



REPUBLICA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

RESOLUTION NO. 04-01

A RESOLUTION ADOPTING THE INTERNAL RULES OF PROCEDURE FOR THE
FOURTH SANGGUNIANG PANLUNGSOD OF MUNTINLUPA.

Sponsored by: *Hon. Atty. Raul R. Corro*
Hon. Bal Niefes
Hon. Allan Rey A. Camilon
Hon. Ma. Luisa Babaran-Echavez, MD
Hon. Melchor R. Teves
Hon. Allen F. Ampaya
Hon. Kevin B. Delgado
Hon. Atty. Icasiano M. Dela Rea
Hon. Rene Carl S. Cayetano
Hon. Elmer S. Espeleta
Hon. Francis Ian T. Bagatsing
Hon. Marissa Cole-Rongavilla
Hon. Lucio B. Constantino
Hon. Mamerto T. Sevilla, Jr.
Hon. Joselito V. Arevalo
Hon. Mario E. Bulay, Jr.
Hon. Artemio A. Simundac
Hon. Christian Glenn D. Lorica

WHEREAS, The Sangguniang Panlungsod of Muntinlupa is a Legislative Body duly organized pursuant to law for the enactment of Ordinances and the adoption of Resolutions for the efficient and effective governance of the City of Muntinlupa;

WHEREAS, pursuant to Republic Act 7160, otherwise known as the Local Government Code of the Philippines of 1991, and Article 103 of its Implementing Rules and Regulations, "the Sangguniang Panlungsod has the inherent right and obligation of adopting its own Rules of Procedure within ninety (90) days from the First Regular Session following the election of its Members, for the proper discharge of legislative functions";

WHEREAS, in the maintenance of good order, it is necessary that those specific rules be adopted and enforced in the interest of effective legislation;

NOW, THEREFORE:

BE IT RESOLVED, by the Sangguniang Panlungsod of Muntinlupa to adopt the following Internal Rules of Procedure:

<u>TITLE</u>	<u>REFERENCE</u>
AMENDMENTS TO RULES	RULE XXI
COMMITTEES	RULE VIII
DECLARATION OF OUT OF ORDER, REFUSAL TO ABIDE, PUNISHMENT	RULE XIV
DECORUM AND DEBATE	RULE XIII
DISCIPLINARY ACTIONS	RULE XX
DISCIPLINARY HEARING	RULE IX



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EFFECTIVITY
JOURNAL, THE
MAJORITY FLOOR LEADER AND
MINORITY FLOOR LEADER
MEMBERS AND OFFICERS
ORDER AND CALENDAR OF BUSINESS
ORDINANCES AND RESOLUTIONS
PAPERS AND DOCUMENTS
PRESIDING OFFICER, THE
REPEALING CLAUSE
ROLL CALL AND QUORUM
RULES ON MOTION
SECRETARY, THE
SEPARABILITY CLAUSE
SERGEANT-AT-ARMS, THE
SESSIONS
SUPPLEMENTARY RULES
SUSPENSION OF RULES
UNFINISHED BUSINESS AND
SUSPENSION OF THE SESSION
VOTE AND VOTING

RULE XXV
RULE XII

RULE III
RULE I
RULE X
RULE XI
RULE XVIII
RULE II
RULE XXIII
RULE VII
RULE XVI
RULE IV
RULE XXIV
RULE V
RULE VI
RULE XXII
RULE XIX

RULE XVII
RULE XV

**RULE I
MEMBERS AND OFFICERS**

SECTION 1. Composition – The Sangguniang Panlungsod shall be composed of the Vice Mayor as Presiding Officer, the regular Sanggunian Members, the President of the City Chapter of the Liga ng mga Barangay, the President of Panlungsod na Pederasyon ng mga Sangguniang Kabataan, and the Sectoral Representatives as *Members*.

SECTION 2. Term of Office - The Members of the Sanggunian shall assume office on the day or in the manner provided for by law, and shall hold the same until their successors shall have been duly chosen and qualified. They shall, on the day and time fixed by these rules, meet at the designated place for the holding of sessions/meetings.

SECTION 3. The officers of the Sanggunian shall be composed of the Presiding Officer, Majority Floor Leader, Assistant Majority Floor Leader, Minority Floor Leader, Assistant Minority Floor Leader, Sanggunian Secretary, and the Sanggunian Sergeant-At-Arms.

**RULE II
THE PRESIDING OFFICER**

SECTION 4. The Presiding Officer - The Vice Mayor shall be the Presiding Officer of the Sanggunian. The Presiding Officer shall vote only to break a tie.

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In the event of inability of the *Vice Mayor* to act as Presiding Officer, the Majority Floor Leader shall act as Presiding Officer, or in the latter's absence, the Assistant Majority Floor Leader shall act as Presiding Officer.

In the event, however, that the Majority Floor Leader or the Asst. Majority Floor Leader are also unable to act as Presiding Officer, the remaining Members of the Sangguniang Panlungsod, constituting a quorum shall elect from among themselves who shall act as Presiding Officer in that particular session.

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

- a. Preside over the sessions of the Sangguniang Panlungsod of Muntinlupa.
- b. Preserve order and decorum during sessions, and, in case of disturbance or disorderly conduct in the session hall or within the premises, take measures as he may deem advisable or as the Sanggunian may direct;
- c. Decide all questions of order, subject to appeal by any Sanggunian Member in accordance with these rules.
- d. Sign all Ordinances, Resolutions, and orders issued by, or upon order of the Sanggunian;
- e. Sign all warrants drawn on the City Treasury for all expenditures appropriated for the operation of the Sanggunian Panlungsod;
- f. Appoint and sign all appointments of officials and employees of the Sangguniang Panlungsod, subject to Civil Service Laws, Rules and Regulations or existing applicable laws;
- g. Exercise such other powers and perform such functions as may be provided by law, Ordinance or Regulation.

The regular Presiding Officer shall not be a Chairman of any standing Committee, but may attend meetings of all Committee hearings. He shall be an Ex-Officio Member of all standing Committees, but he cannot vote in any deliberations nor can he sign in any Committee report. He may, however, be elected as Chairman of any special or ad hoc Committee which the Sanggunian may organize for special purposes. He may introduce Resolutions or Ordinances for the consideration of the Sanggunian.

**RULE III
MAJORITY FLOOR LEADER AND
MINORITY FLOOR LEADER**

SECTION 6. During the First Organizational Meeting, the elected Members of the Sanggunian may elect the Majority Floor Leader, Assistant Majority Floor Leader, Minority Floor Leader and Assistant Minority Floor Leader duly nominated.



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SECTION 7. The Majority Floor Leader shall be a Sanggunian Member who comes from the political party or group which commands a majority or predominance in the Sanggunian. He shall be an ex-officio Member of all the standing Sanggunian Committees and shall automatically be the Chairman of the Committee on Rules, Ethics and Privileges.

SECTION 8. He shall prepare and approve matters for inclusion in the Order/Calendar of Business. Provided, however that any proposed measure or matter not included in the said Order of Business shall be calendared upon written request of the author of the proposed measure to the Majority Floor Leader.

SECTION 9. He shall move for approval of any item in the Order of Business or for reference thereof to the corresponding Committee. His motion to this effect need not be seconded.

SECTION 10. He shall act as Presiding Officer in the absence of the Presiding Officer until the latter appears, becomes capable to discharge his regular duties or the successor has been duly elected.

SECTION 11. The Members of the Sanggunian who voted for and elected the Majority Floor Leader shall constitute the majority group in the Sanggunian. Those Members who did not vote for the elected Majority Floor Leader shall constitute the minority group in the Sanggunian.

SECTION 12. The Assistant Majority Floor Leader shall be nominated, voted and elected by a majority vote of the Members of the majority group. The Minority Leader and the Assistant Minority Floor Leader shall be nominated, voted and elected by the majority vote of the Members of the minority group.

SECTION 13. The Minority Floor Leader shall be a Sanggunian Member who comes from the political party or group constituting the minority of the Sanggunian. He shall be an ex-officio Member of all standing Committees of the Sanggunian. He shall perform such function and duties as may from time to time be required by the Sanggunian through an Ordinance and Resolution.

SECTION 14. A reorganization may be effected at anytime by a Resolution duly passed by a majority of the Members of the Sanggunian declaring the position of the Majority Floor Leader vacant, in which case the same procedures as provided for in Sections 7 and 8 hereof shall be observed.

**RULE IV
THE SECRETARY**

SECTION 15. Qualifications of Sanggunian Secretary - The Secretary to the Sanggunian shall be a career official with the rank and salary equal to a Head of Department. The Sanggunian Secretary shall be a citizen of the Philippines, a resident of Muntinlupa, of good moral character, and a holder of a college degree preferably in Law, Commerce, or Public Administration from a recognized College or University, and a first grade Civil Service eligible or its equivalent.

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SECTION 16. Powers and Duties of Sanggunian Secretary – The Sanggunian Secretary shall keep his office in the building where the Sanggunian meets regularly or at some other convenient place as the Sanggunian may direct. He 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. Call the roll of Members, read the calendar of business and the journal of the preceding sessions by himself or through a reader designated by the Presiding Officer, read the proposed Ordinances, Resolutions, messages, communications, memorials, petitions, and other documents which he should report to the Body, or the reading of which is required by the Sanggunian or order by the Presiding Officer;
- c. Keep the seal of the City of Muntinlupa and affix the same with his signature to all Ordinances, Resolutions, and other official acts of the Sanggunian and, thereafter, present the same to the Presiding Officer.
- d. Forward to the City Mayor, for approval, copies of Ordinances and Resolutions enacted or adopted by the Sanggunian and duly certified by the Presiding Officer within three (3) days from the signing of the Councilors who voted for such Ordinances or Resolutions and the Presiding Officer;
- e. Transmit to the Sangguniang Panlungsod copies of duly approved Ordinances and Resolutions;
- f. Furnish upon request of any interested party, certified copies of records of public character in his custody, upon payment to the City Treasurer of such fees as may be prescribed by Ordinances;
- g. Record in a book kept for the purpose, and number all Ordinances and Resolutions enacted, adopted or passed by the Sanggunian with the dates of the passage and publication.
- h. Keep his office and all non-confidential records therein open to the public during the usual business hours;
- i. Translate into Filipino or English, as the case maybe, all Ordinances and Resolutions immediately after their approval, and cause the publication of the same together with the original version in the manner provided under the Local Government Code;
- j. Shall assist in the preparation of the Order of Business / Calendar of the Majority Floor Leader of the Sangguniang Panlungsod;
- k. Take custody of the local archives and the Sanggunian library, and annually account for the same;



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- i. Exercise such other powers and perform such other duties and functions as may be prescribed by the law or Ordinance relative to his position.

**RULE V
SERGEANT-AT-ARMS**

SECTION 17. The Sanggunian shall have a Sergeant-at-Arms who shall be a career officer. The Sergeant-at-Arms shall be a citizen of the Philippines, a resident of the City of Muntinlupa, of good moral character, a holder of a degree from any recognized college or university.

SECTION 18. The Sergeant-At-Arms shall provide security and maintain order during the Sanggunian sessions and Committee hearings; enforce the lawful orders of the Presiding Officer or Sanggunian in the maintenance of discipline, order and peace during its session; prevent act of misconduct or disorderliness within the session hall and coordinate with the proper police agencies in the enforcement of the orders of the Presiding Officer or Sanggunian which needs police action.

SECTION 19. He shall execute or serve personally the summons which maybe issued by the Sanggunian, the Presiding Officer or the Committees.

SECTION 20. The Sergeant-At-Arms shall hold office in the building where the Sanggunian meets regularly.

**RULE VI
SESSIONS**

SECTION 21. Regular Sessions - The Regular Session of the Sanggunian shall be held every Thursday at exactly 2:00 o'clock in the afternoon inside the Session Hall at the People's Center Building in the City of Muntinlupa or at such place as maybe decided upon in the immediately preceding session.

SECTION 22. Special Sessions - As often as necessary, when public interest so demands, Special Sessions may be called by the City Mayor, Vice Mayor or a Majority of the Members of the Sanggunian.

In a Special Session, 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 of each Sanggunian Member at his usual place of residence. 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 23. Recess - The Sanggunian will go on recess on the following dates, December 8 to 31 and May 15 to 31. However, upon the suggestion of any Member of the Sanggunian, the City Mayor or if called by an important situation, Special Session may be called for in accordance with the Internal Rules.

SECTION 24. Call to Order - The Presiding Officer shall open the session by calling the Sanggunian to order.

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In every session,

- 1) a one-minute silent prayer or meditation, or at the discretion of the Presiding Officer, an invocation by the Sanggunian Member shall be offered,
- 2) Followed by the singing of the National Anthem.
- 3) And the singing of the Muntinlupa March.

SECTION 25. Attendance in Session. - Every Member of the Sanggunian shall be present in all sessions, unless expressly excluded by it or necessarily prevented from doing so by sickness or other unavoidable circumstances duly reported to the Sanggunian through the Secretary.

SECTION 26. Open to the Public. - Sanggunian sessions or meetings of any Committee thereof shall be open to the public unless a close 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 reasons 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 officer shall direct the session hall cleared and doors closed.

Only the Secretary and such other persons, especially authorized by the Sanggunian shall be admitted in the closed session. They shall preserve the secrecy of whatever may be read or said at the session.

SECTION 27. Suspension and Adjournment of Session - Session of the Sanggunian shall not be suspended or adjourned except by a majority vote of the Sanggunian Members, but the Presiding Officer, or on motion of any Member duly seconded by any Member of the Sanggunian, in his direction, declare a recess of short intervals.

In times of emergencies and calamities, or the sessions become unruly or uncontrollable which will endanger the safety or lives of the Members of the Sanggunian, session may also be suspended.

SECTION 28. Opening and Adjournment to be Entered in the Journal - The exact hour of opening and adjournment of session shall be entered in the journal

SECTION 29. Language - The session shall be conducted in either Filipino or English as the situation calls for it.

**RULE VII
ROLL CALL AND QUORUM**

SECTION 30. Quorum - A majority of all the Members of the Sanggunian shall constitute a quorum to transact official business. A quorum shall be determined on the basis of actual presence, and, for this purpose, a majority shall be one-half (1/2) plus one (1) of all the Members of the Sanggunian

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Should a question of the 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 31. Absence of quorum – When there is no quorum in a given session, the Presiding Officer may declare a recess until such time as a quorum is constituted but not longer than thirty (30) minutes until a majority of Members is present.

SECTION 32. Motion to adjourn, Vacates 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 VIII
COMMITTEES**

SECTION 33. Standing Committees - The standing Committees of the Sanggunian are as follows:

- a. **COMMITTEE ON RULES, ETHICS AND PRIVILEGES** - The Committee shall have overall jurisdiction on all matters relating to the Rules and Procedure of the Sanggunian, Order of Business, creation and re-organization of Committees, privileges, disorderly and unethical conduct or acts or misconduct of its Members and recommendations for the appropriate disciplinary sanctions, penalties and punishments; the codification of Ordinances, Resolutions and upgrading of the Rules of Procedures, accreditation of non-government organizations and and people's organizations and other groups or sectors seeking accreditation;
- b. **COMMITTEE ON APPROPRIATION** - Matters related to the funds of the city such as but not limited to the disbursement, expenditures and utilization; payment of public indebtedness, claims against the City Government and Appropriations of funds;
- c. **COMMITTEE ON LAND USE AND ZONING** – Matters related to preparation of a comprehensive master plan for the physical, economic, socio-cultural, religious and other aspects of the present and future development of the City of Muntinlupa; classification, use, possession and ownership of lands; determination of boundaries, buildings and structures, matter related to zoning; proper implementation and observance of the National Building Code; housing, subdivision, real estate, and acquisition of landed estate;
- d. **COMMITTEE ON ENGINEERING, PUBLIC WORKS AND INFRASTRUCTURE** - Matters related to engineering, public works and infrastructure; construction, maintenance and repairs of public edifices and buildings, streets, bridges, public open spaces, parks, monuments, playgrounds, donations, lease of government and public property, flood control.

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- e. **COMMITTEE ON YOUTH AND SPORTS DEVELOPMENT** - Matters related to the welfare and development of the youth as a responsible citizen; youth activities and projects, sports and athletics development, juvenile delinquency;
- f. **COMMITTEE ON EDUCATION** - Matters related to schools, colleges, universities, training centers, educational system, scholarships, student loan program, school projects; library, museum, adult education, day care centers, out-of-school youth, and other matters related to education;
- g. **COMMITTEE ON HEALTH AND SANITATION** - Matters related to the health of the residents; hospitals, health centers, medical and dental clinics, medical care, medicines and medical supplies, sanitation, pollution, industrial waste; garbage collection and disposal, cleanliness; funeral parlors; maintenance and promotion of sanitary and healthy environment;
- h. **COMMITTEE ON LIVESTOCK, MARKET, HAWKERS AND SLAUGHTERHOUSE** - Matters related to the operation, maintenance, management and administration of markets, hawkers, talipapa, slaughterhouse, supermarkets and animal corrals; piggeries, poultry and similar livestock;
- i. **COMMITTEE ON PUBLIC ORDER, SECURITY AND SAFETY** - Matters related to peace and order, security and safety of persons and property, traffic management; police matters and discipline; fire department; anti-drug campaign; jail and detention centers; disasters/natural calamities; prevention and abatement of nuisances;
- j. **COMMITTEE ON TRADE AND INDUSTRY** - Matters related to the development, expansion, promotion and regulation of commerce, trade, industry and investment; manufacture of local capital goods; transfer of industrial technology; trade agreements; price monitoring; and protection of consumers;
- k. **COMMITTEE ON WAYS AND MEANS** - Matters related to revenue, taxes and fees revision of tax measures, income generation, and other forms of revenue; appraisal, evaluation and determination and the value of real and personal property for taxation purposes;
- l. **COMMITTEE ON AGRICULTURE, FISHERIES, AQUATIC, ENVIRONMENT AND NATURAL RESOURCES** - Matters related to environment, to preserve a sustainable development and maintenance, and other environment-related issues such as land subsidence, lake and river rehabilitation, management and utilization and to preserve a sustainable development of aquatic and natural resources within the jurisdiction of Muntinlupa City; regulation of fishpond, baklad and other aquatic resources; development of animal industry; agricultural



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experiment station, economic and research; quarantine of animals; soil survey and conservation; agriculture development and extension services; farm credit and security; utilization of water, mineral, and other natural resources;

- m. **COMMITTEE ON LABOR AND EMPLOYMENT** – Matters related to employer and employee relationship; settlement of labor disputes; wages, hours of work and other labor and employment relationship; manpower development, training and placement of workers;
- n. **COMMITTEE ON URBAN POOR** - Matters related to the development of programs for affordable low cost housing; basic privileges to the under-privileged and homeless residents of Muntinlupa City; rights of small property owners; the distribution of basic social services to the urban poor; enhancement of the welfare of the less privileged and indigent residents;
- o. **COMMITTEE ON BARANGAY AFFAIRS** - Matters related to Barangay activities for social and economic development; tapping and utilization of Barangay resources; review of Barangay Ordinances and Resolutions in accordance with the Local Government Code; conduct investigation and hearings involving Barangay officials;
- p. **COMMITTEE ON VETERANS, RETIREES, ELDERLY AND DISABLED PERSONS** - Matters affecting veterans, civilian and military retirees, disabled/handicapped persons, paupers, aged, person of unsound mind and the elderly; development of their skills and human resourcefulness with the purpose of uplifting their socio-economic conditions or standard of living and for them to gain self-confidence, respect and dignity;
- q. **COMMITTEE ON JUSTICE AND HUMAN RIGHTS** - Matters related in the administration of justice; protection and violation of individual human rights involving their civil and political rights;
- r. **COMMITTEE ON LIVELIHOOD AND COOPERATIVES** - Matters related to the development of training and skills, income generating skills; small industries, establishment, operation, and management of cooperatives;
- s. **COMMITTEE ON PERSONNEL ADMINISTRATION** - Matters related to the management of City employees in professional civil service; determination of promotion and awards to deserving City Employees; status of their employment with respect to temporary, casual or contractual employees; removal or termination of City employees; status of their employment with respect to temporary, casual or contractual employees; removal or termination of City Government employees; enforcement of the Civil Service Law and Regulations;

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- t. **COMMITTEE ON GAMES, AMUSEMENT AND ENTERTAINMENT** - Matters related to business establishments operating and managing entertainment activity; lotto; cockfighting; granting of permits, franchises and licenses; entertainment business establishments; commercial breeding of gamecocks; operation management of carnivals, perya, video games and other similar amusement and entertainment activities;
- u. **COMMITTEE ON TOURISM, CULTURAL AND FOREIGN RELATION** - Matters related to the tourist industry; protection, preservation, development and the enhancement of art, cultural, historical and natural assets which are tourist attractions; promotion and development of tourism as a major socio-economic activity; operation and management of tourism establishments; matters related to international foreign relationships;
- v. **COMMITTEE ON TRANSPORTATION** - Matters related to transportation: operation of public and private vehicle such as but not limited to passenger jeepneys, passenger buses, school bus, motorized and peddled tricycle, motorcycles and other means of transportation; parking spaces; jeep, bus and tricycle terminals; operation of motorized banca and other water transportation services;
- w. **COMMITTEE ON COMMUNICATION AND PUBLIC INFORMATION** - Matters related to the operation and establishment of radio communication system, radio and television stations; construction of cellular tower sites; construction, installation, operations and maintenance of Community Antennae Television System and other communication system in which the public are entitled to be informed;
- x. **BLUE RIBBON COMMITTEE** - Matters related to including investigation of malfeasance, misfeasance, and non-feasance in office by officers and employees of the City Government, including Barangay Officials and employees and investigation of any matter affecting or brought to its own initiative or brought to its attention by any Members of the Sangguniang Panlungsod, if the complaint is brought about by a private citizen and the complaint must be in writing and under oath;
- y. **COMMITTEE ON PATRIMONIAL PROPERTY** - Matters related to the patrimonial properties of the City of Muntinlupa. The Committee shall conduct an inventory of all patrimonial properties and shall keep records of the same;
- z. **COMMITTEE ON WOMEN AND FAMILY RELATION** - Matters related to protection and equal treatment of women, development and enhancement of women welfare and enable them to the realization of their full potentials in the service of the country; solidarity and development of the family as a basic social institution; responsible parenthood; rights of children and rights of families.



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- aa. **COMMITTEE ON INFORMATION TECHNOLOGY DEVELOPMENT** - Matters related to Information Technology and its development in the City, to include, but not limited to matters pertaining to electronic commerce and services, education and businesses, Internet services and other forms of electronic data interchange.

Whenever a measure covers subject matters falling within the jurisdiction of more than one (1) Committee, said measure shall be referred jointly to the Committees concerned. The majority floor leader shall determine which is the lead committee.

SECTION 34. Membership, Officers, Election - Each Committee shall be composed of a Chairman, Vice Chairman, three (3) Members and the Majority Floor Leader and the Minority Floor Leader as ex-officio Members except Committees where the Majority Floor Leader and Minority Floor Leader are the Chairman, thereof, where the Regular Members of these Committees should be four (4). They shall be elected by a majority vote of the Sanggunian from among its Members.

SECTION 35. Election of the Chairman, Vice-Chairman, and Members of the different Committees shall be held after the adoption of these rules. They shall hold office until sooner removed by the majority of all Members of the Sanggunian..

SECTION 36. Limitations - No Sanggunian Member shall be a Chairman of more than three (3) Standing Committees, nor Vice-Chairman of not more than three (3) Standing Committees. He may be assigned as Member to not more than five (5) Standing Committees.

SECTION 37. 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 Sanggunian Members. The Special Committees shall cease as soon as the Body shall receive their reports unless new assignments are given them. They shall be subject to the same rules governing Standing Committees.

SECTION 38. Vacancy - Whenever vacancy occurs or is declared to exist in any of the Committees, the same shall be filled by election of the Sanggunian.

SECTION 39. Committee Meetings and Hearings - A Committee can conduct hearings and cause the issuance of invitations only on matters which are officially referred to it by the Committee on Rules, Ethics and Privileges. A majority of all Members of the Committee shall constitute a quorum. In case of absence of a quorum, the Committee may continue the hearing, provided that any Committee report that may be prepared, will not be approved if the same is not subsequently deliberated upon and approved by the majority of the Members of the Committee.

Unexplained absences for at least three (3) successive Committee hearings shall operate to relinquish Membership therein and may be a ground for his replacement.

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Any Committee may, in aid of legislation, request, through the Presiding Officer, the appearance before it of any official or employee of the City to testify, give statement, or answer questions or issues or matters referred to or pending with the Committee. Any person may appear at a Committee and present his views on matters before it at such time as the Committee may designate. Likewise, the Committee may, in aid of legislation, invite any person to appear before it to testify or answer questions related to any matter or issue which is referred to or pending before said Committee. All invitations shall be signed by the Sanggunian Secretary for and in behalf of the appropriate Committee.

SECTION 40. Committee Meetings and Hearings; Rules and Prohibitions –

The Chairman of any Committee cannot renounce, pass nor transfer the responsibility of his Chairmanship to his Vice-Chairman, unless the latter agrees to such delegation, before or during the scheduled public hearing, except in case of temporary incapacity, such as sickness, attending important meetings, seminar, schooling or on official leave, either local or abroad; in which case, a motion to temporarily take-over the Chairmanship may be raised by the Vice-Chairman of said Committee before the Body during the Regular Session of the Sangguniang Panlungsod and prior to the conduct of any public hearing.

The Chairman shall inhibit himself if there is a conflict of interest on any matter pending in his committee, in which case, the Vice Chairman shall temporarily take over the Chairmanship.

The Vice-Chairman or Member/s of the Committee or even A member of the Sanggunian shall not attend and participate in the deliberations of the committee concerned if the personal interest of the said Member will affect the deliberation.

The Chairman, Vice-Chairman and Members of any Committee shall not, during public hearings, give his opinion or views on the subject matter at hand.

Any Sanggunian Member who is not a Member of a Committee conducting a hearing may attend the said hearing but shall limit his participation to clarify matters or secure the opinion or positions of the public and shall refrain from deliberating with the Committee Members.

SECTION 41. Committee Reports and Orders – No Committee report and/or order on any Ordinance or Resolution shall be considered in session/s nor shall it be submitted to the Sanggunian unless accompanied by the Minutes of the Meeting of the Committee which adopted them which report shall be signed or approved by the majority of the Members of the Committee.

When a Committee submits a report, the Members thereof shall be presumed to have concurred in the report and shall be precluded from opposing the same, unless they have entered their objection/written dissenting opinion thereto during the Committee meeting. He shall submit his dissenting opinion separately.

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A Committee reporting out a proposed Ordinance or Resolution shall submit a copy of the proposed Ordinance to the Chairman, Committee on Rules who shall calendar the same for second reading. Copies thereof shall be furnished every Sanggunian member preparatory to its consideration on the floor.

The Committee Report must be read during the Regular Session by the Chairman of the Committee. And in his in his absence, the Vice Chairman of the Committee. In case the latter is also absent, the Committee Report must be set aside and scheduled on the next Regular Session, unless majority of the Councilors vote in favor of reading the Committee Report.

Committee Report must be submitted to all Committee Members two (2) days before including it in the calendar of business. No Committee Report shall be reported out without this requirement.

Committee report shall not be adopted without the requisite public hearing.

**RULE IX
DISCIPLINARY HEARING**

SECTION 42. Administrative Complaints – On the basis of Section 61 of the Local Government Code of 1991, all administrative complaints against any Barangay official referred to or filed with the Sanggunian, when the referrals and filing is within its jurisdiction. The Sanggunian as a whole or a division of five (5) Members, thereof, shall conduct the administrative hearing of the cases.

SECTION 43. Action on the Complaint - Upon receipt of the complaint, the Sanggunian Secretary shall immediately calendar the same for determination by the Sanggunian as to its sufficiency in form and substance and whether the complaint will be conducted by the Sanggunian as a whole or by a division thereof.

SECTION 44. Notice to the Respondent - Within five (5) days following the action of the Sanggunian to hear the case, the Sanggunian Secretary shall require the person complained of to submit an Answer under oath within ten (10) days from receipt thereof together with the proof of service of a copy thereof to the complainant.

SECTION 45. Answer and Reply - The Answer, which is in writing and under oath, shall be specific and shall contain material facts, and applicable laws, if any, including documentary evidence, sworn statements covering testimonies of witnesses, if there be any, in support of the defense. A reply may be filed within five (5) days from receipt of the Answer.

SECTION 46. Failure to File an Answer - If the respondent fails or refuses to file his Answer to the complaint, he shall be considered to have waived his right thereto and formal investigation may commence.

SECTION 47. Conduct of Formal Investigation - The investigation shall be held not earlier than five (5) days nor later than ten (10) days from receipt of the respondent's Answer or complainant's reply. Said investigation shall be finished within thirty (30) days from the conduct of a pre-hearing conference.

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SECTION 48. Pre-Hearing Conference - The disciplining authority may conduct a pre-hearing conference for the parties to appear, consider and agree on any of the following:

- (1) Stipulation of facts;
- (2) Simplification of issues;
- (3) Identification and marking of evidence of the parties;
- (4) Waiver of objections to admissibility of evidence;
- (5) Limiting the number of witness and their names;
- (6) Dates of subsequent hearings; and
- (7) Such other matters as may aid in the prompt and just Resolution of the case.

SECTION 49. Position Paper/Memoranda - The parties may submit position Paper/Memoranda and submit the case for Resolution based on the result of the pre-hearing conference without any need for further hearings.

SECTION 50. Appearance of Counsel - Any counsel appearing before any hearing shall manifest orally or in writing his appearance for either the complainant or the respondent.

SECTION 51. Failure to appear at Pre-Hearing Conference and Hearings - If the complainant or respondent fails or refuses to appear at pre-hearing conference or any hearing despite due notice, the investigation shall proceed ex-parte and the absent party is deemed to have waived his right to be present and to submit evidence in his favor during those hearings. The non-appearance of the complainant in said hearings may, moreover, cause the dismissal of the complaint.

SECTION 52. Order of Hearing - Unless the disciplining authority directs otherwise, the order of hearing may be as follows:

- a. The complainant shall present its evidence subject to the pre-hearing conference;
- b. Cross examination, re-direct and re-cross examination;
- c. Offer of evidence by the complainant;
- d. The respondent shall present and offer its evidence in the same manner;
- e. Rebuttal and-sur-rebuttal, if any;



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**RULE X
ORDER AND CALENDAR OF BUSINESS**

SECTION 53. Order of Business - The Order of Business (Alituntunin ng Pagpupulong) in the Sanggunian shall be as follows:

- a. Call to order (Hilingin ang Kaayusan)
- b. Roll Call (Pagbasa ng Pangalan ng mga Miyembro ng Sangguniang Panlungsod)
- c. Approval of the Journal of the previous session (pagbasa at pagpapatibay ng Katitikan ng nakaraang pagpupulong)
- d. Reference of Business for the proposed Ordinances, Resolutions, petitions, memorials, motions and other communications. (pagsangguni ng gawain)
- e. Committee Reports (ulat ng Komite)
- f. Calendar of Business (talaan ng gawain)
 - Unfinished business (hindi natapos na gawain)
 - Business for the day (nakatakdang gawain)
 - Unassigned business
- g. Third Reading for the proposed Ordinances and Resolutions (pangatlong basa)
- h. Other Matters (ibang bagay na pag-uusapan)
- i. Adjournment (pagtindig ng pulong)

SECTION 54. Approval of Journal - The Journal of each session shall be submitted to the Sanggunian for approval.

SECTION 55. 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 resume until such unfinished business is disposed of.
- b. Business for the day - Proposed Ordinances, Resolutions, and other measures set on the Calendar for consideration on that day shall be considered in order in which they are listed in the Calendar.



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- c. Unassigned Business - Proposed Ordinances, Resolutions, and other measures reported out by the Committees but not calendared 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 56. Committee reports shall be rendered, first, by the standing Committees in the order that are listed in the Rules of the Sanggunian, then by special Committees, in the order of their creation.

SECTION 57. The report consisting of the findings and recommendation of majority of the Members of the Committee, shall be made by its Chairman, or if he dissents with the majority opinion, by any Committee member concurring therein and duly designated for the purpose. If the recommendation is favorable, the Chairman of the Committee on Rules shall calendar it for Second Reading, otherwise, it shall be considered laid on the table.

SECTION 58. Ordinances, Resolutions, and other legislative matters scheduled for final reading shall be called in the order setforth in the calendar of business and shall be considered in the manner prescribed hereafter.

SECTION 59. On motion to suspend the Rules, any matter which requires urgent action or any item of business may be taken from their fixed order and considered forthwith by the Body.

**RULE XI
ORDINANCES AND RESOLUTIONS AND
OTHER MATTERS**

SECTION 60. 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. Matters relating to proprietary functions and to private concerns shall also be acted upon by Resolution.

SECTION 61. Essential Parts of Ordinances and Resolutions - Proposed Ordinances and Resolutions shall be in writing and shall contain an assigned number, a title or caption, body, an enacting or ordaining clause, and the date of its proposed effectivity. In addition, every proposed Ordinance shall be signed by the authors and submitted to the Secretary, who upon direction of the Majority Floor Leader, shall report the same to the Sanggunian at its next session.

SECTION 62. First Reading - The Secretary, upon the direction of the Majority Floor Leader, shall report all Ordinances and Resolutions and other matters to the Sanggunian Members for First Reading one (1) day prior or before a Regular or Special Session.

The First Reading of a proposed Ordinance or Resolution and other matters shall be by title and, thereafter, the same shall be referred to the appropriate Committee.

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The erroneous referral of a proposed Ordinance or Resolution and other matters may be corrected any day after the approval of the Minutes.

Any member of the Sanggunian may move that the referral be declared erroneous and ask for its correction, or that the referral be made to two (2) or more Committees. However, the Presiding Officer may motu proprio rectify an erroneous referral. In case the matter is referred to two (2) or more Committees, the Presiding Officer shall determine which shall be the Lead Committee.

SECTION 63. Period to Report - The Committee shall submit a report on the proposed Ordinance or Resolution within thirty (30) days after the last Committee hearing shall have been conducted .

It is the duty of the Sanggunian Secretary to inform the Presiding Officer of the lapse of the 30 day period and the latter shall motu proprio refer it to the Vice-Chairman of the Committee, or in case the Vice Chairman declines, to the Committee of the Whole.

If the Committee reports on a proposed Ordinance or Resolution is favorable, it shall be included in the Calendar of Business.

If the Committee's 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 shall be furnished the author concerned stating the reason or reasons for such action; Provided, that within five (5) days after the receipt of the notice, the Sanggunian may reconsider the Committee recommendation.

SECTION 64. Urgent Measures - Any legislative matter duly certified by the City Mayor as urgent, whether or not it is included in the Calendar of Business, may be presented and considered by the 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 requires suspending the rules.

If said motion is approved, the Sanggunian shall forthwith go through the process of approving or disapproving the proposed ordinance on the same session when the motion is made or 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 measure on Second Reading, and the date or hour at which proceedings must be concluded and final vote on said measure taken.

SECTION 65. Second Reading and Debate - No proposed Ordinance or Resolution shall be considered on Second Reading in any Regular Session unless it has been reported out by the proper Committee to which it was referred or certified as urgent by the City Mayor.

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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 amendments proposed by the Committee, if any, unless copies thereof had been distributed earlier and such reading is dispensed with. Thereafter, the proposed Ordinance or Resolution shall be subject to debate and pertinent motions.

SECTION 66. Debate and Closure of Members - In the discussion of any measure, a motion to close the debate shall be in order after speeches for and against the measure have been delivered or after one speech in favor 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 discussed by the Member speaking, the Presiding Officer, motu proprio, or upon motion of a Member, order that a Member having the floor shall desist from speaking further so that other Members may not be deprived of their opportunity to speak.

SECTION 67. Five-Minute Rule - After the close of the debate, the Sanggunian shall proceed to consider amendments. A Member who desires to speak for or against an amendment shall have only five (5) minutes to do so, unless otherwise allowed by the Sanggunian.

SECTION 68. 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 City Mayor or by the Sanggunian itself 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 69. Third Reading - A proposed Ordinance or Resolution approved on Second Reading shall be included in the Calendar for Third Reading.

No Ordinance shall be approved unless it has passed three (3) readings, and copies thereof in its final form have been distributed to the Members at least three (3) days before its passage, except when the City Mayor or the Sanggunian certifies to the necessity of its immediate enactment to meet the exigencies of public service or due to a public calamity or emergency or other similar circumstances.. 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 ayes and nays entered in the Minutes.

SECTION 70. 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.

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SECTION 71. Majority Requirement - No Ordinance or Resolution passed by the Sanggunian shall be valid unless approved by a majority of the Members present, there being 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 Sangguniang Members for its passage.

Upon the passage of all Ordinances and Resolutions the Sanggunian Secretary shall record the ayes and nays. Approved Ordinances or Resolutions shall be stamped with the seal of the Sanggunian and recorded in a book kept for the purpose.

SECTION 72. The individual Members of the Sanggunian who voted for the approval of any Ordinance or Resolution shall sign all Ordinances and Resolutions enacted or adopted by the Sanggunian, which shall be certified by the Secretary, attested by the Presiding Officer and approved by the Mayor.

A proposed Ordinance or Resolution which has not been acted upon by the Committee within Sixty (60) days from the date of referral thereof, shall be automatically withdrawn from such committee(s) and referred to all the Members of the Sanggunian sitting as Committee of the whole or to a special committee that may be organized for the purpose.

All proposed Ordinances or Resolutions shall be filed by the sponsoring Sanggunian Members with the office of the Majority Floor Leader.

SECTION 73. Special Provisions on the Budget Ordinance - The Sanggunian shall in no case increase the appropriation of any project or program of any office of the City over and above the amount submitted by the City Mayor in his budget proposal.

After the City Mayor shall have submitted the annual general appropriations, measure, supplemental appropriation measures shall be considered only if supported by actual available funds as certified to by the Local Treasurer or by funds to be raised by corresponding revenue proposals included therein.

SECTION 74. Approval by the City Mayor - Every Ordinance or Resolution passed by the Sanggunian shall be forwarded to the City Mayor for approval. The City Mayor 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 ten (10) days after receipt of the Ordinance or Resolution, the City Mayor 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 be deemed approved.

SECTION 75. Veto power of the City Mayor - The City Mayor may veto any Ordinance or Resolution on the ground that it would be prejudicial to the public interest or welfare, and particularly stating his reasons therefor in writing.

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The City Mayor 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 effect the item/s which is/are not objected to. The vetoed item/s shall not have any effect unless the Sanggunian overrides the veto in the manner hereunder provided; otherwise, 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 City Mayor by a two-third (2/3) votes of all its Members, thereby making the Ordinance or Resolution effective. There being eighteen (18) Members of the Sanggunian, two-third (2/3) votes shall mean twelve (12) Members.

The City Mayor may veto an Ordinance or Resolution only once.

SECTION 76. Effectivity of Enactments - 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 City Hall and in at least two (2) other conspicuous places, such as the public market, church or chapel. In case the Ordinance carries a penal sanction, or imposes, or increases new taxes, the same shall be published once (1x) in a newspaper of general circulation within ten (10) days upon approval of the City Mayor. The Ordinance shall take effect ten (10) days after its publication.

Not later than five (5) days after the passage of the Ordinance or Resolution, the Sanggunian Secretary shall cause the posting thereof as mentioned in the preceding paragraph, and shall record such fact in a book kept for the purpose stating the dates of approval and posting thereof.

**RULE XII
THE JOURNAL**

SECTION 77. The Sanggunian Secretary shall keep the journal of its proceedings, which shall comprise a succinct and accurate account of what has transpired in every session. The journal must clearly show the following: nature of the meeting, whether Regular or Special, and if Special, a copy of the call for such meeting; date, time and place of the meeting; names of Members present and absent; whether the journal of the previous meeting were read and approved, citing, corrections, if any; every Resolution and Ordinance, in full; if the Resolution was not approved unanimously; a brief statement of the minority opinion; nominal voting; all main motions, except those withdrawn; points of order and appeal, whether sustained or lost; veto message of the mayor.

Copies of the journal of the previous session shall be furnished to each and every Member of the Sanggunian not later than 4:00 o'clock in the afternoon of Wednesday preceding the next Regular Session.

The journal of every session shall be read, corrected and approved by a majority of the Members present at the session. The reading of the journal shall not be interrupted or suspended except by unanimous consent of the Body.

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The reading of the journal cannot be dispensed with but may be postponed to a later time or meeting. No motion to amend the journal shall be entertained after it has been read and approved.

**RULE XIII
DECORUM AND DEBATE**

SECTION 78. Manner of Addressing the Chair - When a Member desires to speak, he shall rise or raise his right hand and respectfully address the Chair, "Mr. Chairman" or "Mr. Presiding Officer."

No Member shall obtain the floor without first being recognized by the Presiding Officer. The Member who obtained the floor shall address his remarks to the Chair.

SECTION 79. Time Limit for Speeches - Main speeches during the discussion of any measure shall be limited to five (5) minutes for each speaker and rebuttal speeches shall be limited to three (3) minutes unless a longer period is allowed after a motion for such purpose is approved by a majority of the session Member present.

In the period of discussion or debate, no Member shall be allowed more than one (1) speech for or against the measure. The main proponent shall be allowed to rebut every speech against the measure.

In the period of amendment, only two (2) Members shall be allowed to deliver a speech in favor and two (2) against the amendment. Any Member desiring to amend an amendment shall also be allowed three (3) minutes after which the discussion shall be terminated.

SECTION 80. Sponsor to Open and Close Debate. - The Member delivering the sponsorship speech of a proposed legislation may open and close the debate within the time permitted each Member by the rules of the Sanggunian.

If any Member, by his speech or behavior, transgresses the Rules of the Sanggunian, the Presiding Officer, on his own initiative or at the request of any Member, shall call him to order. The Sanggunian Member called to order may appeal and explain his appeal for not more than five (5) minutes. If the decision is in favor of the Member called to order, he may proceed, but not otherwise.

SECTION 81. Decorum to Open and Close Debate - After three (3) have spoken in favor and two (2) against a question, or only one (1) speech shall have been delivered and none against, a motion to close the debate shall be in order. If said motion is approved, the Sanggunian shall proceed to consider amendments to the question. Remarks on each amendment by any Member shall not exceed five (5) minutes.

The Sanggunian, may, by two-thirds (2/3) vote of the Members present close debate on any question, upon motion for the previous question, and proceed to vote on the main question without a debate. This does not, however, preclude further amendments should the Sanggunian decide otherwise.

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After a general debate is closed, the amendments disposing of the main measure shall be voted upon for final approval.

SECTION 82. Recognition of Members to Speak – During debates, a Member shall confine himself to the question before the Body and shall avoid personalities. He shall observe proper decorum during the entire proceedings.

In referring to another Member, the latter shall always be referred to by his official title or "as the Member who spoke last".

Before any matter should be debated upon, a motion should first be made, duly seconded and stated.

The Presiding Officer may rule on any verbal motion or order, otherwise the question may be referred before the Sanggunian for consideration and approval.

Any Member may modify a motion through suggestions. The movant, with the consent of the seconder shall have the right to make such modification as he pleases or withdraws in its entirety a motion before the Presiding Officer states the question.

For the purpose of obtaining the floor, a Member shall rise and then address the Presiding Officer, "Mr. Chairman" or "Mr. Presiding Officer". The Member can do so only after a former Member has yielded the floor.

The Presiding Officer shall be the only authority to recognize any Member by announcing the latter's name as a sign of recognition to the floor.

SECTION 83. Conduct during Session - During sessions of the Sanggunian, the Members shall observe proper decorum. They shall remain in their seat during roll call or when the vote is being taken and no one shall interrupt a Member who has the floor.

While the Presiding Officer is addressing the Sanggunian, no Member shall walk out of or move around or across the session hall.

Any Member who is permitted to go out of the session hall is obliged to return within five (5) minutes.

SECTION 84. Dress Code – To preserve or maintain the sanctity and credence of parliamentary proceedings during each Sanggunian session and Committee Hearing, each and every Member must wear the proper attire befitting his status as a local legislator. To this effect, the following rules shall govern:

- a. Every Member is required to wear a long sleeve barong tagalog or a coat and tie during all Sanggunian sessions. Long sleeved shirt with a tie or a polo barong may be authorized by the Presiding Officer in case of hot weather, natural calamity, or bad weather conditions.

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- b. No other footwear shall be allowed in every session except leather shoes, which must be worn with a pair of socks. The ladies shall wear the proper footwear.
- c. A fine of P500.00 or P1,000.00 as the case may be, shall be strictly imposed for first and second offense respectively, upon a Member who shall violate the provisions of paragraph (a) and (b) of this section. The fines shall be collected by the Sergeant-At-Arms to be deposited with the Presiding Officer.

**RULE XIV
DECLARATION OF OUT OF ORDER,
REFUSAL TO ABIDE; PUNISHMENT**

SECTION 85. A Member of the Sanggunian who shall fail to observe the rules prescribed herein, shall be declared out of order if he has the floor, and may be compelled by the Presiding Officer to take his seat. In case of refusal to abide by the ruling, the Presiding Officer motu proprio, or the Sanggunian, upon the motion of any Member and duly seconded, may officially reprimand the erring Member which reprimand shall appear in the minutes of the session. If the erring Member continues not to observe the rules and defies the order of the Presiding Officer despite the reprimand, the Presiding Officer may order that he be brought out of the session hall without prejudice to the referral of the matter to the Committee on Rules, Ethics and Privileges for appropriate action. The same punishment may be imposed for dereliction of duty when a Member refuses to attend the session after a quorum is questioned. The Presiding Officer or the Body itself may impose additional penalty/ies as it may see fit.

**RULE XV
VOTES AND VOTING**

SECTION 86. Voting - If the question is undebatable, or the debate has been closed by order of the Body, the Presiding Officer, immediately after stating the question, shall put the same to vote, allowing only such time for the Members to rise if they wish to state a motion of higher rank.

Voting in the Sanggunian shall be done by voice, raising of hands, rising, or by roll call, unless a different method is prescribed by the Sanggunian for a particular question. In tasking the vote, the affirmative shall be taken first and then the negative.

To pass an Ordinance, Resolution, measure or proposition, a majority vote of the Members of the Sanggunian is necessary except on matters where the law expressly provides otherwise. In case of tie, the Presiding Officer shall vote in order to break the tie.

SECTION 87. The Presiding Officer shall rise to put a question into a vote by saying "as many as are in favor of (stating the question), say Yes" and after the affirmative vote is expressed, "as many as are opposed say No". If the Chair doubts the vote or if a division is called, the Body shall divide. Those in the affirmative shall be asked to either raise a hand or rise from their seats, and then those in the negative to do the same. In any case, the Presiding Officer shall rise to state the decision.

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The "Yes" and "No" votes shall be taken and entered in the journal upon the passage of all Ordinances; upon all propositions creating any liability against the city; and upon any other proposition if requested by any Member, even after a division has been held.

When voting nominally, the Secretary shall call the roll of Members of the Sanggunian in alphabetical order, and, as each name is called, the Member shall announce his vote by saying "Yes" or "No", as the case may be, or "Abstain" or "Present" if he is not voting. A Member may explain his vote not to exceed three (3) minutes.

SECTION 88. After the roll has been called, when voting nominally, the Secretary shall call in alphabetical order the names of those not voting in order that they may vote. After this second calling of the roll, no request shall be entertained by the Chair to record a vote.

SECTION 89. When an Ordinance or any measure directing the payment of money or creating liability against the city is passed by general consent, the Secretary shall enter in the journal the names of all the Members present at that particular time. This will have the effect of nominal voting.

SECTION 90. No Member can vote on a question in which he or any Member of his family, within the fourth degree of consanguinity or affinity, has a direct or personal pecuniary interest. This does not, however, preclude any Member from voting for himself for any position within the Sanggunian.

SECTION 91. A Member may change his vote only before the Chair announces the result of the voting; thereafter, a Member may change his vote only by unanimous consent. A Member who arrives late at the session/meeting shall be permitted to vote, provided the Chair has not announced the result of the voting yet..

No motion or question except on the presence of a quorum shall be entertained during the voting.

SECTION 92. When the Presiding Officer asks if there is any objection to a motion of the Majority Floor Leader for the approval of any Ordinance or Resolution directing the payment of money or creating liability, and no one registers his objection thereto, the Secretary shall enter in the record as voting affirmatively, the names of all Members present on that particular time. This has the effect of nominal voting.

Any Member who wishes to explain his vote may do so but not to exceed five (5) minutes.

No Member shall be compelled to vote. He may, however, abstain.

SECTION 93. Reconsideration - When a report, motion, Resolution or proposed Ordinance has been adopted or lost, only a Member who voted with the prevailing side shall be entitled to present a motion for reconsideration when the matter is still within the control of the Body. **PROVIDED, HOWEVER,** that a Member who voted

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with the minority may present a motion for reconsideration, if seconded by a Member from the prevailing side. Any Member who abstained from voting shall have absolutely no right to ask for reconsideration.

**RULE XVI
RULES ON MOTION**

SECTION 94. The following motions, in order of their precedence (from highest to lowest rank) together with their motion hereinafter being specified shall be used in doing business in the Sanggunian:

- a. Fix the time in which to adjourn (Rank 1) - to provide a future time for the continuation of the meeting in progress.
- b. Adjourn (Rank 2) - to formally terminate the meeting in progress.
- c. Take a recess (Rank 3) - to provide a brief intermission during the meeting.
- d. Question of Privilege (Rank 4) - to secure immediate action upon a matter that involves the comfort, convenience, rights or privileges of the Sanggunian or of any of its Members.
- e. Call for orders of the day (Rank 5) - to bring before the Body for consideration any business assigned for a particular time.
- f. Lay on the table (Rank 6) - to set aside a pending question for consideration at a later but undetermined time.
- g. Call for the previous question (Rank 7) - to suppress discussion on a pending question and to bring it immediately to a vote.
- h. Modify the limits of debate (Rank 8) - to remove a standing restriction to shorten or to permit more time for the discussion of a pending question.
- i. Postpone definitely (Rank 9) - to defer the consideration of a question to a definite time in the future.
- j. Commit (Rank 10) - to refer a question or proposition to a Committee for study and recommendation.
- k. Amend (Rank 11) - to modify a question to make it more acceptable to the Body.
- l. Postpone indefinitely (Rank 12) - to defer indefinitely the consideration of a question.
- m. Main motion (Rank 13) - to bring before the Body a substantive proposition for its consideration.



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SECTION 95. The following motions shall have the rank of a main motion:

- a. Take from the table - to resume the consideration of a question that has been previously laid on the table.
- b. Reconsider - to set aside the vote previously taken on a question and to re-open it to a new discussion and vote.
- c. Reconsider and have entered on the minutes - to suspend action on a question that has been decided by a temporary majority.
- d. Rescind or repeal - to render null and void a question previously passed.
- e. Expunge - to express strong approval to an action taken by the Body and to have it rescinded.
- f. Adopt a report - to accept or agree to a report as an official act of the Body.

SECTION 96. The following incidental motions have no fixed rank but shall take precedence over the question from which they arise;

- a. Suspend the rules - to allow the Body to do something which it is otherwise forbidden to do by the rules or previously adopted orders of the Sanggunian.
- b. Withdraw or modify a motion - to remove a question from the consideration of the Body or to modify the same.
- c. Read papers - to allow a Member to read a paper, document, or book as part of his speech or remarks.
- d. Object to the consideration of a question - to avoid the consideration of a question that the Body considers irrelevant, contentious, unprofitable, or generally objectionable.
- e. Point of order - to call attention to an error in the observance or enforcement of the rules of parliamentary procedure or those of the Sanggunian.
- f. Point of information - to be informed of any matter related to the pending question or to the Sanggunian.
- g. Parliamentary inquiry - to request information on matters pertaining to parliamentary law and procedure.

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- h. Appeal from the decision of the Chair - to ask the Body to decide whether the ruling made by the Chair on a question of order should be upheld or overruled.
- i. Divide the assembly - to verify the votes taken on question or to secure a more accurate count of the vote.
- j. Divide the question - to divide long and complicated propositions into separate and distinct part to facilitate their consideration.

SECTION 97. Every motion presented to the Body shall be stated by the Chair, or, if it be in writing, the Chair shall cause it be to be read aloud by the Secretary, and the same shall be deemed as having been brought to the attention of the Body for its consideration

SECTION 98. A motion to adjourn or to take a recess is in order even if a quorum is not present but not when the Body is engaged in voting or during the verification of the vote. If the Body has voted to adjourn but there are still important announcements to be made, the Presiding Officer might defer the adjournment of the meeting to allow the making of the announcement.

SECTION 99. The motion to fix the time to which to adjourn, take a recess, raise a question of privilege, and call for orders of the day are privileged motion and maybe presented, according to the order of their precedence, even if any other motion or question is pending before the Body. The motion to raise a question of privilege and to call for orders of the day maybe made even if someone has the floor.

SECTION 100. Questions laid on the table must be taken up not later than the next regular meeting, otherwise they shall be considered abandoned and maybe brought up again only by a new motion.

SECTION 101. A motion calling for the previous question requires for each approval a two-thirds (2/3) vote of the Members present, but action on the principal question to which it is applied shall be determined by the vote necessary in each particular case as prescribed by the rules of the Sanggunian.

SECTION 102. A question cannot be postponed beyond the next Regular Meeting unless provisions have been made for the holding of such a meeting.

SECTION 103. A question may be postponed as a general order by a majority vote, or as a special order, by a two-thirds (2/3) vote, of the Members present.

SECTION 104. No order of the day may be considered before the time to which it was assigned except by general consent or by a two-thirds (2/3) vote of the Members present by suspending the rule fixing its time as an order of the day.

SECTION 105. When a question is under consideration, a motion to amend and a motion to amend an amendment shall be in order, and any of said amendments may be withdrawn before a decision is held thereon.

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SECTION 106. No motion on a subject different from that under consideration shall be admitted under color of amendment. An amendment that merely negates an affirmative proposition is likewise out of order.

SECTION 107. Once an amendment has been adopted or rejected, the same or substantially the same amendment cannot be reintroduced at the same meeting unless the vote on the original amendment has been reconsidered or the motion to amend has been withdrawn.

SECTION 108. Amendments to the title of an Ordinance or Resolution shall not be in order until after the text thereof has been approved. Amendments to the title shall be decided without debate.

SECTION 109. When an Ordinance or any other measure, decided by nominal voting, has been adopted or lost, it shall be in order for any Member who voted with the majority, at the same or the next meeting, to move for the reconsideration thereof, and such motion shall take precedence over all other question, except the motion to fix the time to which to adjourn, and to take a recess.

The motion to reconsider shall be passed by a majority vote of the Members present regardless of the vote required by the question to be reconsidered. When voting is not nominal, any Member may ask for reconsideration.

SECTION 110. A motion to enter on the Minutes a motion to reconsider a question must be called up not later than the next meeting, unless the motion is made on the last day of a session in which case it may be called up for reconsideration on the same day it was moved.

SECTION 111. An Ordinance, Resolution, or any other question may be rescinded, repealed, or expunged at any meeting subsequent to the one at which it was adopted, by a majority vote of the Members present with notice thereof given at the previous meeting, or by a two-third vote of the Members present, without need of such notice. A motion to rescind, repeal or expunge maybe made only if the time to reconsider the controversial question has already elapsed.

SECTION 112. Rules relating to the Order of Business, business procedure, and similar standing-rules, except those prescribed by statutory law, maybe suspended by a two-third vote of the Members present, provided, that said suspension shall be effective for as long as the question for which the rule is suspended remains pending before the Body.

The reconsideration of a question maybe objected to by a two-third (2/3) vote of the Members present but the motion may not be applied to directive or communication from a higher governing Body, Committee reports, and amendments to the rules of the Sanggunian.

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SECTION 113. An appeal must be made immediately after the decision appealed from has been made; if any business has intervened, it shall be out of order. It is debatable except when it relates to indecorum, priority of business, transgression of the rule of speaking, or if it arises out of an undebatable question. If the question is debatable, any Member may speak in respect to the appeal once, but the Presiding Officer may speak on it twice, first, in explaining his decision, and then in answering to the arguments against his decision.

SECTION 114. A call for a division of the assembly should be made immediately after the result of the vote has been announced, even if someone has the floor but before another have been stated by the Chair.

SECTION 115. A motion to read any part of the rules of the Sanggunian is equivalent to a call to order and shall have the precedence corresponding to it.

SECTION 116. A motion may be withdrawn or modified as a matter of right before it has been stated by the Chair. If the request is made after the motion has been stated by the Chair, it may be withdrawn only by general consent, or, if there be an objection, by a majority vote of the Members present.

SECTION 117. No motion, having failed passage, shall again be allowed at the same meeting unless there has been a substantial change in the proposition. The motion to fix the time to which to adjourn, calls for order of the day, close nomination or the polls, fix the limits of debates, lay on the table, postpone definitely, commit or refer, call for the previous question, take a recess, and take from the table, may be renewed after a change in parliamentary situation during the meeting. The motion to object to the consideration of a question, if rejected, may not again be renewed on the same question.

SECTION 118. No motion relating to nomination and voting, if made while a question or an election is pending, are incidental motion. If they are made at any other time, they shall be treated as main motion.

**RULE XVII
UNFINISHED BUSINESS AT THE
SUSPENSION OF THE SESSION**

SECTION 119. All business before the Sanggunian and its Committee at the end of one session shall be resumed at the commencement of its next session.

Business left unacted upon the termination of one Sanggunian, may be considered by the succeeding Sanggunian as matters of unfinished business.

For purposes of the preceding sections, the Secretary shall return to the respective Committee the papers relating to unfinished business and the papers delivered or returned to him at the close of a session or termination of a Sanggunian.

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**RULE XVIII
PAPERS AND DOCUMENTS**

SECTION 120. As business are disposed of by the Committees, all documents and papers related to such business shall be delivered to the Secretary who shall keep the same in the files of the Sanggunian.

At the adjournment of the last session of a Sanggunian, all papers still in the possession of any Committee shall be delivered to the Secretary who shall preserve them in the files of the Sanggunian in the manner required by the character of said papers.

The Secretary shall issue, upon demand of any person, a certified copy of any record within his control and shall be authorized to charge a fee for said purpose in the manner prescribed by law.

**RULE XIX
SUSPENSION OF RULES**

SECTION 121. Any part of these Rules, not prescribed by or based on, statutory law or any higher act, may be suspended by general consent or by a two-third votes of the Members present, provided that the suspension of the rule shall be for the sole purpose of the question pending at the time the motion for which said suspension is made.

Notwithstanding the provision of the immediate proceeding section, no part of these rules may be suspended if its effect is to protect absentee Members or inevitably expose a Member's vote.

**RULE XX
DISCIPLINARY ACTIONS**

SECTION 122. The Members of the Sanggunian may be disciplined for disorderly behavior and absences without justifiable cause for consecutive session. Penalties may range from censure, reprimand or exclusion from the session, suspension for any length of time not exceeding sixty (60) days or expulsion.

The penalty of expulsion or suspension shall require the concurrence of at least two-thirds (2/3) votes of all Sanggunian Members.

Sanggunian Members convicted by final judgement to imprisonment of at least one (1) year for any crime involving moral turpitude shall be automatically expelled from the Sanggunian.

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**RULE XXI
AMENDMENTS TO RULES**

SECTION 123. These Rules of may be amended at any regular meeting by a majority vote of all Members of Sanggunian, provided, that the notice of the proposed Amendment has been given at the meeting previous to the one at which said amendments are to be considered.

SECTION 124. No provision of these Rules which is prescribed by, or based on, statutory law or any other higher authority may be amended or revised.

**RULE XXII
SUPPLEMENTARY RULES**

SECTION 125. The Rules of Procedure and parliamentary practices of the legislative bodies of the Philippines and Parliamentary Rules by Robert Orendain shall serve as supplementary authorities of the Sanggunian insofar as they are not incompatible with its own rules and standing orders.

**RULE XXIII
REPEALING CLAUSE**

SECTION 126. The previous Rules of Procedure of the Sangguniang Panlungsod of the City of Muntinlupa are hereby repealed.

**RULE XXIV
SEPARABILITY CLAUSE**


SECTION 127. If for any reason, or reasons, any part or provision of this Rule shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**RULE XXV
EFFECTIVITY**

SECTION 128. These Rules shall take effect on the date of its adoption.

ADOPTED, by the Fourth (4th) Sangguniang Panlungsod of Muntinlupa on this 1st day of July 2004, at Muntinlupa City, on its 1st Regular Session.

CONCURRED:


Atty. RAUL R. CORRO
Councilor


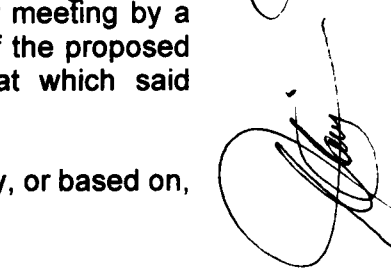
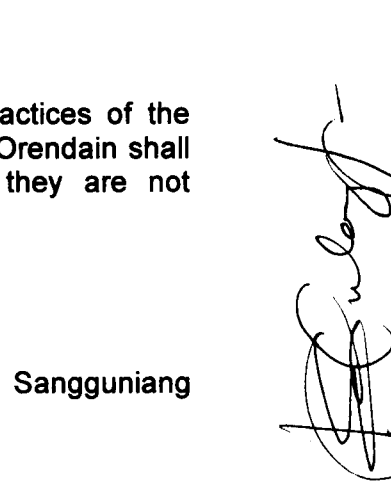

RENE CARL S. CAYETANO
Councilor


BAL NIEFES
Councilor


ELMER S. ESPELETA
Councilor











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ALLAN REY A. CAMILON
Councilor
FRANCIS IAN T. BAGATSING
Councilor
MA. LUISA BABARAN-ECHAVEZ, MD
Councilor
MARISSA COLE-RONGAVILLA
Councilor
MELCHOR R. TEVES
Councilor
LUCIO B. CONSTANTINO
Councilor
ALLEN F. AMPAYA
Councilor
MAMERTO T. SEVILLA, JR.
Councilor
KEVIN B. DELGADO
Councilor
JOSELITO V. AREVALO
Councilor
Atty. ICASIANO M. DELA REA
Councilor
MARIO E. BULAY, JR.
Councilor
CHRISTIAN GLENN D. LORICA
Sectoral Representative
President
Federation of Sangguniang Kabataan
ARTEMIO A. SIMUNDAC
Sectoral Representative
President
Association of Barangya Captiana

I HEREBY CERTIFY, as to the correctness of the foregoing Resolution.

CECILIA C. LAZARTE
Secretary
SANGGUNIAN PANLUNGSOD



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ATTESTED:


ALDRIN L. SAN PEDRO
City Vice Mayor

Copy Furnished:

Atty. JAIME R. FRESNEDI
City Mayor

Date: _____



from 1/1/04 and
V. E. F.





