

Republic of the Philippines
Province of Davao del Norte
CITY OF TAGUM

BEFORE THE 5TH CITY COUNCIL

EXCERPT FROM THE MINUTES OF THE INAUGURAL SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TAGUM, PROVINCE OF DAVAO DEL NORTE HELD ON JULY 05, 2010 AT THE SP SESSION HALL.

PRESENT:

Hon. ALLAN L. RELLON, MPA,	City Vice Mayor (Presiding Officer)
Hon. DE CARLO L. UY,	Member
Hon. MARIA LINA F. BAURA,	Member
Hon. NICANDRO T. SUAYBAGUIO, JR.,	Member
Hon. ROBERT L. SO,	Member
Hon. JOEDEL T. CAASI,	Member
Hon. OSCAR M. BERMUDEZ,	Member
Hon. ALAN D. ZULUETA,	Member
Hon. GETERITO T. GEMENTIZA,	Member
Hon. TRISTAN ROYCE R. AALA,	Member
Hon. FRANCISCO C. REMITAR,	Member
Hon. ALFREDO R. PAGDILAO,	Member (ABC Representative)
Hon. CYRIL LEONARD L. MURING,	Member (SKF Representative)

RESOLUTION NO. 01 s-2010

"RESOLUTION ADOPTING THE INTERNAL RULES OF PROCEDURE OF THE 5TH CITY COUNCIL OF THE CITY OF TAGUM."

WHEREAS, elected into office is another set of City Council members of the City of Tagum;

WHEREAS, for a democratic, orderly, quality, and effective conduct of its sessions, it is imperative that the 5th Council promulgate and adopt its own Internal Rules of Procedure for purposes of legislation;

NOW THEREFORE, be it resolved by the 5th City Council of Tagum to adopt its own Internal Rules of Procedure as it is herein below provided as follows:

INTERNAL RULES OF PROCEDURE

OF THE 5TH CITY COUNCIL OF THE CITY OF TAGUM.

RULE 1

MEMBERSHIP

The 5th City Council of Tagum City shall be composed of the following:

- a) City Vice Mayor as the Presiding Officer;
- b) The ten (10) City Council members elected at large or appointed;
- c) President of the City Chapter of the Liga ng mga Barangay;
- d) President of the Panlungsod na Pederasyon ng mga Sangguniang Kabataan; and
- e) The Three (3) Sectoral Representatives as may be determined by the Sanggunian pursuant to Article 93 of the Rules and Regulations implementing the Local Government Code of 1991.

RULE 2

POWERS, DUTIES AND FUNCTIONS OF THE CITY COUNCIL

SECTION 1. The powers, duties and functions of the 5th City Council shall be those provided under Rule XVII of the Rules and Regulations Implementing the Local Government Code of 1991.

RULE 3
DUTIES AND RESPONSIBILITIES OF INDIVIDUAL MEMBERS

SECTION 1. Every member of this 5th City Council shall make a full disclosure of his/her financial and business interests as required by Art. 104, Rule XVII of the Rules and Regulations Implementing the Local Government Code of 1991.

SECTION 2. Every member shall attend all the sessions of the 5th City Council except when sickness or unavoidable circumstances prevent said member from doing so. An approved leave of absence or travel order/authorization shall be presented to the Secretary to the Sangguniang Panlungsod.

SECTION 3. Every member shall vote in all matters that require voting except when he/she has interest on any matter under consideration by the 5th City Council.

SECTION 4. Every member shall observe proper deportment and decorum during sessions. A member who wishes to leave before adjournment should seek permission from the City Vice Mayor.

RULE 4
PRESIDING OFFICER

SECTION 1 - The City Vice Mayor shall be the Presiding Officer of the Sanggunian and as such shall have the following rights and duties:

- a) Preside over the Sessions, caucuses and meetings of the Committee of the Whole of the Sanggunian;
- b) Exact from all the members present during the Sessions proper deportment and decorum;
- c) Enforce the internal rules and procedures of the Sanggunian;
- d) Maintain order during sessions and render a ruling on questions of order, subject to appeal by the member concerned to the Body for final decision;
- e) Sign all the legislative documents, papers or checks requiring his signature;
- f) Declare a recess during sessions anytime he deems it necessary provided that the duration of the recess is less than fifteen (15) minutes;
- g) Declare the session adjourned to some other date, time and place in cases of extreme emergencies, serious and uncontrollable disorder, public disturbances and other unavoidable circumstances;
- h) Make brief remarks, comments or clarificatory questions on any measure under consideration provided that it shall maintain neutrality;
- i) State clearly all questions before the Legislative Body, and when moved regularly, put the matter to a vote and announce the result;
- j) Vote but only to break the tie. Hence, cannot vote in order to create a tie. His right to vote or break a tie is not compulsory. He may or may not exercise it;
- k) If he desires to leave the session hall, the Presiding Officer may relinquish the Chair to any member of the 5th City Council who shall then act as temporary Presiding Officer;
- l) Perform such other duties and exercise such other powers as may be given to him, from time to time, by the legislative body.

SECTION 2 - In the event of sickness, absence, or other temporary incapacity of the Presiding Officer, or in case of his failure to arrive on time, or his deliberate refusal to discharge the duties of his office, or when he adjourns the Session without the approval of the Body, the 5th City Council shall be presided over by the member duly elected by the majority of the members present and constituting a quorum.

RULE 5
SESSIONS

SECTION 1. All Regular Sessions of the 5th City Council shall be held at the Sanggunian Session Hall, every Monday of the week. Provided however, that if Monday falls on a holiday or a non-working day, the session shall be held on the following working day.

RESOLUTION NO. 01, s-2010, cont'd:

SECTION 2. All Sessions shall be opened at exactly 9:00 o'clock in the morning. If the City Vice Mayor is still not around, then a temporary Presiding Officer shall be elected by the majority of the members present who constitute a quorum. The Chairmanship shall, however be relinquished to the City Vice Mayor upon his arrival.

SECTION 3. Special Sessions may be called by the City Mayor or by a majority of the members of the 5th City Council.

SECTION 4. Unless otherwise agreed upon by two thirds (2/3) vote of the members present, there being a quorum, no other matter may be considered in a special session except those stated in the notice.

SECTION 5. All Sessions shall be opened to the public unless a closed-door session is ordered by an affirmative vote of majority of the members present, there being a quorum. Closed-door sessions are allowed only when security, decency, morality, and when public interest is at stake.

SECTION 6. No two (2) sessions, whether regular or special may be held in a single day.

SECTION 7. Adjourned Session. An "adjourned session" may be held:

- a. By a majority of the members present in a session where there is no quorum wherein they may decide to adjourn from time to time, or day to day, and compel the attendance of the absent members in order to obtain the necessary quorum;
- b. By a majority vote of the members present in any regular or special session, there being a quorum, in order to finish very important business which needs immediate action.

SECTION 8. In all its regular and special sessions, the 5th City Council of Tagum shall designate one (1) personnel from the Civil Security Unit (CSU) in prescribed uniform but without firearms to act as Sgt.-at-Arms. Thus, he is responsible in maintaining orderliness while the session is in progress.

SECTION 9. In order to observe high level of professionalism, orderliness, sanctity of the proceedings of the session, there shall only be one staff duly appointed by the Presiding Officer that shall be allowed to approach any of the legislators.

RULE 6

QUORUM

SECTION 1. A majority of the members of the 5th City Council who have been elected and qualified, including "Ex- Officio" members as defined and enumerated in sub- paragraphs a, b, c, d, and e of Rule 1 of this Internal Rules shall constitute a quorum to transact business.

SECTION 2. Other interpretations to the contrary notwithstanding, the term "elected and qualified" shall be construed to include not only the regular members but also the "ex-officio" members and the sectoral representatives of this Sanggunian.

SECTION 3. In computing the presence of a "quorum" the term "majority" shall be based on the actual membership or incumbents in the 5th City Council which shall exclude the following:

- Presiding Officer (regular);
- A member who is abroad;
- A deceased member;
- A member who has resigned
- A member who has been suspended or expelled or removed by final judgment.

SECTION 4. No quorum at the start of the session. When the appointed time has come to start the regular session, the Presiding Officer (regular or temporary as the case may be) shall call the session to order with or without a quorum.

In the absence of a quorum after calling the session to order, the Presiding Officer may perform any of the following:

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

SECTION 5. No quorum during the session which was started with a quorum. During a session which was started with a quorum and a question on the lack of quorum is raised by any member, the Presiding Officer shall immediately cause the reading of the roll of members and announce the result thereof and then declare whether or not there exists a quorum.

In the absence of quorum, the Presiding Officer may declare a recess of not more than one (1) hour and wait for other members to come; or a majority of members may adjourn from hour to hour; or day to day and may compel the immediate attendance of any member absent without justifiable cause by designating a member of the Sanggunian, to be assisted by members of the police force to arrest the absent member and present him/her at the session hall.

If there is still no quorum despite the enforcement of the above remedial measure, the Presiding Officer may, motu proprio, or upon proper motion from the floor duly adopted by the body, then declare the session adjourned for lack of quorum.

RULE 7

ORDER OF BUSINESS

SECTION 1. The Order of Business of this 5TH City Council shall be as follows:

- a. Call to Order
- b. Roll Call
- c. Opening Prayer/Pambansang Awit/Panunumpa ng Katapatan sa Watawat/Councilors' Creed and Tagum Mabuhay ka Hymn.
- d. Reading and Consideration of the Minutes and Journal of the previous session
- e. Privilege Hour
- f. Question Hour
- g. Reading and Referral of proposed measures (Ordinances, resolutions, petitions, letters and other communications
- h. Committee Reports
- i. Calendar of Business
 - Unfinished Business
 - Business for the Day
 - Unassigned Business
- j. Announcements (if any)
- k. Adjournment

SECTION 2. The Calendar of Business shall be consolidated by the Office of the Secretary to the Sanggunian based on the indorsement of the member (s) of the City Council and the Presiding Officer and a Copy thereof shall be furnished to every member of this 5th City Council not less than one (1) day before the date of the Regular Session. The Presiding Officer shall cause the Office of the Secretary to the Sanggunian to provide the necessary administrative support or secretarial services to the standing or special committees.

SECTION 3. The Calendar of Business shall contain the following:

- a. **Unfinished Business** - refers to proposals or measures that have been left unacted upon, postponed or left unfinished during the previous meeting or session. This also includes items of business left unfinished or unacted upon at the end of the term of the previous administration.

RESOLUTION NO. 01, s-2010, cont'd:

- b. Business for the Day** - refers to a list of items that have been reported out by the committees and are ready for deliberation on "Second Reading" as determined by the Committee on Rules. This also includes those items for the body's decision on "Third and Final Reading".
- c. Unassigned Business** - refers to urgent matters as certified to by the City Mayor or the majority of the members which involve public interest, delay in the consideration of which may prejudice an essential public service or activity of the government.

SECTION 4. The Calendar of Business shall contain brief description of the item of business to be taken up during the regular session including, but not limited to the following:

- The title of the proposed ordinance or resolution; name of the sponsor or authors or the committee to which it was referred or the committee sponsoring it;
- In case of petition, letters, indorsement and other communications, the source or the names of senders.

SECTION 5. As a general rule, committee reports shall be rendered by its Chairperson, unless he/she dissents with the majority decision. In his/her absence, the Vice Chairperson shall take his/her place. If neither of them is present, any committee member concurring with the report and duly designated by the said committee shall render the report.

SECTION 6. If the reporting committee recommends a favorable action on the measure referred to it or if the reporting committee recommends the proposed measure for appropriate action by the Sanggunian, the Committee on Rules shall calendar it for "Second Reading". If the reporting committee's recommendation is unfavorable the proposed measure shall be considered laid on the table. If the reporting committee's recommendation is for the Sanggunian not to take any action and that recommendation has been adopted by the body, the proposed measure remains shelved in the committee. If the reporting committee's recommendation is for the Sanggunian to file the proposed measure away and that recommendation has been adopted, then it is "filed away" which means in layman's language that the proposed measure will be filed in the archive of the Sanggunian.

SECTION 7 – No Ordinance or Resolution shall be included under unassigned business unless the committee report duly signed by the members in quorum shall be attached to the notice of session.

SECTION 8. As a general rule, no member of a committee shall oppose or object to the report of his committee unless he submits his dissenting opinion to the majority decision in writing or orally in open session, before the committee reads its reports. Otherwise, he shall be precluded to oppose it on the floor.

SECTION 9. In the event that a member of the committee refuses to sign a Committee Meeting Report and yet fails to submit a Minority Report it shall be construed to mean that said member agrees to the recommendations of the committee.

SECTION 10. Deviation from the prescribed Order of Business may be done under the following circumstances:

- a. When the Sanggunian decided to suspend the rules thru an "assumed motion" by the Chair or thru a motion to suspend the rules by a member. In any case, the decision to suspend the rules shall require a two-thirds (2/3) vote of the members present.
- b. When the measure to be acted upon by the Sanggunian is certified by the Local Chief Executive or the City Vice Mayor as "urgent", it shall have priority over all items of business, and shall be considered without need of suspending the rules or even if it is not included in the Calendar of Business.

RULE 8

LEGISLATIVE PROCESS

SECTION 1. Rules in the enactment of the ordinances and adoption of resolutions. In the enactment of ordinances and adoption of resolutions including other matters requiring legislative actions, the following rules shall be observed:

- a. Legislative actions of a general and permanent character shall be enacted in the form of ordinances, while those which are of temporary character shall be passed in the form of resolutions. Matters relating to proprietary functions and to private concerns shall also be acted upon by resolution.
- b. Proposed ordinances shall be in writing and shall contain an assigned number, a title or caption, an enactment or ordaining clause and the date of its proposed effectivity. In addition, every proposed ordinance shall be accompanied by a brief explanatory note containing the justification for its approval. It shall be signed by the author or authors and submitted to the Secretary to the Sanggunian who shall report the same to the Sanggunian at its next meeting.
- c. A resolution shall be enacted in the same manner prescribed for an ordinance, except that it need not go through a third reading for its final consideration unless decided otherwise by a majority of all Sanggunian members.
- d. No ordinance or resolution shall be considered on Second Reading in any regular meeting unless it has been reported out by the proper committee to which it was referred or certified as urgent by the Local Chief Executive or by the city vice mayor, or unless authored or sponsored by all members of the Sanggunian or of all members of the committee concerned whom such measure is being referred to. Ordinances/resolutions concerning all budgets and budget payments and contracts shall not be taken under suspended rules but shall pass through a three reading principle.
- e. Any legislative matter duly certified by the Local Chief Executive or the City Vice Mayor as urgent whether or not it is included in the calendar of business may be presented and considered by the body at the same meeting without need of suspending the rules.
- f. The Secretary to the Sanggunian shall prepare copies of the proposed ordinance or resolutions in the form it was passed on second reading, and shall distribute to each sanggunian member a copy thereof except that a measure certified by the local chief executive or by the City Vice Mayor as urgent may be submitted for final voting immediately after debate or amendment during the second reading.
- g. No ordinance or resolution passed by the Sanggunian in a regular or special session duly called for the purpose shall be valid unless approved by a majority of the members present, there being a quorum.
- h. Upon the passage of all ordinances and resolutions directing the payment of money or creating a liability, and at the request of any member of any resolution or motion, the Sanggunian shall record the ayes and nays. Each approved ordinance or resolution shall be stamped with the seal of the Sanggunian and recorded in a book kept for the purpose.
- i. Only Committee Meeting Reports shall be presented to and adopted by the Sangguniang Panlungsod during the session. Any report of Committee Hearing or Public Hearing conducted before hand shall be attached to the Committee Meeting Report and shall form an integral part of the report.

SECTION 2. PROCEDURAL STEPS - The procedural steps in enacting an ordinance or a resolution. The enactment of an ordinance or a resolution involves eleven (11) steps clustered along seven (7) dimensions from sponsorship to publication.

SPONSORSHIP OF AN ORDINANCE OR A RESOLUTION

STEP 1. A sanggunian member or a group of members files with the secretary to the sanggunian fourteen (14) copies of the draft ordinance or resolution in the form prescribed for the purpose. Twelve of which are for the 12 regular members of the Sanggunian, one for the Presiding Officer and one for the Secretary to the Sanggunian.

STEP 2. The Secretary to the Sanggunian records the draft ordinance or resolution in a logbook, indicating the following basic information:

- Name of the author(s) or proponent(s);
- Title of the proposed ordinance or resolution;
- Date filed; and
- The number assigned to it.

STEP 3. On First Reading, the Secretary to the Sanggunian reports all proposed ordinances or resolutions to the sanggunian members filed at least three (3) days before a regular or special session. He reads the draft ordinance or resolution by its number and title and the name of author(s) or proponent(s) if desired after which, the presiding officer immediately announces the committee or committees to which the proposed measure is assigned.

COMMITTEE DELIBERATIONS

STEP 4. If the committee concerned recommends action on the proposed ordinance or resolution, a report to the effect is submitted to the presiding officer through the chairperson of the Committee on Rules who calendars the proposed ordinance or resolution for Second Reading.

If the committee action on a proposed ordinance or resolution is unfavorable, it is laid on the table and, within ten (10) days, the author(s) or proponent(s) concerned are given notice stating the reason(s) for such action.

SECOND READING AND FLOOR CONSIDERATION

STEP 5. No proposed ordinance or resolution may 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 Local Chief Executive or as provided for under Section 1 (d) Rule 8 of this Internal Rules of Procedures.

On the day set for the consideration of a proposed ordinance or resolution for Second Reading, the Secretary reads the proposed ordinance or resolution in its entirety, although this can be dispensed with since every sanggunian member is presumed to have a copy of the measure under consideration. The chairperson of the committee recommending the ordinance or resolution, or someone for the purpose, explains briefly the nature of the ordinance or resolution and recommends its approval. Thereafter, the proposed ordinance or resolution is subject to debate, then to amendments, and other proper parliamentary motions.

STEP 6. The Secretary to the Sanggunian prepares enough copies of the proposed ordinance or resolution in the form it was passed on Second Reading, and distributes them to each member at least three (3) days before final reading.

THIRD READING AND FINAL VOTE

STEP 7. No ordinance or resolution may be approved unless it has passed three 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 Local Chief Executive, the City Vice Mayor or the sanggunian itself certifies to the necessity of its immediate enactment to meet a public calamity or emergency.

Upon third reading of the proposed ordinance or resolution, the presiding officer puts the question(s) to a vote, and directs the Secretary to the Sanggunian to call the roll to record each member's vote. The Presiding Officer then finally, announces the result of the voting.

APPROVAL OF ORDINANCES AND RESOLUTIONS

STEP 8. Every ordinance or resolution adopting a local development plan and public investment program enacted by the sanggunian is presented to the Local Chief Executive (LCE) for approval.

RESOLUTION NO. 01, s-2010, cont'd:

If the LCE approves the same, he affixes his signature on each and every page thereof; otherwise, he vetoes it and returns the same with his objections to the sanggunian which may proceed to consider the same.

The Sanggunian may override the veto of the LCE by a two-thirds (2/3) vote of all its members thereby making the ordinance or resolution effective for all legal intents and purposes.

The veto shall be communicated by the LCE to the Sanggunian within ten (10) days; otherwise, the ordinance is deemed approved as signed.

STEP 9. An ordinance or resolution of the Sangguniang Panlungsod approving local development plan and public investment program shall be submitted to the Sangguniang Panlalawigan for review by the Secretary within three (3) days after its approval.

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

EFFECTIVITY OF APPROVED ORDINANCES AND RESOLUTIONS

STEP 10. Unless otherwise stated in the ordinance or resolution approving the local development plan and public investment program, the same shall take effect after ten (10) days from the date a copy thereof is posted in a bulletin board at the entrance of the city hall, and in at least two (2) other conspicuous places within the territorial jurisdiction of the local government unit concerned.

PUBLICATION OF APPROVED LEGISLATIVE ACTION

STEP 11. The Secretary to the Sanggunian shall cause the posting of an ordinance or resolution in the bulletin board at the entrance of the city hall, and in at least two (2) conspicuous places in the local government unit concerned not later than five (5) days after approval thereof.

The text of the ordinance or resolution shall be disseminated and posted in Filipino or English and in the dialect understood by the majority of the people in the local government unit concerned, and the Secretary to the Sanggunian shall record such fact in a book kept for the purpose, stating the dates of approval and posting.

The gist of all ordinances with penal sanctions shall be published in a newspaper of general circulation within the province. In the absence of any newspaper of general circulation within the province, posting of such ordinances shall be made in all barangays of the city.

Ordinances with penal sanctions shall be posted at prominent places in the city hall, for a minimum period of three (3) consecutive weeks. Such ordinances shall also be published in a newspaper of general circulation, where available, within the territorial jurisdiction of the local government unit. Unless otherwise provided therein, said ordinance shall take effect on the day following its publication, or at the end of the period of posting, whichever occurs later.

Any public officer or employee who violates an ordinance may be meted out administrative disciplinary action, without prejudice to the filing of the appropriate civil or criminal action.

The Secretary to the Sanggunian shall transmit official copies of such ordinances to the chief executive officer of the Official Gazette within seven (7) days following the approval of the said ordinance for publication purposes. The Official Gazette may publish ordinances with penal sanctions for archival and reference purposes.

RULE 9

VOTES AND VOTING

SECTION 1. Voting on Question. Whenever a nominal voting (or roll call voting) is being applied, the Secretary shall call the roll of members either in alphabetical order, by rank, or by representative district. As each is called, the member shall announce his/her vote by stating "YES or NO", as the case may be. As a general rule, a member may explain his/her vote but not to exceed three (3) minutes.

A second roll call may be requested by any member from the chair but this time only the names of those who failed to vote shall be called. This is to give another opportunity to those who failed to cast their vote to exercise their right and also to determine the number of members who might have violated the "rule of abstention". After this second roll call, no other request of the same kind shall be entertained by the Chair.

SECTION 2. Voting Restrictions. No member can vote, or be allowed to vote on any measure in which he/she or any of his/her relatives within the third degree of consanguinity or affinity, has a direct or personal pecuniary interest. This rule, however, does not apply in voting for elective positions in the Sanggunian where a member, as a matter of right, can vote for himself/herself.

SECTION 3. Change of Vote. A member may change his/her vote but only when the result of the voting has not yet been announced by the Chair. Otherwise, he/she can only change his/her vote by a unanimous consent of the members present. Provided that this rule shall not be applied if voting is by ballot.

SECTION 4. Vote by Late-Comer. A member who comes-in late during the session but who happens to arrive while voting is in progress shall be allowed to vote, provided that the result of the voting has not yet been announced by the Chair.

SECTION 5. Allowable Motion during Voting. Except for a motion pertaining to a question of quorum, no other motion shall be entertained by the Chair while voting is in progress.

SECTION 6. Tie Vote. A tie vote resulting from a vote taken on any motion, measure or proposal shall be construed to mean that the particular motion, measure or proposal is defeated, unless the Chair decides to break it. Exception to this rule is when a "motion to appeal from the decision of the Chair" is put to a vote and it resulted in a tie. In this case, the tie vote is considered to sustain the decision of the Chair.

SECTION 7. Breaking a Tie. In case of a tie, the Presiding Officer of the Sanggunian is allowed to cast his vote if he so desires. He is, however, precluded under existing laws to cast his vote in order to create a tie.

SECTION 8. Majority Vote of all the Members. As provided for under RA 7160 and its implementing rules and regulations, "a majority vote of all the members of the Sanggunian" is required in the following circumstances:

- a. Enactment of ordinances levying taxes, fees or charges prescribing the rates thereof for general and specific purposes, and granting tax exemptions, incentives or reliefs. (Sec. 458, RA 7160 par. 2ii).
- b. Adoption of resolutions authorizing the Mayor to negotiate and contract loans and other forms of indebtedness. (par. 2ii, Ibid.).
- c. Enactment of ordinance authorizing the floating of bonds or other instruments of indebtedness for the purpose of raising funds to finance development project. (par. 2-iv, Ibid)
- d. Adoption of resolution authorizing the Mayor to lease to private parties such building held in a proprietary capacity subject to existing laws, rules and regulations. (par. 2-v, Ibid).

RESOLUTION NO. 01, s-2010, cont'd:

- e. Enactment of ordinance granting a franchise to any person, partnership, corporation, or cooperative to establish, construct, operate and maintain ferries, wharves, markets, slaughterhouses, or such other similar activities within the city as may be allowed by applicable laws; provided, that cooperatives shall be given preference in the grant of such a franchise. (par. 3-vii, *Ibid*).
- f. Adoption of resolutions concurring with the appointments issued by the Mayor to heads of department and offices as required under RA 7160. (Sec. 454, RA 7160, par. d).

SECTION 9. Majority of the Members Present (thereby constituting a quorum). Except as provided in Section 8 hereof, all other legislative matters or measures shall require only a "majority vote of the members present therein having a quorum" for its passage, adoption or enactment, as the case may be.

SECTION 10. Plurality Vote. A decision of the Sanggunian thru a "plurality vote" shall be valid only and enforceable if it is the result of an election of officers of the Sanggunian members of committees. No legislative proposals or measures of whatever nature shall be passed, adopted or enacted by this Sanggunian thru a mere plurality vote.

SECTION 11. Percentage Vote. For purposes of this Section, a percentage vote shall be construed to mean as a proportion of a certain whole. Percentage vote shall be applied in the following:

- a. A two-thirds (2/3) vote of all the members of this Sanggunian shall be required in overriding the veto of the City Mayor for any ordinances or resolutions, thereby making the particular ordinance or resolution effective for all intents and purposes. (Sec. 54(a), RA 7160).
- b. Unless otherwise concurred in by two-thirds (2/3) vote of the Sanggunian members present, there being a quorum, no other matters may be considered at a special session except those stated in the notice. (Sec.52 (d),RA 7160).
- c. The penalty of suspension or expulsion that may be imposed or meted out by the Sanggunian to an erring member shall require the concurrence of at least two-thirds (2/3) of all the Sanggunian members. (Sec. 50, b-5, RA 7160).
- d. With the concurrence of at least two-thirds (2/3) of all the members of the Sanggunian, grant tax exemptions, incentives or reliefs to entities engaged in community growth-including industries. (Sec. 458, [2] [xii] RA 7160)
- e. At least a two-thirds (2/3) affirmative vote of the members present, there being a quorum, shall be required for the adoption of the following motions:

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

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

SECTION 12. Abstentions. Indubitably, a member of this Sanggunian is representing the people and not necessarily his/her own self and as such he/she should be required to take a stand, one way or the other on every issue or measure submitted for decision of this august body. Hence it is hereby made as general rule that no member of this Sanggunian shall abstain from voting, except as provided under Section 3, Rule 3 of this Internal Rules of Procedure.

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

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

RESOLUTION NO. 01, s-2010, cont'd:

SECTION 13. Simple Majority. Except as otherwise provided in this Internal Rules of Procedure and existing laws, rules and regulations, a vote by a "simple majority" shall prevail on other measures, motion or propositions provided there is a quorum. In parliamentary parlance, the term "simple majority" means one-half plus one ($1/2 + 1$) of the total votes cast by the members present there being a quorum. It might be less than the majority of the entire membership.

SECTION 14. Methods of Voting. Unless a different method is prescribed by the Sanggunian for a particular measure, voting shall be either one of the following methods:

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

RULE 10

RULES ON DEBATE & AMENDMENTS

SECTION 1. As a general rule, no member shall speak before this Sanggunian without first "obtaining the floor". A member who has obtained the floor shall address all his/her remarks to the Chair. He/she shall conduct himself/herself with proper decorum by confining his/her remarks or arguments to the question under debate and by avoiding personalities.

SECTION 2. No member rendering a committee report or delivering the sponsorship speech shall speak for more than ten (10) minutes unless allowed by a majority of the members present.

SECTION 3. No member shall speak for more than ten (10) minutes on a particular issue or question being debated upon unless he/she is allowed to do so by a majority of the members present.

SECTION 4. During the period of amendments every member shall observe the so-called "five-minute rule", i.e. remarks or argumentation by any member on each proposed amendment shall not exceed five (5) minutes.

SECTION 5. The member rendering a committee report or delivering the sponsorship speech of a proposed measure may move to open or close the debate within the ten minutes period allowed to him/her. If he/she fails to exercise this option, the Chair may use the "assumed motion" to open or close the debate, or any member may formally move for it. In any case, after a member has rendered a committee report or has finished his/her sponsorship speech of a proposed measure it shall be considered open to debate.

SECTION 6. While having the floor, a member may be interrupted in his/her speech by the Presiding Officer to state a point of order, to respond to questions from the floor, to clarify something related to the issue being discussed or to make certain remarks within his/her privilege.

SECTION 7. The speaker may also be interrupted by another member if the latter desires to ask questions thru his/her privilege to interpellate and by proposing the following motions:

- Point of Order
- Point of Information
- Point of Parliamentary Inquiry
- Call for Orders of the Day
- Divide the Body
- Raise a question of privilege
- Reconsider
- Appeal from the Decision of the Chair

SECTION 8. All questions addressed to the member having the floor must always be coursed thru the Presiding Officer.

SECTION 9. The Speaker being interpellated may decline to answer questions, if he/she desires.

SECTION 10. No member shall speak against his/her own motion or proposition. He/she may, however, be permitted to withdraw his/her motion or proposition and if his/her request to withdraw is denied, he/she may vote against it.

SECTION 11. While the period of debate is in progress no member shall roam around the session hall or leave the premises without the permission of the Chair.

SECTION 12. A motion to close the debate is in order if three (3) members have already spoken in the affirmative side and two (2) in the negative side; or only one (1) member has spoken in favor but none against it.

SECTION 13. Subject to the requirement of the preceding Section, if no member moves to close the period of debate, the Chair, Motu proprio may use the "assumed motion" in order to close the period of debate.

SECTION 14. When a motion "to call for the previous question" which would result in the closing of debate on a pending question is proposed by a member, a two-thirds affirmative vote shall be required.

SECTION 15. Whenever the Presiding Officer is addressing the Sanggunian, no member shall leave his/her seat nor interrupt the former in his/her talk.

SECTION 16. After the period of debate has been closed, the period of amendment shall immediately follow.

SECTION 17. Unless a different method is adopted by the members present in a particular session, amendments to any proposed measure, or parts thereof, shall be in seriatim. Under this seriatim method, the proposed measure is read by paragraph or section and after each one is read, amendments can be proposed and debated upon. Thereafter, a vote is taken on the proposed amendment. Eventually, this process will reach its conclusion and the original measure or proposition is said to have passed the "Second Reading".

SECTION 18. No member shall monopolize any discussion or debate. No member shall speak more than twice on the same subject matter without the consent of the body. No member shall be granted a second turn to speak until all who wish to avail the first opportunity shall have spoken.

SECTION 19. Every member has the right to participate in the deliberation except when propriety (delicadeza) prevents him/her from doing so; when he/she has pecuniary interest, directly or indirectly in the matter being deliberated upon; and when he/she is barred by the rules of the sanggunian.

RULE 11

RULES ON INTERPELLATION

SECTION 1. Be honest in asking questions. Ask only questions that seek for clarification.

SECTION 2. Avoid embarrassing questions.

SECTION 3. Avoid insult-finding questions.

SECTION 4. Avoid asking more than two (2) successive questions at a time.

SECTION 5. Graciously acknowledge the answer.

SECTION 6. Observe proper decorum in asking questions.

RULE 12

COMMITTEES

SECTION 1. Creation of Committees. The following rules shall be observed in the creation of committees.

- a. A regular or standing committee may be created or re-organized by a majority vote of all the members of the Sanggunian.
- b. The Presiding Officer may recommend the creation/re-organization of any regular or standing committee. The Sanggunian shall act on his recommendation without debate and vote on it immediately.
- c. Special or Ad-Hoc committee may be created upon the initiative of the Chair or any member subject to the affirmative votes of a majority of the members present, there being a quorum.

SECTION 2. Composition. Every regular committee to be created shall be composed of not more than five (5) members including the Chairperson and Vice Chairperson.

SECTION 3. Restrictions.

- a. The Presiding Officer shall not be a member of any regular committee. However, he may be designated by the Body as Chairman of an Ad-Hoc or Special Committee, provided that the purpose or task for which the committee is created does not involve legislative matters or policy-making.
- b. No person other than members of the Sanggunian shall be made a member of any regular committee.
- c. A member of the Sanggunian shall be made a Chairperson or Vice Chairperson of not more than two (2) regular committees.
- d. A member of the Sanggunian shall be made a member of not more than six (6) regular committees.
- e. No member shall participate in the committee's deliberation if he/she has a direct or indirect personal or pecuniary interest on the matter being handled by that committee.

SECTION 4. Committee Hearing or Public Hearing. No tax ordinance or ordinance imposing penalty shall be enacted by this Sanggunian in the absence of a public hearing duly conducted by the committee concerned.

SECTION 5. Conduct of Public Hearing on proposed tax ordinance or revenue measure and ordinances imposing penalty.

- a. Within ten (10) days from approval on First Reading any proposed tax ordinance or revenue measure and ordinance imposing penalty shall be posted simultaneously in at least four (4) conspicuous public places within the territorial jurisdiction of the City of Tagum.
- b. In addition to the foregoing requirements on posting, the Sangguniang Panlungsod committee concerned shall cause the sending of the proposed ordinance, enclosing a copy thereof, to interested or affected parties.
- c. The notice shall specify the date and venue of the public hearing. The initial public hearing shall not be held earlier than ten (10) days from sending out of notice, or date of posting thereof, whichever is later.
- d. During the public hearing an opportunity to appear and present or express their views, comments and recommendations, and such public hearing shall continue until all issues shall have been obtained, whether for a revenue measure or an ordinance imposing penalty.

RESOLUTION NO. 01, s-2010, cont'd:

- e. The Secretary to the Sanggunian shall prepare the Minutes of such public hearing and shall attach to it the position papers, memorandum, and the like, submitted by those who participated.

SECTION 6. Committee Meetings. As a general rule, a committee meeting shall be attended only by committee members unless a majority members thereof decided to allow other persons to be present especially invited resource persons or consultants.

SECTION 7. Committee Hearing distinguished from Committee Meeting.

For purposes of this Internal Rules, a committee hearing is an activity of the Sanggunian thru its committee, wherein the general public particularly those representing different sectors that may be interested or to be affected by a proposed measure are invited to attend to head and be heard on that matter. This is synonymous to the term "public hearing". On the other hand, a committee meeting, as they imply, is a "meeting of the members" of the committee for the primary purpose of decision-making. Since decision-making is a difficult task, the committee is not precluded from inviting and seeking advice from technical persons.

SECTION 8. Majority of the members of the reviewing committee and at least one (1) of the proponents of the pending ordinance or resolution subject for Committee Meeting/Hearing should be present, failure to appear the said pending measure shall not be acted upon. There shall be no review of measure pending before the committee when there is no majority of the members present, excluding the main author who happens to be a member of the reviewing committee.

SECTION 9. Quorum. A majority of all the members of the committee shall constitute a quorum to do business.

SECTION 10. Calling a Committee Meeting. A committee may be called by the following:

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

Provided, that due notice duly signed by the Secretariat is served upon each and every member.

SECTION 11. Vacancy. Vacancy in a committee shall be filled:

- a. By a majority vote of all members of the Sanggunian; or,
- b. By the Presiding Officer, by general consent (Unanimous assent) of the members present, there being a quorum.

SECTION 12. Appearance of Head of Department/Offices in Committee Meetings. The following rules shall be observed in requesting for the appearance of heads of department or offices:

- a. Official invitation or request by any committee to appear before it of any head of department or offices, whether local or national shall be prepared by the Secretary to the Sanggunian which shall be coursed thru the Presiding Officer and shall then endorse it to the Local Chief Executive, in the case of local officials or employees; and directly to the local head of national offices in this locality;
- b. The invitation or request shall specify the reasons for such appearance or the assistance needed, as the case may be.

SECTION 13. Standing Committees. The Sanggunian shall create the following standing committees with the corresponding areas of responsibilities:

a. **COMMITTEE ON FINANCE, BUDGET AND APPROPRIATION**

This committee shall be composed of not more than five (5) members, including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Local taxes, fees and charges;
- Loans and other sources of local revenue;
- Annual and Supplemental Budgets of the city and barangay levels.
- Appropriation Ordinance
- All other matters related to local taxation and fiscal administration.

b. **COMMITTEE ON WOMEN, CHILDREN, FAMILY AND SOCIAL WELFARE**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Women's welfare, rights and privileges
- Women's organizations
- Children's Welfare
- Family Welfare
- Family Planning
- Social Welfare
- All other matters related to women, children, family and social welfare

c. **COMMITTEE ON HUMAN RIGHTS**

This committee shall be composed of not more than five (5) members, including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Human Rights
- Prevention of Human Rights Violation
- All matters affecting human rights

d. **COMMITTEE ON YOUTH & SPORTS DEVELOPMENT**

This committee shall be composed of not more than five (5) members, including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Sports Development
- Youth Welfare & Development
- All matters affecting the youth and the development of sports

e. **COMMITTEE ON ENVIRONMENTAL PROTECTION AND ECOLOGY**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

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

f. **COMMITTEE ON HOUSING AND LAND UTILIZATION**

This committee shall be composed of not more than five (5) members, including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Housing program
- Subdivision development/real estate development
- Measures pertaining to land uses
- Zonification or Zoning Code enactment
- Squatter problems
- All other matters related to housing and land utilization.

g. **COMMITTEE ON LAWS, RULES AND PRIVILEGES**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Sanggunian internal rules and violations thereof.
- Order of Business and Calendar of Business
- Disorderly conduct of members and investigation thereof
- Privilege of members
- Enactment, revision or amendment of all kinds of ordinances except appropriation ordinances
- Exercise of the legislative powers (taxing power, police power, corporate powers and proprietary rights)
- Legality of proposed measures to be acted upon by the Sanggunian
- Review of ordinances and resolutions submitted by lower level LGUs
- Review of Barangay Ordinances and Executive Orders issued by the Punong Barangay

h. **COMMITTEE ON PEACE & ORDER AND PUBLIC SAFETY**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Police Matters
- Maintenance of Peace and Order Protective Services
- Traffic Rules and Regulations
- Fire Prevention and control measures
- Public Morals
- All matters related to peace and order and public safety

i. **COMMITTEE ON HEALTH**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

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

j. **COMMITTEE ON AGRICULTURE AND FOOD**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Agricultural production
- Agricultural inputs
- Agricultural facilities
- All other matters related to agriculture, including plants and animals

k. **COMMITTEE ON EDUCATION AND CULTURE**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Formal and non-formal education
- Educational facilities
- Promotion of culture and the arts
- Operation of educational institutions, both private and public
- Pre-schoolers/Day Care Program
- All other matters related to formal, non-formal and informal education

l. **COMMITTEE ON GOOD GOVERNMENT, PUBLIC ETHICS & INVESTIGATION**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Conduct and Ethical Standards for local officials and employees
- Public accountability of local officials and employees
- All other matters related to good governance
- Administrative investigation on charges against erring barangay officials

m. **COMMITTEE ON PUBLIC WORKS, FACILITIES AND UTILITIES**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Operation/Establishment of all kinds of public utilities, including but not limited to, transport and communications system
- Maintenance or upkeep of public facilities including, but not limited to, plaza, parks, jail and other government buildings owned by this LGU
- Construction, maintenance and repair of roads, bridges and other government infrastructure projects.
- Measures that pertain to drainage and sewerage system and similar projects
- All other matters related to public utilities and facilities

n. **COMMITTEE ON ECONOMIC ENTERPRISES**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Administration/operation of the public market, slaughterhouse, auction center, cemetery, public terminal, trade center, asphalt plant and other economic enterprises
- Measures pertaining to rental, fees and charges of the above mentioned economic enterprises
- Improvement of economic enterprise facilities and its premises
- Enactment/revision of the economic enterprises
- All other matters related to economic enterprises administration of the city

o. **COMMITTEE ON GAMES AND AMUSEMENT**

This committee shall be composed of not more than five (5) members including its Chairperson, Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

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

p. **COMMITTEE ON TRADE, COMMERCE AND INDUSTRY**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

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

q. **COMMITTEE ON BARANGAY AFFAIRS**

This committee shall be composed of not more than five (5) members including its Chairperson & Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Naming or renaming of barangays;
- Naming or renaming of barangay roads;
- All other matters pertaining to barangay government affairs.

r. **COMMITTEE ON LABOR, EMPLOYMENT AND CIVIL SERVICE**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Organization and management; personnel administration, position classification and pay plan, and staffing pattern
- Creation of positions
- Policy formulation for economical, efficient and effective local government administration
- Labor
- Employment and Manpower Development
- Maintenance of Industrial Peace and Promotion of Employer-employee cooperation
- Labor education, standards and statistics
- Organization of the Labor Market including promotion, development, recruitment, training and placement of manpower here and abroad.

s. **COMMITTEE ON TOURISM AND SISTERHOOD TIES**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Promotion of Tourism destination.
- Linkages with other municipalities, cities and provinces here and abroad.

t. **COMMITTEE ON AGRARIAN REFORM**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Land acquisition and distribution of private and agricultural lands.

u. **COMMITTEE ON GOVERNMENT ORGANIZATIONS, NON-GOVERNMENT ORGANIZATIONS AND COOPERATIVES**

This committee shall be composed of not more than five (5) members including its chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Cooperative development and organization
- Incentives to cooperatives
- Good relations with all government entities within the locality and good relations with the non-government organizations
- All matters related to cooperatives and government and non-government organizations.

v. **COMMITTEE ON LIVELIHOOD PROJECTS**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Development of agri-business enterprises
- Measures that will promote livelihood projects
- All other matters related to livelihood projects

w. **COMMITTEE ON PUBLIC INFORMATION AND MEDIA AFFAIRS**

This committee shall be composed of not more than five (5) members including its Chairperson and Vice Chairperson, to which shall be referred all matters or questions pertaining to or connected with the following:

- Establishment of media link not only within the city but likewise in other areas
- Measures that will promote good relations with the people of the city
- All other related matters pertaining to public information

x. **COMMITTEE ON SCIENCE AND TECHNOLOGY**

This committee shall be composed of not more than five (5) members including its chairman and Vice Chairman, to which shall be referred all matters or questions pertaining to or connected with the following:

- Promotion of advance technology for the benefit of the populace of the city
- Establishment of linkages with the national government pertaining to trainings
- Seminars and other related technology

RULE 12

COMMITTEE REPORTS

SECTION 1. Submission of Committee Reports/Meetings and Public Hearing. Every committee to which a particular measure is referred by the Presiding Officer shall submit its report in writing to the Sanggunian, thru the Secretary, after finishing its task within FIFTEEN (15) days.

SECTION 2. Joint Committee or Multiple Committee Report. When a measure is referred to two or more committees, the committees concerned may submit a "joint committee report" or a separate report thereon.

SECTION 3. Contents of Committee Report. The committee report shall contain the following information:

RESOLUTION NO. 01, s-2010, cont'd:

- a. Name of the reporting committee or committees.
- b. Brief statement of the subject matter referred to it and the action taken thereon including information gathered during the conduct of committee hearings or meetings and other relevant information.
- c. Finding conclusions.
- d. Recommendations (preferably, in the form of resolution).
- e. Names and Signature of concurring members.
- f. Appendices (Minutes of the committee hearings or committee meetings, as the case may be.)

SECTION 4. Discharge of Committees. A committee which failed to submit a committee report within the period of thirty days may be discharged by the Sanggunian from further consideration of the measure or question referred to it. Upon motion by any member the said measure can be re-assigned to another committee or submit the measure to the Body for proper disposition.

SECTION 5. Recommitting a Measure. When the Sanggunian is not satisfied with the report of a particular committee on a measure referred to it, the same may be re-committed or returned to that committee for further study.

SECTION 6. Calendaring a Measure for Second Reading. After a committee has rendered its report and is recommending favorably the enactment of a proposed ordinance it has "reported out", a copy of the proposed ordinance shall be furnished the Committee on Rules which calendars it for "Second Reading". Before the said proposed ordinance is sponsored on the floor, a copy thereof shall be furnished to every Sanggunian Member by the committee Chairman concerned.

RULE 13

JOURNAL & RECORD OF PROCEEDINGS

SECTION 1. Record of Proceedings. The Sanggunian shall keep a "Journal & Record" of its proceedings which may be published upon resolution of the majority of the members thereof and shall be submitted by the Secretary to the Sanggunian for appropriate action.

SECTION 2. Minutes. In addition to the "journal of proceedings" which is required by law (RA 7160) to be kept, the Sanggunian thru its Secretary, shall also record its proceedings in the form of a "minutes" which shall be submitted by the Secretary to the Sanggunian for appropriate action.

SECTION 3. Reading and Consideration of Minutes and Journal of Proceedings. The minutes and the journal of proceedings of the previous Session shall be submitted by the Secretary to the Sanggunian during its succeeding regular session. The Sanggunian shall first determine if there are corrections to be made on the minutes and act on it accordingly before the same is adopted by the Body and become its property. Consideration of the minutes shall not be dispensed with. Reading of the Minutes "Verbatim" may be dispensed with if the members were already furnished a copy thereof beforehand. Being all responsible men and women, the members are presumed to have read the minutes already before they came to the Session. In any case, the minutes submitted by the Secretary shall be acted upon by the members present, one way or the other.

SECTION 4. Contents of Minutes. The minutes shall contain the following information:

- a. Place, date and time of the Session;
- b. Whether it is Special or Regular;
- c. Names of the members present therein and those who were absent;
- d. Action taken on the Minutes of the previous session including the correction, if any, names of those who adopted (or approved) the minutes under consideration and those who did not;
- e. Text of every measure (resolution or Ordinance) adopted or enacted
- f. Brief resume' of the minority opinion, if any;
- g. The "ayes" and "hayes" or "yes" or "no", votes on every question measure and if voting is done thru nominal voting or roll call vote the names of those who voted on either side;

- h. All motions presented or proposed, whether lost or carried, except those withdrawn.
- i. Full text of the veto message of the Local Chief Executive, if any;
- j. Time of Adjournment.

RULE 14

RULES AND MOTIONS

SECTION 1. All motions relating to a committee report, if presented or proposed by the reporting committee chairperson, or the reporting committee member, shall need NO second.

SECTION 2. If someone "has the floor", whether or not he/she is speaking, a motion to "adjourn" shall be ruled "out of order".

SECTION 3. All "privilege motions" may be proposed even if there is a pending motion or question before the Body.

SECTION 4. The following motions can be presented or proposed even if someone has the floor, viz:

- a. Appeal from the decision of the Chair.
- b. Call for Orders of the Day
- i. Divide the Body
- d. Divide the question
- e. Object to the Consideration of a Question
- f. Point of Order
- g. Point of Information
- h. Point of Parliamentary Inquiry
- i. Reconsider
- j. Reconsider and have entered on the Minutes.
- k. Raise a question of privilege.

In other words, the foregoing enumerated motions can interrupt a speaker.

SECTION 5. When there is no quorum present, a motion to adjourn or to take a recess is "in order" provided, that nobody else has the floor.

SECTION 6. Motions or questions which were laid on the table may be taken up thru a motion to that effect during that particular session or during the next regular session but not beyond.

SECTION 7. The following motions require a SECOND, viz:

- a. Adjourn
- b. Amend
- j. Commit or Refer to a Committee
- k. Expunge
- e. Extend or limit the time for debate
- f. Fix the time to adjourn
- g. Lay on the table
- h. Postpone definitely
- i. Postpone indefinitely
- j. Call for the previous QUESTION
- k. Recess
- l. Reconsider
- m. Reconsider and have entered in the Minutes
- n. Rescind or Repeal
- o. Suspend the Rules
- p. Take from the table
- q. All main motions

RESOLUTION NO. 01, s-2010, cont'd:

SECTION 8. A motion to amend (amendment of the 1st degree) and a motion to amend an amendment (amendment of the 2nd degree) may be withdrawn but only before a decision is made thereon.

SECTION 9. A motion is in order only up to the second degree. Thus a motion "to amend an amendment" is in order.

SECTION 10. A motion can be withdrawn only when it is not yet being discussed or debated upon by the Body. Otherwise, any request to withdraw it shall require a vote by general consent and if there is an objection raised for its withdrawal, a majority vote of the members present.

SECTION 11. When a motion has been adopted or lost, it shall be in order for any member to immediately move for the reconsideration of the decision of the Body before Other Matters are taken, and such motion shall take precedence over all others, except a motion to adjourn, recess and question of privilege.

SECTION 12. In all matters, there shall be one (1) motion for reconsideration to be moved firstly by any member who voted on the prevailing side. If nobody is willing, the reconsideration may be sought by any member.

RULE 15

ATTIRE

SECTION 1. In order to maintain the dignity of the office, all members of the Sangguniang Panlungsod, including the Vice Mayor, shall attend all regular sessions in proper attire. A proper attire may consist of Barong/Barong Tagalog (long sleeves) and/or long sleeves with tie for the male legislator and Sunday dress/business suit for the lady legislator which shall be worn during the 1st Regular Session of the month and on the succeeding regular sessions, male legislators may wear short-sleeved Barong/Barong Tagalog. Any polo shirt with collar may be worn by the male legislators during special sessions. A member not in proper attire will not be recognized by the Presiding Officer during the Session.

RULE 16

ATTENDANCE

SECTION 1. Punctuality and discipline during sessions shall be strictly observed by all members including the Vice Mayor. For any member who comes in late or who fails to arrive at the time of the Roll Call, one asterisk (*) shall be placed after his/her name in the attendance. If he/she leaves the session before adjournment, he/she shall receive two asterisks (**) after his/her name.

RULE 17

AMENDMENTS

SECTION 1. This "Internal Rules of Procedures" may be amended at any Regular session by a two-thirds (2/3) vote of all the members of this Sanggunian, provided that prior notice of such proposed amendment is given to all the members and provided further that no provision herein which is based on existing laws be amended.

RULE 18

SUPPLEMENTARY RULES

The rules, procedure and parliamentary practices of the Philippine Congress and books dealing on this subject written by Filipino authors, particularly by Antonio Orendain, Reynaldo Fajardo, Reverendo M. Dihan, Antonio Laurora and Henry Robert, shall serve as supplementary authorities of this Sanggunian but only in so far as they are not incompatible with the rules of procedure adopted herein.

RULE 19

EFFECTIVITY

SECTION 1. These rules shall take effect immediately upon its adoption by the Sangguniang Panlungsod of the City of Tagum.

CARRIED AND APPROVED.

I HEREBY CERTIFY to the correctness of the foregoing.

REY A. BUHION
Secretary to the Sanggunian

**ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:**

ALLAN L. RELLON, MPA
City Vice Mayor
(Presiding Officer)