



Republic of the Philippines
PROVINCE OF CAGAYAN
Tuguegarao City

SIXTH CITY COUNCIL

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION
OF THE SANGGUNIANG PANLUNGSOD OF TUGUEGARAO CITY, CAGAYAN
HELD ON JULY 09, 2013, TUESDAY,
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

PRESENT:

| | |
|----------------------------------|------------------------------------|
| Hon. Engelbert C. Caronan, Jr. | City Vice Mayor, Presiding Officer |
| Hon. Bienvenido C. De Guzman II | Sangguniang Panlungsod Member |
| Hon. Rosauro Rodrigo G. Resuello | -do- |
| Hon. Ronald S. Ortiz | -do- |
| Hon. Perla C. Tumaliuan | -do- |
| Hon. Maila Rosario T. Que | -do- |
| Hon. Noel A. Mora | -do- |
| Hon. Jude T. Bayona | -do- |
| Hon. Loreto B. Valdepeñas | -do- |
| Hon. Kendrick S. Calubaquib | -do- |
| Hon. Estelita U. Dayag | -do- |
| Hon. Aurora A. Ave | -do- |
| Hon. Anthony C. Tuddao | -do- |
| Hon. Hilario Larry S. Ting | -do- |

ABSENT:

Hon. Nadine Jerome A. Cabugos Sangguniang Panlungsod Member

CITY RESOLUTION NO. 041-2013

**A RESOLUTION AMENDING AND UPDATING THE INTERNAL RULES OF
PROCEDURE OF THE SANGGUNIANG PANLUNGSOD OF TUGUEGARAO CITY
AND ADOPTING THE SAME**

Sponsor: **HON. ENGELBERT C. CARONAN, JR.**

Co-Sponsors: **HON. RONALD S. ORTIZ
HON. PERLA C. TUMALIUAN
HON. MAILA ROSARIO T. QUE
HON. LORETO B. VALDEPEÑAS
HON. KENDRICK S. CALUBAQUIB
HON. AURORA A. AVE
HON. ANTHONY C. TUDDAO
HON. HILARIO LARRY S. TING**

WHEREAS, the Sangguniang Panlungsod of Tuguegarao City is a local legislative body mandated by law to enact ordinances and adopt resolutions for the general welfare of the people of the City;

WHEREAS, Republic Act 7160, otherwise known as the Local Government Code of 1991 and Rule 17, Article 103 of its Implementing Rules and Regulations provide among others that, "on the first regular session following the election of its members and within ninety (90) days thereafter, the Sangguniang Panlungsod shall adopt or update its existing rules of procedure;

WHEREAS, to institutionalize orderly conduct of sessions and ensure quality legislation, there is a need to amend and update the existing Internal Rules of Procedure of the Sangguniang Panlungsod of Tuguegarao City;

THEREFORE, RESOLVED, as it is hereby **RESOLVED**, to adopt the following Internal Rules of Procedure of the Sangguniang Panlungsod of Tuguegarao City.

THE 2013 NEW INTERNAL RULES OF PROCEDURE

RULE I

THE SANGGUNIANG PANLUNGSOD OF TUGUEGARAO CITY

Section 1. The present City Council of Tuguegarao City shall be referred to as the Sixth City Council.

RULE II

OFFICIAL SEAL

Section 2. The Sixth City Council hereby adopts an official seal consisting of the following symbols and colors:

- a) **CIRCLE** – The circle symbolizes the equality of all the people in the territorial jurisdiction of Tuguegarao City under the law.
- b) **FORTY-NINE (49) STARS** – The 49 stars forming an inner circle represent the 49 Barangays comprising Tuguegarao City where the ordinances and resolutions are implemented or enforced.
- c) **SCROLL** - The scroll represents the resolutions adopted and the ordinances enacted by the Sangguniang Panlungsod.
- d) **QUILL** –The quill symbolizes the mandate of the Sangguniang Panlungsod to enact local laws.
- e) **GAVEL** – The gavel symbolizes the authority and legality of the resolutions adopted and the ordinances enacted by the Sangguniang Panlungsod.
- f) **RED** – The color red symbolizes the fervor of the Sangguniang Panlungsod in performing its duties and functions.
- g) **GOLD** – The color gold symbolizes the wisdom and good judgment of the Sangguniang Panlungsod in adopting resolutions and enacting ordinances.
- h) **BLUE** – The color blue symbolizes the enshrinement of law and order in Tuguegarao City as a result of legislation.
- i) **WHITE** – The color white symbolizes the purity of purpose of the Sangguniang Panlungsod.
- j) **RED, WHITE, BLUE and YELLOW** – These colors replicate the colors of the flag of the Philippines indicating oneness/solidarity with the Republic.
- k) **RIBBON** – The ribbon represents the unity of all the component parts of the official seal.
- l) **PHILIPPINE COUNCILORS' LEAGUE MOTTO** – “Public Service Above Self”

RULE III

COMPOSITION

Section 3. The *Sangguniang Panlungsod* of Tuguegarao City shall be composed of the following:

- a.) City Vice Mayor who shall act as the Presiding Officer;

- b.) Twelve elected Sangguniang Panlungsod Members;
- c.) President, City Chapter of the Liga ng mga Barangay (ex-officio);
- d.) President of the Tuguegarao City Sangguniang Kabataan Federation (ex-officio); and
- e.) The Sectoral Representatives to the City Council as provided for in Sec. 457 (b) of R.A. 7160; and
- f.) Sectoral Representative from the indigenous people as provided for under the IPRA Law.

RULE IV

POWERS, DUTIES AND FUNCTIONS OF THE SANGGUNIANG PANLUNGSOD

Section 4. The powers, duties, and functions of the Sangguniang Panlungsod shall be as provided for in Section 458 of the Local Government Code of 1991 and Article 99 of the Rules and Regulations Implementing the Local Government Code of 1991.

RULE V

DUTIES AND RESPONSIBILITIES OF INDIVIDUAL MEMBERS

Section 5. Every sanggunian member shall make a full disclosure of his/her financial and business interests as required under Section 51 of the Local Government Code of 1991 and Article 104 of the Rules and Regulations Implementing the Local Government Code of 1991.

Section 6. Every member shall attend all sessions and meetings of the Sanggunian unless prevented from doing so by reason of sickness or other unavoidable circumstances provided, that, as a general rule, previous notice thereto shall be sent to the Sanggunian through the Presiding Officer or the Secretary to the Sangguniang Panlungsod (for sessions) or the Committee Chairman (in case of committee hearings/meetings).

Section 7. As a general rule, every member is required to vote on every question or proposed measure being voted upon by the Sanggunian.

Section 8. Every member shall observe proper deportment and decorum during sessions and shall judiciously observe this Internal Rules of Procedure.

RULE VI

THE PRESIDING OFFICER

Section 9. The City Vice Mayor shall be the Presiding Officer of the Sangguniang Panlungsod and shall have the following powers and duties:

- a.) To preside over the sessions of the Sanggunian;
- b.) To sign all acts, ordinances, resolutions, memorials, writs, warrants, subpoenas and subpoenas duces tecum, and all other legislative documents papers or checks requiring the signature issued by or upon order of the Sanggunian;
- c.) To call the *Sangguniang Panlungsod* session to order and when a quorum exists, order the reading of the minutes of the previous session and after the *Sangguniang Panlungsod* shall have acted on the said minutes, proceed in accordance with the rules on the discussion and disposition of matters indicated in the order of business set forth in the agenda;
- d.) To exact from all the members present during the session proper deportment and decorum;
- e.) To enforce the internal rules of procedure of this Sanggunian;
- f.) 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;

- 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 case of extreme emergencies, serious and uncontrollable disorder, public disturbances and other unavoidable circumstances;
- i.) To vote but only to break a tie;
- j.) To relinquish the Chair to the Temporary Presiding Officer, or in the latter's absence, to any member of the Sanggunian who shall act as "temporary officer" but only if he is going out of the session hall for whatever reason;
- k.) To appoint, with the approval of the *Sangguniang Panlungsod*, the members of the special committees which may be created or authorized by the *Sangguniang Panlungsod*; and,
- l.) To exercise all powers and perform such other functions as may be provided by law, ordinance, or regulation.

Section 10. During a particular session, the Presiding Officer being present, may designate a member of the *Sangguniang Panlungsod* to preside temporarily to enable him/her to participate in the deliberations or simply vacate the chair briefly for some reason and such designation shall cease upon adjournment unless the Presiding Officer takes back the chair.

RULE VII

TEMPORARY PRESIDING OFFICER

Section 11. In case of inability of the Regular Presiding Officer to preside in a session, a Temporary Presiding Officer shall be elected from among the *Sangguniang Panlungsod* Members present and constituting a quorum. The most senior council member or the next in rank in the absence of the former may temporarily preside for the purpose only of electing a Temporary Presiding Officer. The Temporary Presiding Officer shall not lose his status as a regular member including his rights and prerogatives and shall temporarily exercise all the powers, duties and functions of the Regular Presiding Officer subject to the provision of Section 13 hereof.

Section 12. The Temporary Presiding Officer as the case may be, shall certify resolutions adopted and ordinances enacted by the Sanggunian in the session over which he temporarily presided within ten (10) days from the passage of the same. Failure to certify within such period shall have the effect of vacating or nullifying its approval and the measure may be reintroduced in succeeding sessions of the Sanggunian to be voted upon immediately without need of deliberation, as if it were being considered on "third reading."

Section 13. While presiding, the Temporary Presiding Officer, as the case may be, shall have no right to vote except when to break a tie subject to the provision of Section 14 hereof.

Section 14. 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 constituent member.

RULE VIII

THE SECRETARY TO THE SANGGUNIANG PANLUNGSOD

Section 15. The Secretary to the *Sangguniang Panlungsod* shall:

- a.) Attend all sessions and committee meetings of the *Sangguniang Panlungsod* and keep a journal of their proceedings;
- b.) Prepare the agenda and shall certify the minutes of the *Sangguniang Panlungsod*;

- c.) Notify members of the Sangguniang Panlungsod of the creation of regular and special committees and their appointments to such committees;
- d.) Transmit to the proper committee all matters referred to it by the *Sangguniang Panlungsod*;
- e.) Send out notices of all sessions, other meetings and public hearings;
- f.) Carry out or enforce or cause to be enforced orders of the *Sangguniang Panlungsod*;
- g.) Keep a compilation of all ordinances, resolutions, memorials and such other papers which have been considered by the *Sangguniang Panlungsod* in an orderly manner, and issue copies or certified true copies thereof upon request of any member of the *Sangguniang Panlungsod*;
- h.) Furnish, upon request of any interested party, certified copies of records of public character in his custody, upon payment to the treasurer of the fees prescribed by the Revenue Code of Tuguegarao City.
- i.) Furnish copies of all approved resolutions and ordinances to all barangays for their information and reference;
- j.) Provide technical support to the *Sangguniang Panlungsod* and its individual members in the performance of their legislative function;
- k.) Supervise all the work and ensure the proper discharge of duties and functions of the Office and its staff;
- l.) Conduct researches in aid of legislation; and
- m.) Perform such other duties and functions as provided for under Section 469 of the Local Government Code of 1991 or any ordinance relative to his position.

RULE IX

REGULAR AND SPECIAL SESSIONS

Section 16. This Sanggunian shall hold regular session every Wednesday at 2:00 o'clock in the afternoon at the Session Hall of the City Hall of Tuguegarao City.

Section 17. The City Mayor, the City Vice Mayor, or a majority of the members of the *Sanggunian* may call a special session when public interest so demands. A written notice to the individual *Sanggunian Member* stating the date, time and purpose of the meeting shall be served personally, or left with a member of his/her household at his/her usual place of residence, or with an employee in his/her professional office at least twenty-four (24) hours before the special session is held.

Section 18. Unless otherwise agreed upon by the 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 19. The *Sangguniang Panlungsod* may upon concurrence of the majority of the members conduct out-of-hall sessions in any venue as may be agreed upon.

Section 20. As a general rule, all sessions whether regular or special, shall be open to the public unless a closed-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 21. No two (2) sessions, whether regular or special, may be held in a single day.

Section 22. *Three Call Rule.* A "three call rule" may be held:

- a.) Through the initiative of the Presiding Officer by using the "assumed motion" or by a majority of the members present in a session if there is NO quorum, the Presiding Officer shall make three calls and compel the attendance of the absent members in order to obtain the necessary quorum; and,
- b.) In order to finish an important business that needs an immediate action.

Section 23. *Recording of Opening and Adjournment.* The exact time of the opening and adjournment of a session shall be entered in the minutes; provided that "sine die" adjournment shall be indicated.

RULE X

EXECUTIVE SESSIONS

Section 24. In the interest of the public or for reasons of security, decency, or morality, an executive session shall be held when requested by the Presiding Officer or when ordered by an affirmative vote of a majority of the members present, there being a quorum. The public shall be excluded from the gallery and the doors of the session hall shall be closed. The minutes of the proceedings in an executive session shall be recorded in a separate book and shall be treated as confidential. The Presiding Officer and the members of the *Sangguniang Panlungsod* as well as the officials or persons who took part in the executive session are strictly prohibited from divulging or revealing any of the confidential matters taken up in the session and all actuations which have taken place therein. The restriction and ban on the secrecy may be lifted by a two-thirds (2/3) vote of the *Sangguniang Panlungsod*; any member who violates the prohibition of the secrecy may, by a two-thirds (2/3) vote of the *Sangguniang Panlungsod*, be excluded from attending executive sessions.

If the violation is committed by a City Official, he/she shall be dealt with administratively and charged with conduct unbecoming of a public official: if the violation is committed by a private person, he shall be dealt with in accordance with the provisions of an ordinance which may be enacted by the *Sangguniang Panlungsod*.

RULE XI

QUORUM

Section 25. A majority of all members of the Sanggunian as enumerated under Section 3 of Rule III of this internal rules shall constitute a quorum to transact official business. Should a question of quorum be raised during a session, the Presiding Officer without debate shall immediately proceed to call the roll of the members and thereafter announce the result.

Section 26. In computing the presence of a "quorum", the term majority shall be based on the actual membership or incumbents in the Sanggunian that shall exclude the following:

- A member who is abroad;
- A member who is on official leave of absence;
- A deceased member;
- A member who is resigned;
- A member who has been suspended; and
- A member who was expelled or removed by final judgment.

Section 27. *No quorum at the start of the session.* When the appointed time has come to start the regular session, the Regular Presiding Officer, or the Temporary Presiding Officer 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:

1. He may adjourn the session from hour to hour if he would like to wait for other members who may be late in coming to the session;
2. He may adjourn the session from day to day; or
3. He may adjourn the session for lack of quorum.

Section 28. *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 a quorum is raised by any member, the Presiding Officer shall immediately cause the reading of the roll of members and announce the result thereof and then declare whether or not there exists a quorum.

In the absence of a quorum, the Presiding Officer may declare a recess of not more than one (1) hour and wait for other members to come; or a majority of the members present may adjourn from hour to hour or day to day and may compel the immediate attendance of any member absent without justifiable

cause by designating a member of the Sanggunian to be assisted by a member or members of the police force to arrest the member absent and present him at the session hall.” (Sec. 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 declares the session adjourned for lack of quorum.

RULE XII

ORDER OF BUSINESS/AGENDA

Section 29. The Order of Business of this Sangguniang Panlungsod shall be as follows:

- a.) Call to Order
- b.) Prayer
- c.) Philippine National Anthem
- d.) Tuguegarao City Hymn
- e.) Roll Call
- f.) Reading, Correction and Approval of the Minutes of the Previous Session
- g.) Privilege and Question Hour (to be included only upon the presence of an invited speaker)
- h.) Third and Final Reading
- i.) Reference of Business (First Reading)
- j.) Committee Report
For Final Consideration
 1. Simple Subdivision
 2. Barangay Budgets
- k.) Second Reading
 1. Unfinished Business
 2. Business for the Day
 3. Unassigned Business
- l.) Barangay Affairs
- m.) Information and Other Matters
- n.) Adjournment

Section 30. The agenda/order of business shall be prepared by the Secretary to the Sangguniang Panlungsod duly approved by the Presiding Officer. Copies of the agenda shall be furnished to every member of the *Sangguniang Panlungsod* at least one (1) day before the date of a session. The secretariat of the *Sangguniang Panlungsod* shall provide the necessary administrative and technical support in the preparation of the agenda.

Section 31. The Calendar of Business shall contain a brief description of the item of business to be taken up during the regular session including but not limited to the following:

1. The title of the proposed ordinance or resolution;
2. The name of the sponsor or authors and the committee to which it was referred or the committee sponsoring it;
3. In case of petitions, letters, endorsements and other communications, the source or the name of the senders.

It shall likewise contain the following:

- a.) *Unfinished Business* – refers to proposals or measures that have been left unacted upon, postponed, or left unfinished during the previous meeting or session. This also includes items of business left unfinished or unacted upon at the end of the previous administration.
- b.) *Business of the Day* – refers to a list of items that have been reported out by committees that are ready for deliberation on “second reading” as determined by the Committee on Rules. This also includes those items for “third and final reading.”

- c.) *Unassigned Business* – refers to pending matters or measures including new ones that arise during the deliberation but not yet assigned or referred to any committee for appropriate action.

Section 32. 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 33. As a general rule, the committee reports shall be rendered by the 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 34. 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 Secretary to the Sangguniang Panlungsod shall calendar it for “second reading.” If the reporting committee’s recommendation is for the Sanggunian not to take action and the Body has adopted that recommendation, the proposed measure remains shelved in the concerned 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 that proposal will be filed in the archive of the Sanggunian.

Section 35. As a general rule, no member of a committee shall oppose or object to the report of his committee unless his dissenting opinion to the majority decision was put into writing, or orally in open session before the said committee renders its report. Otherwise, he shall be precluded to oppose it on the floor. His vote, thereon, for or against, shall be taken on its face value for the purpose of determining compliance with the required number of votes for a valid passage of an act of the Sangguniang Panlungsod.

The reason/s given by a committee member for his change of position shall be deemed satisfactory if not challenged in the same session by any member of the Sangguniang Panlungsod. The challenge, if any, shall consist only in that the change of position is malicious in any manner and the challenge shall specify the circumstance constituting the malice. No debate shall be allowed on the matter which shall be forthwith referred to the appropriate committee on ethics and discipline.

Section 36. Deviation from the prescribed Order of Business may be done only under the following circumstances.

- a.) When the Sangguniang Panlungsod decides to suspend the rules through an “assumed motion” by the Chair or through 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 Sangguniang Panlungsod is certified by the City Mayor as urgent, it shall have priority over all other items of business, and shall be considered without need of suspending the rules even if it is not included in the calendar of business.

Section 37. Ordinances and Resolutions of Barangays forwarded to this Sangguniang Panlungsod for review shall be included in the Calendar of Business for the immediately ensuing session. Should the Calendar of Business be already prepared, the same shall be taken up by the Sangguniang Panlungsod under Other Matters.

The Sangguniang Panlungsod may refer said Barangay Ordinance or Resolution to a committee or committees, the City Legal Officer, City Prosecutor or any other appropriate office for review. However, for simple, clear and indubitable matters, the same may be disposed of immediately by the Sangguniang Panlungsod, by:

- a.) approving the same if it appears to be within the powers of city to pass;
- b.) declaring the same fully or partly void, stating the reasons therefor; or
- c.) merely “noting” it, if there appears to be no need of approval or disapproval.

Section 38. Other Matters. As a rule, no matter shall be taken up in the Session, unless it is included in the Calendar of Business. Other matters may however be taken up, discussed, approved or disapproved or otherwise acted upon, even when they are not included in the Calendar of Business in the following situations:

- a.) When they fall under the exceptions provided in this Rules;
- b.) When a majority of the Sangguniang Panlungsod members present decide to take them up; and
- c.) Upon the urgency of the matter as certified by the City Mayor.

Section 39. Privilege Hour – Members are allotted ten (10) minutes each to speak on the floor on any issue or matter that concerns the City and the welfare of its inhabitants. Upon approval of the majority of members present, there being a quorum, the time allotted may be extended.

Section 40. Question Hour – Department Heads, other officials and employees and other persons who are invited or required to appear before the *Sangguniang Panlungsod* during the Question Hour shall answer questions that maybe propounded by the members of the Sangguniang Panlungsod in aid of legislation.

RULE XIII

LEGISLATIVE PROCESS

Section 41. Rules in the enactment of ordinance and adoption of resolution. 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. These measures shall include: 1.) Annual Appropriation Ordinance; 2.) All matters requiring expenditure of public funds; 3.) Creation and abolition of offices or positions in the city government; and 4.) Legislations intended to be an exercise of police power, power of taxation and power of eminent domain of the City government.
- b.) Those that are temporary in character shall be passed in the form of resolutions. Matters relating to proprietary functions and to private concerns shall also be acted upon by resolution such as 1.) Mere statement of sentiment, position or desire of the Sangguniang Panlungsod, 2.) Requests and endorsements made by the Sangguniang Panlungsod, 3.) Approval of the official acts of the City Mayor, and all other matters not falling under the immediately preceding paragraph. Item by item realignment of funds in the budget of other existing appropriations may be made by a resolution but shall not become effective until the necessary supplemental budget is passed in the form of an ordinance.
- c.) Every ordinance and resolution presented for consideration shall be referred to as “Draft Ordinance” and “Draft Resolution” respectively, and upon approval, each shall be known as “City Ordinance” and “City Resolution.”
- d.) In general, proposed resolutions and ordinances shall be in written form, more or less following the requirements of the next preceding paragraph, provided that resolutions involving simple, clear, or indubitable issues may be taken up upon oral presentations of the proponent. The issue as to whether a proposed resolution may be taken up upon oral presentation shall be decided without debate by a majority of the Sangguniang Panlungsod Members present.
- e.) All ordinances and resolutions in final form shall be in writing and shall follow their assigned number made in chronological order and prefixed with the year of passage, a title or caption, an enacting or ordaining clause, a substantive or dispositive clause, and the date of effectivity when appropriate. In addition, every ordinance or resolution shall be accompanied by a brief explanatory note or a “whereas clause” containing the justification of its approval.

- f.) 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 Sangguniang Panlungsod members present.
- g.) 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 City Mayor.
- h.) Any legislative matter duly certified by the City Mayor 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.
- i.) The Secretary to the Sangguniang Panlungsod shall prepare copies of the proposed ordinance or resolution in the form it was passed on second reading, and shall distribute to each Sangguniang Panlungsod Member a copy thereof except that a measure certified by the City Mayor as urgent may be submitted for the final voting immediately after it has undergone the periods of debate and amendment during the second reading.
- j.) No ordinance or resolution passed by the Sangguniang Panlungsod 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.
- k.) Upon the passage of all ordinances and resolutions, the Sanggunian Secretary shall record the *yeas* and *nays* or *yes* and *no* votes. Each approved ordinance or resolution shall be stamped with the seal of the Sangguniang Panlungsod and recorded in a book kept for the purpose.

Section 42. Approval of Ordinance and Veto Power of the City Mayor. The approval of an ordinance by the City Mayor and the exercise of his veto power shall be governed by the following rules:

- a.) Every ordinance enacted by the Sangguniang Panlungsod shall be presented to the City Mayor for his approval. If he approves the same, he shall affix his signature on each and every page and the word "approved" shall appear with his/her signature on the last page; otherwise, he shall veto it and return the same with his objections to the Sangguniang Panlungsod, which may proceed to reconsider the same.
- b.) The City Mayor may veto any ordinance of the Sangguniang Panlungsod on the ground that it is "*ultra vires*" or prejudicial to the public welfare, stating his reasons thereof in writing.
- c.) The veto shall be communicated by the City Mayor to the Sangguniang Panlungsod within fifteen (15) days, otherwise, the ordinance shall be deemed approved as if he had signed it.
- d.) The Sangguniang Panlungsod may override the said veto by two-third (2/3) vote of all its members thereby making the ordinance or resolution effective for all legal intents and purposes.
- e.) The City 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, or an 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 Sangguniang Panlungsod overrides the veto in the manner as provided in this section, otherwise, the item or items in the appropriation ordinance of the previous year corresponding to those vetoed, if any, shall be deemed re-enacted.

Section 43. Override of the City Mayor's Veto – The City Mayor may veto an ordinance or resolution only once. Upon receipt of the veto of the City Mayor, the *Sangguniang Panlungsod* shall record the objections in the minutes and shall proceed to override the veto of the Local Chief Executive.

The *Sangguniang Panlungsod* by a two-thirds (2/3) vote of all the members may override a veto thereby making the ordinance or resolution valid and effective for all legal intents and purposes even without the signature and approval of the City Mayor.

Section 44. *The Three-Reading Principle.* The so-called “three-reading principle”, commonly adopted in legislative bodies, shall be followed by the *Sangguniang Panlungsod*. However, as a general rule, before an ordinance is finally enacted or a resolution is finally adopted, it shall undergo the following stages:

- a.) Filing – Proposed resolutions and ordinances shall be signed by the author or authors below the title and shall be filed with the *Sangguniang Panlungsod* Secretary who shall include them in the agenda. Only those who signed as authors or co-authors shall be considered as such; provided, that other members of the *Sangguniang Panlungsod* may also be considered as sponsors or co-sponsors if manifested on the floor. All matters endorsed by the City Mayor to the *Sangguniang Panlungsod* and petitions and other communications received from the City residents shall likewise be transmitted by the Secretary to the *Sangguniang Panlungsod* for the same purpose. All ordinances, resolutions, endorsements, requests, etc. for calendar in the agenda shall be submitted to the Secretariat not later than three o’clock in the afternoon (3PM) on Monday preceding the regular session.
- b.) First Reading – All proposed measures shall be calendared for first reading which shall consist of the reading of its title only. After the reading thereof, it shall be referred to the proper committee for study, comment and recommendation. No debate shall be allowed at this stage.
- c.) *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 *Sangguniang Panlungsod* is supposed to have been furnished a copy thereof, the proposed ordinance may no longer be read in full unless the sponsoring committee or the *Sangguniang Panlungsod* itself decides otherwise.

The Committee to which the proposed measure had been referred shall then make its initial statement, that is, as to whether it is:

- (1) favorably reporting back the proposed measure without (or with mere insubstantial) amendments;
- (2) favorably reporting back the proposed measure with substantial amendments; or
- (3) reporting back the measure with recommendation to stop further consideration of the measure.

In case of (3) above, no further discussion shall be made thereon, but the author or sponsor may appeal to the *Sangguniang Panlungsod* for further consideration of the measure as proposed by him. By a majority vote of the members present, the *Sangguniang Panlungsod* may schedule another “second” reading of the same (without the above preliminaries) in succeeding sessions.

In case of (1) above, a sponsorship speech may be made by the author or sponsor or upon his permission or request by the chairman of any member of the committee.

In case of (2) above, the author or sponsor may decide to adopt the amendments made by the Committee. In such a case, further proceedings shall be in accordance with rules on debate and amendments provided in these Rules. However, should the author or sponsor of the measure not accept the amendments, he shall cease to be the author or sponsor of the measure being presented and the Committee shall become the sponsor. Further proceeding shall be in accordance with these rules and the original author or sponsor, or any other member, may propose amendments including the adoption of his original proposals. If any of his proposed amendments is accepted, he shall have the option of regaining his authorship.

When the period of discussion or debate has been closed, the Presiding Officer shall then announce the period of amendments.

After the period of amendments has been closed, the *Sangguniang Panlungsod* shall take final action on the proposed measure.

D. Third (Final) Reading. At this stage, the proposed ordinance shall be presented as amended in accordance with the rules on second reading for purposes of confirmation not later than the second session day immediately following the day of their approval. The Secretary shall read 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 vote. The Presiding Officer shall then formally announced the result thereof and direct the Secretary to enter it in the record.

However, in cases of ordinances or resolutions approved on third/final readings under suspended rules, copies of their final form marked "Approved on Third/Final Reading under Suspended Rules on (date)" on the upper right portion shall be attached to the last portions of the materials of the Agenda not later than the second session day immediately following the day of their approval.

On third reading, no further amendments shall be considered and no debate shall be allowed. However, a member of the Sangguniang Panlungsod may speak against the adoption of the proposed measure for not more than five (5) minutes. No interpellation be allowed and a division of the house shall be forthwith undertaken.

No measure shall be considered on "third reading" unless printed copies thereof in its final form have been given to the members of the Sangguniang Panlungsod at least one working day before its passage. A copy of the ordinance left at the office of the Sanggunian member (or received by his secretary/clerk) shall be sufficient compliance to this rule.

Section 45. *Effectivity of Ordinances and Resolutions.* Unless otherwise stated in the ordinance or resolution approving the local development plan and public investment program, the same shall take effect after ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the City Hall and in at least two (2) other conspicuous places in the City.

Section 46. *Posting and Publication of Ordinances with Penal Sanctions.* Ordinances with penal sanctions shall be posted in conspicuous places in the City for a minimum period of three (3) consecutive weeks and shall also be published in a newspaper of general circulation, where available, within the territorial jurisdiction of the City. Unless otherwise provided therein, said ordinances shall take effect on the day following publication, or at the end of the period of posting, whichever occurs later.

Section 47. *Transmittal of Approved Ordinances and Resolutions.* Within three (3) days after approval, the Secretary to the Sanggunian shall transmit to the Sangguniang Panlalawigan copies of approved ordinances and resolutions of the *Sangguniang Panlungsod* for review.

RULE XIV

VOTES AND VOTING

Section 48. *Methods of Voting.* Unless a different method is prescribed by the Sangguniang Panlungsod for a particular measure, voting shall be either one of the following methods:

- a. By voice (viva vice);
- b. By raising of hand (or show of hand);
- c. By ballot; or
- d. By nominal voting (roll call voting).

Section 49. *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 the negatives votes.

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

Section 50. Nominal Voting. Whenever a nominal voting (or roll call voting) is being applied, the Secretary shall call the role of members either in alphabetical order, or by rank. 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 votes to exercise their rights 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 51. 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 has a direct or personal pecuniary interest. This rule, however, does not apply in voting for elective positions in the Sangguniang Panlungsod where a member, as a matter of right, can vote for himself.

Section 52. Change of Vote. A member may change his vote but only when the result of the voting has not been announced by the Presiding Officer. Otherwise, he can only change his vote by a unanimous consent of the members present, provided that this rule shall be not be applied if voting is by ballot.

Section 53. Vote by Latecomer. 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 Presiding Officer.

Section 54. Exclusion of Motions. 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 55. Tie Vote. A tie vote resulting from a vote taken on any motion, measure or proposal shall be construed to mean that the particular motion, measure or proposal is defeated, unless the Presiding Officer decides to break it. Exception to this rule is when a "motion to appeal from the decision of the Presiding Officer" is put to a vote and has resulted in a tie. In this case, a tie vote is considered to sustain the decision of the Presiding Officer.

Section 56. Breaking a Tie. In case of a tie, the Presiding Officer of the 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 57. Plurality Vote. No legislative proposal or measure of whatever nature shall be passed, adopted or enacted by this Sanggunian through a mere plurality vote.

Section 58. Abstention. Abstentions do not count in tallying the vote negatively or positively. When members abstain, they are in effect attending only to contribute to a quorum.

Section 59. Simple Majority. Except as otherwise provided in this 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.

Section 60. Percentage Vote. For the purposes of this Section, a percentage vote shall be construed to mean as a "proportion of a certain whole."

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

1. Motion to suspend the rules
2. Motion to expunge
3. Motion to extend or limit debate
4. Motion to call for the previous question

- a.) At least a two-thirds (2/3) negative vote of the members present, there being a quorum, shall be required in order to sustain the "motion to object to the consideration of a question."

RULE XV

RULES ON DEBATES AND AMENDMENTS

Section 61. As a general rule, no member shall speak before the Sanggunian without first "obtaining the floor." A member who has obtained the floor shall address all his remarks to the Presiding Officer. He shall conduct himself with proper decorum by confining his remarks or arguments to the question under debate, by avoiding personalities and by refraining to utter words or to perform acts inconsistent with decorum.

If it is requested that a member be called upon for words spoken in debate, the member making such request shall indicate the words he feels unacceptable and should be avoided, and shall be taken down in writing by the Secretary who shall read them aloud. The member who uttered such words shall not be held to answer, nor be subject to censure by the Sanggunian if further debate or other business has already intervened.

Section 62. All questions addressed to the speaker or the member having the floor must always be coursed through the Presiding Officer. When a member desires to speak, he shall rise and respectfully address the Chair, "Mr. Chairman" or "Mr. Presiding Officer."

When two or more members rise at the same time, the Presiding Officer shall determine and recognize the member who is to speak first.

Section 63. No member rendering a committee report or delivering the sponsorship speech shall speak for more than fifteen (15) minutes unless allowed by a majority of the members present.

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

Section 64. No member shall speak for more than ten (10) 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 65. During the period of amendment, 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 66. While having the floor, a member maybe 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 67. The speaker being interpellated may decline to answer questions if he so desires.

Section 68. 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 69. 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 70. Whenever the Presiding Officer is addressing the Sanggunian or putting question, no member shall leave his seat nor interrupt the former in his talk.

Section 71. The proper attire for the members of the *Sangguniang Panlungsod* during the regular and special sessions shall be barong tagalog or long sleeves, polo shirts with tie for the male members

while the female members should be in filipiniana or business attire. Maong pants, slippers and rubber shoes are not allowed during sessions.

Section 72. No person including the members of the *Sangguniang Panlungsod* shall be permitted at any time to smoke within the session hall.

Section 73. 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 74. 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 75. When a motion "to call for the previous question" is proposed by a member who would result in the closing of debate on a pending question, a two-third (2/3) affirmative vote is hereby required.

Section 76. Amendments to the title of a proposed ordinance or resolution shall not be in order until after the text thereof has been perfected. Amendments to the title shall be decided without debate.

Section 77. After the period of debate has been closed, the period of amendments shall immediately follow.

Section 78. Unless the Presiding Officer or majority of members present in a particular session adopt a different method, amendments to any proposed measure, or parts thereof, shall be in *seriatim*. Under the *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 XVI

RULES ON MOTION

Section 79. All motions relating to a committee report, if presented or proposed by the reporting committee Chairman or the reporting committee member, shall need NO second.

Section 80. The following motions can be presented or proposed even if someone has the floor:

- a.) Appeal from the decision of the Presiding Officer
- b.) Call for Orders of the Day
- c.) Divide the Assembly, Body
- 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 81. *Privilege Motion.* All "privilege motions" may be proposed even if there is a pending motion or question before the Body. Privilege motions are those questions or subject matters which, under the Rules, take precedence over other motions and subject matters.

Questions of privilege are:

- a. Those affecting the rights of the Sanggunian: its safety, dignity and integrity.

- b. Those affecting the rights, reputation and conduct of the members, individually, in their capacity as such members.

Subject to the five-minute rule, questions of privilege shall take precedence over all other questions, except motion to adjourn.

Section 82. Motions or questions which were laid on the table may be taken up through a motion to that effect during that particular session or during the next regular session but not beyond.

When a motion, report or proposed measure is adopted or lost, it shall be in order for a member who votes with the majority to move for the reconsideration thereof on the same or succeeding session day. Such motion shall take precedence over all other questions, except a motion to adjourn, to raise a question of privilege and a call to order.

Section 83. *Precedence of Motions.* When a question is under debate, no motion shall be entertained except to adjourn, raise a question of privilege, declare a recess, lay on the table, or postpone to a certain day (which motions shall be decided without debate), refer, amend or postpone indefinitely (which motions shall be decided subject to the five-minute rule). Said motions shall have precedence in the foregoing order. No motion to postpone to any certain day or refer or postpone indefinitely having failed passage shall again be allowed on the same day.

Section 84. The following motions require a SECOND:

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

Section 85. A motion to amend (amendment of the 1st degree) and motion to amend an amendment (amendment of the 2nd degree) may be withdrawn but only before a decision is made thereon.

Section 86. A motion to amend is in order only up to the 2nd degree. Thus, a motion "to amend an amendment to an amendment" is out of order. It shall also be in order to offer further amendment by substitution, but it shall not be voted upon until the original or proposition is perfected. Any of said amendments may be withdrawn before a decision is made thereon.

Section 87. When a motion is made, the presiding officer shall state before being debated. A motion can be withdrawn only when it is not yet being discussed or debated upon by the Body. Otherwise, any request to withdraw it shall require a vote by general consent and if there is an objection raised for its withdrawal, a majority of the members present is required.

Section 88. No motion shall cover more than one subject matter.

RULE XVII

COMMITTEES

Section 89. *Creation, Merging, Dissolution, and Reorganization of Committees.* The following rules shall be observed in the creation, merging, dissolution and reorganization of committees:

Section 89 (I)

- a) The creation, merging or dissolution of a regular or standing committees may be affected by a majority vote of all the members of the Sangguniang Panlungsod, there being a quorum.
- b) The Regular Presiding Officer shall select the chairman, vice chairman and members of the standing committees subject to the restrictions set forth in Sections 90 and 92 of this Rules.
- c) Only the Regular Presiding Officer may call for are organization of any regular or standing committee. The Sanggunian shall act on his recommendation without debate and vote on it immediately. The concurrence by a majority vote of all members of the Sangguniang Panlungsod present there being a quorum, is necessary to authorize the Regular Presiding Officer to appoint a new chairman or members as the case may be.

In case the membership of the regular or standing committee is rendered vacant by reason of resignation or refusal to accept the appointment to the committees and the same cannot be filled up due to the lack of available Council members, the restrictions setforth under Section 92 (c) (d) and (e) shall automatically be lifted.

- d) Special or Ad-Hoc committees may be created upon the initiative of the Presiding Officer or through a motion by any member, subject, however, to the affirmative votes of a majority of the members present, there being a quorum, and shall cease to exist upon completion of the function unless the Sanggunian extends its duration to pursue the same or related purpose.
- e) Oversight Committee - The *Sangguniang Panlungsod* may create an oversight committee that shall overlook the appropriate implementation of all resolutions adopted and ordinances enacted by the *Sangguniang Panlungsod* in coordination with the Office of the Local Chief Executive. The Chairman, Vice Chairman and the members shall be elected in the same manner as the regular committees.

Section 89 (II)

Committee of the Whole - The *Sangguniang Panlungsod* as a Body may, from time to time, convene as a Committee of the Whole with general legislative jurisdiction over all matters relative to investigations or inquiries designed to acquire informative facts and circumstances relative to complaints and/or reported irregularities, and all matters referred to it that require the attention and participation of all members of the *Sangguniang Panlungsod* in the consideration of such matters and shall cease to function as a committee as soon as it shall have submitted its report.

Section 90. *Composition.* Every regular committee to be created shall be composed of not more than five (5) members including the Chairman and the Vice Chairman. The City Vice Mayor or Regular Presiding Officer of the Sanggunian shall be an ex-officio member without voting rights in all standing committees. For purposes of determining a quorum and the conduct of the business of the committee, only the original members shall be taken into account.

Section 91. *Term of Office* – The chairman and members of the committees shall serve until their term as elected officials expires unless sooner removed by the appointing authority or rendered vacant pursuant to Section 89(I) (c) Rule XVII.

Section 92. *Restrictions.*

- a) The Presiding Officer may be the chairman of only one standing committee of his choice. He shall however be ex-officio chairman of all standing committee without right to vote. When the Regular Presiding Officer presents the report of the committee that he chairs, for

discussion, debate or approval, he shall yield the chair to the Presiding Officer Pro-Tempore or the Temporary Presiding Officer, as the case may be.

- b) No person other than a member of the Sangguniang Panlungsod shall be made a member of any regular committee.
- c) No member of the Sangguniang Panlungsod shall be made a Chairman of more than three (3) regular committees.
- d) No member of the Sangguniang Panlungsod shall be made a vice chairman of more than five (5) regular committees.
- e) No member of the Sangguniang Panlungsod shall be made a member of more than seven (7) regular committees.
- f) 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 93. *Committee Hearings or Public Hearings.* A committee shall meet whenever necessary upon the call by the Chairman or a majority of its member to consider matters referred to it by the Sanggunian. Other matters falling within or germane to the stated scope of authority of the committee may be looked into, discussed, and a position thereon adopted by the committee, upon a vote of a majority of its membership including the chairman. No tax ordinance or revenue measure shall be enacted by the Sangguniang Panlungsod in the absence of a public hearing duly conducted by the committee concerned.

Section 94. *Committee Meetings.* As a general rule, a committee meeting shall be attended only by committee members unless a majority of the members thereof decide to allow other persons to be present especially invited resource persons or consultants. The chairman of the committee shall, from time to time, convene the committee to a meeting; provided, that if the chairman fails or refuses or neglects to convene such meetings, the committee shall, upon written request of a majority of the members thereof, call for and convene such meetings and the vice chairman shall preside over such meetings. All proposed ordinances, resolutions and referrals shall be considered in the committee meetings.

Section 95. *Committee Hearing Distinguished From Committee Meeting.* For purposes of this Internal Rules, a committee hearing is an activity of the Sanggunian, through its committees, wherein the general public particularly those representing different sectors that may be interested or affected by a proposed measure is 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 term implies, 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 in inviting and seeking advice from technical persons.

Section 96. *Quorum.* A majority of all the members of the committee shall constitute a quorum to transact official business.

Section 97. *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 98. *Notice of Committee Hearing/Meeting.* Notice of committee hearing or committee meeting shall be served either personally to the Sanggunian member, to his personal secretary; left at his official residence, professional office or place of business; or by mail.

Section 99. *Vacancy.* When a vacancy in the chairmanship of a committee occurs by reason of resignation or incapacity, the Regular Presiding Officer shall take over its chairmanship until a regular chairman is subsequently appointed by the Regular Presiding Officer. Such appointment must be made in a regular session immediately succeeding the occurrence of the vacancy. In case the vacancy occurs in the

membership of committee by reason of resignation or incapacity, the Regular Presiding Officer shall fill the vacancy from a list of at least three (3) nominees by the chairman of the committee.

Section 100. Subpoenas and Invitations

- a) On all matters referred to it by the Sanggunian, the Committee may, in aid of legislation, issue invitations, requests, subpoena and subpoena duces tecum, effective within the City of Tuguegarao, relating to any subject relevant to the matter under consideration; provided, that the Committee may issue requests, invitations, subpoena and subpoena duces tecum relating to matters it has taken cognizance of "motu proprio" (without referral to the Sanggunian) only upon approval by the Sanggunian itself.
- b) Invitations to individuals except heads of departments or offices in the local or national level shall be signed by the Committee Chairman, or in his absence, by the Secretary to the Sanggunian. 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 through the Presiding Officer. The Presiding Officer shall then endorse it to the head of local and national offices concerned.
- c) Invitations, requests, subpoena and subpoena ducestecum shall state:
 1. matter under consideration by the Committee;
 2. testimony, information, document or evidence sought to be provided by the person requested, invited, subpoenaed;
 3. time and place of hearing;
 4. under whose authority the same is issued

Section 101. Mandatory Standing Committees. The Sanggunian shall, through a resolution, create the following mandatory standing (or regular) committees:

- a) Committee on Finance and Appropriation

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:

- Annual and supplemental budgets
- Appropriation ordinances
- Allocation, re-allocation and realignment of funds
- All other matters related to local taxation and fiscal administration

- b) Committee on Women 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 organizations
- Family welfare
- All other matters related to women and family

- c) 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

d) Committee on Environmental Protection and Natural Resources

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 and preservation
- Air and water pollution
- Wanton destruction of the environment and its natural resources
- Formulation of an Environment Code of the City
- All matters or measures affecting the environment

e) 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 development
- Plight of farmers, fisher folks and tenants
- Food security program
- Problems and issues on agriculture and agricultural technology
- All other matters pertaining to Agriculture

f) Committee on Rules and Ethics

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:

- Sangguniang Panlungsod Internal Rules and violations thereof
- Order of Business and Calendar of business
- Disorderly conduct of members and investigation thereof

g) Committee on Laws, Ordinances, Revisions and Legal Matters

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:

- 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 Sangguniang Panlungsod

h) Committee on Health, Nutrition and Sanitation

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:

- Promotion of public health and sanitation
- Measures pertaining to the adoption of health and sanitation of the people
- Improvement of public health and social upkeep of the people
- Formulation of a City Health and Sanitation Code
- All other matters related to health, sanitation and technology

i) Committee on Public Order, Safety and Disaster Preparedness

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:

- Peace and order
- Incidence of crime and its prevention or eradication
- Awareness campaign on disaster preparedness
- Public disturbance and low intensity conflict
- Establishment, organization and empowerment of peace and order brigades and disaster preparedness councils
- All other matters related to public order, safety and disaster preparedness

j) 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:

- Establishment/operation of all kinds of trade and industry
- Measures that affect trade, commerce and industry
- Incentives to promote trade, commerce and industry
- All other matters related to trade, commerce and industry

k) Committee on Infrastructure and Public Works

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
- Measures that pertain to drainage and sewerage and similar projects
- All other matters related to public works and infrastructure projects

l) Committee on Barangay Affairs and Civic Action

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:

- Relationships of the City with barangays and other local government units
- Creation, division, merging, or abolition of barangay
- Boundary disputes
- All matters pertaining to barangay government affairs

m) Committee on Planning, Zoning, Land Use and Subdivision Approval

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:

- City planning and development
- Policies on developmental programs
- Housing and land utilization
- All matters related to real estate and properties

n) Committee on Education 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:

- Educational issues and problems
- School matters
- Inter-school relationships
- Promotion of the Arts and Culture
- Cultural activities
- All other matters related to education and culture

o) Committee on Ways, Means, Taxation and Revenue

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
- Tax reliefs
- Revenue generation
- Loans and other sources of local revenues
- Investments
- All matters pertaining to local taxation and revenue

p) Committee on Tourism

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:

- Promotion of tourism in the City
- Development of tourist spots
- All matters pertaining to tourism

q) Committee on Social Services

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:

- Providing greater access to social services
- Improvement of social services
- Protection and preservation of the rights and domain of cultural minorities
- All other matters related to social services and cultural minorities

r) Committee on National and International Liaisons

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:

- Linkages, twinning, networking with national agencies and international entities
- All other matters related to national and international liaison

s) Committee on Public Service, Transportation, Communication and Franchise

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:

- Enhancement of public service
- Traffic and transportation problems
- Communication problems
- Grant of franchise
- All other matters related to public service, transportation, communication and franchise

t) Committee on 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:

- Press relations
- Education of the public on certain issues
- Publication through various media of the activities of the Sangguniang Panlungsod and other matters approved for publication by the Sanggunian
- Awareness campaign on advocacies
- All matters pertaining to public information

v.) Committee on Market and Slaughter House

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:

- Private and Public Markets
- Slaughterhouses and other related franchises
- Supervision, administration and enforcement of pertinent rules relative thereto.
- All other matters related to market and slaughterhouse

w.) 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:

- Proper supervision and enforcement of regulatory measures, rules and regulations pertinent to the conduct and operation of games and amusements and other places of entertainment.
- Granting of franchises for the operation of said establishments.

x.) Committee on 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:

- Human rights
- Prevention of human rights violation
- All other matters affecting human rights

RULE XVIII

COMMITTEE REPORTS

Section 102. Committee reports shall be adopted formally by the *Sangguniang Panlungsod*. All committees must render a report on all matters referred to them by the Presiding Officer. When a proposed resolution or ordinance or any matter is referred to more than one committee, the Presiding Officer shall designate the lead committee which shall be responsible for reporting to the *Sangguniang Panlungsod*.

The report of the lead committee shall be the basis for consideration by the *Sangguniang Panlungsod*. The chairperson/s of the committee/s to which the proposed measure was also referred shall automatically become member/s of the lead committee insofar as the deliberation of the measure is concerned.

When a committee submits a report, the members thereof shall be presumed to have concurred to the report and shall be precluded from opposing the same. However, an opposing member may submit a separate minority report for consideration by the *Sangguniang Panlungsod* which shall be reported out by the opposing member after the reading of the committee report. In such cases, the minority shall be considered as part of the main committee report.

Section 103. *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, through its Secretary, after finishing its task, provided that simple/uncomplicated and/or urgent matters may be requested orally to the Sanggunian which will then decide to act thereon or require the Committee to submit a written report. A Committee report shall be filed with the Office of the Secretary to the Sanggunian who shall preserve and safekeep the same as part of the Official Records of the Sangguniang Panlungsod.

Section 104. *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, separate thereon.

Section 105. *Period of Report -* The committee/s concerned shall submit a report on all matters referred to them within (fifteen) 15 working days after the referral. If the committee report is favorable and is duly adopted by the *Sangguniang Panlungsod*, it shall be calendared for second reading by the Secretary to the Sangguniang Panlungsod. On the other hand, if the committee report is unfavorable, it shall be laid on the table and within 5 working days, notice on the action shall be forwarded to the author/s concerned stating the reason/s for such action. The author/s may file a motion for reconsideration within 5 working days upon receipt thereof.

The *Sangguniang Panlungsod* in considering a committee report may:

- a. Adopt the report;
- b. Reject the report, either in full or in part, with valid justifications;
- c. Return it to the committee with instructions;
- d. Refer it to another committee for further consideration;
- e. Postpone the consideration to some other time.

Section 106. *Content of Committee Report.* The committee report shall contain the following information:

- Name of the reporting committee or committees
- Brief statement of the subject matter referred to it and the action taken thereon including information gathered during the conduct of committee hearings or meetings and other relevant information
- Findings of the committee including the information gathered during the conduct of committee meetings and other relevant information received by the committee
- Conclusions
- Recommendations
- Names and signatures of concurring members
- Appendices (Minutes of committee hearings or committee meetings, as the case may be)

Section 107. *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 submitted to the Body for proper disposition.

Section 108. *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 returned back to the committee for further study.

Section 109. *Calendarizing a Measure for Second Reading.* After the committee has rendered its report and is recommending favorably the enactment of a proposed ordinance it has "reported out", a copy of the proposed ordinance shall be given to 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 given to every Sanggunian member by the committee Chairman concerned.

RULE XIX

SELECTION OF COUNCIL REPRESENTATIVE(S) TO SPECIAL BODIES

Section 110. Except in case of representatives to the selection board which is appointed by the Regular Presiding Officer, the following rules shall apply in determining the representatives of the Council to special bodies outside the Sanggunian:

1. Any Sanggunian Member interested to be the representative of the council to special bodies can volunteer, provided his profession or expertise is related to the body he intends to be assigned to;
2. If there are no volunteers, there shall be nomination;
3. In case of more than one volunteer or nominee, there shall be a division of the house; and
4. All members of the Sanggunian should be present during the selection or election of council representatives.

RULE XX

SUSPENSION OF RULES

Section 111. 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, a quorum being present.

Section 112. *Who Can Move.* Only the Chairman or Vice Chairman of the Committee on Rules can move for the suspension of the Rules. In the absence of the Chairman or the Vice Chairman, then the next member of the Committee can move.

Attendance of the following circumstances may justify the suspension of the rules:

- a.) Time is of the essence;
- b.) The denial of the motion shall:
 - 1.) Cause irreparable damage to life, limb or property;
 - 2.) Gravely hamper the delivery of basic services; or
 - 3.) Adversely affect peace and order or security.
- c.) Urgent financial or budgetary requirement; and
- d.) In such financial circumstances which will prejudice the interest of the public.

Section 113. *Interruption of Motion.* When a motion to suspend the Rules is pending, one motion to adjourn may be entertained. If it is lost, no similar motion shall be entertained until the vote is taken on the motion to suspend.

Section 114. *Effect of Suspension.* If the Sanggunian votes to suspend the Rules, it shall forthwith proceed to consider the measure. A two-thirds (2/3) vote of the members present shall be necessary for the passage of said measure, a quorum being present.

Section 115. It shall be understood that once a particular rule is suspended for a specific purpose, only such particular rule is suspended and the other rules of the *Sangguniang Panlungsod* remain in force.

RULE XXI

JOURNAL AND RECORD OF PROCEEDINGS

Section 116. *Record of Proceedings.* The Sangguniang Panlungsod shall keep a "journal and record" of its proceedings whether regular or special session which may be published upon resolution of the majority members thereof.

Section 117. *Minutes.* In addition to the "journal of proceedings" which is required by law (RA 7160) to be kept, the Sanggunian, through 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 118. *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 119. *Contents of Minutes.* The minute shall contain the following information:

- Place, date and time of session;
- Whether it is special or regular; if special copy of the call for such session
- Name of the members present therein and those who were absent and the reason/s for the absence if there be any;
- Action taken on the minutes of the previous session including the correction, if any, names of those who adopted the minutes under consideration and those who did not, if any;
- Text of every measure (resolution or ordinance, etc.) adopted or enacted;
- Brief resume of the minority opinion, if any;
- The "Yeas" and "Nays" or "Yes" or "No" vote on every question/measure and manner of voting (e.g. nominal voting); the names of those who voted on either side
- All motions presented or proposed, whether lost or carried, except those withdrawn;
- Full text of the veto message of the City Mayor, if any;
- Time of adjournment

Section 120. *Signing of the 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 121. *Excerpts.* Excerpts to be taken out of the minutes shall be certified and attested as correct by the Secretary and the Presiding Officer on that particular session, respectively.

Section 122. The Secretary of the Sanggunian shall keep complete records of the legislative proceedings, and duly approved ordinances or resolutions containing:

- a) date of 1st, 2nd and 3rd reading of ordinance;
- b) votes obtained approving the same, together with the identities of the members voting affirmatively or negatively, and, if any, abstentions made by members;
- c) dates/places of committee hearings thereon if any had been conducted;
- d) principal author/s of the same; and
- e) in appropriate case, approval/veto by the City Mayor, or date the ordinance became effective for failure of the City Mayor to act on the same.

RULE XXII

INTERNAL GOVERNMENT

Section 123. *Unparliamentarily Acts and Words, Sanctions.* All acts, words and declarations which personally offend any person or public institution shall be declared unparliamentarily. No member of the *Sangguniang Panlungsod*, under any circumstances and during any debate, shall use offensive or improper language or innuendos against other members of the *Sangguniang Panlungsod* or against any public officer or institution. Any member of the *Sangguniang Panlungsod* who utters any unparliamentarily words or commit an unparliamentarily deed may be sanctioned as follows:

- a.) The Presiding Officer of the *Sangguniang Panlungsod* shall, motu proprio, or at the instance of another member, calls him/her to order. The erring member shall immediately take his/her seat, if he/she has the floor. In case a point of order is raised and sustained by the Presiding Officer, said member shall not continue speaking without the consent of the *Sangguniang Panlungsod* upon motion made and duly seconded.
- b.) When a member is called to order for using improper or offensive words during a debate, upon motion made by another member, such words shall be ordered stricken off from the records.
- c.) In addition to the foregoing, depending on the seriousness of the violation committed by a member, upon proper motion, the Presiding Officer may reprimand the erring member and such reprimand shall be included in the records.
- d.) In case of grave offense, the *Sangguniang Panlungsod* by two thirds (2/3) vote, may impose such penalty as may be warranted by the offense committed, without prejudice to the institution of the proper administrative and/or criminal action as the circumstances may warrant.

Section 124. *Disorderly Behavior and Absences without Justifiable Cause.* Members who may be found guilty of disorderly behavior or of incurring absences without justifiable cause for four (4) consecutive sessions may be censured, reprimanded, excluded from the session or suspended for not more than sixty (60) days, or expelled: PROVIDED, that the penalty of suspension or expulsion shall require the concurrence of at least two-thirds (2/3) of all the members; PROVIDED, FURTHER, that a member convicted by final judgment to imprisonment of at least one (1) year for any crime involving moral turpitude shall be automatically expelled from the *Sangguniang Panlungsod*. Any member who intends to be absent in a regular or special session must file his/her leave of absence at least one (1) day before the session.

Section 125. *Point of Order.* All points of order may be raised at any time and such questions shall be resolved by the Presiding Officer immediately. The decision of the Presiding Officer may be appealed to the *Sangguniang Panlungsod* and a majority vote shall be sufficient to confirm or reverse the decision made.

Section 126. *Appearance of City Officials.* The *Sangguniang Panlungsod* or any committee when public interest so requires, may summon or invite, through the Presiding Officer, any official, employee, person or citizen of Tuguegarao City, to appear before it. A written invitation or request stating the date, time and purpose shall be sent at least 24 hours before the session or meeting is held.

The city official or employee called to appear or report may answer verbally or in writing the questions propounded to him/her. The *Sangguniang Panlungsod* or the committee concerned may take such actions provided for under R.A. 6713, otherwise known as the Code of Conduct and Ethical Standards for Public Officials and Employees in case of failure by the city official or employee to comply with the summons or request within a reasonable time without proper justification.

RULE XXIII

SUPPLEMENTARY RULES

SECTION 127. In the absence of specific provisions in this Internal Rules of Procedure applicable to a given situation, the pertinent provisions of the rules governing the proceedings of the Senate of the Philippines and the *Sangguniang Panlalawigan* shall be made applicable which shall be deemed supplementary to this rules. In case of doubt in the interpretation of this Internal Rules, the

Regular Presiding Officer may refer the same to the Committee on Rules for a more in-depth study. In such case, the findings and recommendations of the Committee on Rules shall be considered final.

RULE XXIV

AMENDMENTS

Section 128. In order to afford stability in the current City Council, this "Internal Rules of Procedures" may be amended only in a regular session by eleven (11) votes of all members of this Sangguniang Panglungsod, provided that prior notice of such proposed amendment is given to all the members of the Sanggunian, and provided further that no provision herein which is based on, or prescribed by existing laws shall be amended.

RULE XXV

REPEALING CLAUSE

Section 129. The provisions of any resolution or portions thereof which are inconsistent with this Internal Rules of Procedure are hereby repealed, revoked or amended accordingly.

RULE XXVI

SEPARABILITY CLAUSE

Section 130. If any provision of this rule is declared unconstitutional, or the applicability thereof to any person or circumstances is held invalid, the constitutionality or validity of the remainder of the chapter and the applicability thereof to other persons and circumstances shall not be affected thereby.

RULE XXVII


EFFECTIVITY

Section 131. This "Internal Rules of Procedure" shall take effect on the date of its adoption.

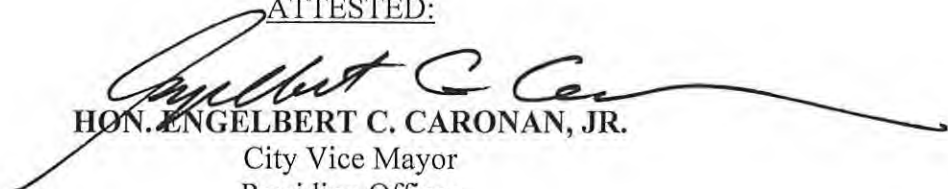
With seven (7) members present voting in favor, six (6) members against, **CITY RESOLUTION NO. 041-2013** was APPROVED.

X-X-X

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:


JOEL JOSEPH L. EGIPTO, Ph. D.
Secretary to the Sangguniang Panlungsod

ATTESTED:


HON. ENGELBERT C. CARONAN, JR.
City Vice Mayor
Presiding Officer

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