



EXCERPTS FROM THE MINUTES OF THE SECOND (2ND) REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON JULY 21, 2025 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

Present : Vice Mayor Marlo PJ A. Alipon, Presiding Officer
S.B. Member Miko C. Pelegrina
S.B. Member Aldous Amiel B. Perez
S.B. Member Muriel Laisa B. Dizon
S.B. Member Leren Mae M. Bautista
S.B. Member Benedicto S. Alborida
S.B. Member Rand Edouard S. De Jesus
S.B. Member Myla E. Alinsunurin
S.B. Member Jay G. Rolusta
S.B. Member Gaudencio P. Macatangay, Liga President
S.B. Member Samantha Nicole A. Banasihan - Ortega, SK Federation President
Ms. Dona T. Alborida - Dizon, Secretary to the Sangguniang Bayan
Ms. Felomina I. Lincallo, Computer Operator IV

Absent : None

RESOLUTION NO. 2025-16

A RESOLUTION ADOPTING RESOLUTION NO. 2024-21 DATED JANUARY 29, 2025 ENTITLED "A RESOLUTION PRESCRIBING THE RULES AND PROCEDURES IN ADMINISTRATIVE CASES BEFORE THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA AGAINST ELECTIVE BARANGAY OFFICIALS"

Author : **Councilor Myla E. Alinsunurin**

WHEREAS, the Sangguniang Bayan of Los Baños, Laguna, enacted Resolution No. 2024-21 dated January 29, 2025, entitled "A Resolution Prescribing the Rules and Procedures in Administrative Cases Before the Sangguniang Bayan of Los Baños, Laguna Against Elective Barangay Officials," to provide a clear, fair, and systematic process for handling administrative complaints;

WHEREAS, the adoption of these rules and procedures is intended to ensure compliance with due process, promote accountability, and maintain the integrity of administrative proceedings conducted by the Sangguniang Bayan;

WHEREAS, the Sangguniang Bayan finds it necessary and proper to formally adopt said resolution to guide the conduct of administrative cases filed against elective barangay officials within the Municipality of Los Baños, Laguna;

WHEREAS, it is in the best interest of the municipality and the public to institutionalize these procedures to guarantee impartiality, efficiency, and transparency in resolving administrative matters involving barangay officials;

WHEREAS, the Sangguniang Bayan for the term 2025–2028 unanimously agreed to adopt the provisions of Resolution No. 2024-21, which prescribes the rules and procedures in administrative cases before the Sangguniang Bayan of Los Baños, Laguna against elective barangay officials, to wit:

RULE 1 GENERAL PROVISIONS

SECTION 1. TITLE – These rules shall be known as the “RULES AND PROCEDURES IN ADMINISTRATIVE CASES BEFORE THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA AGAINST ELECTIVE BARANGAY OFFICIALS.”

SECTION 2. COVERAGE – The rules and procedures shall apply to all administrative cases filed against any elective barangay official in the Municipality of Los Baños, Laguna.

SECTION 3. ADMINISTRATIVE AND INVESTIGATIVE COMMITTEE – The Sangguniang Bayan of Los Baños, Laguna, through the Administrative and Investigative Committee, shall act upon all administrative complaints filed against elective barangay officials. However, the responsibility of rendering a decision lies with the entire Sangguniang Bayan, as a collective body.

SECTION 4. 90-DAY BAN - No investigation shall be held within ninety (90) days immediately prior to any local election, and no preventive suspension shall be imposed within the said period. If preventive suspension has been imposed prior to the 90-day period immediately preceding local election, it shall be deemed automatically lifted upon the start of aforesaid period.¹

SECTION 5. RIGHTS OF RESPONDENT - The respondent shall be accorded full opportunity to appear and defend himself in person or by counsel, to confront and cross-examine the witnesses against him, and to require the attendance of witnesses and the production of documentary evidence in his favor through the compulsory process of subpoena or subpoena duces tecum.²

RULE 2 GROUNDS FOR DISCIPLINARY ACTIONS

SECTION 1. GROUNDS FOR DISCIPLINARY ACTIONS – An elective barangay official may be suspended on the following grounds:

1. Disloyalty to the Republic of the Philippines;
2. Culpable violation of the Constitution;
3. Dishonesty, oppression, misconduct in office, gross negligence, or dereliction of duty;
4. Commission of any offense involving moral turpitude or an offense punishable by at least prision mayor;
5. Abuse of authority;
6. Unauthorized absence for fifteen (15) consecutive working days;
7. Application for, or acquisition of, foreign citizenship or residence or the status of an immigrant of another country; and
8. Such other grounds as may be provided in the Local Government Code of 1991 and other laws.³

¹ Local Government Code, Section 62(c).

² Local Government Code, Section 65.

³ Local Government Code, Section 60.



RULE 3 COMPLAINT

SECTION 1. WHO MAY FILE A COMPLAINT – Any person may file a verified complaint stating any of the grounds mentioned above against an elective barangay official before the Sangguniang Bayan of Los Baños, Laguna to which the barangay official concerned belongs.⁴

SECTION 2. DEFINITION OF TERMS:

Complaint -	The complaint is the initial pleading alleging the complainant's cause or causes of action. ⁵
Claim-	A claim are the specific allegations or assertions of the complainant against the respondent.
Cause of action -	A cause of action is the act or omission by which a party violates the right of another. ⁶
Prayer -	A prayer is the relief or remedy that the party is seeking from the Sangguniang Bayan. ⁷
Date of the Complaint -	The date of the complaint refers to the specific date that the complaint is executed.

SECTION 3. SUFFICIENCY IN FORM AND SUBSTANCE – The complaint must be sufficient in form and substance for it to be considered by the Administrative and Investigative Committee. It must contain the party's claim, causes of action, prayer and the date of the complaint.⁸ Additionally, all the evidence of the complainant should be attached in the complaint. Evidence not attached in the complaint will not be considered by the Administrative and Investigative Committee.

A complaint which is not sufficient in form and substance will warrant the outright dismissal of the case except as otherwise provided in this Resolution.

SECTION 4. PRAYER – The complaint must specifically state the prayer sought by the complainant.⁹

SECTION 5. REFILING OF THE COMPLAINT – In case the complaint does not include a prayer, the Administrative and Investigative Committee may require the complainant to include his/her prayer in his/her complaint within three (3) days from receipt of notice. Failure on the part of the complainant to comply with the directive of the Administrative and Investigative Committee within the time prescribed will warrant the dismissal of the case. The complaint can only be refiled strictly based on the following grounds:

- a. The complaint is not verified;
- b. The complaint did not include a prayer;

⁴ Local Government Code, Section 61.

⁵ Rules of Court, Section 3 of Rule 6.

⁶ Rules of Court, Section 2 of Rule 2.

⁷ Rules of Court, Section 2(c) of Rule 7.

⁸ Rules of Court, Section 2, Rule 7.

⁹ Rules of Court, Section 2 (c), Rule 7



SECTION 6. MANNER OF REFILING – In cases allowed in this Resolution, the complainant should refile his/her complaint by filing his/her original complaint again which should already be verified, in case the original complaint was not verified. In the instance that the reason for refiling is the lack of prayer, the complainant should refile his/her original complaint with the inclusion of the prayer. In both cases, the complainant is not allowed to amend or revise any other part of his/her original complaint.

SECTION 7. DISMISSAL DUE TO LACK OF JURISDICTION IN THE PRAYER – If the prayer specified in the complaint is beyond the jurisdiction of the Sangguniang Bayan of Los Baños, Laguna, the complaint should be dismissed without the benefit of refiling.

SECTION 8. WITHDRAWAL OF COMPLAINT OR DESISTANCE BY THE COMPLAINANT – The subsequent withdrawal of complaint does not strip the Administrative and Investigative Committee of its jurisdiction to hear the administrative case.¹⁰

RULE 4 PRELIMINARY INVESTIGATION

SECTION 1. PRELIMINARY INVESTIGATION - Within seven (7) days after the verified complaint is filed, the Administrative and Investigative Committee shall set a committee meeting to evaluate whether the complaint is sufficient in form and substance and/or if it is within the jurisdiction of the Sangguniang Bayan of Los Baños, Laguna. If the complaint is not sufficient in form and substance and/or it is not within their jurisdiction, the Sangguniang Bayan shall dismiss the case.

In case the complaint is sufficient in form and substance, the Administrative and Investigative Committee shall conduct a preliminary investigation.¹¹

RULE 5 ANSWER

SECTION 1. FILING OF ANSWER – Within seven (7) days after the verified complaint is filed, the Sangguniang Bayan of Los Baños, Laguna, through the Sangguniang Bayan Secretary, shall require the respondent to submit his/her verified answer within 15 days from receipt thereof.¹²

SECTION 2. DEFINITION OF TERMS –

Answer - An answer is a pleading in which a defending party sets forth his or her defenses.¹³

Defenses - A defense is the specific denial of the material fact or facts alleged in the complaint of the complainant which is essential to the latter's cause of action or an allegation of a new matter that would prevent or bar the complainant from obtaining a favorable decision.¹⁴

¹⁰ DILG Reference in Training entitled "Strengthening the Knowledge and Capacity of the Local Sanggunians in their Exercise of Quasi-Judicial Functions.

¹¹ DILG Reference in Training entitled "Strengthening the Knowledge and Capacity of the Local Sanggunians in their Exercise of Quasi-Judicial Functions.

¹² Local Government Code, Section 62(a).

¹³ Rules of Court, Section 4 of Rule 6.

¹⁴ Rules of Court, Section 5 of Rule 6.

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Prayer -

A prayer is the relief or remedy that the party is seeking from the Sangguniang Bayan.¹⁵

Date of the Answer -

The date of the answer refers to the specific date that the answer is executed.

SECTION 3. SUFFICIENCY IN FORM AND SUBSTANCE – The answer must be sufficient in form and substance for it to be considered by the Administrative and Investigative Committee. It must contain the respondent's defenses, prayer and the date of the answer.¹⁶ Additionally, all the evidence of the respondent should be attached in the answer. Evidence not attached in the answer will not be considered by the Administrative and Investigative Committee.

An answer which is not sufficient in form and substance will be considered as an unreasonable failure of the respondent to file his/her answer and is deemed a waiver of his/her rights to present evidence except as otherwise provided in this Resolution. Consequently, decision will be rendered based on the merits of the complainant's complaint and submitted evidence.

SECTION 4. PRAYER – The answer must specifically state the prayer sought by the respondent.¹⁷

SECTION 5. REFILING OF THE ANSWER – In case the answer does not include a prayer, the Administrative and Investigative Committee may require the respondent to include his/her prayer in his/her answer within three (3) days from receipt of notice. Failure on the part of the respondent to comply with the directive of the Administrative and Investigative Committee within the time prescribed will be deemed a waiver of his/her right to present evidence and decision will be rendered based on the merits of the complainant's complaint and submitted evidence. The answer can only be refiled strictly based on the following grounds:

- a. The answer is not verified;
- b. The answer did not include a prayer;

SECTION 6. MANNER OF REFILING – In cases allowed in this Resolution, the respondent should refile his/her answer by filing his/her original answer again which should already be verified, in case the original answer was not verified. In the instance that the reason for refiling is the lack of prayer, the respondent should refile his/her original answer with the inclusion of the prayer. In both cases, the respondent is not allowed to amend or revise any other part of his/her original answer.

RULE 6 INVESTIGATION

SECTION 1. COMMENCEMENT OF INVESTIGATION – Within ten (10) days after receipt of the verified answer of the respondent, or after the lapse of the period within which to file the verified answer and none was filed, the Administrative and Investigative Committee will commence the investigation of the case.¹⁸

The Administrative and Investigative Committee may proceed with a preliminary conference, or the imposition of a preventive suspension if it is necessary, or it can render a decision based on the

¹⁵ Rules of Court, Section 2(c) of Rule 7

¹⁶ Rules of Court, Section 2 of Rule 7.

¹⁷ Rules of Court, Section 2(c) of Rule 7

¹⁸ Local Government Code, Section 62(a).



complaint and answer presented by the parties.¹⁹ In case the respondent failed to file a verified answer, it will be deemed a waiver of his/her rights to present evidence except as otherwise provided in this Resolution. Consequently, decision will be rendered based on the merits of the complainant's complaint and submitted evidence.

RULE 7 PREVENTIVE SUSPENSION

SECTION 1. WHO MAY IMPOSE PREVENTIVE SUSPENSION – Preventive suspension may be imposed by the Mayor of the Municipality of Los Baños²⁰, through the recommendation of the Sangguniang Bayan of Los Baños, Laguna which should be in the form of a Resolution, if the respondent is an elective official of the barangay.

SECTION 2. WHEN TO IMPOSE PREVENTIVE SUSPENSION - Preventive suspension may be imposed at any time after the issues are joined, when the evidence of guilt is strong, and given the gravity of the offense, there is great probability that the continuance in office of the respondent could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence.²¹

SECTION 3. DURATION OF PREVENTIVE SUSPENSION - Any single preventive suspension of elective barangay officials shall not extend beyond sixty (60) days: Provided, further, that in the event that several administrative cases are filed against an elective official, he cannot be preventively suspended for more than ninety (90) days within a single year on the same ground or grounds existing and known at the time of the first suspension.²²

SECTION 4. EXPIRATION OF THE PREVENTIVE SUSPENSION – Upon expiration of the preventive suspension, the suspended elective official shall be deemed reinstated in office without prejudice to the continuation of the proceedings against him, which shall be terminated within one hundred twenty (120) days from the time he was formally notified of the case against him. However, if the delay in the proceedings of the case is due to his fault, neglect, or request, other than the appeal duly filed, the duration of such delay shall not be counted in computing the time of termination of the case.²³

SECTION 5. SALARY OF RESPONDENT PENDING SUSPENSION - The respondent preventively suspended from office shall receive no salary or compensation during such suspension; but, upon subsequent exoneration and reinstatement, he shall be paid full salary or compensation including such emoluments accruing during such suspension.²⁴

RULE 8 PRELIMINARY CONFERENCE

SECTION 1. PRELIMINARY CONFERENCE – After the investigation commenced, a preliminary conference may be held by the Administrative and Investigative Committee.²⁵ The failure of the complainant to appear in the preliminary conference without justifiable cause shall

¹⁹ DILG Reference in Training entitled "Strengthening the Knowledge and Capacity of the Local Sanggunians in their Exercise of Quasi-Judicial Functions.

²⁰ Local Government Code, Section 63(a)(3).

²¹ Local Government Code, Section 63(b).

²² Local Government Code, Section 63(b).

²³ Local Government Code, Section 63(c).

²⁴ Local Government Code, Section 64.

²⁵ DILG Reference in Training entitled "Strengthening the Knowledge and Capacity of the Local Sanggunians in their Exercise of Quasi-Judicial Functions.



be a cause for the dismissal of his/her complaint. If the respondent failed to appear without justifiable cause, the complainant shall be entitled to judgment. Preliminary conference should be terminated promptly. The Sangguniang Bayan of Los Baños shall consider:

- A. The possibility of amicable settlement;
- B. The simplification of the issues;
- C. The possibility of obtaining stipulations or admissions of facts and of documents to avoid unnecessary proof;
- D. The propriety of rendering judgment on the pleadings, or of dismissing the action should a valid ground therefor be found to exist;
- E. The requirement of the parties to:
 1. Mark their respective evidence if not yet marked in their pleadings;
 2. Examine and make comparisons of the adverse party's evidence;
 3. Manifests for the record stipulations regarding the faithfulness of the reproductions and the genuineness and due execution of the evidence;
 4. Identify the names of witnesses, should there be any;
 5. Determination of number of days within which to present the evidence.
 6. Such other matters as may aid in the prompt decision of the action.²⁶

RULE 9 PRESENTATION OF EVIDENCE

SECTION 1. PRESENTATION OF EVIDENCE – If the Administrative and Investigative Committee conducted a preliminary conference and there was no amicable settlement, the said body should also set a schedule for the presentation of evidence of the parties.²⁷

RULE 10 HEARING

SECTION 1. HEARING –The Administrative and Investigative Committee may conduct a hearing and require the appearance of all parties to the case.

SECTION 2. NOTICE OF HEARING – The parties and their witnesses, should there be any, shall be notified by a notice of the scheduled hearing at least five (5) days before the date thereof, stating the date, time and place of hearing.

SECTION 3. UNREASONABLE FAILURE TO ATTEND THE HEARING – If the complainant failed to attend the hearing without justifiable cause, the complaint will be dismissed. In the event that it is the respondent who failed to attend the hearing without any justifiable cause, it is deemed a waiver of his/her right to present evidence and decision will be rendered based on the merits of the complainant's complaint and submitted evidence.

SECTION 4. ORDER OF HEARING – The order of hearing shall be as follows:

- a. The complainant shall present evidence in support of his/her complaint;
- b. The respondent may cross-examine the complainant and his/her witnesses, should there be any;
- c. The respondent shall present evidence in support of his/her answer;
- d.

²⁶ Rules of Court, Section 2, Rule 18.

²⁷ DILG Reference in Training entitled "Strengthening the Knowledge and Capacity of the Local Sanggunians in their Exercise of Quasi-Judicial Functions.



- d. The complainant may cross-examine the respondent and his/her witnesses, should there be any;
- e. Upon admission of the evidence, the case shall be deemed submitted for decision.

SECTION 5. OATH – All the parties in the case, including their witnesses, should there be any, shall be required to swear an oath or make a solemn affirmation before offering their statements. They shall be explicitly warned that any false statements made under oath may render them liable for perjury, as defined in the Revised Penal Code.

SECTION 6. ACKNOWLEDGMENT – All the parties in the case and their witnesses, should there be any, shall be formally acknowledged by the Presiding Officer/ Chairman of the Administrative and Investigative Committee before they are permitted to speak, unless a specific question is directly addressed to them by the members conducting the inquiry or examination.

RULE 11 TERMINATION OF INVESTIGATION/HEARING

SECTION 1. TERMINATION OF INVESTIGATION/HEARING – The investigation/hearing of the administrative case shall be terminated within ninety (90) days from the start thereof.²⁸

SECTION 2. DELIBERATION – Before the termination of the investigation, the entire Sangguniang Bayan of Los Baños, Laguna, as the decision-making body, shall deliberate in order to reach a decision. The deliberation may be done in a session or in a date scheduled by the Chairman of the Administrative and Investigative Committee. In the decision-making process, all the members of the Sangguniang Bayan of Los Baños, Laguna shall be apprised of all the proceedings and developments in the case. Thereafter, the entire Sangguniang Bayan of Los Baños, Laguna shall vote as to what the decision should be. After the deliberation, the investigation/hearing is considered terminated.²⁹

SECTION 3. INVESTIGATION REPORT – After the termination of the investigation/hearing, the Sangguniang Bayan of Los Baños, Laguna shall draft a decision in the form of a Resolution and an investigation report.³⁰

RULE 12 DECISION

SECTION 1. FORM AND NOTICE OF DECISION – Within thirty (30) days after the end of the investigation, the Sangguniang Bayan of Los Baños, Laguna shall render a decision in writing stating clearly and distinctly the facts and the reasons for such decision. The decision shall be in the form of a Resolution which shall be authored by all the Sangguniang Bayan members of Los Baños, Laguna. Copies of said decision shall immediately be furnished the complainant, respondent and all interested parties.³¹

SECTION 2. FINALITY OF DECISION – The decision of the Sangguniang Bayan of Los Baños, Laguna shall become final and immediately executory.³²

²⁸ Local Government Code, Section 66(a).

²⁹ Local Government Code, Section 66(a).

³⁰ DILG Reference in Training entitled "Strengthening the Knowledge and Capacity of the Local Sanggunians in their Exercise of Quasi-Judicial Functions.

³¹ Local Government Code, Section 66(a).

³² Local Government Code, Section 61(c).

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SECTION 3. SERVING AND EXECUTION OF DECISION BY THE LOCAL CHIEF EXECUTIVE – The decision imposing the penalty of suspension to the respondent shall be served and thereafter executed by the Local Chief Executive of the Municipality of Los Baños, Laguna.³³

RULE 13
PENALTY OF SUSPENSION

SECTION 1. PENALTY OF SUSPENSION – The Sangguniang Bayan of Los Baños, Laguna can only render a decision suspending an elective barangay official. The penalty of suspension shall not exceed the unexpired term of the respondent or a period of six (6) months for every administrative offense, nor shall said penalty be a bar to the candidacy of the respondent so suspended as long as he/she meets the qualifications required for the office.³⁴

SECTION 2. DURATION OF SUSPENSION – The following should be the duration of the respondent's suspension:

GROUNDS	DURATION OF SUSPENSION
Disloyalty to the Republic of the Philippines	6 months
Culpable violation of the Constitution	6 months
Dishonesty, oppression, misconduct in office, gross negligence, or dereliction of duty	6 months
Commission of any offense involving moral turpitude or an offense punishable by at least prison mayor	6 months
Abuse of authority	6 months
Application for, or acquisition of, foreign citizenship or residence or the status of an immigrant of another country	3 months
Unauthorized absence for fifteen (15) consecutive working days	1 month
Such other grounds as may be provided in this Code and other laws.	The duration of the suspension is upon the discretion of the Sangguniang Bayan of Los Baños, Laguna.

RULE 14
APPEALS

SECTION 1. ADMINISTRATIVE APPEALS – The decision of the Sangguniang Bayan of Los Baños, Laguna may, within thirty (30) days from receipt thereof, be appealed to the Sangguniang Panlalawigan of Laguna.³⁵ The filing of an appeal or a motion for reconsideration with the Sangguniang Bayan of Los Baños, Laguna is not permissible.

SECTION 2. EXECUTION PENDING APPEAL - An appeal shall not prevent a decision from becoming final or executory. The respondent shall be considered as having been placed under preventive suspension during the pendency of an appeal in the event he wins such appeal. In the event

³³ DILG Reference in Training entitled "Strengthening the Knowledge and Capacity of the Local Sanggunians in their Exercise of Quasi-Judicial Functions.

³⁴ Local Government Code, Section 66(b).

³⁵ Local Government Code, Section 67(a).



the appeal results in an exoneration, he shall be paid his salary and such other emoluments during the pendency of the appeal.³⁶

RULE 15 **EVIDENCE**

SECTION 1. BURDEN OF PROOF AND BURDEN OF EVIDENCE. - Burden of proof is the duty of a party to present evidence on the facts in issue necessary to establish his or her claim or defense by the amount of evidence required by law.

Burden of evidence is the duty of a party to present evidence sufficient to establish or rebut a fact in issue to establish a *prima facie* case.³⁷

SECTION 2. SUBSTANTIAL EVIDENCE. - In cases filed before the Sangguniang Bayan of Los Baños, Laguna, a fact may be deemed established if it is supported by substantial evidence, or that amount of relevant evidence which a reasonable mind might accept as adequate to justify a conclusion.³⁸

SECTION 3. RELEVANCE; COLLATERAL MATTERS. - Evidence must have such a relation to the fact in issue as to induce belief in its existence or non-existence. Evidence on collateral matters shall not be allowed, except when it tends in any reasonable degree to establish the probability or improbability of the fact in issue.³⁹

SECTION 4. OBJECT AS EVIDENCE - Objects as evidence are those addressed to the senses of the quasi-judicial body. When an object is relevant to the fact in issue, it may be exhibited to, examined or viewed by the Administrative and Investigative Committee.⁴⁰

SECTION 5. DOCUMENTARY EVIDENCE - Documents as evidence consist of writings, recordings, photographs or any material containing letters, words, sounds, numbers, figures, symbols, or their equivalent, or other modes of written expression offered as proof of their contents. Photographs include still pictures, drawings, stored images, x-ray films, motion pictures or videos.⁴¹

SECTION 5.1. ORIGINAL DOCUMENT MUST BE PRODUCED; EXCEPTIONS. - When the subject of inquiry are the contents of a document, writing, recording, photograph or other record, no evidence is admissible other than the original document itself, except in the following cases:

- (a) When the original is lost or destroyed, or cannot be produced in the Administrative and Investigative Committee, without bad faith on the part of the offeror;
- (b) When the original is in the custody or under the control of the party against whom the evidence is offered, and the latter fails to produce it after reasonable notice, or the original cannot be obtained by local judicial processes or procedures;
- (c) When the original consists of numerous accounts or other documents which cannot be examined without great loss of time and the fact sought to be established from them is only the general result of the whole;

³⁶ Local Government Code, Section 68.

³⁷ Rules of Court, Section 1 of Rule 131.

³⁸ Rules of Court, Section 6 of Rule 133.

³⁹ Rules of Court, Section 4 of Rule 128.

⁴⁰ Rules of Court, Section 1 of Rule 130.

⁴¹ Rules of Court, Section 2 of Rule 130.



(d) When the original is a public record in the custody of a public officer or is recorded in a public office; and

(e) When the original is not closely-related to a controlling issue.⁴²

SECTION 5.2. WHEN ORIGINAL DOCUMENT IS UNAVAILABLE. - When the original document has been lost or destroyed, or cannot be produced in the Sangguniang Bayan, the offeror, upon proof of its execution or existence and the cause of its unavailability without bad faith on his or her part, may prove its contents by a copy, or by recital of its contents in some authentic document, or by the testimony of witnesses in the order stated.⁴³

SECTION 5.3. WHEN ORIGINAL DOCUMENT IS IN ADVERSE PARTY'S CUSTODY OR CONTROL. - If the document is in the custody or under the control of the adverse party, he or she must have reasonable notice to produce it. If after such notice and after satisfactory proof of its existence, he or she fails to produce the document, secondary evidence may be presented as in the case of its loss.⁴⁴

SECTION 5.4. SUMMARIES. - When the contents of documents, records, photographs, or numerous accounts are voluminous and cannot be examined by the Administrative and Investigative Committee without great loss of time, and the fact sought to be established is only the general result of the whole, the contents of such evidence may be presented in the form of a chart, summary, or calculation.

The originals shall be available for examination or copying, or both, by the adverse party at a reasonable time and place. The Administrative and Investigative Committee may order that they be produced.⁴⁵

SECTION 5.5. EVIDENCE ADMISSIBLE WHEN ORIGINAL DOCUMENT IS A PUBLIC RECORD — When the original of a document is in the custody of a public officer or is recorded in a public office, its contents may be proved by a certified copy issued by the public officer in custody thereof.⁴⁶

SECTION 6. ELECTRONIC DOCUMENTS - Electronic document refers to information or the representation of information, data, figures, symbols or other modes of written expression, described or however represented, by which a right is established or an obligation extinguished, or by which a fact may be proved and affirmed, which is received, recorded, transmitted, stored processed, retrieved or produced electronically. It includes digitally signed documents and any print-out or output, readable by sight or other means, which accurately reflects the electronic data message or electronic document.⁴⁷

SECTION 6.1. ELECTRONIC DOCUMENTS AS FUNCTIONAL EQUIVALENT OF PAPER-BASED DOCUMENTS. – Whenever a rule of evidence refers to the term of writing, document, record, instrument, memorandum or any other form of writing, such term shall be deemed to include an electronic document as defined in the Rules on Electronic Evidence.⁴⁸

⁴² Rules of Court, Section 3 of Rule 130.

⁴³ Rules of Court, Section 5 of Rule 130.

⁴⁴ Rules of Court, Section 6 of Rule 130.

⁴⁵ Rules of Court, Section 7 of Rule 130.

⁴⁶ Rules of Court, Section 8 of Rule 130.

⁴⁷ Rules on Electronic Evidence, Section 1(h) of Rule 2.

⁴⁸ Rules on Electronic Evidence, Section 1 of Rule 3.



SECTION 6.2. ORIGINAL OF AN ELECTRONIC DOCUMENT. – An electronic document shall be regarded as the equivalent of an original document if it is a printout or output readable by sight or other means, shown to reflect the data accurately.⁴⁹

SECTION 6.3. COPIES AS EQUIVALENT OF THE ORIGINALS. – When a document is in two or more copies executed at or about the same time with identical contents, or is a counterpart produced by the same impression as the original, or from the same matrix, or by mechanical or electronic re-recording, or by chemical reproduction, or by other equivalent techniques which accurately reproduces the original, such copies or duplicates shall be regarded as the equivalent of the original. Notwithstanding the foregoing, copies or duplicates shall not be admissible to the same extent as the original if:

- (a) a genuine question is raised as to the authenticity of the original; or
- (b) in the circumstances it would be unjust or inequitable to admit a copy in lieu of the original.⁵⁰

SECTION 6.4. ADMISSIBILITY AND MANNER OF AUTHENTICATION OF ELECTRONIC DOCUMENTS - An electronic document is admissible in evidence if it complies with the rules on admissibility prescribed by the Rules of Court and related laws and is authenticated by any of the following means:(a) by evidence that it had been digitally signed by the person purported to have signed the same;

(b) by evidence that other appropriate security procedures or devices as may be authorized by the Supreme Court or by law for authentication of electronic documents were applied to the document; or

(c) by other evidence showing its integrity and reliability to the satisfaction of the committee.⁵¹

All matters relating to the admissibility and evidentiary weight of an electronic document should be established by an Affidavit of Authentication which should already be attached in the complaint or answer, stating facts of direct personal knowledge of the affiant or based on authentic records. The affidavit must affirmatively show the competence of the affiant to testify on the matters contained therein.⁵². Failure upon the party to comply with the said requirement will warrant the inadmissibility of the evidence.

SECTION 7. ADMISSIBILITY AND MANNER OF AUTHENTICATION OF AUDIO, VIDEO AND SIMILAR EVIDENCE. – Audio, photographic and video evidence of events, acts or transactions shall be admissible provided it shall be filed to the Administrative and Investigative Committee and shall be identified, explained or authenticated by the person who made the recording or by some other person competent to testify on the accuracy thereof.⁵³ The evidence should already be authenticated upon filing of the complaint or answer which should be done by executing an Affidavit of Authentication. Failure upon the party to do so will warrant the inadmissibility of the evidence.

SECTION 8. EPHEMERAL ELECTRONIC COMMUNICATION. – Ephemeral electronic communication refers to telephone conversations, text messages, chatroom sessions, streaming audio, streaming video, and other electronic forms of communication the evidence of which is not recorded or retained.⁵⁴

⁴⁹ Rules on Electronic Evidence, Section 1 of Rule 4.

⁵⁰ Rules on Electronic Evidence, Section 2 of Rule 4.

⁵¹ Rules on Electronic Evidence, Section 2 of Rule 5.

⁵² Rules on Electronic Evidence, Section 1 of Rule 9.

⁵³ Rules on Electronic Evidence, Section 1 of Rule 11.

⁵⁴ Rules on Electronic Evidence, Section 1(k) of Rule 2.

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Ephemeral electronic communications shall be proven by the testimony of a person who was a party to the same or has personal knowledge thereof. In the absence or unavailability of such witnesses, other competent evidence may be admitted. A recording of the telephone conversation or ephemeral electronic communication shall be covered by the immediately preceding section. If the foregoing communications are recorded or embodied in an electronic document, then Section 6.4 of the same Rule shall apply.⁵⁵

SECTION 9. TESTIMONIAL EVIDENCE; WITNESSES; THEIR QUALIFICATIONS. - All persons who can perceive, and perceiving, can make known their perception to others, may be witnesses.⁵⁶

SECTION 10. TESTIMONY CONFINED TO PERSONAL KNOWLEDGE. - A witness can testify only to those facts which he or she knows of his or her personal knowledge; that is, which are derived from his or her own perception.⁵⁷

RULE 16 ADMINISTRATIVE LIABILITY

SECTION 1. ADMINISTRATIVE LIABILITY OF SANGGUNIANG BAYAN SECRETARY - Upon receipt of a verified complaint or verified answer, the Sangguniang Bayan Secretary should inform and turnover the said pleadings to the Chairman of the Administrative and Investigative Committee within the day or until the next working day. In the event that the Administrative and Investigative Committee failed to comply with the procedure provided in Section 62 of the Local Government Code due to the late notification and transmittal of the pleadings by the Sangguniang Bayan Secretary, the latter may be held administratively liable.

RULE 17 SUPPLETORY APPLICATION/ADOPTION

SECTION 1. SUPPLEMENTARY RULE AND ADOPTION – The provisions of the Local Government Code of 1991, Rules of Court, Rules on Electronic Evidence, Supreme Court Decisions and other relevant laws shall apply suppletorily to all matters not provided under these rules or procedure and can be adopted by the Administrative and Investigative Committee.

RULE 18 AMENDMENT/REVISION

SECTION 1. AMENDMENT/REVISION - The provisions contained herein are subject to amendments or revisions, as necessary, in accordance with applicable laws and regulations as may be deemed appropriate.

RULE 19 SEPARABILITY CLAUSE

SECTION 1. SEPARABILITY CLAUSE – If any provision of this Resolution is declared invalid or unconstitutional, the other provisions not affected thereby shall continue to be in full force and effect.

RULE 20 FINAL PROVISION

⁵⁵ Rules on Electronic Evidence, Section 2 of Rule 11.

⁵⁶ Rules of Court, Section 21 of Rule 130.

⁵⁷ Rules of Court, Section 22 of Rule 130.



14.00 Resolution No. 2025-16

07/21/2025

SECTION 1- EFFECTIVITY – This resolution shall take effect upon approval of the Sangguniang Bayan of Los Baños, Laguna.

NOW THEREFORE, on motion of Councilor Myla E. Alinsunurin duly seconded by Councilor Muriel Laisa B. Dizon and approved by the councilors present;

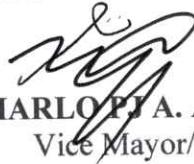
RESOLVED, AS IT IS HEREBY RESOLVED, to adopt Resolution No. 2024-21 dated January 29, 2025 entitled “A Resolution prescribing the rules and procedures in Administrative Cases before the Sangguniang Bayan of Los Baños, Laguna against elective barangay officials.”

UNANIMOUSLY APPROVED : July 21, 2025

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


DONA T. ALEJORIDA - DIZON
Secretary to the Sangguniang Bayan

CERTIFIED ADOPTED:


HON. MARLO P.J.A. ALIPON, MPA, REE, RMP
Vice Mayor/Presiding Officer