



Republic of the Philippines  
City of Bago  
OFFICE OF THE SANGGUNIANG PANLUNGSOD

**EXCERPTS FROM THE MINUTES OF THE 1577<sup>th</sup> REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF BAGO HELD ON AUGUST 16, 2011 AT THE SP SESSION HALL, BAGO CITY.**

**PRESENT:**

HON. NICHOLAS M. YULO	City Vice Mayor-Presiding Officer
HON. CARLOS E. MONDIA	SP Member
HON. BERNADETTE M. SOMCIO	SP Member
HON. DONALD A. ALVAREZ	SP Member
HON. ALLAN C. GALUNAN	SP Member
HON. RUBEN T. TORRES	SP Member
HON. ROSARIO F. GAUDITE	SP Member
HON. EAMON GABRIEL V. MATTI	SP Member
HON. LORETO N. CAUNTOY	SP Member
HON. FEDERICO A. MATTI	SP Member
HON. NOEL T. VALENZUELA	SP Member-ABC President

**ABSENT:**

HON. MA. JOSEFA Y. MATTI	SP Member
HON. JAMES ANTON Y. ALINCASTRE	SP Member-SK Federation President

-----

**RESOLUTION NO. 11-299**

**A RESOLUTION AMENDING RESOLUTION NO. 10-321, ENTITLED, " RESOLUTION ADOPTING THE 2007 RULES OF PROCEDURES OF THE SANGGUNIAN PANLUNGSOD OF THE CITY OF BAGO", INCORPORATING THEREIN THE RULES AND PROCEDURES IN CONDUCTING ADMINISTRATIVE INVESTIGATION AGAINST ELECTIVE BARANGAY OFFICIALS IN THE CITY OF BAGO.**

**BE IT RESOLVED BY THE SANGGUNIANG PANLUNGSOD IN SESSION ASSEMBLED, THAT:**

**RULE I**

**PRELIMINARY PROVISIONS**

SECTION 1. Coverage – These Rules and Procedures shall apply to administrative cases filed against any elective Barangay Official of Bago City.

SECTION 2. Disciplining Authority – The City Mayor and the Sangguniang Panlungsod as a quasi-judicial body shall be designated as the Disciplining Authority in the conduct of investigation against elective Barangay officials.

SECTION 3. Investigating Committee – All administrative complaints duly verified against elective barangay officials shall be acted upon by the Sangguniang Panlungsod through the creation of an ad hoc committee composed of the Chairman of the Committee on Laws, Rules and Procedures and its members, herein referred to as the Investigating Committee.

SECTION 4. Implementing Authority – The Local Chief Executive and the Sangguniang Panlungsod shall be referred to as the Implementing Authority.

4.1 Preventive Suspension – To be determined by the Sangguniang Panlungsod but to be imposed by the City Mayor

4.2 Penalty – To be implemented by the Sangguniang Panlungsod thru the City Vice-Mayor.

## RULE II

### GROUNDS FOR DISCIPLINARY ACTIONS

SECTION 5. Grounds for Disciplinary Actions – An elective barangay official maybe disciplined, reprimanded, suspended or removed from office after due notice of hearing on any of the following grounds:

1) Disloyalty to the Republic of the Philippines;

i.e.

- espionage
- treason
- conspiracy and proposal to commit treason
- inciting to war or giving motive to reprisal
- correspondence with hostile country
- piracy and mutiny on the high seas
- qualified piracy

2) Culpable Violation of the Constitution;

i.e

- arbitrary detention or expulsion
- delay in the delivery of detained person
- violation of domicile
- searching domicile without witnesses
- interruption of religious worship
- offending the religious feelings
- prohibition, interruption and dissolution of peaceful meetings

3) Dishonesty, Oppression, Misconduct in Office, Gross Negligence or Dereliction of Duty;

i.e.

- bribery
- malversation
- conniving with or consenting to evasion
- removal, concealment, or destruction of documents
- open disobedience
- refusal of assistance
- usurpation of power
- abuses against chastity
- simulation of birth and usurpation of civil status
- fraud

4) Commission of any offense involving moral turpitude or an offense punishable by the at least prision mayor, which is from six (6) years and one (1) day to twelve (12) years imprisonment;

i.e.

- rape
- adultery or concubinage

- act of lasciviousness
- seduction, corruption of minors and white slavery

5) Abuse of Authority;

6) Unauthorized absence for fifteen (15) consecutive working days in case of local chief executives and four (4) consecutive sessions in the case of members of the sanggunian;

7) Application for, or acquisition of foreign citizenship or residence of the status of an immigrant of another country; and

8) Such other grounds as may be provided by the Local Government Code of 1991, Republic Act No. 6713, Republic Act No. 3019, Civil Service Law, Revised Penal Code and all other applicable general and special laws.

### **RULE III**

#### **COMPLAINT**

SECTION 6. How initiated – An administrative case may be initiated by any private individual or any government officer or employee by filing a verified or sworn written complaint against any elective local official enumerated under Section 2, Rule 1 hereof. It may also be initiated motu proprio by any local government official or agency duly authorized by law to ensure that local government units (LGUs) act within their prescribed powers and functions.

SECTION 7. Form of Complaint – No complaint against any local elective official shall be given due course unless the same is in writing and verified or under oath.

The complaint, accompanied by the affidavits of witnesses or evidences in support of the charge, shall be addressed to the Sanggunian. It shall be drawn in clear, simple, and concise language and in methodical manner as to apprise the respondent of the nature of the charge against him and to enable him to prepare his defense. The party filing the complaint shall be called the Complainant while the official against whom the complaint is filed shall be called the Respondent.

The complaint shall also contain the following:

Full name and address of the complainant;

Full name and address of the respondent as well as his position and office;

A narration of the relevant and material facts which shows the acts or omissions allegedly committed by the respondent. Documentary evidence and sworn statements or affidavits of witnesses, if any, should be attached as annexes;

A certification by the complainant that no other administrative action or complaint against the same party involving the same acts or omissions and issues, has been filed before any agency or administrative body performing quasi-judicial functions;

Non-compliance with the foregoing requirements shall cause the dismissal of the complaint, at the discretion of the sanggunian.

SECTION 8. Where filed. – Two (2) copies of the complaint plus additional copies corresponding to the number of respondent/s shall be filed with the Office of the Sanggunian Secretary, which shall be included in the calendar of business on the next regular session immediately following the day of receipt of the complaint.

A copy of the complaint shall be furnished by the complainant to each of the following:

1.) The Office of the City Mayor

2.) The City Local Government Operations Officer (CLGOO) of the DILG assigned at the city;

No complaint shall be accepted unless the foregoing requirements are complied, with proof of service that copies were furnished to the city mayor and the CLGOO.

SECTION 9. Complaint filed with other agency. – If a complaint is filed with another government agency, the same maybe referred and accepted by the Sanggunian, provided, it complies with all the requirements as provided in the immediate two (2) preceding sections.

SECTION 10. Anonymous complaint - No action shall be taken on an anonymous complaint for non-compliance of the requirements.

SECTION 11. 90-day ban. – No complaint shall be accepted within ninety (90) days immediately prior to any local election.

#### **RULE IV**

#### **ANSWER**

SECTION 12. Notice – Within seven (7) days after the complaint is filed, the Investigating Committee shall issue an order requiring the respondent to submit his verified answer within a non-extendible period of fifteen (15) days from receipt thereof.

The seven (7) day period shall commence from the moment the sanggunian secretary had formally received the complaint;

SECTION 13. Form of Answer. - The answer must be verified, accompanied by affidavits of witnesses or evidences in support of the defense, shall be addressed to the Sanggunian and shall be drawn in clear, simple, and concise language.

SECTION 14. Where filed. – Two (2) copies of the answer shall be submitted to the Office of the Sanggunian Secretary and copy of the same shall be furnished to each of the following:

- 1.) The complainant/s through counsel if represented by counsel;
- 2.) The office of the City Mayor; and
- 3.) The CLGOO.

No answer shall be accepted unless the foregoing requirements are complied, with proof of service that copies were furnished to the foregoing parties/persons/entities.

SECTION 15. Failure to answer. – Unreasonable failure of respondent to file his verified answer within fifteen (15) days from receipt of the complaint against him shall be considered as waiver of his right to present evidence in his behalf.

No motion shall be allowed in lieu of the answer.

#### **RULE V**

#### **EVALUATION**

SECTION 16. Evaluation. – Upon receipt of the answer, the Investigating Committee shall determine the existence of a probable cause, and within ten (10) days commence the investigation. Within twenty (20) days from receipt of the complaint and answer, the Investigating Committee shall determine whether there is a prima facie case to warrant the institution of formal administrative proceedings.

SECTION 17. Dismissal motu proprio – If the Investigating Committee determines that there is a prima facie case to warrant the institution of formal administrative proceedings, it shall proceed without delay. If there is none, the motu proprio dismissal of the case.

## **RULE VI**

### **PRELIMINARY CONFERENCE**

SECTION 18. Preliminary conference – If the Investigating Committee determines that there is a prima facie case to warrant the institution of formal administrative proceedings, it shall within the same period prescribed under the preceding Section, summon the parties to a preliminary conference to answer the following:

- a) Whether the parties could agree on an amicable settlement;
- b) Whether the parties desire a formal investigation or are willing to submit the case for resolution upon submission of their respective position papers together with their documentary evidences;
- c) If the parties desire a formal investigation, to consider the simplification of issues, the possibility of obtaining stipulation or admission of facts and of documents, specifically affidavits and depositions, the limitation of the number of witnesses, dates of hearing, and such other matters as may aid the prompt disposition of the case.

SECTION 19. Preliminary conference brief. – The parties may submit their respective preliminary conference brief containing the matters found in the foregoing section and such other matters that will aid the Investigating Committee in the expeditious resolution of the case, at least three (3) days before the date of the scheduled preliminary conference, and a copy furnished to the other party.

SECTION 20. Amicable settlement, compromise and arbitration. – The Investigating Committee shall encourage the parties and their counsels to enter, at any stage of the proceedings, into amicable settlement, compromise or arbitration, the terms and conditions of which shall be subject to the approval of the Sanggunian.

SECTION 21. Preliminary conference order. After the preliminary conference, the Investigating Committee shall issue an order reciting the matters taken up thereon, including the facts stipulated and the evidences marked, if any. Such order shall limit the issues for hearing to those not disposed of by agreement or admission of the parties, and shall schedule the formal investigation within ten (10) days from its issuance, unless a later date is mutually agreed upon by the parties concerned.

SECTION 22. Submission for resolution/decision. – The parties may agree to submit the case for resolution/decision based on the result of the preliminary conference without any need for further hearings.

SECTION 23. Presence of the parties and counsel. – The parties and their respective counsels, if represented, are required to attend the preliminary conference.

In case of the absence of the complainant and his counsel, if represented, without any justifiable reason, the case shall be dismissed.

In case of the absence of the respondent and his counsel, if represented, without any justifiable reason, it shall be deemed as waiver of his right to present evidence in his favor and the investigation/hearing may proceed ex-parte.

## **RULE VII**

### **PREVENTIVE SUSPENSION**

SECTION 24. Determination. – After the issues are joined, when the evidence of guilt is strong, and given the gravity of the offense, there is great probability that the continuance in office of the respondent could influence the witnesses or pose a threat to the safety and integrity of the records and other evidence, the Investigating Committee may recommend to the Sanggunian that respondent be placed under preventive suspension which shall not extend beyond sixty (60) days; Provided, that in the event that several administrative cases are filed against the respondent, he cannot be preventively suspended for more than ninety (90) days within a single year on the same ground or grounds existing and known at the time of the first suspension.

SECTION 25. Imposition. – Upon receipt of the Resolution of the Sanggunian of preventive suspension to respondent, the city mayor shall issue the order imposing the preventive suspension to the respondent without delay.

A copy of the order duly served shall be furnished the Sanggunian, and other departments of the city for their information and appropriate action.

SECTION 26. 90-day Ban – No preventive suspension shall be imposed within ninety (90) days immediately prior to any local election. If the preventive suspension has been imposed prior to the 90- day period immediately preceding a local election, it shall be deemed automatically lifted upon the start of aforesaid period.

SECTION 27. Automatic reinstatement. – Upon expiration of the prevention suspension, the suspended barangay official shall be deemed reinstated in office, without prejudice to the continuation of the proceedings against him, which shall be terminated within one hundred twenty (120) days from the time he is formally notified of the case against him. However, if the delay in the proceeding of the case is due to his fault, or request, other than the appeal duly filed, the duration of such delay shall not be counted in computing the time of termination of the case.

SECTION 28. Salary of respondent pending suspension. - The respondent, who is preventively suspended from office, shall receive no salary or compensation during such suspension; but upon subsequent exoneration and reinstatement, he shall be paid his full salary or compensation, including such emoluments accruing during such suspension.

## **RULE VIII**

### **FORMAL INVESTIGATION**

SECTION 29. Procedural due process – The respondent shall be accorded full opportunity to appear and defend himself in person or by counsel, to confront and cross-examine the witnesses against him , and to require the attendance of witnesses and the

production of documents through the compulsory process of subpoena ad testificandum or subpoena duces tecum.

SECTION 30. Who conducts the hearing. – The formal administrative investigation shall be conducted by the Investigating Committee; Provided, that, the Sanggunian is not precluded from assuming the conduct of the investigation at any stage of the proceeding, if it may deem necessary.

SECTION 31. Power to take testimony or receive evidence and issue interlocutory orders. – The Investigating Committee is hereby authorized to take testimony or receive evidence relevant to the administrative proceedings, which authority shall include the power to administer oaths, summon witnesses, and require the production of documents by issuing subpoena and subpoena duces tecum pursuant to Book I, Chapter 9, Section 37 of the Administrative Code of 1987.

Anyone who, without lawful excuse, fail to appear upon summons issued under authority of the preceding paragraph or who, appearing before the Investigating Committee exercising the power therein defined, refuses to make oath, give testimony or produce documents for inspection, when lawfully required, shall be subject to discipline as in case of contempt of court and, upon application by the Investigating Committee, shall be dealt with by the judge of the proper regional trial court in the manner provided for under Book II, Chapter 3 Section 13, in relation to Chapter 1 Section 2(1), of the Administrative Code of 1987.

The Investigating Committee is also authorized to issue interlocutory orders.

SECTION 32. Notice of Hearing. – The parties and their witnesses shall be notified by subpoena of the scheduled hearing at least five (5) days before the date thereof, stating the date, time and place of the hearing.

SECTION 33. Venue of Hearing. – The formal investigation as contemplated in this Rule shall be conducted in the Sangguniang Panlungsod Session Hall, Bago City.

SECTION 34. Request for subpoena. - If party desires the attendance of a witness or the production of documents, he should formally request for the issuance of the necessary subpoena or subpoena duces tecum at least three (3) days before the scheduled hearing.

SECTION 35. Postponement. – No postponement of investigation shall be allowed unless for meritorious grounds, which in no case be more than once during the entire proceeding.

SECTION 36. Stenographic Record of the Proceedings. – The testimony of each witness and the manifestation of the parties and counsels during an investigation shall be taken in shorthand or stenotype, tape-recorded or any other mode of recording. A transcript of the proceedings made by the official stenographer or stenotypist, and duly certified by him shall be prima facie a correct statement of such proceedings.

The stenographer, stenotypist or any personnel assigned to record the proceedings shall immediately transcribe the same and prepare the transcript thereof without any delay.

The transcript of the proceedings shall be paged consecutively and in chronological order, sewed on the left hand side, and properly indexed, showing the page on which the testimony of each witness begins.

All transcripts of the proceedings shall be filed in a separate folder.

The parties may request copies of the transcripts upon payment of the required fees.

SECTION 37. Order of hearing. – The order of a hearing shall be as follows:

- a) The complaint shall produce the evidence of his part;
- b) The respondent shall offer evidence in support of his defense; and
- c) The parties may then respectively offer rebutting evidence, unless the Investigating Committee for good reasons and in the furtherance of justice, permits them to offer evidence upon their original case.

SECTION 38. Order of examination – The order in which a witness may be examined shall be as follows:

- a) Direct examination by the proponent;
- b) Cross examination by the opponent;
- c) Re-direct examination by the proponent; and
- d) Re-cross examination by the opponent.

The affidavit of the witness shall constitute his direct testimony but the same must be identified and affirmed by him before his cross-examination.

The parties are required to furnish each other copies of the affidavits of their respective witnesses at least five (5) days before the scheduled hearing, unless said affidavits are attached to the complaint and the answer.

SECTION 39. Termination of formal investigation. – The formal investigation of the case shall be terminated by the Investigating Committee within ninety (90) days from the start hereof, unless there are justifiable grounds for extension.

SECTION 40. Memorandum. – Within fifteen (15) days after the termination of the formal investigation, the parties shall submit their respective memoranda, stating clearly and distinctly the facts and the law upon which they are based, serving each other a copy thereof. These requirements shall likewise apply to motions or applications other than the final decisions.

SECTION 41. 90-day ban. – No formal investigation shall be conducted within ninety (90) days immediately preceding any local election.

## **RULE IX**

### **EVIDENCE**

SECTION 42. Rules of Evidence – In administrative disciplinary proceedings –

- a) The Investigating Committee may admit and give probative value to evidence commonly accepted by reasonably prudent men in the conduct of their affairs. A fact may be deemed established if it is supported by substantial evidence, or that amount of relevant evidence which a reasonable mind might accept as adequate to justify a conclusion;
- b) Documentary evidence may be received in the form of copies or excerpts, if the original is not readily available. Upon request, the parties shall be given opportunity to compare



the copy with the original. If the original is in the official custody of a public officer, a certified copy thereof may be accepted; and

c) The Investigating Committee may take notice of judicially cognizable facts and of generally technical or scientific facts within its specialized knowledge. The parties shall be notified and afforded an opportunity to contest the facts so noticed.

SECTION 43. Marking – All documentary evidence or exhibits shall be properly marked by letter (A.B.C. etc.), if presented by the complainant, and by numbers (1,2,3, etc.) , if presented by the respondent. They shall be attached to the records or , if voluminous, kept in a separate folder marked “Folder of Exhibits”, which shall also be attached to the records.

SECTION 44. Offer of evidence/exhibits. – Testimony of a witness must be offered at the time the witness is called to testify.

Documentary and object evidence shall be offered after the presentation of a party's testimonial evidence. Such offer shall be done orally unless allowed by the Investigating Committee to be done in writing.

The purpose for which the evidence is offered must be specified.

SECTION 45. Objection. – Objection to evidence offered orally must be made immediately after the offer is made.

Objection to a question propounded in the course of the oral examination of a witness shall be made as soon as the grounds therefore shall become reasonably apparent, otherwise, the same shall be considered admitted.

An offer of evidence in writing shall be objected to within three (3) days after notice of the offer unless a different period is allowed by the Investigating Committee.

In any case, the grounds for the objections must be specified.

All objections raised during the hearing shall be resolved by the Investigating Committee.

The Investigating Committee shall accept all evidence deemed material and relevant to the case. In case of doubt, the Investigating Committee shall allow the admission of evidence or allow the witness to answer, subject to the objections interposed against its admission.

## **RULE X**

### **REPORT OF THE INVESTIGATING COMMITTEE**

SECTION 46. – Report to the Sanggunian. – The investigation shall be terminated within ninety (90) days from the start thereof and the Investigating Committee shall make a written report and/or submit a draft decision to the Sanggunian with its findings and recommendations, signed by at least a majority of the members thereof, within twenty (20) days – from receipt of the last pleading and evidence, if any, in case the respondent does not elect a formal investigation; after the expiration of the period within which to submit the same; or after the termination of the formal investigation; or after the parties have submitted their respective memoranda or after the expiration of the period their submission.

SECTION 47. Records Classification – Records in administrative disciplinary cases are classified as confidential in nature and any information as to the charges, accusation, or facts adduced may not be released, and such records may not be available, except to the proper authorities and upon request to the parties in interest or their authorized representatives on the “need-to-know” basis.

## **RULE XI**

### **DECISION**

SECTION 48. Rendition of decision. – Immediately upon receipt of the report or draft decision of the Investigating Committee, the Sanggunian shall calendar the same for deliberation on the next regular session immediately after its receipt. The conclusion in the decision shall be reached in consultation, after which, the case shall be assigned to a member thereof as ponente or writer of the opinion/decision.

The decision shall be rendered within thirty (30) days from the date of submission for resolution. The decision shall be in writing stating clearly and distinctly the facts and reasons for such decision.

The decision shall state the concurring, dissenting, abstaining and absent members, and shall bear the signatures of the ponente and members who concur. Any member of the Sanggunian who dissents may write a separate dissenting opinion which shall be submitted within the said 30-day period, which shall be appended to the decision of the majority.

The Sanggunian may, at its discretion, adopt in toto the recommendation and/or decision submitted by the Investigating Committee thru the passage of a resolution.

Copies of said decision shall immediately be furnished the respondent, the City Mayor, the CLGOO, and all interested parties after it has been signed as mentioned above.

SECTION 49. Required number of votes for the decision. – All decisions of the Sanggunian, be it with sanction or dismissal, shall be approved by at least a majority of all the members duly elected and qualified.

SECTION 50. Finality of decision/order. – The decisions and final orders of the Sanggunian shall become final and executor after the lapse of thirty (30) days from receipt of a copy thereof by the complainant or the respondent as the case may be, if no appeal has been made within the said period.

## **RULE XII**

### **MOTION FOR RECONSIDERATION**

SECTION 51. Motion for Reconsideration. – A motion for reconsideration may be filed within the period to appeal and shall be entertained only on any of the following grounds:

New evidence has been discovered which materially affects the order, or decision; or Errors of law or irregularities have been committed prejudicial to the interests of the movant.

Only one motion for reconsideration shall be allowed, which shall be decided within fifteen (15) days from the date of submission for resolution. No other pleading shall be allowed other than the motion for reconsideration and opposition thereto.

A motion for reconsideration shall not toll the running of the period to appeal and the movant has to perfect his appeal within the period to appeal.

The motion for reconsideration shall be heard and evaluated by the Investigating Committee and shall submit its recommendation with the draft resolution/order to the Sanggunian within ten (10) days from submission for resolution.

If the motion for reconsideration has not been resolved within the period to appeal, the same is deemed denied.

It is incumbent upon the movant to check with the Investigating Committee or the Sanggunian the status of his motion for reconsideration and to perfect his appeal, in case the said motion has not been resolved within the period to appeal.

### **RULE XIII**

#### **PENALTIES**

SECTION 52. Reprimand, censure or suspension. – A respondent found guilty of any of the offenses enumerated in Rule II hereof may be meted the penalty of reprimand, censure or suspension depending on the evidence presented, the gravity of the offense, and the attendant circumstances that may be determined by the Sanggunian, taking into consideration the scale of penalties as provided under the Omnibus Rules Implementing Book V of Executive Order No. 292 and other pertinent Civil Service Laws.

SECTION 53. Suspension . – The penalty of suspension shall not exceed the unexpired term of the respondent, or a period of six (6) months for every administrative offense, nor shall said penalty be a bar to the candidacy of the respondent so suspended as long as he meets the qualifications required for the office.

When the respondent has meted two (2) or more penalties of suspension for two (2) or more administrative offenses, such penalties shall be served successively.

### **RULE XIV**

#### **EXECUTION OF DECISION**

SECTION 54. Execution of final decisions and orders. – The City Vice Mayor shall execute all final and executory decisions or orders of the Sanggunian by issuing the corresponding order implementing the same. He may also deputize or call upon any personnel of the Philippine National Police (PNP) stationed within the city, to execute the said decisions or orders.

A copy of the Order implementing the final decisions and orders of the Sanggunian shall be furnished the Office of the City Mayor, CLGOO and other interested parties for their information and appropriate action.

SECTION 55. Execution pending appeal. – An appeal shall not prevent a decision from becoming final or executor. The respondent shall be considered as having been placed under preventive suspension during the pendency of the appeal, which should not be more than the penalty imposed. In the event the appeal results in an exoneration, he shall be paid his salary and such other emoluments during the pendency of the appeal.

## **RULE XV**

### **ADMINISTRATIVE APPEAL**

SECTION 56. Appeal, where made. – Decisions of the Sanggunian may, within thirty (30) days from receipt thereof, be appealed to the sangguniang panlalawigan whose decision shall be final and executory.

SECTION 57. How to appeal. – The appeal is under taken by filing a notice of appeal with the Sanggunian that rendered the decision or final order appealed from. The notice of appeal shall indicate the parties to the appeal, the decision or final order appealed from, and state the material dates showing the timeliness of the appeal.

A copy of the notice of appeal shall be served the adverse party and the sangguniang panlalawigan.

SECTION 58. Transmittal of original record. – Within fifteen (15) days from receipt of the notice of appeal, the Sanggunian whose decision or final order has been appealed shall transmit to the sangguniang panlalawigan the complete original record of the case with each page consecutively numbered and initialed by the custodian of the records, together with the exhibits and transcripts, which shall be certified by such custodian as complete. A copy of the letter of transmittal of the records to the sangguniang panlalawigan shall be furnished the parties.

## **RULE XVI**

### **MISCELLANEOUS PROVISIONS**

SECTION 59. Docket or logbook. – The Sanggunian shall keep a logbook and/or docket of all administrative cases filed before it and shall assign a case number for each case in the order that it is filed, prefixed with the last two (2) digits of the year of filing, e.g., in the first case filed for the year 2001, it should be numbered as ADM. CASE NO. SB-01- -----, etc.

Important data such as date of filing, date of hearing, status of the case, e.g. , when submitted for resolution, date of promulgation of decision, date when the decision becomes final, and other relevant data shall be entered in the said logbook or docket.

SECTION 60. Custodian of the records. – The Sanggunian Secretary shall be the custodian of all records pertaining to all administrative cases and shall receive all pleadings and other papers in connection thereto.

SECTION 61. Transitory provision. – All pending administrative cases not yet decided upon the effectivity of this Resolution shall be heard by the Committee.

SECTION 62. Repealing clause. – All rules and regulations and other issuance in conflict hereof, are hereby repealed.

SECTION 63. Effectivity. – This Rules shall take effect after ten (10) days following the posting of copies hereof at the entrance of the City Hall and at the Bulletin Board of the Sanggunian.

NOW THEREFORE, on motion of SP Member Allan C. Galunan, duly seconded by SP Member Ruben T. Torres, the Sanggunian

RESOLVED, to adopt A RESOLUTION AMENDING RESOLUTION NO. 10-321, ENTITLED, “ RESOLUTION ADOPTING THE 2007 RULES OF PROCEDURES OF THE SANGGUNIAN PANLUNGSOD OF THE CITY OF BAGO”, INCORPORATING THEREIN THE RULES AND PROCEDURES IN CONDUCTING ADMINISTRATIVE INVESTIGATION AGAINST ELECTIVE BARANGAY OFFICIALS IN THE CITY OF BAGO.

ADOPTED. August 16, 2011.

x ----- x

I hereby certify to the correctness of the foregoing resolution which was duly adopted by the Sanggunian Panlungsod during its regular session held on August 16, 2011.

**ATTY. BRIAN N. MARTIR**  
City Secretary (CGDH-I)

ATTESTED AND CERTIFIED TO BE DULY ADOPTED:

**NICHOLAS M. YULO**  
City Vice Mayor- Presiding Officer