.
- (g) The secretary to the Sanggunian shall prepare copies of the proposed ordinance or resolutions 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.
- (h) 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.
- (i) 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 the nays. Each approved ordinance or resolutions shall be stamped with the seal of the Sanggunian and record in a book kept for the purpose. The Secretary to the Sanggunian Bayan should also send a copy of each "approved" ordinance or resolution to all the members of the Sanggunian.
- (j) An ordinance can only be amended by another ordinance enacted with the same formalities as the original ordinance. It cannot be amended by a mere resolution.



SECTION 2. Approval of Ordinance and Veto Power of the Local Chief Executive.

The approval of the ordinance by the mayor, as the case may be, and the exercise of his veto power shall be governed by the rules:

- (a) Every ordinance enacted by the Sanggunian shall be presented to the Mayor for his approval. If he approves the same, he shall affix his signature on each and every page thereof, otherwise, 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 Mayor to the Sanggunian within ten (10) days otherwise, the ordinance shall be deemed approved as if he had signed it.
- (c) The Mayor may veto any ordinance of the Sanggunian on the ground that it is "ultra vires" or prejudicial to the public welfare, stating his reasons thereof in writing.
- (d) The mayor 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 any ordinance directing the payment of money or creating liability. In such 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. (Art. 108, IRR).

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 stages:

- (a) **First Reading.** At this stage, the secretary shall read the number of the proposed draft ordinance 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 by the Committee on Rules 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 of the Sanggunian itself decided otherwise.

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

- Period of Debate
- Period of Amendment
- Approval 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-sponsor; 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. Unless a different method is prescribed by the Sanggunian for a particular measure, voting shall be either one of the following methods:

- (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).

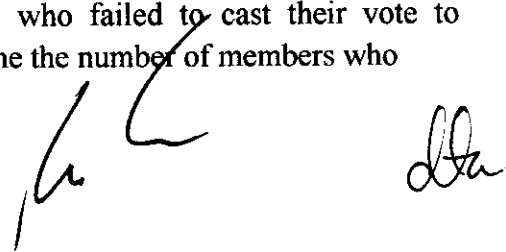
SECTION 5. Putting the Question to a Vote. The Presiding Officer shall rise whenever he is putting a question to a vote. In taking the vote, the Presiding Officer shall take first the affirmative votes and then the negative votes.

While still in standing position the Presiding Officer shall announce the result thereof.

RULE X – 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, is 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.

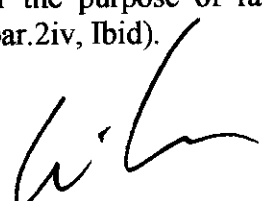
SECTION 6. The Vote. A tie vote resulting from a vote taken on any motion, measure or proposal shall be construed to mean that the particular motion, measure or proposal is defeated, unless the Chair decided to break it. Exception to this rule is when a “motion to appeal from the decision of the Chair”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

For the Sangguniang Bayan –

- (a) Enactment of ordinance levying tax, fees or charges prescribing the rates thereof for general and specific purposes, and granting tax exemptions, incentives or reliefs. (Sec. 447, RA 7160 par. 2-ii).
- (b) Adoption or resolution authorizing the Mayor to negotiate and contract loans and other forms of indebtedness. (par.2-iii, Ibid).
- (c) Enactment of ordinance authorizing the floating of bonds or other instruments of indebtedness for the purpose of raising funds to finance development projects. (par.2iv, Ibid).



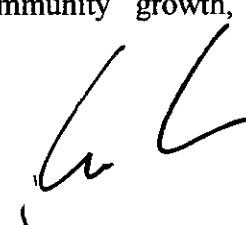

- (d) Adoption of resolution, authorizing the Mayor to lease to private parties such buildings held in a propriety capacity subject to existing laws, rules and regulations. (par.2v, Ibid).
- (e) Enactment of ordinance granting a franchise to any person, partnership, corporation, or cooperative to establish, construct, operate and maintains ferries, wharves, markets or slaughterhouse, or other similar activities within the municipality as may be allowed by applicable laws; Provided, that cooperatives shall be given preference in the grant of such franchise. (par.3-vii, Ibid).
- (f) Adoption of resolution concurring with the appointments issued by the Mayor to heads of departments and offices as required under RA 7160, (Sec. 443, RA 7160, par.D).

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 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 votes shall be applied in the following:

- (a) A two-thirds (2/3) vote of all the members of this Sanggunian shall be required in overriding the veto of the LCE for any ordinances or resolution, thereby making the particular ordinance or resolution effective for all intents and purposes. (Sec.54, RA 7160)
- (b) Unless otherwise concurred in by two-thirds (2/3) vote 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. (Sec. 52 (d), Ra 7160)
- (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." (Sec. 50, b-5, RA 7160).
- (d) With the concurrence of at least two-thirds (2/3) of all the members of the Sanggunian, grant tax exemptions, incentives or reliefs to entities engaged in community growth, including industries.

(e) At least a two-thirds (2/3) affirmative vote of the members present, there being a quorum, shall be required for adoption of the following motions:

- Motion to Suspend the Rules
- Motion to Expunge
- Motion to Extend or Limit Debate
- Motion to call for the previous question

(f) At least a two-thirds 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 X of this Internal Rules of Procedure.

(*Note:* Abstention, if ever 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 nor of negative votes. (*Quien Vs. Serina*, 17 SCRA 567, 1966; *Ortiz Vs. Posadas*, 55 Phil. 741; 62 CJS, p.761)

This rule does not apply in voting for elective positions, if a member is qualified.

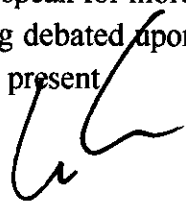
SECTION 13. Simple Majority. Except as otherwise provided in the Internal Rules of Procedure and existing laws, rules, and regulations, a vote by a "simple majority" shall prevail on other measures, motions or propositions provided there is a quorum. In parliamentary parlance, the term "simple majority" means one-half plus one ($1/2 + 1$) of the total votes cast by the members present there being a quorum. It might be less than the majority of the entire membership.

RULE XI – RULES ON DEBATES AND 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 twenty (20) minutes unless allowed by a majority of members present.

SECTION 3. Five-Minute Rule. No member shall speak for more than five (5) minutes on a particular issue or question being debated upon unless he is 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 twenty (20) minute period allowed to him. If he fails to exercise his option, the Chair may use the "assumed motion" to open or closed 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 proposed 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:
- (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 8.** All questions addressed to the speaker or the member having the floor must always be coursed thru the Presiding Officer.
- SECTION 9.** The speaker being interpolated 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 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.** Unless a different method is adopted by the members present in a particular session, amendments to any proposed measures, 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 amendment. Eventually, This Process will reach its conclusion and the original measure or proposition is said to have passed the “second reading”.

RULE XII – COMMITTEES

- SECTION 1. Creation of Committees.** The following rules shall be observed in the creation of committees.
- (a) A regular or standing 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 or standing 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.
- 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 of the Sanggunian shall be made a Chairman or Vice Chairman of more than three (3) regular committees.



- (d) 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 this 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 majority of the members thereof decided to allow other persons to be present especially invited resource person or consultants.

SECTION 6. Committee Hearing distinguished from Committee Meeting. For purposes of this Internal rules, a committee hearing is an activity of the Sanggunian, thru its committees, wherein the general public particularly those representing different sectors that may be interested or affected by a proposed measure are invited to attend to hear and be heard on that matter. This is synonymous to the term "public hearing". On the other hand, a committee meeting, as the termed applies, is a "meeting" of the members of the committee for the primary purpose of decision-making. Since decision-making is a difficult task the committee is not precluded from inviting and seeking advice from technical persons.

SECTION 7. Quorum. A majority of all the members of the committee shall constitute a quorum to do business.

SECTION 8. 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

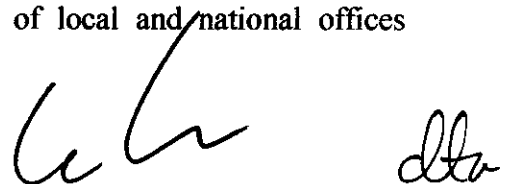
Provided, that due notice is served upon each and every committee member.

SECTION 9. Vacancy. Vacancy in a 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 10. Appearance of Head of Department 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 offices, whether local or national, shall be coursed thru the Presiding Officer. The Presiding Officer shall then 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 11. Standing Committees.

- (a) **Committee on Appropriations, Ways and Means.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Local taxes, fees and charges
- Loans and other sources of local revenues
- Annual and supplemental budgets
- Appropriation ordinances
- All other matters related to local taxation and fiscal administration
- Administration / operation of the public market and slaughterhouse
- Measure pertaining to market rental fees and other market and slaughterhouse charges
- Improvement of market facilities and its premises
- Enactment / revision of the market code
- All other matters related to market and slaughterhouse administration
- Sangguniang Bayan Annual Budget: Preparation and presentation of the Annual Budget to be initiated by the Committee on Appropriations must pass thru the plenary meeting of the Sangguniang Bayan for approval.

The Chairman shall be one of the official representatives of the Sanggunian to the Municipal Development Council (MDC) and the Public Financial Management Team (PFMT).

- (b) **Committee on Women, Gender and Development (GAD) and Family Welfare.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Women's welfare, rights and privileges
- Women's organization
- Gender and Development
- Family welfare
- All other matters related to women, GAD and family welfare

The Chairman shall be the official representative of the Sanggunian to the Municipal Gender and Development (GAD) Council, Municipal Council for the Protection of Children (MCPC), Inter-Agency Monitoring Team – VAWC and Local Council of Women.

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- (c) **Committee on Health, Sanitation and Nutrition.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Health, sanitation or hygiene
- Cleanliness and beautification of the community
- Proposed measures related to hospitals, health centers and health programs
- All matters related to health, sanitation and nutrition

The Chairman shall be the official representative of the Sanggunian to the Municipal Health Board (MHB), the Municipal Nutrition Committee (MNC), the Los Baños Water Quality Monitoring Committee, and the Los Baños STD, HIV/AIDS Council.

- (d) **Committee on Peace and Order and Human Rights.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Police matters
- Maintenance of peace and order
- Protective services
- Traffic rules and regulations
- Fire prevention and control measures
- Public morals
- All other matters related to peace and order and public safety
- Human rights
- Prevention of human rights violation
- All matters affecting human rights

The Chairman shall be one of the official representatives of the Sanggunian to the Municipal Peace and Order Council (MPOC), the Municipal Anti-Drug Abuse Council (MADAC) and the People's Law Enforcement Board (PLEB).

- (e) **Committee on Social Welfare, Senior Citizens and Persons with Disabilities (PWDs).** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Public social services for the disadvantaged group including elderly, PWDs, street children, drug dependents, criminal offenders as well as relocation and resettlement of informal settlers
- All matters related to public and social welfare

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The Chairman shall be one of the official representative of the Sanggunian to the 4P's Municipal Advisory Committee and the Family Development Session Team (FDST).

- (f) **Committee on Education and Public Information.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Formal and non-formal education
- Educational facilities
- Operation of educational institutions, both private and public
- Information dissemination of plans and programs of the LGU
- All matters related to education and public information

The Chairman shall be the official representative of the Sanggunian to the Municipal School Board (MSB).

- (g) **Committee on Rules, Privileges, Laws and Ordinances.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Order of Business and Calendar of Business
- Disorderly conduct of members and investigation thereof
- Privileges of members
- Enactment, revision or amendment of all kinds of ordinances except appropriation ordinance
- Exercise of legislative powers (taxing power, police power, corporate powers and proprietary rights)
- Legality of proposed measures to be acted upon by the Sanggunian
- Review of ordinances and certain resolutions submitted by lower level LGUs

- (h) **Committee on Environmental Protection.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Environmental protection
- Air and water pollution
- Wanton destruction of the environment and its natural resources
- Climate Change Adaptation
- All matters or measures affecting the environment



The Chairman shall be the official representative of the Sanggunian to the Solid Waste Management Board (SWMB) and the Manila Bay Clean-Up.

- (i) **Committee on Housing and Land Use Plan.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Housing program
- Subdivision development/Real estate development
- Measure pertaining to land uses
- Zonification or Zoning Code enactment
- Squatter problems/Informal Dwellers
- All matters related to housing land utilization

The Chairman shall be one of the official representative of the Sanggunian to the Municipal Urban and Development Housing Board (MUDHB), the Local Zoning Review Committee and the Local Zoning Board of Adjustments and Appeals.

- (j) **Committee on Barangay Affairs.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Naming or renaming of barangays;
- Naming or renaming of barangay roads;
- Review of barangay ordinances and executive orders issued by the Punong Barangay;
- All matters pertaining to barangay government affairs

The Chairman shall be one of the official representatives of the Sanggunian to the Municipal Development Council (MDC) and the Lupong Tagapamayapa Incentive Award (LTIA).

- (k) **Committee on Public Works, Infrastructure.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Construction, maintenance and repair of roads, bridges and other government infrastructure projects
- Measures that pertain to drainage and sewerage system and similar projects
- All other matters related to public works, infrastructure and telecommunications projects

- (l) **Committee on Labor and Employment.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Advancement and protection of the rights and welfare of workers
- Employment and manpower development
- All matters relating to labor and employment

The Chairman shall be one of the official representative of the Sanggunian to the Personnel Selection Board (PSB).

(m) Committee on Youth and Sports Development. This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Sports development
- Youth welfare and development
- All matters affecting SK Affairs

The Chairman shall be one of the official representative of the Sanggunian to the Local Youth Development Council (LYDC).

(n) Committee on Games and Amusement. This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- All matters relating to all forms and places of gaming and amusements

(o) Committee on Cooperative and Livelihood. This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Cooperatives organization and development
- Incentives to cooperatives
- All matters affecting the cooperatives and livelihood development program of the government

The Chairman shall be the official representatives of the Sanggunian to the Municipal Cooperative Development Council (MCDC).

(p) Committee on Agriculture. This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Agricultural production
- Agricultural inputs
- Agricultural facilities
- Development of Agri-business enterprises
- All other matters related to Agriculture, including plants and animals



(q) **Committee on Tourism, History, Arts and Culture.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Tourism promotion
- Popularization of local history, arts and culture
- All other matters related to Tourism, History, Arts and Culture

The Chairman shall be the official representative of the Sanggunian to the Municipal Tourism Council (MTC).

(r) **Committee on Transportation and Communication.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Development and regulation of transportation and communications systems
- Land transportation and all public utilities and services connected thereto
- All other matters related to Transportation and Communication

The Chairman shall be one of the official representatives of the Sanggunian to the Municipal Tricycle Pedicab Franchising Regulatory Board (MTPFRB).

(s) **Committee on Trade, Commerce and Industry.** This committee shall be composed of not more than five (5) members, including its Chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- All matters related to or connected with the promotion, establishment and operation of all kinds of trade industry

The Chairman shall be one of the official representatives of the Sanggunian to the Market Management Committee.

RULE XIII – COMMITTEE REPORTS

SECTION 1. Submission of Committee Report. 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.

SECTION 2. 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 may be. Or separate report thereon.



SECTION 3. Contents of Committee Report. The committee report shall contain the following information:

- (a) Name of the reporting committee or committees
- (b) Brief statement of the subject matter referred to it and the action taken thereon including information gathered during the conduct of committee hearing or meetings and other relevant information
- (c) Finding or conclusions
- (d) Recommendations ("either to file it away" or to "calendar it for second reading")
- (e) Names and signature of concurring members
- (f) Appendices (Minutes of the committee hearings or committee meetings, as the case may be)

SECTION 4. 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.

SECTION 5. 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.

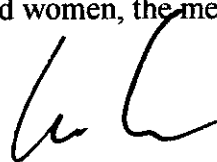
SECTION 6. Calendaring a Measure for Second Reading. After the committees has rendered its report and is recommending favorably the enactment of a proposed ordinance it has "reported out", a copy of the proposed ordinance shall be furnished the Committee on Rules which shall calendar it for "second reading". Before the said proposed ordinance is sponsored on the floor, a copy thereof shall be furnished every Sanggunian Member by the committee Chairman concerned.

RULE XIV – JOURNAL AND RECORDS 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 the 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 beforehand. 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:

- (a) Place, date and time of the session;
- (b) Whether it is special or regular;
- (c) Name of the members present therein and those who were absent;
- (d) 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;
- (e) Text of every measure (resolution or ordinance, etc.) adopted or enacted;
- (f) Brief resume of the minority opinion, if any;
- (g) The "Ayes" and "Nayes" or "Yes" or "No" vote on every question (measure) and if voting is done thru nominal 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;
- (j) 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 signatures on the said minutes.

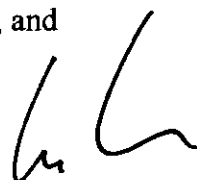
SECTION 6. Excerpts. Excerpts to be taken out of the minutes shall be certified and attested to as correct by the Secretary and the Presiding Officer on that particular session, respectively.

RULE XV – RULES ON MOTIONS

SECTION 1. Motion. A motion is a proposal of a member of a deliberate body calling for a specific action to be taken up and a decision to be made on a particular issue before that body or any of its committees.

SECTION 2. Characteristic of a Motion. A motion should be:

- Specific in its intent;
- Simple and easy to understand; and



- Well-structured and as much as possible, contains only one aspect.

SECTION 3. Precedence of Motion. Precedence of motion means that any motion of a rank higher than the one under consideration is in order and, conversely, any motion of a rank lower than the one immediately pending would be out of order. Below is the Order of Precedence of Motion:

Privileged Motions

- (1) **Motion to Fix the Time at Which to Adjourn** seeks to provide a future time for the continuation of the session.
- (2) **Motion to Adjourn (unqualified motion)** is to formally terminate a session in progress.

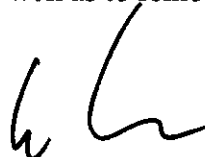
When there is no quorum present, a motion to adjourn or take a recess is "in order".

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

- (3) **Motion to Take a Recess** aims to provide an intermission in the proceedings of the Sanggunian. This take effect immediately unless a definite time is specified. This is made by any member or **motu proprio** declared by the presiding officer, needs no second, and is undebatable. It cannot be made while someone has the floor.
- (4) **Motion to Raise a Question of Privilege** is raised to enable a member to secure immediate action upon a question that involves the comfort, convenience, rights or privileges of the organization or any of its members. This may be raised while another business is pending and may even interrupt a speaker.
- (5) **Motion to Call for the Order of the Day** is generally made to call the attention of the Sanggunian that the matter under discussion does not conform to the Order of Business or the session day.

Subsidiary Motions

- (6) **Motion to Lay on the Table** is used to enable the Sanggunian to attend to a more urgent business. This is to set aside a pending question for consideration at an undetermined time later. Only questions which are actually pending can be laid on the table and this cannot be made while a member has the floor. This is non-debatable, not subject to amendment and requires only a majority vote of members present.
- (7) **Motion to Call for the Previous Question** is a proposal to close a debate on a pending question and to put it immediately to a vote. This motion infringes on the fundamental principle of free and full debate, and for this reason, it requires a two-thirds (2/3) majority vote of the Sanggunian.
- (8) **Motion to Modify the Limits of Debate** is intended to limit for discussion on a pending question as well as to remove standing



restrictions in order to allow motion for discussion on a pending question.

(9) Motion to Postpone Definitely is utilized to defer the consideration of a question to a definite time in the future.

(10) Motion to Commit or Refer enables to secure a careful and thorough investigation of a question before it without loss of time or its right to finally decide the same.

(11) Motion to Amend is to modify a question in order to make it more satisfactory to the body. An amendment may be effected either by insertion, by elimination, or by substitution of a word, phrase, clause, or of an entire section or paragraph, and needs the acceptance of the proponent of the original motion.

Amendments are of two (2) degrees; first, an amendment to a main motion or a question and second, an amendment to an amendment. A motion "to amend an amendment to an amendment" is out of order.

Amendments are voted upon in reverse order; that is, the amendment of the second degree is voted upon first, and if lost, the amendment of the first degree is voted upon next. The amendments of the second degree, if carried, replace the amendment of the first degree.

(12) Motion to Postpone Indefinitely is utilized to suppress or reject a question without allowing it to be voted upon on its merits. Approval of this motion is virtually a negative vote on the main question, and if anyone desiring to bring up the same question at a future session, he may do so only by proposing it anew.

Main Motions

(13) Specific Main Motions are ranked Number 13 with no order of precedence.

- **Motion to Take from the Table** is to revive the consideration of a question that has been previously laid on the table or set aside temporarily. This motion is debatable and subject to amendment.
- **Motion to Reconsider** is to set aside the vote previously taken on a question and to reopen it to a new discussion and vote. This may be made after a decision on a question has been manifested through votes, and it may be proposed only at the same session where the question sought to be considered has been decided.
- **Motion to Reconsider and Have Entered on the Minutes** is to suspend action on a question that has been decided by a temporary majority.

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- **Motion to Rescind or Repeal** is to render, in part or in full, null and void a question previously passed, regardless of the time that has elapsed since its adoption. This is debatable and not subject to amendment.
- **Motion to Expunge** is to strike or blot out certain statements or questions made during the session which are deemed questionable. This motion is governed by the same rules on the motion to rescind or repeal except that is employed not only to nullify a question but at the same time, to express strong disapproval to objectionable actions or words.
- **Motion to Adopt a Committee Report** is to accept or agree to a report as an official act of the constituted body. 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.
- **Motion to Adjourn (qualified motion)** is used when a condition is attached to the motion to formally terminate the session.

Incidental Motions

(13) Incidental Motions are those motions that have no individual or collective ranking and have no order of precedence. They arise only incidentally out of the pending question.

- **Motion to Suspend the Rules** is designed to free the constituted body from technicalities so that it may be able to act with dispatch on an urgent question without violating its internal rules.
- **Motion to Withdraw or Modify** is a motion that is made at the pleasure of the proponent.
- **Motion to Raise a Point of Order** is to call attention to an error in the observance or enforcement of the rules of parliamentary procedure. This must be raised immediately after a supposed error has been committed, even if it has to interrupt the speaker or the taking of a vote. This motion is primarily decided by the Chair.
- **Motion to Raise a Parliamentary Inquiry** may be raised by any member who desires information, clarification of question pertaining to a parliamentary procedure or the IRP. This may be raised anytime, even if someone has the floor. The speaker who is interrupted as a result of this motion must stop until the question has been answered.
- **Motion to Raise a Point of Information** may be raised by any member who desires information on any matter related to the pending business or to the Sanggunian and its activities.

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- **Motion to Appeal from the Decision of the Chair** is to ask the Sanggunian to decide whether the decision made by the Chair should be upheld or overruled. Any decision made by the Chair may be appealed to the Sanggunian whose decision on the matter is final.
- **Motion to Divide the House** is raised to verify the vote taken on a question or to secure a more accurate count of the vote.
- **Motion to Divide the Question** is stated as a request to divide long and complicated propositions into separate and distinct parts to facilitate their consideration.

SECTION 4. Seconding of a Motion. Seconding of a motion is the manner of expressing agreement to a proposal. The following motions require a second:

- (a) Adjourn
- (b) Adopt a Committee Report or a Resolution, except when proposed by the reporting committee chairman or member
- (c) Amend
- (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

SECTION 5. The following motions can be presented or proposed even if someone has the floor and can be made without waiting the recognition from the Chair:

- (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



RULE XVI – DISCIPLINARY ACTIONS

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:

	<i>Penalty</i>
For disorderly conduct or behavior during a session, committee hearing or committee meeting	1 st offense –reprimand 2 nd offense –exclusion from the membership in the committee concerned; 3 rd offense – suspension to expulsion
For any “justified” absence with prior notice	None
For any “justified” absence without prior notice	Fine of P500.00
For any “unjustified” absence with prior notice	Submission of Certificate of Appearance / Medical Certificate
For “unjustified” absence in four (4) consecutive sessions	Fine of not less than P500.00 but not more than P1, 000.00 without prejudice to the filing of the corresponding administrative charge as per Art. 124 (6), IRR of RA 7160
For coming late in any kind of session and committee meeting per hour of being late or fraction thereof	Fine of P500.00
For violating the Dress Code	Fine of P500.00
Conviction by final judgment to imprisonment of at least one (1) year for any crime involving moral turpitude	Automatic expulsion
For refusal without valid excuse to perform the task assigned to him by the or Committee of which he is a member	Fifteen (15) days suspension without remuneration
For “unjustified” absence in committee hearing of which he is composite member	A fine of P500.00 without prejudice of filing of corresponding administrative charge for neglect of duty.
For violation of any other provision of this Internal Rules of Procedure not specified herein	Fines of P500.00 or suspension of not more than fifteen (15) days without remuneration.

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 majority vote of all the members of the Sanggunian shall suffice.

SECTION 3. Initiation of Action and Conduct of Investigation. The Committee on 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 for consideration of the Sanggunian *sitting en banc*.

For purpose 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.

Should any member of this Committee on Rules be the respondent, the Presiding Officer (regular or temporary Presiding Officer, as the case may be) shall designate a replacement to complete the membership thereof but only insofar as the conduct of the fact-finding investigation is concerned. In performing the other function of the said committee, the respondent is still a member of that committee.

SECTION 4. Collection of Fines and its Disposition. The Chairman of the Committee on Rules shall collect the fines (to be entrusted to the Secretariat) 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.

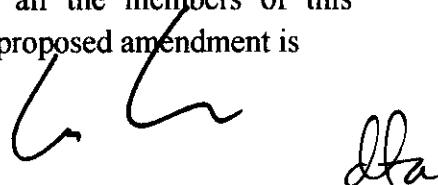
RULE XVII – DISCIPLINARY ACTIONS AGAINST ELECTED LOCAL OFFICIALS

The Sangguniang shall refer to Book I, Title II, Chapter 4, Sections 60-68 of the Republic Act 7160 otherwise known as the Local Government Code of 1991.

RULE XVIII – FINAL PROVISIONS

SECTION 1. Suspension of Rules. 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.

SECTION 2. Amendments. 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

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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.

SECTION 3. Supplementary Rules. The rules, procedure and parliamentary practices of the Philippine Congress and books dealing on this subject written by Filipino authors, particularly by Dr. Antonio Orendain, Prof. Reynaldo T. Fajardo and Reverendo M. Dihan, shall serve as supplementary authorities of this Sanggunian but only insofar as they are not incompatible with the rules and procedure adopted herein.

SECTION 4. Repealing Clause. All resolutions, rules and regulations or part thereof, in conflict with, or inconsistent with any provision of this Internal Rules are hereby repealed or modified accordingly.

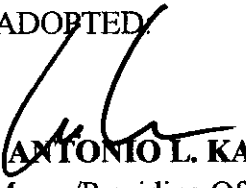
SECTION 5. Effectivity. This "Internal Rules of Procedure" shall take effect on the date of its adoption.

ENACTED : **OCTOBER 11, 2019.**

I HEREBY CERTIFY to the correctness of the above-quoted Resolution.


DONA T. ALBORIDA
Secretary to the Sangguniang Bayan

CERTIFIED ADOPTED:


HON. ANTONIO L. KALAW
Vice Mayor/Presiding Officer