



Sangguniang Panlalawigan
BATAAN CAPITOL, BALANGA CITY




REPORT
OF THE
COMMITTEE ON RULES AND ETHICS


PROPOSED INTERNAL RULES OF PROCEDURE OF THE SANGGUNIANG PANLALAWIGAN (2022- 2025).

The Committee on Rules & Ethics, along with the other members of the Sangguniang Panlalawigan, met and deliberated upon the proposed Internal Rules of Procedure (2022-2025). After which, the draft of the same was finalized. A copy of which is herewith.

Given this, this Committee recommends the formal adoption of the same by the Sangguniang Panlalawigan.


ATTY. JOMAR L. GAZA
Chairman

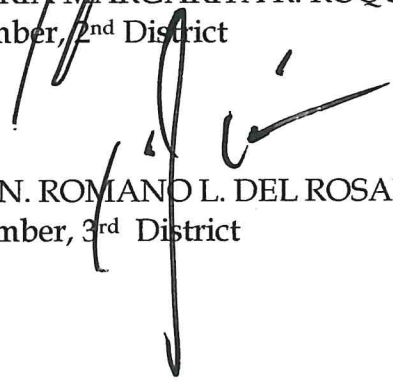

HON. JORGE S. ESTANISLAO, M.D.
Vice Chairman, 3rd District


HON. MANUEL N. BELTRAN
Vice Chairman, 2nd District


HON. ANTONINO B. ROMAN III, J.D., LL.M.
Member, 1st District


MARIA MARGARITA R. ROQUE
Member, 2nd District


HON. BENJAMIN C. SERRANO, JR.
Member, 1st District


HON. ROMANO L. DEL ROSARIO
Member, 3rd District

**INTERNAL RULES OF PROCEDURE OF THE
SANGGUNIANG PANLALAWIGAN OF BATAAN
2022-2025**

RULE I

COMPOSITION

Section 1. The composition of this Sanggunian shall be as provided for under Section 467 of Republic Act (RA) No. 7160, or the Local Government Code (LGC) of 1991, and other existing laws.

RULE II

POWERS, DUTIES AND FUNCTIONS OF THE SANGGUNIANG

Section 2. The powers, duties and functions of this Sanggunian shall be as provided for under Section 468 of RA 7160.

RULE III

DUTIES AND RESPONSIBILITIES OF INDIVIDUAL MEMBERS

Section 3. Every member of this Sanggunian shall make a full disclosure of his or her financial and business interests as required of him or her under Section 51 of RA 7160.

Section 4. As a general rule, every member is required to vote on every question or proposed measure being voted upon in the Sanggunian. Abstention may only be allowed if it can be shown that the member concerned has a pecuniary interest, either directly or indirectly, in the matter being acted upon by the Body as provided for under Section 58 of this Internal Rules of Procedure.

Section 5. Every member shall observe proper deportment and decorum during the sessions.

RULE IV

PRESIDING OFFICER

Section 6. The Vice-Governor shall be the Presiding Officer of this Sanggunian and, as such, shall have the following rights and duties:

- a. To preside over the sessions of the Sanggunian;
- b. To exact from all the members present during the sessions proper deportment and decorum;
- c. To enforce the Internal Rules of Procedure of the Sanggunian;
- d. To maintain order during sessions and render a ruling on questions of order, subject to appeal by the member concerned to the Body for final decision;
- e. To sign all the legislative documents, papers, or checks requiring his or her signature;
- f. To declare a recess during sessions anytime he or she deems it necessary, provided that the duration of the recess is less than fifteen (15) minutes;
- g. To declare the session adjourned to some other date, time and place in cases of extreme emergencies, serious and uncontrollable disorder, public disturbances and other unavoidable circumstances;

- h. To make brief remarks, comments or clarificatory questions on any measure pending deliberation by the Body provided that he or she shall not express himself or herself either for or against the said measure or question;
- i. To vote in case of tie;
- j. To relinquish the Chair to the Presiding Officer Pro-Tempore, or in the latter's absence, to any member of the Sanggunian who shall act as "Temporary Presiding Officer" but only if he or she is going out of the Session Hall for whatever reasons. Since the Vice-Governor is not a regular member nor an "ex-officio" member of the Sanggunian, he or she cannot relinquish the Chair in order to participate in the deliberation of the Body. Thus, there is no reason for him or her to relinquish the Chair but remain idly on the floor;
- k. To discipline members for disorderly behavior and absences without justifiable cause for four (4) consecutive sessions as provided for under Section 50 (b) (5) of RA 7160; and
- l. To perform other duties and functions as provided for under Section 466 of RA 7160.

RULE V

PRESIDING OFFICER PRO-TEMPORE AND TEMPORARY PRESIDING OFFICER

Section 7. The highest ranking Board Member is hereby designated as Presiding Officer "Pro Tempore", without losing his status as a regular member, including his rights and prerogatives, and shall temporarily exercise all the powers, duties, and functions of the Presiding Officer whenever the latter is absent during the sessions of the Sanggunian.

The highest ranking Board Member is the member who obtained the highest proportion of votes obtained to the total number of registered voters in each district in the immediately preceding local election (Sec. 44 of RA 7160).

Section 8. In the event of the inability of the regular Presiding Officer "Pro-Tempore" to preside over a Sanggunian session, the members present, thereby constituting a quorum, shall elect from among themselves a "Temporary Presiding Officer".

Section 9. The Presiding Officer "Pro-Tempore" or the "Temporary Presiding Officer", as the case may be, shall certify the passage of Ordinances enacted or Resolutions adopted by the Sanggunian in the session over which he or she temporarily presided, within ten (10) days therefrom.

Section 10. While presiding, the Presiding Officer "Pro-Tempore" or the Temporary Presiding Officer, as the case may be, shall have the right to vote if there is a tie.

Section 11. The Presiding Officer "Pro-Tempore" or the "Temporary Presiding Officer" may, at his or her own discretion, relinquish the Chair temporarily to any member of the Sanggunian if he or she would like to go down the floor and participate in the deliberation in his or her capacity as a regular member.

RULE VI

THE SECRETARY TO THE SANGGUNIANG PANLALAWIGAN

Section 12. The Secretary to the Sanggunian shall take charge of the Office of the Secretary to the Sanggunian and shall:

- a. Attend meetings of the Sanggunian and keep a journal of its proceedings;

- b. Keep the seal of the Sangguniang Panlalawigan and affix the same with his or her signature to all ordinances, resolutions and other official acts of the Sanggunian and present the same to the Presiding Officer for his or her signature;
- c. Forward to the Governor for approval, copies of ordinances enacted by the Sanggunian and duly certified by the Presiding Officer;
- d. Furnish, upon request of any interested party, certified copies of records of public character in his custody, upon payment to the Provincial Treasurer of such fees as may be prescribed by Ordinance;
- e. Record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the Sanggunian, with the dates of passage and publication thereof;
- f. Keep his or her Office and all non-confidential records therein open to the public during the usual business hours;
- g. Translate into the dialect used by a majority of the inhabitants all ordinances and resolutions immediately after their approval, and cause the publication thereof;
- h. Take custody of the local archives and, where applicable, the local library and annually account for the same;
- i. Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance relative to his position.

When the Secretary to the Sangguniang Panlalawigan is absent or late, the next-in-rank or the duly authorized representative will temporarily act as the Secretary to the Sangguniang Panlalawigan.

The Secretary to the Sangguniang Panlalawigan or personnel in charge of the Records Section is hereby authorized to release records and other documents related to the Sangguniang Panlalawigan upon written request, wherein such request shall be submitted to the Presiding Officer and/or to the Chair of the Committee on Rules for purposes of evaluation and payment of reasonable fees in the amount of One Hundred Pesos (PHP100.00) for the first page, and Twenty Pesos (PHP20.00) for the second and succeeding pages in compliance with Article L Section 80 of the Bataan Revenue Code of 2014 – SECRETARY’S FEE.

In the event of issuance of Sanggunian Certification, the Presiding Officer and/or the Chair of the Committee on Rules must duly note the same.

RULE VII

RECOGNITION OF EX-OFFICIO MEMBERS OF THE SANGGUNIANG PANLALAWIGAN

Section 13.

- a. Before attending his or her initial session, any ex-officio member shall present and submit the necessary documents to the Vice-Governor and Presiding Officer consisting of:
 - Oath of Office;
 - Designation or appointment, if any; and
 - Other pertinent documents, which the Sangguniang Panlalawigan may reasonably and relevantly require.
- b. The Presiding Officer may motu proprio, or any member of the Sangguniang Panlalawigan manifest a motion for the acceptance and recognition of the ex-officio member;

- c. The ex-officio member, if he or she so desires, may take his or her Oath of Office before the Presiding Officer or the members of the Sangguniang Panlalawigan.

RULE VIII

SERGEANT-AT-ARMS

Section 14. There shall be Sergeant-At-Arms during the session of the Sangguniang Panlalawigan who will be charged with the Order of Decorum within the Sangguniang Panlalawigan Session Hall and its immediate vicinity.

Section 15. The Sergeant-At-Arms shall be composed of at least two (2) enlisted men of the Philippine National Police (PNP) or Capitol Security Investigation Unit (CSIU), to be requested by the Presiding Officer from the PNP Director in the province or the CSIU chief, as the case may be, and shall be in decent attire, preferably short-sleeve barong.

Section 16. The two (2) Sergeant-At-Arms as designated shall follow instructions and/or Orders from the Presiding Officer and members of the Sangguniang Panlalawigan and shall be under their control and supervision during the session.

The Sergeant-At-Arms shall also perform the following functions:

- a. To disallow a live recording (video or audio) of the proceedings of all meetings of the Sanggunian unless a prior permit is secured from the Presiding Officer in advance during a special or regular session or from the Chair of the Committee in any given committee hearings or meetings. The Presiding Officer or the Chair of the Committee shall announce in public that the proceedings will be recorded and citing reason for such;
- b. To disallow any person/s or person/s in uniform inside the session hall and shall submit such person/s to the Presiding Officer, or in cases when there is a scheduled appearance of such guests, advance notice in this respect should be given to them;
- c. To disallow movement within the Session Hall when the session is ongoing and to provide additional chairs for visitors; and
- d. To disallow movement within the hall, unless unavoidable, once seated, particularly guests or the general public, as the audience should stay in their seats so as not to create a disturbance while the session or meeting is ongoing. The Sergeant-At-Arms should take notice of these movements and cause such persons to exit the Session Hall if necessary.

RULE IX

REGULAR AND SPECIAL SESSIONS

Section 17. The Sangguniang Panlalawigan shall have four (4) Regular Sessions every month, which will be held on Mondays, at 10:00 o'clock in the morning at the Session Hall, the Bunker, Capitol Compound, Balanga City, Bataan. In cases where a Monday falls on a holiday, the regular session scheduled on the same shall be conducted on the following working day, without the need for any notice to all the members of the Sangguniang Panlalawigan. The date, day, time and venue of the same may be changed upon the agreement of at least the majority of the members of the Sanggunian Panlalawigan. Such agreement may be made in open session or through any other suitable means, like the official Messenger group chat of the members of the Sangguniang Panlalawigan.

Section 18. Section 18. When public interest so demands, special sessions may be called by the Governor or by a majority of the members of this Sanggunian [Sec. 52 (b) of RA 7160].

Section 19. A written notice to the Sanggunian members stating the date, time, purpose, and exact agenda of the Special Session shall be served personally or through the office of the members of this Sanggunian during office hours at least twenty-four (24) hours before the Special Session is held. Any other means of service of notice may suffice, provided that the particular member acknowledges receipt thereof. The need for this notice may expressly be waived by any member of the Sangguniang Panlalawigan.

Section 20. Unless otherwise concurred in by at least two-thirds (2/3) vote of the members present, there being a quorum, no other matters may be considered at a Special Session except those stated in the notice.

Section 21. All Sanggunian sessions 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 [Sec. 52 (c) of RA 7160]

Section 22. No two (2) sessions, whether regular or special, may be held in a single day [Sec. 52 (c) of RA 7160].

Section 23. A session may be adjourned as follows:

- a. By a majority of the members present in any regular or special session, where there is NO QUORUM, wherein they may decide to adjourn and compel the attendance of the absent members in order to obtain the necessary quorum;
- b. By a majority vote of the members present in any regular or special session, there being a quorum.

RULE X QUORUM

Section 24. A majority of all the members of the Sanggunian who have been elected and qualified, and the Presiding Officer (Regular), shall constitute a quorum to transact official business.

Section 25. Other interpretations to the contrary notwithstanding, the term "elected and qualified" shall be construed to include not only the regular members but also the ex-officio members of this Sanggunian.

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

1. A member who is abroad or on official leave of absence;
2. A deceased member;
3. A member who has resigned;
4. A member who has been suspended, expelled or removed by final judgment.

Section 27. In the absence of a quorum, the Presiding Officer may declare a recess until such time as a quorum is constituted, or a majority of the members present may adjourn from time to time or day to day and may demand the immediate attendance of any member absent without justifiable cause.

If there is still no quorum despite the enforcement of the above remedial measure, no business shall be transacted. The Presiding Officer may, motu proprio, or upon proper motion from the floor duly approved by the Body, then declare the session adjourned for lack of quorum. This is without prejudice to any

administrative action that may be taken against those who refuse to attend the session without a justifiable reason.

Section 28. Should a question of quorum be raised during a session, the Presiding Officer shall immediately proceed to call the roll of members, announce the result thereof, and then declare whether there exists a quorum. A request or motion to determine the presence of a quorum is not debatable.

RULE XI

LATE ATTENDANCE, ABSENCE AND ATTIRE

Section 29. LATE ATTENDANCE.

At exactly 10:00 o'clock in the morning of each session day, the Secretary, or in his or her absence, the Assistant Secretary, shall call the roll to determine the existence of a quorum. Those who did not answer the call shall correspondingly be marked as absent.

If any member, including the Presiding Officer, shall thereafter arrive, his/her presence shall be acknowledged and will accordingly be marked merely as late.

Those that will be marked late shall be liable to pay a fine of one thousand Pesos (PHP 1,000.00) except for those who arrive within the 30 minute grace period reckoned from the call to order, and those who are late on account of the performance of some other official duty, or for other analogous reasons with prior notification.

The Chair of the Committee on Rules and Ethics is hereby authorized to implement the above provision on the imposition of fines. The custody of the funds that may be derived therefrom, which shall not form part of the government coffers, shall be held by a member of the Sangguniang Panlalawigan, as may be voted upon.

Section 30. ABSENCE.

Except on account of sickness, the performance of some other official duty, or other unforeseen reasons, a member, including the Presiding Officer, shall file for leave prior to the intended absence. Absence without leave shall make a member, including the Presiding Officer, liable to pay the fine of two thousand Pesos (PHP 2,000.00). For the avoidance of doubt, with or without leave, the imposition of this fine is inapplicable if the reason for the absence is sickness or the performance of some other official duty, subject to the presentation of relevant and sufficient proof.

The Chair of the Committee on Rules and Ethics is hereby authorized to implement the above provision on the imposition of fines. The custody of the funds that may be derived therefrom, which shall not form part of the government coffers, shall be held by a member of the Sangguniang Panlalawigan, as may be voted upon.

Section 31. ATTIRE.

To allow greater flexibility given the nature and demands of the functions and responsibilities of the members of the Sangguniang Panlalawigan, and thereby promoting a more relaxed and comfortable working environment, but without compromising the dignity of their position, members of the Sangguniang Panlalawigan, including the Presiding Officer, shall attend the sessions in the following prescribed proper attire:

1st Monday	
Ladies	Gentlemen
white blouse, white lady barong or blusa, dark slacks/skirt	white polo barong, dark slacks, and leather shoes

2nd to 4th Monday	
Ladies	Gentlemen
blouse and dark blue or black skirt/ pants, and in any case, with proper coat/blazer	polo (short or long sleeves), dark blue or black pants, and a proper coat/blazer

Note: The following are not allowed:

- faded or ripped jeans
- rubber shoes (except all black);

Upon the agreement of at least the majority of the members of the Sanggunian Panlalawigan, a different attire may be prescribed for a particular session, as occasions or events may require. Such agreement may be made in open session or through any other suitable means, like the official Messenger group chat of the Members of the Sangguniang Panlalawigan.

Failure to strictly observe the prescribed attire shall occasion a fine of one thousand Pesos (PHP 1,000.00).

The Chair of the Committee on Rules and Ethics is hereby authorized to implement the above provision on the imposition of fines. The custody of the funds that may be derived therefrom, which shall not form part of the government coffers, shall be held by a member of the Sangguniang Panlalawigan, as may be voted upon.

RULE XII

ORDER OF BUSINESS

Section 32. The Order of Business. - Prior to the call to order of every session of the Sangguniang Panlalawigan, an Invocation shall be made, followed by the singing of the National Anthem; recital of the Pledge of Allegiance to the Philippine Flag; and the singing of the Bataan Hymn (Mutyang Lalawigan).

Thereafter, the session shall be called to order, and the following shall ensue:

- a. Roll Call;
- b. Appearance/Courtesy Visit or Official Call by a Foreigner, National, Regional or even Local Head of Agencies whether private or public offices;
- c. Reading and approval of the Journal of Proceedings and Minutes of the Meeting of the previous session.

The Minutes of the session shall be read by the Sangguniang Panlalawigan Secretary or Assistant Secretary or duly authorized representative. The Reading of the Minutes can be dispensed with upon proper motion by the Sangguniang Panlalawigan Committee Chair on Rules and Ethics or by any member of the Sangguniang Panlalawigan, provided that they have been furnished with copies thereof;

- d. Committee Reports;
- e. Privilege Hour;
- f. Calendar of Business;
 - 1. Unfinished Business;
 - 2. Business for the Day;
 - i. Measures for Second Reading;
 - ii. Measures for Third Reading;
 - 3. Unassigned Business;
 - 4. Announcements/Information/Correspondence;
 - 5. Adjournment.

Note: The Sangguniang Panlalawigan shall consider to include the following as official part of the first session of the Sanggunian every calendar year:

- a. through official invitation, the presence of the Provincial Governor for him or her to present the program of government and program, policies and projects for the consideration of the Sangguniang Panlalawigan at the opening of the regular session every calendar year and as often as may be deemed necessary for the general welfare of the inhabitants and the needs of the Provincial Government may require;
- b. through official invitation, the presence of different allied/national government agencies within the province to align the legislative initiatives of the Sanggunian as support to the national development programs of the government;
- c. through official invitation, the presence of the Province' Congressional District Representative to present to the Sanggunian the legislative priorities/agenda that merit the support and consideration of the Sangguniang Panlalawigan particularly those that will benefit the province and its populace [Section 465 (b) (1) (iii) of RA 7160].

RULE XIII

PRIVILEGE HOUR

Section 33. There shall be a Privilege Hour wherein any member of the Sangguniang Panlalawigan may speak on any matter of public interest or concern. Any member who wishes to avail of this privilege shall request that the same be scheduled in the Calendar of Business by giving prior notice to the Chair of the Committee on Rules and Ethics, Presiding Officer, and the Secretary to the Sangguniang Panlalawigan.

The Presiding Officer shall provide the member wishing to avail of the said privilege with sufficient time to deliver his or her speech, depending on its subject matter.

RULE XIV

CALENDAR OF BUSINESS

Section 34. No Ordinance or Resolution passed by the Sanggunian in a Regular or Special Session duly called for the purpose shall be valid unless approved by a majority of the members present, there being a quorum. Any Ordinance or Resolution authorizing or directing the payment of money or creating liability, shall require the affirmative vote of a majority of all the Sanggunian members for its passage.

Section 35. The Calendar of Business shall be prepared by the Committee on Rules. A copy thereof shall be furnished to every member of this Sanggunian at least one (1) day before the date of the Regular Session. For this purpose, the Office of the Secretary to the Sanggunian shall provide the necessary administrative support to the Committee on Rules.

Section 36. The Calendar of Business shall contain the following:

1. Unfinished Business - refers to proposals or measures that have been left unacted upon, postponed or left unfinished during the previous sessions.
2. Business for the Day
 - a. Measures for 2nd Reading - refers to items that have been reported out by committees and are ready for deliberation on "second reading" as determined by the Committee on Rules or as previously scheduled through a motion by the relevant committee.
 - b. Measures for 3rd Reading - refers to matters already approved on 2nd reading and are ready to be submitted to a final vote after printed copies thereof in final form have been distributed to the members of the Sanggunian at least one (1) day prior to their passage.
3. Unassigned Matters
 - a. Urgent Request - refers to matters that are certified as urgent by the Governor and which the Sangguniang Panlalawigan may choose to take cognizance of subject to the conditions and procedure laid down in Section 38 hereof.
 - b. Regular Unassigned Business - refers to new businesses or those not yet assigned or referred to any committee for appropriate action.

Section 37. The Calendar of Business shall contain brief description of the item of business to be taken up during the Regular Session including, but not limited to the following:

- a. The title of the proposed Ordinance or Resolution; name of the Sponsor or Authors, and the Committee to which it was referred or the Committee sponsoring it; and
- b. In the case of petitions, letters, endorsements, and other communications, the source or the name of the sender/s.

Section 38. Measures Certified as Urgent by the Governor

- a. Upon the instance of the appropriate committee, measures certified as urgent by the Governor may either be taken up and acted upon by the Sangguniang Panlalawigan during the same session without the need to suspend the Rules or otherwise referred to the appropriate committee for further study and deliberation;
- b. In the case of the former, the urgent measure shall be discussed and sponsored by the appropriate committee for purposes of approval of the appropriate resolution or approval on 2nd reading of the appropriate ordinance;
- c. The same, in the case of an ordinance, may thereafter be submitted for 3rd reading immediately after debate and/or amendment during the second reading.

RULE XV

SUSPENSION OF THE RULES

Section 39. Deviations from the prescribed Order of Business may be made only upon suspension of these rules and under the following circumstances:

- a. Upon motion and approval of the same by at least a majority of the members present, there being a quorum;
- b. The member who moved for the suspension of the rules has the responsibility to brief the other members of the need for the same;
- c. The suspension of the rules does not mean an automatic approval of any measure being presented, but merely allows the same to be discussed and considered right away even if it is not included in the Calendar of Business;
- d. As much as possible, the member who is sponsoring the measure for resolution is the Chair of the committee relevant to the said item/issue being deliberated upon;
- e. Moving for the suspension of the rules is a privilege given to a member with the concurrence of the majority to avoid delays so the matter of legislative action can immediately be presented and considered in the same session even if the same is not certified as urgent;
- f. As a requirement and to set a limit in the exercise of this privilege, proper/sufficient documents and/or information should be presented to the Body in support of the measure to be discussed under suspension of the rules.

RULE XVI

LEGISLATIVE PROCESS

Section 40. Rules in the Enactment of Ordinances and Adoption of Resolutions. - In the enactment of Ordinances and adoption of Resolutions, including other matters requiring legislative actions, the following rules shall be observed:

- a. Legislative actions of a general and permanent character shall be enacted in the form of Ordinances, while those which are of temporary character shall be passed in the form of Resolutions. Matters relating to proprietary functions and to private concerns shall also be acted upon by Resolution;
- b. Proposed Ordinances and Resolutions shall be in writing and shall contain an assigned number, a title or caption, an enacting or ordaining clause, and the date of their proposed effectivity. In addition, every proposed Ordinance shall be accompanied by a brief explanatory note containing

the justification for its approval. It shall be signed by the Author or Authors and submitted to the Secretary to the Sanggunian who shall report the same to the Sanggunian at its next meeting;

- c. 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 all the Sanggunian members;
- d. No Ordinance or Resolution passed by the Sanggunian in a Regular or Special Session duly called for the purpose shall be valid unless approved by a majority of the members present, there being a quorum. Any Ordinance or Resolution authorizing or directing the payment of money or creating liability, shall require the affirmative vote of a majority of all the Sanggunian members for its passage;
- e. Upon the passage of all Ordinances and Resolutions directing the payment of money or creating a liability, and at the request of any member of any resolution or motion, the Sanggunian shall record the ayes and the nays. Each approved Ordinances or Resolutions shall be stamped with the seal of the Sangguniang Panlalawigan and recorded in a book kept for the purpose.

Section 41. Power of Review by the Sangguniang Panlalawigan over Municipal Ordinances and Resolutions by the Sangguniang Bayan/Panglungsod (Section 56 of RA 7160).

- a. Within three (3) days after approval, the Secretary to the Sangguniang Panglungsod or Sangguniang Bayan shall forward to the Sangguniang Panlalawigan for review, copies of approved ordinances and the resolutions approving the Local Development Plans and Public Investment Programs formulated by the Local Development Councils;
- b. Within thirty (30) days after receipt of copies of ordinances and resolutions, the Sangguniang Panlalawigan shall examine the documents or transmit them to the Provincial Attorney, or if there be none, to the Provincial Prosecutor for prompt examination. The Provincial Attorney or Provincial Prosecutor shall, within a period of ten (10) days from receipt of the documents, inform the Sangguniang Panlalawigan in writing of his or her comments or recommendations, which may be considered by the Sangguniang Panlalawigan in making its decision;
- c. If the Sangguniang Panlalawigan finds that such an ordinance or resolution is beyond the power conferred upon the Sangguniang Panglungsod or Sangguniang Bayan concerned, it shall declare such ordinance or resolution invalid in whole or in part. The Sangguniang Panlalawigan shall enter its action in the minutes and shall advise the corresponding city or municipal authorities of the action it has taken;
- d. If no action has been taken by the Sangguniang Panlalawigan within thirty (30) days after submission of such an Ordinance or Resolution, the same shall be presumed consistent with law and therefore valid.

Section 42. Review of Appropriation Ordinances of Component Cities and Municipalities (Section 327 of RA 7160). – The Sangguniang Panlalawigan shall review the ordinance authorizing annual or supplemental appropriations of component cities and municipalities in the same manner and within the same period prescribed for the review of other ordinances;

If within ninety (90) days from receipt of copies of such Ordinance, the Sangguniang Panlalawigan takes, no action thereon, the same shall be deemed to have been reviewed in accordance with law and shall continue to be in full force and effect. If within the same period, the Sangguniang Panlalawigan shall have ascertained that the ordinance authorizing annual or supplemental appropriations has not

complied with the requirements set forth in Book II, Title V of RA 7160, the Sangguniang Panlalawigan shall, within the ninety (90) day period hereinabove prescribed, declare such ordinance inoperative in its entirety or in part. Items of appropriation contrary to limitations prescribed in the same Title or in excess of the amounts prescribed herein shall be disallowed or reduced accordingly.

Section 43. Approval of Ordinance and Veto Power of the Governor. - The approval of Ordinance by the Governor and the exercise of his veto power shall be governed by the following rules:

- a. Every Ordinance enacted by the Sanggunian shall be presented to the Governor for his or her approval. If he or she approves the same, he or she shall affix his or her signature on each and every page thereof, otherwise, he or she shall veto it and return the same with his objections to the Sanggunian, which may proceed to consider the same. The Sanggunian may override the said veto by a two-thirds (2/3) vote of all its members, thereby making the Ordinance or Resolution effective for all legal intents and purposes;
- b. The veto shall be communicated by the Governor to the Sanggunian within fifteen (15) days otherwise, the Ordinance shall be deemed approved as if he or she had signed it;
- c. The Governor may veto any ordinance of the Sanggunian on the ground that it is "ultra vires" or prejudicial to the public welfare, stating his or her reason therefore in writing;
- d. The Governor shall have the power to veto any particular item or items of an Appropriation Ordinance, an Ordinance or Resolution adopting a Local Development Plan and Public Investment Program or an Ordinance directing the payment of money or creating liability. In such a case, the veto shall not affect the item or items which are not objected to. The vetoed item or items shall not take effect unless the Sanggunian overrides the veto in the manner as provided in this section. Otherwise, the item or items in the Appropriation Ordinance of the previous year corresponding to those vetoed, if any shall be deemed re-enacted;
- e. The Governor may veto an Ordinance or Resolution only once. The Sanggunian may override the said veto by two-thirds (2/3) vote of all its members, thereby making the Ordinance or Resolution effective even without the approval of the Governor.

Section 44. Three-reading Principle. - The so-called "three-reading principle," which is commonly adopted in legislative bodies, shall also be followed by this Sanggunian. Hence, as a general rule, before an Ordinance is finally enacted/passed, it shall undergo the following stages:

- a. **First Reading.** - At this stage, the Secretary shall read the number of the proposed draft Ordinance (e.g. Draft Ordinance No. _____, its title; and the name of the author or the name of the members introducing it. Thereafter, the Presiding Officer shall refer it to the appropriate committee with or without instructions. At this stage no debate shall be allowed.
- b. **Second Reading.** - At this stage, any proposed Ordinance that has already been reported out by the concerned committee and has been calendared by the Committee on Rules for "second reading" may be sponsored by the reporting Committee Chair, or his Vice-Chair, or any Committee Member designated for that purpose. Since every member of the Sanggunian is supposed to have been furnished a copy thereof, the proposed Ordinance may no longer be read in full unless the sponsoring Committee or the Sanggunian itself decides otherwise.

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

1. Period of Debate;

2. Period of Amendment;
3. Approval on "second reading."

c. Third (Final) Reading. – At this stage, the Sponsoring member or the author of the proposed Ordinance shall read the proposed draft Ordinance by its number, title and the name of its author or sponsor and co-sponsor, if any, and shall move for the approval of the same on "third and final reading." The Presiding Officer shall then formally announce the result of the vote thereon and direct the Secretary to enter it in the record.

Section 45. Method of Voting. – Unless a different method is prescribed by the Sanggunian for a particular measure, voting shall be either one of the following method:

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

Section 46. Putting the Question to a Vote. – The Presiding Officer shall rise whenever he or she is putting a question to a vote. In taking the vote, the Presiding Officer shall take first the affirmative votes and then the negative votes. While still in a standing position, the Presiding Officer shall announce the result thereof.

RULE XVII

VOTES AND VOTING

Section 47. Voting. – Voting by members of the Sanggunian shall be made through the raising of hands, except as may be provided otherwise by consensus.

Whenever nominal voting (or roll call voting) is utilized, the Secretary shall call the roll of members either in alphabetical order, by rank, or by districts. As each name is called, the member shall announce his or her vote by stating "YES" or "NO", as the case may be. As a general rule, a member may explain his or her vote for a period not exceeding three (3) minutes. A second roll call may be requested by any member from the Presiding Officer but this time only the names of those who failed to vote shall be called. This is to give another opportunity to those who failed to cast their vote and those who might have violated the "rule of abstention." After this second roll call, no other request of the same kind shall be entertained by the Presiding Officer.

Section 48. Voting Restrictions. – No member can vote, or be allowed to vote, on any measure in which he or she, or any of his or her relatives within the third degree of consanguinity or affinity, has a direct or personal pecuniary interest. This rule, however, does not apply to voting for elective positions in the Sanggunian where a member, as a matter of right, can vote for himself or herself.

Section 49. Change of Vote. – A member may change his or her vote but only when the result of the voting has not yet been announced by the Presiding Officer. Otherwise, he or she can only change his or her vote by a unanimous consent of the members present, provided that this Rule shall not be applied if voting is by ballot.

Section 50. Vote by Late-Comer. – A member who comes-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 51. Allowable Motion During Voting. - Except for a motion pertaining to a question of quorum, no other motion shall be entertained by the Presiding Officer while voting is in progress.

Section 52. 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 it results in a tie. In this case, the tie vote is considered to sustain the decision of the Presiding Officer.

Section 53. Breaking a Tie. - In case of a tie, the Presiding Officer is allowed to cast his or her vote if he or she so desires. He or she is, however, precluded under existing laws from casting his or her vote in order to create a tie.

Section 54. Majority Vote of all the Members. - As provided for under RA 7160 and its Implementing Rules and Regulations, a majority vote of all the members of the Sanggunian is required in the following circumstances:

- a. Enact ordinances levying taxes, fees, and charges, prescribing the rates thereof for general and specific purposes, and granting tax exemptions, incentives, or reliefs (Par. 2 (ii), Section 468 of RA 7160);
- b. authorize the Provincial Governor to negotiate and contract loans and other forms of indebtedness (Par. 2 (iii) Section 468, *ibid*);
- c. enact ordinances authorizing the floating of bonds, or other instruments of indebtedness, for the purpose of raising funds to finance development projects (Par. 2 (iv) Section 468, *ibid*);
- d. appropriate funds for the construction and maintenance or the rental of buildings for the use of the province; and upon the majority vote of all the members of the Sangguniang Panlalawigan, authorize the Provincial Governor to lease to private parties such public buildings held in a proprietary capacity, subject to existing laws, rules and regulations (Par. 2 (v) (Section 468, *ibid*); and
- e. unless otherwise provided herein, heads of departments and offices shall be appointed by the Governor with the concurrence of the majority of all the Sangguniang Panlalawigan members, subject to Civil Service law, rules and regulations. The Sangguniang Panlalawigan shall act on the appointment within fifteen (15) days from the date of its submission, otherwise the same shall be deemed confirmed (Par. (d) Section 463, *ibid*).

Section 55. Majority of the Members Present, thereby constituting a Quorum. - Except as provided in Section 54 hereof, all other legislative matters or measures shall require only a "majority vote of the members present there having a quorum" for their passage, adoption or enactment, as the case may be.

Section 56. Plurality Vote. - A decision of the Sanggunian through a "plurality vote" shall be valid and enforceable only if it is the result of an election of officers of the Sanggunian or members of committees. No legislative proposal or measure of whatever nature shall be passed, adopted or enacted by this Sanggunian through a plurality vote.

Section 57. Percentage Vote. - For purposes of this Section, a percentage vote shall be construed to mean as a "proportion of a certain whole". Percentage vote shall be applied in the following:

- a. The Sangguniang Panlalawigan may override the veto of the Governor by two-thirds (2/3) vote of all its members, thereby making the Ordinance or Resolution effective for all legal intents and purposes [Sec. 54 (a), RA 7160];
- b. Unless otherwise concurred in by two-thirds (2/3) vote of the Sanggunian members present, there being a quorum, no other matters may be considered at a Special Session except those stated in the motion [Sec. 52 (d), RA 7160];
- c. The penalty of suspension or expulsion that may be imposed or made out by the Sanggunian to an erring member "shall require the concurrence of at least two-third (2/3) of all the Sanggunian members" [Sec. 50, (b-5), RA 7160];
- d. At least a two-third (2/3) affirmative vote of the members present, there being a quorum, shall be required for the adoption of the following motion:
 1. Motion to suspend the Rule;
 2. Motion to expunge;
 3. Motion to extend or limit debate;
 4. Motion to call for the previous question.
- e. At least two-thirds negative vote of the members present, there being a quorum, shall be required in order to sustain the "motion to object to the consideration of a question."

Section 58. Abstentions. - Indubitably, a member of this Sanggunian is representing the people and not necessarily his or her own self, and as such, he or she should be required to take a stand, one way or the other, on every issue or measure submitted for decision of this August Body. Hence, it is hereby made as a general rule that no member of this Sanggunian shall abstain from voting, except as provided under Section 4, Rule III of this Internal Rules of Procedure.

Abstention, if ever allowed to a member, shall not be considered in computing the majority vote. Since abstention is not a vote, it does not count either way. Mere silence and abstention are not the equivalent of affirmative votes nor of negative votes (Quiem vs. Sarina, 17 SCRA 567, 1966; Ortiz vs. Posadas, 55 Phil. 741; 62 CJS, p. 761).

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

Section 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 $[(\frac{1}{2}) + 1]$ of the total votes cast by the members present, there being a quorum. It might be less than the majority of the entire membership.

RULE XVIII

RULES ON DEBATES AND AMENDMENTS

Section 60. As a general rule, no member shall speak before this Sanggunian without first "obtaining the floor". A member who has obtained the floor shall address all his or her remarks to the Presiding Officer. He or she shall conduct himself or herself with proper decorum by confining his or her remarks or arguments to the question under debate and by avoiding personalities.

Section 61. No member rendering a committee report or delivering the sponsorship speech shall speak for more than thirty (30) minutes unless allowed by a majority of the members present.

Section 62. No member shall speak for more than twenty (20) minutes on a particular issue or question being debated upon unless he or she is allowed to do so by a majority of the members present.

Section 63. During the period of amendments, every member shall observe the so-called "five minute rule," i.e., remarks or argumentation by any member on each proposed amendment shall not exceed five (5) minutes.

Section 64. The member rendering a committee report or delivering the sponsorship speech for a proposed measure may move to open or close the debate within the thirty-minute period allowed to him or her. If he or she fails to exercise this option, the Presiding Officer 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 or her sponsorship speech of a proposed measure, it shall be considered open to debate.

Section 65. While having the floor, a member may be interrupted in his or her 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 issues being discussed, or to make certain remarks within his or her privileges.

Section 66. The Speaker may also be interrupted by another member if the latter desires to ask questions through his or her privileges to interpellate and by proposing the following motion, as defined:

Point of Order	This motion is used when a member would like to call the attention of the Body to certain transgressions or violations of the Internal Rules being committed by any other member. The purpose is to point out that certain rules are being violated by either the Presiding Officer or any member for proper correction (Handbook on Local Legislation, p. 105);
Point of Information	This motion is used when a member would like to be informed on certain matters related to the pending question or any other matters which are germane to the business at hand. The information being sought may be from the Chair or from the sponsor of the pending measure (Handbook on Local Legislation, p. 107);
Point of Parliamentary Inquiry	This motion is used when a member would like to be informed of certain parliamentary rules or the Internal Rules of the organization (Handbook on Local Legislation, p. 106);
Call for Orders of the Day	This motion is used when a member would like to call the attention of the Body to a particular measure or proposition which has been previously agreed upon to be taken up during the current meeting or session. Oftentimes, there are matters, that were laid on the table during the previous session and agreed upon by the Body to be taken up during the succeeding meeting or session, but for one reason or another, they have been overlooked or forgotten and are not included in the agenda (or calendar or business, as the case may be) for that particular meeting or session. The interested party may call it for consideration of the Body and it has higher precedence over all items on the agenda (or calendar of business) (Handbook on Local Legislative, revised edition, p. 100);

Raise a Question of Privileges	-If a pressing situation is affecting a right or privilege of the assembly or of an individual member (for example, noise, inadequate ventilation, introduction of a confidential subject in the presence of guests, etc.), a member can Raise a Question of Privilege, which permits him to interrupt pending business to state an urgent request or motion. If the matter is not simple enough to be taken care of informally, the chair then makes a ruling as to whether it is admitted as a question of privilege and whether it requires consideration before the pending business is resumed (Robert's Rules of Order Newly Revised, p. 67);
Motion to Reconsider	This motion is used when a member would like to set aside the vote previously taken on a question and reopen it to a new discussion and vote. This kind of motion can be proposed only at the meeting where the question sought to be reconsidered has been decided, or in the case of a convention, on the next business day. (Ibid., p. 178). This motion does not apply in the case of a member who has been elected to office. It applies only to votes on motions, propositions, or measures (Handbook on Local Legislation, revised edition, p. 119);
Appeal from the Decision of the Presiding Officer	This motion is used when a member would like to appeal the decision made by the Presiding Officer unfavorable to him or her personally for the Body to either affirm or nullify the Presiding Officer's decision or ruling (Handbook on Local Legislation, p. 108).

Section 67. All questions addressed to the speaker or the member having the floor must always be coured through the Presiding Officer.

Section 68. The speaker being interpellated may decline to answer questions if he or she so desires.

Section 69. No member shall speak against his or her own motion or proposition." He or she may, however, be permitted to withdraw his or her motion or proposition, and if his or her request to withdraw is denied, he or she may vote against it.

Section 70. While the period of debate is in progress, no member shall roam around the session hall or leave without the permission of the Presiding Officer.

Section 71. A motion to close the debate is in order if three (3) members have already spoken on the affirmative side and two (2) on the negative side; only one (1) member has spoken in favor but none against it.

Section 72. Subject to the requirements of the preceding section, if no member moves to close the period of debate, the Presiding Officer, motu proprio, may use the "assumed motion" in order to close the period of debate.

Section 73. At least two-thirds (2/3) affirmative vote shall be required when a motion "to call for the previous question" is proposed by a member would result in the closing of debate on a pending question.

Section 74. Whenever the Presiding Officer is addressing the Sanggunian, no member shall leave his or her seat nor interrupt the former in his or her talk.

Section 75. After the period of debate has been closed, the period of amendment shall immediately follow.

Section 76. Unless a different method is adopted by the members present in a particular session,, amendments to any proposed measure, or parts thereof, shall be in seriatim. Under this method, the proposed measure is read paragraph by paragraph or section by section, and after each one is read, amendments are proposed and debated upon. A vote is taken on the proposed amendment, thereafter.

RULE XIX

COMMITTEES

Section 77. Creation of Committees. - The following rules shall be observed in the creation of committees:

- a. A standing committee other than those herein provided, as may be allowed by law, may be created through a resolution or re-organized by a majority vote of all the members of the Sanggunian;
- b. Special or Ad-Hoc Committees may be created upon the initiative of the Chair or any member, subject to the affirmative votes of a majority of the members present, there being a quorum.

Section 78. Composition. - Every regular committee to be created shall be composed of a Chair, two (2) Vice-Chairs (one for each of the other districts) and four (4) members. Ex-officio members of the Sangguniang Panlalawigan are qualified to hold chairships and be members of any committee.

Except for those allocated by law to specific ex-officio members, the Chairs of committees shall be voted upon by a majority of the members of the Sangguniang Panlalawigan, there being a quorum. The Vice-Chairs and members shall be chosen by the respective Chairs of the committees.

Section 79. The Presiding Officer may recommend the creation or re-organization of any standing committee after the approval of this Internal Rules of Procedure.

Section 80. Restrictions.

- a. The Presiding Officer may be designated as Chair of any Special or Standing Committee upon the vote of a majority of the members of the Sanggunian, there being a quorum.
- b. No person other than the members of the Sanggunian shall be made a member of any committee.
- c. No member shall participate in the committee's deliberations if he or she has a direct or indirect personal pecuniary interest in the matter being handled by that committee.

Section 81. Committee Meeting. - As a general rule, a committee meeting shall be attended only by committee members unless the majority of members thereof decides to allow other persons to be present, especially invited resource persons. The manner in which the Committee meetings are conducted and all matters pertaining to the same shall be at the discretion of its Chair, subject to approval by a majority of its members. Given the advancement in communications technology and the constraints brought about by the pandemic, the respective committees, upon the initiative of their chairs, shall endeavor to find alternative ways to accomplish the functions of the committee, without prejudice to due process.

Section 82. Committee Hearings or Public Hearings. - Prior public hearings are required where:

1. local government sites, offices and facilities are to be transferred (par. B and par. C, Section 11 of RA 7160);

2. contribution of funds, real estate, equipment, and other kinds of property and appointment or assignment of personnel in support of undertakings commonly beneficial to local government units which grouped themselves, consolidated or coordinated their efforts, services and resources (Sec. 33, *ibid*);
3. levy of taxes, fees or charges on any base or subject not otherwise specially enumerated in the LGC as taxed under the National Internal Revenue Code, as amended, or other applicable laws (Sec. 186, *ibid*); and
4. enactment of local tax ordinances and revenue measures (Sec. 187, *ibid*).

Section 83. Committee Hearing distinguished from Committee Meeting. - For purposes of this Internal Rules of Procedure, a committee hearing is an activity of the Sanggunian, through its committees, wherein the general public, particularly those representing different sectors, may be interested in hearing and being heard on that matter. This is synonymous with 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 from inviting and seeking advice from technical persons.

Section 84. Quorum. - A majority of all the members of the committee shall constitute a quorum to do business.

Section 85. Calling a Committee Meeting. - A committee meeting may be called by the following:

- a. Chair;
- b. Vice-Chair, if he or she is in the capacity of "Acting Chair";
- c. Majority of the committee members.

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

Section 86. Vacancy. - Vacancy in a committee shall be filled:

- a. In the case of the Chair, by a majority vote of all the members of the Sanggunian;
- b. In the case of a Vice-Chair or Member, by the Committee Chair, whose decision will be communicated to the whole Sanggunian through the Secretary.

Section 87. Appearance of Head of Department/Offices in Committee Meetings. - The following rules shall be observed in requesting the appearance of Heads of Departments or Offices:

- a. Official invitation or request by any committee to appear before it of any head of department or office, whether local or national, shall be coursed through the Presiding Officer. The Presiding Officer shall then endorse it to the Governor. In the case of local officials or employees, directly to the local head of national offices in this locality;
- b. The invitation or request shall specify the reason for such an appearance or the assistance needed, as the case may be.

Section 88. Standing Committees. The Sanggunian shall, through a resolution, create and establish the following standing committees, taking cognizance of the matters stated thereon, respectively;

COMMITTEE ON FINANCE, BUDGET AND APPROPRIATION AND WAYS AND MEANS

- Local taxes, fees and charges;
- Loans and other sources of local revenues;

- Annual and supplemental budgets;
- Appropriation Ordinances;
- Local Development Plans and Annual Investment Programs of Local Government Units (LGUs);
- All other matters related to local taxation and fiscal administration.

COMMITTEE ON WOMEN AND FAMILY

- Women's welfare, rights and privileges;
- Women's organizations;
- Family welfare;
- Family planning;
- Gender and development;
- All other matters related to gender equality, women and family.

COMMITTEE ON JUSTICE, HUMAN RIGHTS AND LEGAL MATTERS

- Prevention of human rights violations;
- Promotion and protection of human rights;
- All matters affecting human rights;
- Issues concerning prison matters (matters concerning inmates detained in the provincial jail and other matters related thereto);
- Good governance;
- Administrative cases against any erring local elected officials, both original and appeal;
- Authorizing the Governor to represent the province in all its business transactions and sign on its behalf all bonds, contracts, and obligations, and such other documents.

COMMITTEE ON YOUTH AND SPORTS DEVELOPMENT

- Youth Welfare;
- Sports Development;
- All other matters affecting youth welfare and sports development.

COMMITTEE ON ENVIRONMENTAL PROTECTION AND NATURAL RESOURCES

- Environmental protection;
- Air and Water Pollution;
- Wanton destruction of the environment and its natural resources;
- All matters or measures affecting the environment.

COMMITTEE ON COOPERATIVES

- Cooperatives, organizations and development;
- Incentives to cooperatives;
- All matters affecting the cooperative development program of the government.

COMMITTEE ON RULES AND ETHICS

- Sanggunian Internal Rules of Procedure and violation thereof;
- Order of Business and Calendar of Business;
- Disorderly conduct of members and investigation thereof;
- Privileges of members.

COMMITTEE ON PEACE AND ORDER, AND PUBLIC SAFETY

- Police matters;
- Maintenance of Peace and Order;
- Protective Services;
- Traffic rules and regulations;
- Fire prevention and control measures;
- Public morals;
- Drug prevention and other drug-related issues;
- All other matters related to peace and order and public safety.

COMMITTEE ON HEALTH

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

COMMITTEE ON AGRICULTURE, FOOD AND FISHERIES

- Agricultural production;
- Agricultural inputs;
- Agricultural facilities;
- Development of Agri-Business Enterprises;
- All other matters related to agriculture, including plants and animals.

COMMITTEE ON EDUCATION AND CULTURE

- Formal and Non-Formal Education;
- Educational facilities;
- Promotion of culture and race;
- Operation of educational institutions, both private and public;
- Promotion of culture, heritage and race;
- Protection and care of cultural minorities;
- All other matters related to education and culture.

COMMITTEE ON TRADE, COMMERCE AND INDUSTRY

- Establishment or operation of all kinds of trade and industry;
- Measures that affect trade, commerce or industry;
- Incentives to promote trade, commerce and industry;
- Concerns about economic zones;
- All other matters related to trade, commerce and industry.

COMMITTEE ON INFRASTRUCTURE

- Construction, maintenance and repair of roads, bridges and other government infrastructure project;
- Measures that pertain to drainage and sewerage systems and similar projects
- Concerns about the quality of construction work and other infrastructure facilities;
- All other matters related to public works and infrastructure projects.

COMMITTEE ON HOUSING AND LAND UTILIZATION

- Subdivision development or real estate development;
- Measures pertaining to land uses;
- Zonification or the enactment of the Zoning Code;
- Concerns about informal settlers;
- All other matters related to housing and land utilization.

COMMITTEE ON BARANGAY AFFAIRS AND COMMUNITY DEVELOPMENT

- All matters pertaining to barangay government affairs.
- Plans and programs on Community Development.

COMMITTEE ON TOURISM

- Operation, maintenance of the tourism industry within the Province;
- Matters on the promotion of tourism industry;
- Persons and entities engaged in tourism industry;
- Promotion of historical events, heritage and culture;
- Other matters related to tourism.

COMMITTEE ON ENERGY AND WATER UTILITIES

- Disputes and issues related to energy-generating plants;
- Fees and charges, increase in rates of electricity, water, etc., gasoline and related products;
- Other matters related to energy and water utilities.

COMMITTEE ON GAMES AND AMUSEMENT

- Operation and/or establishment of amusement places;
- Measures that affect the regulations of games and amusement, including but not limited to, the promotion or holding of cockfighting, boxing, basketball tournaments, and other kinds of games and amusement;
- All other matters related to games and amusement.

COMMITTEE ON SOCIAL WELFARE AND DEVELOPMENT

- Social Welfare Services;
- Concerns about child prostitution;
- Concerns about children who need special care;
- Other matters related to Social Welfare.

COMMITTEE ON TRANSPORTATION AND COMMUNICATION

- Issues related to the manner and operation of public utility vehicles;
- Fare hike, strikes and temporary cessation of business operation of transport sector;
- Matters that concern cable lines and Information Technology;
- Matters that concern Telecommunications and Franchises;
- Matters related to franchise applications of public utility vehicles.

COMMITTEE ON SENIOR CITIZEN AND PERSON WITH DISABILITY (PWD)

- Welfare and interest of the sick, elderly citizen, war veterans, and PWDs;
- Benefits and privileges through local legislation;

- Matters related to senior citizens and PWDs.

COMMITTEE ON LABOR, MANPOWER, EMPLOYMENT AND GOVERNMENT SERVICE

- Labor and industrial disputes;
- Problems on unemployment, hours of work and other working conditions;
- Strikes, lock-outs, and other concerted actions;
- Benefits and privileges of workers and employees;
- Determination of the positions, powers and duties, the salaries, wages, allowances and other emoluments and benefits of officials and employees of the province [Sec. 468 (a) (1) (vii) and (viii) of RA No. 7160]
- Other related matters related to labor.

COMMITTEE ON PUBLIC INFORMATION, PEOPLE'S POWER AND PARTICIPATION

- Material information on matters of local concern;
- Information dissemination;
- Accreditation of Civil Society Organizations (CSOs);
- Other related matters concerning public information, people's power, and participation.

COMMITTEE OF THE INDIGENOUS CULTURAL COMMUNITIES

- Protection, preservation and development of cultures, traditions, customs, beliefs and interests of indigenous cultural minorities in the province;
- Recognition and protection of the priority rights of the minority to their ancestral lands;
- Preservation of a stable ethnic, religious or linguistic tradition of the minorities;
- Maintaining the rights to equality exercise of civil and political rights of indigenous minorities;
- Provision and seeking of all forms of assistance for the health, safety including adequate provisions to labor and employment and educational opportunities;
- Other matters related to indigenous minorities.

RULE XX

COMMITTEE REPORTS

Section 89. Submission of the Committee Report. - Every Committee to which a particular measure is referred shall submit its report in writing to the Sanggunian, through the Secretary, after finishing its task.

The Committee Report must be submitted a day before the Order of Business is finalized.

Section 90. Joint Committee or Multiple Committee Report. - When a measure is referred to two or more committees, the Committees may submit a "joint committee report" or "multi-committee report", as the case may be, or a separate report thereon.

Section 91. Contents of the Committee Report. - The committee report shall contain the following information:

- a. Name of the reporting committee or committees;
- b. Brief statement of the subject matter referred to it and the action taken thereon including information gathered during the conduct of committee hearings or meetings and other relevant information;
- c. Findings or conclusions;
- d. Recommendations (preferably in the form of a resolution);

- e. Names and signature of concurring members;
- f. Appendices (minutes of the committee hearings or committee meetings, as the case may be).

Section 92. 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 93. 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 that Committee for further study.

Section 94. In rendering committee reports, priority shall be given to standing committees, to be followed by special (as Ad-Hoc) committees.

Section 95. As a general rule, committee reports shall be rendered by its Chair, unless he or she dissents with the majority decision. In his or her absence, one of the Vice-Chairs shall take his or her place. If neither of them is present, the report shall be rendered by any committee member who concurs with the report and has been duly designated by the said committee.

Section 96. Recommendations of the Reporting Committee. - The Reporting Committee may make any of the following recommendations:

- a. a favorable recommendation for the enactment of a proposed Ordinance it has "reported out", in which case a copy of the proposed Ordinance shall be furnished to the Committee on Rules, which in turn shall calendar it for "second reading". Before the said proposed Ordinance is sponsored on the floor, a copy thereof shall be furnished to every Sanggunian Member by the Committee Chair concerned;
- b. an unfavorable recommendation, in which case the proposed measure shall be considered laid on the table;
- c. a recommendation for the Sanggunian not to take any action, in which case the Body shall vote whether to adopt such a recommendation;
 - 1. if the Body adopts such recommendation, the matter shall remain shelved in the committee;
 - 2. if the Body does not adopt such recommendation, then it shall make a decision as to what to do with the said measure;
- d. a recommendation for the Sanggunian to file the proposed measure away, in which case the Body shall vote whether to adopt such a recommendation;
 - 1. if the Body adopts such recommendation, the matter shall be "filed away" or archived;
 - 2. if the Body does not adopt such recommendation, then it shall make a decision as to what to do with the said measure.

Section 97. As a general rule, no member of a Committee shall oppose or object to the report of his or her Committee if he or she had signed the same. If he or she did not sign the committee report, he or she may communicate his or her dissenting opinion thereto in writing or orally in open session. Signing the committee report, however, will not preclude a committee member from asking clarificatory questions or from introducing amendments to the same during the proper period.

RULE XXI

JOURNAL AND RECORD OF PROCEEDINGS

Section 98. Record of Proceedings. - The Sanggunian shall keep a "journal and record" of its proceedings, which may be published upon resolution of the Sangguniang Panlalawigan. [Sec. 52 (e) of RA 7160]

Section 99. 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 "Minutes", which shall be submitted by the Secretary to the Sanggunian for appropriate action.

Section 100. Reading and Consideration of 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 to the Minutes and act on them accordingly before the same is adopted by the Body 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 have already been furnished a copy thereof beforehand. Members of the Sangguniang Panlalawigan are presumed to have read the Minutes already before coming 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 101. Contents of Minutes. - The Minutes shall contain the following information:

- a. Place, date and time of the session;
- b. Whether it is special or regular;
- c. Names of the members present therein and those who were absent;
- d. Action taken on the minutes of the previous session including the correction, if any; names of those who adopted (or approved) the minutes under consideration and those who did not;
- e. Text of every measure (resolution or ordinance, etc.) adopted or enacted;
- f. Brief resume of the minority opinion, if any;
- g. The "Ayes" and the "Nays" or "Yes" or "No" votes on every question (measure) and if voting is done through nominal voting or call voting, the names of those who voted on either side;
- h. All motions presented or proposed, whether lost or carried, except those withdrawn;
- i. Full text of the veto message of the Governor, if any;
- j. Time of adjournment.

Section 102. Signing of Minutes. - The original copy of the Minutes shall be signed by the members who adopted or approved at the appropriate space therein. The Presiding Officer at the particular session and the Secretary shall also sign or affix their signatures on it.

Section 103. Excerpts. - Excerpts to be taken out of the minutes shall be certified and attested by the Secretary and the Presiding Officer at that particular session, respectively.

RULE XXII

RULES ON MOTIONS

Section 104. All motions relating to a committee report, if presented or proposed by the reporting committee Chair, or the reporting committee member, shall need no second.

Section 105. If someone "has the floor", whether or not he or she is speaking, a "motion to adjourn" shall be ruled "out of order".

Section 106. All privileged motions may be proposed even if there is a pending motion or question before the Body.

Section 107. The following motions can be presented or proposed even if someone has the floor, viz:

- a. Appeal from the decision of the Presiding Officer;
- b. Call of Orders of the day;
- c. Divide the Assembly, Body (or House, if any);
- 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. Reconsideration;
- j. Raise a Question of Privilege.
- k.

Section 108. When there is no quorum present, a motion to adjourn or to take a recess is "in order" provided that nobody else has the floor.

Section 109. 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 only.

Section 110. The following motions require a SECOND, viz:

- a. Adjournment;
- b. Adopt a report or resolution, except when proposed by the reporting Committee Chair or Member;
- c. Amend;
- d. Appeal from the decision of the Presiding Officer;
- e. Commit or refer to a Committee;
- f. Expunge;
- g. Extend or limit the time for debate;
- h. Fix the time to adjourn;
- i. Lay on the Table;
- j. Postpone indefinitely;
- k. Call for the previous question;
- l. Recess;
- m. Reconsideration;
- n. Rescind or Repeal;
- o. Suspend the Rule;
- p. Take from the Table;
- q. All main motions.

Section 111. A Motion to Amend (Amendment of the 1st degree) and a motion to amend an amendment (Amendment of the 2nd degree) may be withdrawn but only before a decision is made thereon.

Section 112. A Motion to Amend is in order only up to the second degree. Thus, a motion "to amend an amendment to an amendment" is out of order.

Section 113. A motion can be withdrawn only when it is not yet being discussed or debated upon by the Body. Otherwise, any request to withdraw the said motion shall require a vote by general consent and, if there is an objection raised to its withdrawal, a majority vote of the members present.

RULE XXIII**AMENDMENTS**

Section 114. This "Internal Rules of Procedure" may be amended at any Regular Session by at least two-thirds (2/3) vote of all the members of this Sanggunian, provided that prior notice of such proposed amendment is given to all the members and provided further that no provision herein which is based on, or prescribed by, existing laws shall be amended.

RULE XXIV**SUPPLEMENTARY RULES**

Section 115. The rules, procedures, and parliamentary practices of the Congress, the Implementing Rules and Regulations of the Local Government Code of 1991, and Robert's Rules of Order shall serve as supplementary to the Internal Rules of Procedure of this Sanggunian.

RULE XXV**REPEALING/REVOCATORY CLAUSE**

Section 116. The previous Internal Rules of Procedure is hereby automatically revoked and superseded.

RULE XXVI**DEFINITION OF TERMS**

- | | |
|-----------------------------|---|
| 1. PRESIDING OFFICER | -the Vice-Governor shall be the Presiding Officer of the Sanggunian who shall preside over the sessions of the Sanggunian. |
| 2. SPEAKER | -refers to the member of the Sanggunian who obtains the floor. |
| 3. CHAIR | -Chair of any standing, special, or Ad-Hoc committee presiding over a meeting. |
| 4. MAJORITY MEMBERS | -Sanggunian members who have been elected and qualified. The terms "elected" and "qualified" shall not be construed to include not only the regular members but also the "ex-officio" members and sectoral representatives of this sanggunian. |
| 5. MAJORITY VOTES | -more than half of the votes cast by the members present, there being a quorum. |
| 6. 2/3 VOTES | -two-thirds vote cast by the members present, there being a quorum. |
| 7. VOTES BY GENERAL CONSENT | -when a matter or motion is brought before the Body and nobody contests it, there is no need for balloting. The matter is then considered affirmed by "general consent." This method is also known as "acclamation" or "consensus" (Handbook on Local Legislation). |
| 8. ORDER OF BUSINESS | -is the prescribed sequence of business to be taken up during a meeting or session, which helps as a guide for the orderly and proper conduct of the proceedings. |
| 9. CALENDAR OF BUSINESS | -is the official list of specific proposals or measures intended to be acted upon during a session of a legislative body. It is synonymous with the term "Agenda". |

10. UNFINISHED BUSINESS -refers to any kind of business including, but not limited to, proposals or measures that have been left unacted upon, postponed, or left unfinished during the previous meeting or session. This also includes items of business left unfinished or unacted upon at the end of the term of office of the previous legislative body, i.e., the Sanggunians.
11. BUSINESS FOR THE DAY -this refers to a list of items that have been reported out by committees and are ready for deliberation on "second reading" as determined by the Committee on Rules. It also includes those measures (resolutions or ordinances) which have been passed on the "second reading" stage and are ready for the Body's decision on "third and final reading."
- Urgent matters requiring immediate action by the Sanggunian on that particular session could also be included under this item.
12. UNASSIGNED BUSINESS -this refers to pending matters or measures and new ones arising out of the deliberations but not yet assigned or referred to the proper Committees for appropriate action:
1. Matters, proposals, or measures usually in the form of resolutions or ordinances that have not yet been referred to any particular committee, albeit reported out during the period for committee report, if any;
 2. Matters, proposals or measures already referred to a committee but for some reason were not acted upon, and the Body decided to discharge that committee from further handling the same. Thus, it becomes imperative to assign it to another committee, or create a special (or Ad-Hoc) committee for that purpose;
 3. Matters, proposals, or measures which have been erroneously referred to a committee but, for some reason, were not corrected immediately during or after its "referral." When the item "unassigned business" comes, that error could still be corrected through the initiative of any of the following:
 - a. Presiding Officer;
 - b. Committee on Rules;
 - c. Committee claiming jurisdiction over it; or the
 - d. Committee to which it was erroneously referred;
 4. Expose allegations, grievances or similar matters which were raised during the "privilege speech" of a member, or information which surfaced during the "question hour" but for some reason were not referred or assigned to the concerned committee for a "fact-finding investigation in aid of legislation";
 5. Other "unassigned business" that the Committee on Rules may decide to include under this item.
13. COMMITTEE OF THE WHOLE -committee composed of the whole Body or assembly, which is being resorted to when a certain matter brought before the Body could be best acted upon or resolved informally.

14. SERIATIM
METHOD

-Latin for "one after another." Issues, facts, or agendas are discussed one by one in order.

RULE XXVII

EFFECTIVITY

Section 117. This Internal Rules of Procedure shall take effect on the date of its adoption.