PAMAHALAANG BAYAN NG TAYTAY
TANGGAPAN NG SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN, MUNICIPALITY OF TAYTAY, PROVINCE OF RIZAL, HELD ON THE 9TH DAY OF JULY, 1998 AT THE SESSION HALL, MUNICIPAL BUILDING, TAYTAY, RIZAL

PRESENT:

Hon. Adelina T. Reyes	-	Vice-Mayor/ Presiding Officer
Hon. Fernando R. Cabitac, Jr.	-	Councilor
Hon. Noel Ireneo E. Reyes	-	Councilor
Hon. Randy S. San Juan	-	Councilor
Hon. Anastacio V. Alcantara	-	Councilor
Hon. Carlito G. Gonzaga	-	Councilor
Hon. Ceferino R. Resurreccion, Jr.	-	Councilor
Hon. Janet DL. Mercardo	-	Councilor
Hon. Felimon M. Santos	-	Councilor
Hon. Andres C. Cruz, Jr.	-	ABC President
Hon. Aldin B. Gatapia	-	SK President

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RESOLUTION No. 59

ADOPTING THE REVISED AND AMENDED INTERNAL RULES OF PROCEDURE OF THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF TAYTAY, PROVINCE OF RIZAL.

WHEREAS, Section 50 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, authorizes the local Sanggunian to adopt or update any existing rules of procedure for the proper discharge of legislative functions;

WHEREAS, the SANGGUNIANG BAYAN of the MUNICIPALITY OF TAYTAY is a legislative body duly organized according to law for the enactment of ordinances and the adoption of resolutions for the governance of the said Municipality.

WHEREAS, to ensure and maintain proper conduct and good order in all Sangguniang deliberations, it is necessary that specific rules and procedures be adopted and enforced in the interest of effective legislation.

NOW THEREFORE, BE IT RESOLVED, as it is hereby resolved by the Sangguniang Bayan of the Municipality of Taytay, duly assembled, to adopt, as it is hereby adopted, the following Rules of Procedures to govern its deliberations and discharge of legislative functions, to wit:

RULE I - MEMBERSHIP

SECTION 1 - Composition - The Sangguniang shall be composed of the Municipal Vice-Mayor as Presiding Officer, the Members elected at large, and such sectoral representatives as may be chosen, pursuant to law;

OFFICE OF THE MAYOR
RECEIVED

SECTION 2 - Term of Office - The term of office of the Members of the Sangguniang Bayan of Taytay shall be three (3) years, which shall commence on such date as may be provided by law, July 1, 1998;

SECTION 3 - Oath or Affirmation - All the members of the Sangguniang Bayan of Taytay shall, upon assumption to office, take an oath of office or affirmation in the prescribed form, duly subscribed before a person authorized to administer oath;

Copies of the oath or affirmation of office shall be filed and preserved in the Office of the Municipal Mayor of Taytay;

RULE II - PRESIDING OFFICER

SECTION 4 - The Presiding Officer - The Municipal Vice-Mayor shall be the Presiding Officer of the Sangguniang Bayan of Taytay. The Presiding Officer shall vote only to break a tie;

In the event of the inability of the Municipal Vice-Mayor to act as presiding officer, the Sangguniang Members present constituting a quorum, shall elect from among themselves a temporary presiding officer. The acting or temporary presiding officer shall not vote even in case of a tie but shall certify within ten (10) days from their enactment or adoption all ordinances and resolutions passed by the Sangguniang Bayan of Taytay;

SECTION 5 - Powers and Duties of the Presiding Officer - The presiding officer shall:

a) Preside over the session of the Sangguniang Bayan;

b) Preserve order and decorum during session, and in case of disorderly conduct in the session hall or within the premises take measures as he may deem advisable or as the Sangguniang may direct;

c) Decide all questions or order, subject to appeal by any Sangguniang Bayan Member in accordance with these Rules;

d) Sign all acts, ordinances, resolutions, memorials, writs, warrants, and subpoena issued by, or upon order of the Sanggunian; and

e) Exercise such other powers and perform such other functions as may be provided by law, ordinance or regulation.

The regular presiding officer shall not be a chairman of any standing committee, but shall have a voice and vote in all committee deliberations. He may, however, be elected as chairman of any special or and committee which the sanggunian may organize for specific purposes.

RULE III - THE SECRETARY

SECTION 6 - Appointment and Compensation - The Sangguniang Secretary shall be appointed by the Local Chief Executive. His compensation, allowance and other emoluments shall be determined by law or ordinances. } except Calamba

The appointment of the Sanggunian Secretary shall be in accordance with civil service law, rules and regulations.

SECTION 7 - Powers and Duties of the Secretary - The Sanggunian Secretary shall:

a) Attend meetings of the Sangguniang Bayan and keep the Minutes of its proceedings;

b) Record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the Sanggunian with the dates of their enactment and publication;

c) Forward to the (Local Chief Executive) for appropriate action ordinance and resolutions enacted or adopted by the Sangguniang Bayan which have been certified as such by the presiding officer within ten (10) days after their enactment or adoption;

d) Keep and affix the Sanggunian seal on all ordinances and resolutions signed by the (Local Chief Executive);

e) Attest to all ordinances and resolutions approved by the Sanggunian and signed by the (Local Chief Executive);

f) Forward to the Sangguniang Panlalawigan for review copies of approved resolutions and ordinances within seventy-two hours after their approval;

g) Translate into the dialect used by the majority of the people of the municipality all ordinances and resolutions immediately after their approval, and have the translation posted, together with the original, at the main entrance of the municipal hall and in two (2) other conspicuous public places in the area;

h) Upon request, furnish certified copies of all records and documents in his charge not otherwise classified as confidential, upon payment to the local treasurer of the fees prescribed by ordinance;

i) Keep this office and all records therein which are not of a confidential character open to public inspection during the usual business hours;

j) Act as custodian of the public library and archives, if any, and annually account for the properties therein; and

k) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinances;

RULE IV - SESSION

SECTION 8 - Regular Session - The Regular Session/s of the Sangguniang Bayan of Taytay shall be on every Thursday of each week at 9:00 A.M. at the Session Hall unless formal notice thereof shall stipulate, or as may be decided upon in the immediately proceeding session, or in any public building as may agreed by its majority members.

SECTION 9 - Special Sessions - as often as necessary, when public interest so demands, special sessions may be called by the Local Chief Executive or a majority of the members of the Sanggunian.

In special sessions, a written notice to the Sanggunian Members stating the date, time and purpose of the session, shall be served personally or left with a member of the household member at his usual place of residence at least 24

hrs before the special session. Unless otherwise agreed upon by two-thirds (2/3) vote of the members present, there being a quorum, no other matter may be considered at a special session except those stated in the notice.

SECTION 10 - Call to Order - The presiding officer shall, open the session by calling the Sanggunian to order.

SECTION 11 - Attendance in sessions - Every Member of the Sanggunian shall be present in all sessions, unless expressly excluded by it or necessarily prevented from doing so by sickness of other unavoidable circumstances duly reported to the Sanggunian through the Secretary. Any member who is late for thirty minutes without valid excuse after the Chairman shall have called the meeting to order wherein the time of the start of the meeting is specified therein shall be punished as follows:

a. First tardiness - Admonition from the Chairman;

b. Second tardiness - Written resolution of warning;

c. Third tardiness - Member shall automatically be considered absent;

d. Subsequent tardiness incurred by the Member concerned shall merit a resolution condemning said practice without prejudice to allowable sanctions as provided by the Local Government Code and other related laws to be determined by the body.

SECTION 12 - Open to Public - Sanggunian Session or meetings of any committee thereof shall be open to the public unless a closed door session is decided or ordered by an affirmative vote of a majority of the Members present, there being a quorum, in the public interest or for reason of security, decency or morality, or for reasons affecting the dignity of the Sanggunian or any of its members, or when confidential matters are being considered.

On a motion to hold a closed session duly approved, the presiding officer shall direct the session hall cleared and doors closed.

Only the Secretary and such other persons as are specifically authorized by the Sanggunian shall be admitted to the closed sessions. They shall preserve the secrecy of whatever may be read or said at the session.

SECTION 13 - Suspension and Adjournment of Session - Sessions of the Sanggunian shall not be suspended or adjourned except by direction of the Sanggunian itself, but the presiding officer may, in his discretion, declare a recess of short intervals.

SECTION 14 - Opening and Adjournment of Session to be Entered in Minutes - The exact hour of opening and adjournment of a session shall be entered in the Minutes.

RULE V - ROLL CALL & QUORUM

SECTION 15 - Quorum - A majority of all the elective and appointive Members of the Sanggunian shall constitute a quorum to transact official business. (Seven out of Eleven Members) shall be present to constitute a QUORUM.

Should a question of quorum be raised during a session, the presiding officer shall immediately proceed to call the roll of the Members and thereafter announce the results.

SECTION 16 - Absence of Quorum - Where there is no quorum in a given session, 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 day to day and may compel the immediate attendance of any Member absent without good cause by issuing to the PNP Taytay Station an order for the arrest and presentment of the absent Member at the session.

If there is still no quorum despite the foregoing, no business shall be transacted. The presiding officer, upon proper motion duly approved by the Members present, shall then declare the session adjourned for lack of quorum.

SECTION 17 - Motion to adjourn Vacated Call - At any time after the roll call has been completed, a motion to adjourn shall be in order and if approved by a majority of those present, all proceedings shall be vacated.

RULE VI - COMMITTEES

SECTION 18 - Standing Committees - The Sangguniang Bayan of Taytay shall elect the Chairman and Members of the following standing committees, the general jurisdiction of which shall be as thereunder provided;

a) Committee on Finance, Budget and Appropriation - all matters pertaining to funds for the expenditures of the Municipal Government and for the payment of public indebtedness, monitoring of accounts and expenditures of the Municipal Government; claims against the Government, and in general all matters relating to public expenditures. The Chairman of the committee shall be member of the municipal development Council. Pre-qualification and Awards Committee (PBAC).

b) Committee on Agriculture, Fisheries and Aquatic resources - All matters relating to agriculture, food production and agri-business, agriculture economic and research, soil survey and conservations agricultural education and extension services; from credit; fisheries and aquatic resources.

c) Committee on Education and Culture - All matters relating to education and culture, local schools, colleges and universities, libraries and museums; non-formal and community-audit education; scientific and technological research, development and advancement; and moral and religious formation of the community. Implementation of the provisions of the constitution regarding free public elementary and secondary education; and the national language, the preservation, enrichment and dynamic evolution of Filipino arts and culture. The Chairman of the Committee shall be a member of the School Board.

d) Committee on Social Services, Women and Family - All matters relating to the strengthening and development of family life; human ecology and settlements; social welfare and ameliorative services, relating to the implementation of the constitutional provisions on women and family relation. The Chairman of the Committee shall be a member of the Office of the Senior Citizen Affairs (OSCA).

e) Committee on Peace and Order & Public Safety - All matters relating to police work and services, maintenance of peace and order, and the prosecution of crimes in coordination with the various police and protective agencies of the

National Government and investigation of charges of malfeasance. The Chairman of the committee shall automatically be a member of the Peace and Order Council.

f) Committee on Infrastructure & Utilities - All matters relating to the preparation of plans and specifications, supervision and monitoring of all National, Provincial and locally funded project, construction maintenance and repair of the Municipal Buildings, barangay roads, bridges, and other public works, such as parks, shrines, monuments, drainage's, sewerage and flood control and protection; irrigation and water utilities; and other edifices of Municipal historical interest and the general regulation/monitoring of telecommunication sites and services.

g) Committee on Youth and Sports Development - All matters relating to the promotion, maintenance, and enhancement of the social, political, economic, cultural, intellectual, moral, spiritual and physical development of the youth. All matters relating to amateur sports development, and on the implementation of the constitutional provision on sports.

h) Committee on Health and Sanitation - All matters relating to health, hygiene and welfare of the residents, day care centers including proposals pertaining to sanitation, cemeteries, hospitals, health centers. All business establishments involved in the manufacture , handling and distribution of food, boarding houses and dormitories; poultry and swine raising establishments and all other health and sanitary measures and quarantine services.

i) Committee on Privatization and Economic Enterprise Development - Shall take charge of the enactment of laws and related measures relative to the privatization of public economic enterprises, and the promotion of economic enterprises owned and operated by the municipal government such as slaughter houses, public market and all related matters.

j) Committee on Ways and Means - All matters relating to revenue in general, bonded indebtedness of the Municipal Government, taxes and fees; revision of tax measures, assessment and valuation of properties, loans and other sources and forms of revenues.

k) Committee on Housing, Resettlement and Subdivision - All matters relating to urban land reform planning, housing, resettlement, and urban community subdivision and development. The Chairman of the Committee shall be a co-chairman of the Taytay Housing and Land Use Regulatory Authority (THLURA).

l) Committee on Rules, Resolutions and Ordinances - All matter relating to the codification of Municipal Ordinances, laws, census and statistics, revision or enforcement of the Sangguniang Bayan rules of procedures and policies and automatic review of all existing and proposed ordinances.

m) Committee on Trade, Industry, Labor and Civil Servants - All matters relating to domestic and foreign trade and private corporations, patents, copyrights, tradenames, and trademarks; standards, weights, measures, and designs; quality control; control of the prices of commodities; consumer protection; handicrafts and cottage industries, marketing and stabilization of the prices of commodities. The Chairman of the Committee shall be a member of Personnel Selection Board (PSB).

n) Committee on Natural Resources and Environmental Protection - All matters relating to the conservation, exploitation, management, exploration or utilization of our natural resources, including indigenous sources of energy; lands of public domain; mines and minerals; forest; parks and wildlife; and development of industries based on these resources.

o) Committee on Barangay Affairs - All matters relating to the affairs of the local barangay units within the Municipality.

p) Committee on Tourism and Special Events - All matters relating to tourism and town beautification, culture, public occasions and events effecting the Municipal Government. The Chairman of the Committee shall be a member of the Tourism Council.

q) Committee on Grievance and Human Rights - shall establish a procedure to inquire into, act upon, resolve or settle complains and grievances presented by local government employees.

r) Committee on Cooperatives - All matter relating to the establishment, organization and promotion of cooperative enterprises that will improve the economic and living condition of the municipal constituency

SECTION 19 - Limitations - No Sanggunian shall be a chairman of more than two standing committees.

The regular presiding officer of the sanggunian shall have a voice and vote in all committees.

No member of a committees shall act upon or participate in any matter in which he has a special, direct and substantial interest.

SECTION 20 - Special Committees - The Sanggunian may organize special committees as it may deem necessary. The officers and members of special committees shall likewise be elected by the majority vote of all the Sanggunian Member.

SECTION 21 - Vacancy - Whenever a vacancy occurred or is declared or exist in any of the committees, the same shall be filled by election of the Sanggunian.

SECTION 22 - Committee Meetings or Hearing - The committees shall determine the frequency of their meetings or hearings, provided they meet at least once a month. A majority of all the members of the committees shall constitute a quorum. Committee meetings or hearings shall be held only in a public building.

SECTION 23 - Committee Reports and Orders - Committee Reports and/or Orders on any ordinance or resolution shall be considered in formal meetings and shall not be submitted to the Sanggunian unless accompanied by the Minutes of the meeting or hearing, of the Committee which adopted them.

When a Committee submits a report, the members thereof shall be presumed to have concurred in the report and shall be precluded from opposing thereto during the regular or special sessions.

RULE VII - ORDER AND CALENDAR OF BUSINESS

SECTION 24 - Order of Business - The order of Business of the Sanggunian for every session shall be:

a) Call of the Order;

b) Roll Call

c) Approval of the Minutes of the previous session;

d) First Reading and referral to Committees of proposed ordinances; resolutions; messages, communications, petitions and memorials;

e) Committee Reports;

f) Calendar of Business;

- Unfinished Business
- Business for the day
- Unassigned Business

g) Proposed ordinances and resolutions for Third Reading;

h) Other matters; and

i) Adjournment.

SECTION 25 - Calendar of Business - The Calendar of Business shall consist of the following parts:

a) Unfinished Business - Business being considered by the Sanggunian at the time of its adjournment. Its consideration shall be presumed until such unfinished business is disposed of. Thereafter, the presiding officer shall call for the Business for the Day.

b) Business for the Day - Proposed ordinances, resolutions and other measures set on the Calendar for consideration on that day; to be considered in the order in which they are listed in the Calendar.

c) Unassigned Business - Proposed ordinances, resolutions and other measures reported out by Committees but not calendar earlier. Any business included in this part of the Calendar may be set for consideration on motion of a Member with unanimous approval of the Sanggunian Members present at a session, there being a quorum.

SECTION 26 - Distribution of Calendar - The Calendar shall be distributed a day before regular session, unless there be no addition to the previously distributed, in which case a note to this effect on the Order of Business shall be sufficient.

RULE VIII - ORDINANCES AND RESOLUTIONS

SECTION 27 - Ordinances and Resolutions, Distinguished 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. Matter relating to proprietary functions and to private concerns shall also be acted upon by resolutions.

SECTION 28 - Essential Parts of Ordinances and Resolutions - 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 its proposed effectively, 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 who shall report the same to the Sanggunian at its next session.

SECTION 29 - First Reading - The secretary shall report all proposed ordinances and resolutions to the Sanggunian Members for First Reading at least two (2) days before a regular or special session.

The First Reading of a proposed ordinances or resolutions shall only be by title and, thereafter, the same shall be referred to the appropriate committee.

An erroneous referral of a proposed ordinance or resolution may be corrected any day after the approval of the Minutes.

Only the Chairman or Vice Chairman of the Committee to which a proposed ordinance or resolution was erroneously referred, as well as the Chairman or Vice Chairman of the Committee claiming jurisdiction over the proposed ordinance or resolution, may move that the referral be declared erroneous, and ask for its correction. However, the presiding officer may muto proprio rectify erroneous referral.

SECTION 30 - Period to Report - The Committee shall submit a report on the proposed ordinance or resolution within thirty (30) days after it has been referred to it.

If the Committee Report on a proposed or ordinance or resolution is favorable, it shall be included in the Calendar of Business.

If the Committee action on a proposed ordinance or resolution is unfavorable, it shall be laid on the table and within ten (10) days, notice of the action taken will be furnished the author or authors concerned stating the reason or reasons for such action; Provided, that within five (5) days after receipt of the notice the Sanggunian may reconsider the Committee recommendation.

SECTION 31 - Urgent Measures - Any legislative matter duly certified by the (local chief executive) as urgent, whether or not it is included in the Calendar of Business, may be presented and considered by the Sanggunian in the same session without need of suspending the rules.

The Sanggunian, likewise, may on motion made by the Chairman or Vice Chairman of the Committee concerned, consider a proposed ordinance or resolution as urgent and consideration thereof shall be scheduled according to a timetable.

If said motion is approved, the Sanggunian shall forth - will prepare a detailed timetable fixing the date on or before which the proposed ordinance or resolution must be reported by the Committee concerned, the number of days or hours to be allotted to the consideration of the measures on Second Reading, and the date or hour at which proceedings must be concluded and final vote on said measure taken.

SECTION 32 - Second Reading and Debate - No proposed ordinance or resolution shall be considered on Second Reading in any regular session unless it has been reported or certified as urgent by the (Local Chief Executive).

On the day set for the consideration of a proposed ordinance or resolution for Second Reading, the same shall be read in full with the amendment proposed by the Committee, if any, unless copies thereof have been distributed earlier and such reading is dispensed with. Thereafter, the proposed ordinance or resolution shall be subject to debate and pertinent motions.

SECTION 33 - Debate and Closure of Members - In the discussion of any measure, a motion to close the debate shall be in order after two speeches for and one against, or after only one speech for has been delivered and none entered against it.

When several Members have registered or signified their intention to speak on the matter under consideration and when said matter has been sufficiently and thoroughly discuss by the Member speaking, the Presiding Officer, muto proprio, or upon motion of a Member, order that the Member having the floor shall desist from speaking further so that other Members may not be deprived of their opportunity to speak.

SECTION 34 - Five-Minute Rule - After the close of debate, the Sanggunian shall proceed to the consideration of Committee amendments. A Member who desires to speak for or against an amendment shall have only five (5) minutes to do so.

The five-minute rule shall apply, likewise, in the consideration of an amendment to an amendment, or of an amendment by substitution.

SECTION 35 - Approval of Measure on Second Reading - The Sanggunian Secretary shall prepare copies of the proposed ordinance or resolution in the form it was passed on Second Reading and shall distribute to each Sanggunian Member a copy thereof, except that a measure certified by the (Local Chief Executive) as urgent may be submitted for final voting immediately after debate and/or amendments during the Second Reading.

After the amendments have been acted upon, the proposed ordinance or resolution shall be voted on Second Reading.

SECTION 36 - Third Reading - A proposed ordinance or resolution approved on Second Reading shall be included in the Calendar under for Third Reading.

No Ordinance shall be approved unless it has passed three readings and copies thereof in the final form have been distributed to the Members at least two (2) days before its passage, except when the (Local Chief Executive) or the Sanggunian certifies to the necessity of its immediate enactment to meet a public calamity or emergency. Upon the Third Reading of a proposed ordinance or resolution, no amendment thereto shall be allowed, and the vote thereon shall be taken immediately thereafter and the ayes and nays and days entered in the Minutes.

SECTION 37 - Approval of Resolutions - A resolution shall be enacted in the same manner prescribed for ordinances, except that it need not go through a separate Third Reading for its final consideration, unless decided otherwise by a majority of all sanggunian Members.

SECTION 38 - Majority Requirement - No Ordinance or Resolution passed by the Sanggunian 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 on all Sanggunian Members for its passage.

Upon the passage of all ordinances or resolutions the Sanggunian Secretary shall record the ayes and nays. Each approved ordinance or resolution shall be stamped with the seal of the Sanggunian and recorded in a book kept for the purpose.

SECTION 39 - After the Local Chief Executive shall have submitted the annual general appropriations measure, supplemental appropriation measures shall be considered only if supported by actually available funds certified to by the local treasurer or by funds to be raised by corresponding revenue proposals included therein.

SECTION 40 - Approval by the Local Chief Executive - Every ordinance or resolution passed by the Sanggunian shall be forwarded to the Local Chief Executive for approval. The Local Chief Executive shall affix his initials on each and every page of the ordinance or resolution and the word "Approved" shall appear with his signature on the last page thereof.

Within 10 days after receipt of the ordinance or resolution, the Local Chief Executive shall return the said ordinance or resolution to the Sanggunian with either his approval or his veto. If he does not return it within that time, the ordinance or resolution shall deemed approved.

SECTION 41 - Veto Power of the Local Chief Executive - The Local Chief Executive may veto any ordinance or resolution on the ground that it would be prejudicial to the public welfare particularly stating his reason thereto in writing.

The Local Chief Executive shall have the power to veto any particular item or items of an appropriation ordinance, or of an ordinance or resolution directing the payment of money or creating liability. In such case, the veto shall not affect the item/s which is/are not objected to. The vetoed item/s shall not take effect unless the Sanggunian overrides the veto in the manner hereunder provided, the item/s in the appropriation ordinance of the previous year corresponding to those vetoed shall be deemed reenacted.

The Sanggunian may override the veto of the Local Chief Executive concerned by two-thirds (2/3) vote of all its members, thereby making the ordinance or resolution effective.

The Local Chief Executive may veto an ordinance or resolution only once.

SECTION 42 - Review by the Sangguniang panlalawigan - Within seventy two (72) hours after approval, the secretary shall forward to the Sangguniang Panlalawigan for review, copies of approved ordinances, resolutions or executive orders promulgated by the Local Chief Executive.

Within thirty (30) days after receipt of copies of approved ordinance, resolution and executive orders promulgated by the Local Chief Executive, the Sangguniang Panlalawigan shall examine the documents or transmit them to the Provincial Attorney, or if there be none, to the Provincial Fiscal for prompt examination. The Provincial Fiscal or Provincial Attorney shall, within fifteen (15) days from receipt of the documents, inform the Sanggunian Panlalawigan of his

written documents or recommendation which may be considered by the said Sanggunian in making its decision.

If the Sangguniang Panlalawigan finds that an ordinance, resolution or executive order is beyond the power conferred upon the Sangguniang Bayan or the Local Chief Executive, it shall declare such ordinance, resolution or executive order invalid in whole or in part. The Sanggunian Panlalawigan shall enter its actions upon the Minutes and shall advise the corresponding Municipal authorities of the action it has taken. The action of the Sanggunian Panlalawigan shall be final.

If no action has been taken by the Sanggunian Panlalawigan within thirty (30) days after submission of an ordinance, resolution or executive order, the same shall be presumed consistent with law, and therefore, valid.

SECTION 43 - Enforcement of Disapproved Measures - Any attempt to enforce, promulgate or execute orders after the disapproval thereof shall be sufficient ground for the suspension or dismissal of the officer making such attempt.

SECTION 44 - Effectivity of Enactment - Unless otherwise stated in the ordinance or resolution, the same shall take effect after the lapse of ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the municipal hall and in at least two (2) other conspicuous places, such at the public market, church or chapel.

Not later than five (5) days after the passage of the ordinance or resolution, the Sanggunian Secretary shall cause the posting thereof in English together with a copy translated in the dialect used by the majority of the people in the area, and shall record such fact in a book kept for the purpose stating the dates of approval and posting thereof.

RULE IX - DECORUM AND DEBATE

SECTION 45 -Manner of addressing the chair- When Member desires to speak, he shall rise and respectfully address the Chair. "Mr. Chairman" or " Mr. Presiding Officer".

SECTION 46- Recognition of Member to speak - when two or more Member rise at the same time, the Presiding Officer shall determine and recognize the Member who is to speak first.

SECTION 47 - Time Limit for Speeches - No Member shall occupy more than fifteen (15) minutes in debate on any question or speak for more than one in any question with out leave of the Sanggunian, except as hereinafter provided. The period of interpolation shall not be counted against the time of the Mamber speaking.

SECTION 48 - Sponsor to Open and Close Debate - The Member reporting a measure under consideration from a committee may open and close the debate thereon. If the debate should extend beyond one session day, he shall be entitled to an additional fifteen (15) minutes to close.

SECTION 49 - Decorum to Open and Close Debate - In all cases, the Member who has obtained the floor shall confined himself to the question under debate, avoiding personalities. He shall refrain from entering words, or performing acts which are inconsistent with decorum.

If it is requested that a Member be called to order for words spoken in debate, the Member making such request shall indicate the words excepted to, and they shall be taken down in writing by the Secretary and read 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 intervened.

SECTION 50 - Conduct During Session - During the session the Members shall be in proper attire and observe proper decorum.

While the Presiding Officer is addressing the Sanggunian or putting a question, no Member shall walk out or cross the session hall.

SECTION 51 - Smoking in Session Hall Prohibited - Smoking shall not be permitted within the session hall.

SECTION 52 - Discipline of Members - The Sanggunian may punish its Members for disorderly behavior and with the concurrence of two-thirds (2/3) of all its Members, suspend or exclude from the session a Member but if the penalty is suspension, this shall not exceed sixty (60) days.

RULE X - VOTING AND MOTIONS

SECTION 53 - A Tie on an Appeal - A tie vote on an appeal from the ruling of the Chair sustains the decision of the Chair.

SECTION 54 - Who May Move - When a motion, report or proposed measure is adopted or lost, it shall be in order for 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 55 - Recording of Motions - Every motion shall be entered in the Minutes with the name of the Member making it, unless it is withdrawn on the same day.

SECTION 56 - Reading and Withdrawal of Motions - When a motion is made, the presiding officer shall state it before being debated. Except as herein otherwise provided, a motion may be withdrawn any time before its approval or amendment.

SECTION 57 - 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, a lay on the table, postpone it 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 day certain, or refer or postpone indefinitely having failed passage shall again be allowed on the same day.

SECTION 58 - Amendments - When a motion or proposition is under consideration a motion to amend and a motion to amend that amendment shall be in order. It shall also be order to offer further amendment by substitution, but it shall not be voted upon until the original motion or proposition is perfected. Any of said amendments may be withdrawn before a decision is had thereon.

SECTION 59 - Rider Prohibited - No motion or proposition on a subject different from that under consideration shall be allowed under color of amendment.

SECTION 60 - Motion to Cover One Subject Matter - No motion shall cover more than one subject matter.

SECTION 61 - Amendment of Title - Amendment to the title of a proposed ordinance or resolution shall not be in order until after the text thereof has been perfected. Amendment to the title shall be decided without debate.

SECTION 62 - Call to Order - A motion to read any part of the Rules is equivalent to a call to order and takes precedence over any motion other than to adjourn.

SECTION 63 - Question of Privilege - Question of privilege are:

a) Those affecting the rights of the Sanggunian its safety, dignity and the integrity of its Members.

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

Subject to the five-minute rule, question of privilege shall have precedence over all other question, except a motion to adjourn.

SECTION 64 - Privileged Questions - Privileged questions are those motions or subject matters which, under the Rules, take precedence over other motions and subject matters.

RULE XI - SUSPENSION OF THE RULES

SECTION 65 - Who Can Move - Any member of the Sangguniang Bayan may move for the suspension of the Rules.

SECTION 66 - Vote Required - No Rule shall be suspended except by a vote of two-third (2/3) of the Members, a quorum being present.

SECTION 67 - Interruption of Motion - When a motion to suspend the Rules is pending, one motion to adjourn may be a entertained, if it is lost, no similar motion shall be entertained until the vote is taken on the motion to suspend.

SECTION 68 - Effect of Suspension - If the Sanggunian votes to suspend the Rules, it shall forthwith proceed to consider the measure. A two-third (2/3) vote of the Members present shall be necessary for the passage of said measure, a quorum being present.

RULE XII - OFFICIAL SEAL

SECTION 69 - Official Seal - The seal of the Sangguniang Bayan of Taytay shall be:

JK moved for adoption

(Give description of seal)

RULE XIII - AMENDMENTS

SECTION 70 - Amendments - Any portion of these Rules may be amended by a majority vote of all the Sanggunian Members.

RULE XIV - EFFECTIVITY

SECTION 71 - Effectivity - These Rules shall take effect on the date of their adoption.

ADOPTED, this 9th day of July, 1998, at the Session Hall, Municipal Building, Taytay, Rizal.

ADELINA T. REYES. M.D
Vice Mayor
Presiding Officer

ATTESTED:

ATTY. EDWIN P. CRUZ
Secretary to the Sanggunian

APPROVED:

JUNE V. ZAPANTA
Municipal Mayor

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files/amy: