PRESENT:

Hon. JOSE FABIAN I. CADIZ, M.D.                            City Vice Mayor (Presiding Officer)

First District
Hon. RONNIE S. ACUÑA                                    City Councilor
Hon. FRANKIE C. AYUSON                                    City Councilor
Hon. JOSEPH B. BANZON                                      City Councilor
Hon. WILLIE N. CHAVEZ                                      City Councilor
Hon. MARIO M. DE LEON                                      City Councilor
Hon. SAMUEL S. FERRIOL                                    City Councilor
Hon. EVA AGUIRRE-PAZ                                      City Councilor
Hon. THADDEUS ANTONIO M. SANTOS, JR.                     City Councilor

2nd District
Hon. ARIEL V. CUARESMA                                  City Councilor
Hon. PAUL B. DAYAO                                        City Councilor
Hon. MARK ALBERT J. DEL ROSARIO                           City Councilor
Hon. XY-ZA R. DIAZEN                                       City Councilor
Hon. ERNESTO M. FLORES                                    City Councilor
Hon. SUSANA P. MAGTUBO                                      City Councilor
Hon. ROMMEL F. ORTIZ                                      City Councilor
Hon. RUBEN S. REYES                                        City Councilor

Sectoral Representatives
Hon. DOMINGO N. DELA PAZ                                     SK Federation President
Hon. PAUL DANIEL P. BELMONTE                                 Liga ng mga Barangay President

RESOLUTION NO. 001
Series of 2013

RESOLUTION ADOPTING THE INTERNAL RULES OF PROCEDURE
OF THE 7TH CITY COUNCIL OF MARIKINA CITY

WHEREAS, elected into office is another set of members of the Sangguniang Panlungsod of Marikina to be known as the 7th City Council;

WHEREAS, the 7th City Council is composed of the Vice Mayor who shall be its Presiding Officer, sixteen (16) Regular Sanggunian Members from both Legislative District I and District
II of Marikina City, the President of the City Chapter of the *Liga ng mga Barangay*, and the President of the *Panlungsod na Pederasyon ng mga Sangguniang Kabataan*, as members;

**WHEREAS**, pursuant to the provisions of RA 7160 otherwise known as the Local Government Code of 1991, and Article 103 of its Implementing Rules, Local Sanggunian bodies have the inherent right and obligation of adopting its own Rules of Procedure for the proper discharge of legislative functions

**WHEREAS**, Section 50 (a), Chapter 3, Title Two, Book I of the same Code provides that the *Sangguniang Panlungsod* on the first regular session following the election of its members and within ninety (90) days thereafter, shall adopt or update its existing rules of procedure;

NOW, THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED BY THE *SANGGUNIANG PANLUNGSOD*, that in order to achieve a maximum degree of efficiency during the deliberation of the 7th City Council, the following Internal Rules of Procedure are hereby adopted:

**THE INTERNAL RULES OF PROCEDURE OF THE 7th CITY COUNCIL OF MARIKINA CITY**

*Introduced by:*
Councilor Eva Aguirre-Paz
Vice Mayor Jose Fabian I. Cadiz, M.D.

**RULE I**
**TITLE, POLICY AND APPLICABILITY OF THE RULES**

**SECTION 1. Title.** This Resolution shall be known as the Internal Rules of Procedure of the 7th City Council of Marikina.

**SECTION 2. Declaration of Policy.** The goal of the *Sangguniang Panlungsod* is to enact resolutions and ordinances that will respond to the needs and aspirations of the Marikeños based on laws, established rules and procedures, that will govern its conduct and the performance of its roles and functions.

**SECTION 3. Precedents.** Rulings of the Presiding Officer on questions raised by members shall form part of the parliamentary practice of the City Council.

**SECTION 4. Laws as Bases.** All functions of the City Council and all other provisions prescribed by law to be performed by the members regardless if such functions and provisions are not reflected herein shall nevertheless be observed. Moreover, the sections of Rule XX hereof shall be observed at all times.
RULE II
COMPOSITION

SECTION 5. Council Composition. The 7th City Council of Marikina shall have the following composition:

a) The City Vice-Mayor who shall act as the Presiding Officer;
b) The sixteen (16) duly elected City Councilors from the two (2) Legislative Districts of Marikina City;
c) The Two (2) Sectoral Representatives to sit as ex-officio members of the City Council, namely the President of the Liga Ng Mga Barangay and the President of the Sangguniang Kabataan Federation.

RULE III
CITY COUNCIL OFFICERS AND THEIR POWERS, DUTIES AND FUNCTIONS

SECTION 6. Officers of the City Council. The 7th City Council shall have the following officers:

a) Presiding Officer
b) President Pro-Tempore
c) Floor Leader
d) Assistant Floor Leader
e) Council Secretary
f) Sergeant-at-Arms

Aside from the powers, duties and functions of the City Council which are provided for under Rule XVII of the Rules and Regulations Implementing the Local Government Code of 1991, hereunder are its specific powers, duties and functions:

a) The Vice-Mayor shall sit as the Presiding Officer of the City Council.
b) The President Pro-Tempore, Floor Leader and Assistant Floor Leader shall be elected by the Council as hereafter provided.
c) The Council Secretary, in turn shall be a career official appointed in accordance with law. The Sergeant-at-Arms shall be appointed by the Presiding Officer, subject to these rules and the concurrence of the majority of the members of the City Council.

SECTION 7. Election of Officers and Committee Chairpersons/Chairmen. The City Council, during its First Regular Session immediately following the election of its members, and every first session of January every year thereafter, shall elect a President Pro-Tempore, a Floor Leader, an Assistant Floor Leader, and the Chairpersons of the standing committees. The Presiding Officer may call for re-organization, with a reasonable cause, even prior to the next elections but with the approval of the majority of the members.

SECTION 8. Term of Office. With the exception of the Presiding Officer, the officers of the City Council and the Chairmen of the standing committees shall serve until the next elections for
such positions are held, in accordance with Section 7, Rule III hereof, unless sooner removed by
the vote of the majority of all members of the City Council.

Any member may tender his/her resignation as officer of the City Council or chairman by filing a
resignation letter to the City Council thru the City Council Secretary and stating therein reason/s
thereof. The City Council shall consider the same during a session. Should it find the reason/s
justifiable and meritorious then it shall declare the position vacant by adopting an appropriate
Resolution and by the same legislative measure shall fill-up the said position thru the conduct of
an election without the need for a re-organization.

RULE IV
RIGHTS, POWERS AND DUTIES OF CITY COUNCIL OFFICERS

SECTION 9. A. Presiding Officer. The City Vice Mayor being the Presiding Officer of the
City Council shall have the following rights and duties:

a) To preside over all the sessions, be it regular, special or executive, and meetings of the
Committee of the Whole of the City Council.
b) To call the City Council session to order.
c) To ask the Sanggunian Secretary to call the roll of members and thereafter announce the
results. Should a question of quorum be raised or if there is no quorum, to declare a recess
until such time when quorum is constituted, or to declare an adjournment.
d) To recognize any member who is entitled to the floor.
e) To exact from all the members present during the sessions proper deportment and decorum
and decide all points of order subject to appeal by the member concerned to the body for
final decision.
f) To refer legislative matters to the proper committee(s).
g) To rule on all pending questions, subject to the right of appeal by the member(s)
concerned, which appeal shall not be subject to debate, but shall only permit the appellant-
members to a (5) five-minute explanation of his appeal, afterwhich the questions shall be
resolved by the Presiding Officer, whose ruling shall be final.
h) To facilitate the expeditious resolution and completion of the City Council’s business,
consistent with the rights of the members herein provided for, including the right to speak
during the Privilege Hour.
i) To declare the session adjourned to some other time and place in case of extreme
emergencies, serious and uncontrollable disorder, public disturbances and other unavoidable
circumstances like fire, riot, disorder, or other grave emergency.
j) To enforce the internal rules and procedures of the City Council, resolutions and
ordinances affecting the internal affairs of the Council.
k) To appoint, with the approval of the majority of the City Council members, the
Chairperson and the members of the Ad Hoc committees which the Council may create from
time to time, in accordance with the rules.
l) To appoint, with the concurrence of the majority of City Council members, a Sergeant-of-
Arms of the Council, from the members of the Marikina Office of Public Safety and Security
and to request PNP Marikina to detail a police officer to complement the security efforts
during sessions.
m) To sit as an *ex-officio* member of all Standing Committees of the City Council and exercise supervision over the same.

n) To exercise administrative and supervisory functions and powers as are attached to the Office of the City Vice Mayor and City Council, hence he shall sign all administrative and legislative documents (such as ordinances, resolutions and motions enacted or adopted by the City Council, papers, or checks requiring his signature).

o) To authenticate the adoption of resolutions and enactment of ordinances by his signature on the printed copies. His attestation signifies to the Office of the City Mayor that the measures which are being presented to the Mayor’s office had been approved by the Council.

p) To declare a recess during sessions anytime he deems it necessary provided that the duration of the recess is less than fifteen (15) minutes.

q) To make brief remarks, comments or clarificatory questions on any measure pending deliberation by the body provided that he shall not express himself either for or against the said measure or question.

r) To participate in the deliberation of any legislative measure provided he shall relinquish the chair in favor of the President Pro-Tempore, or in his absence, to any member of the City Council who shall act as temporary presiding officer for that particular session.

s) To exercise such other powers and to perform such other duties which applicable laws, rules and regulations may mandate or grant.

B. **President Pro-Tempore.** The duly elected President Officer Pro-Tempore shall exercise the following powers and duties:

a) To assist the Presiding Officer in the performance of his duties as Presiding Officer of the City Council.

b) To preside at any City Council’s session whenever the Presiding Officer fails or is unable to preside over the same.

c) To perform such other functions as the City Council may authorize, from time to time, through appropriate resolution or ordinance.

C. **Floor Leader.** The duly elected Floor Leader shall have the following powers and duties:

a) To take charge of all matters relating to order and decorum during the City Council’s sessions, hearings, and meetings.

b) To prepare the agenda for the City Council’s session to include proposed ordinances, resolutions, motions, petitions, and other documents referred to or to be reported by its members, based on the order of their submission to the Floor Leader, provided, however, that any other matter not calendared may be included in the agenda upon request of the proponent, unless objected to by a majority of the members then present.

c) To move for the approval of any item in the agenda.

d) To chair the Committee on Rules.

e) To perform such other functions as the City Council may authorize, from time to time, through appropriate resolution or ordinance.

D. **Assistant Floor Leader.** The duly elected Assistant Floor Leader shall have the following powers and duties:
a) To act temporarily as the Floor Leader, and discharge the powers and duties incident to that position, in the absence, incapacity or inability of the latter.

b) To assist the Floor Leader in the performance of his duties.

c) To act as Vice Chairman of the Committee on Rules and Codification of Laws.

d) To perform such other functions as the Presiding Officer and the President Pro-Tempore, with the concurrence of the Floor Leader, may assign in the exigency of the service.

SECTION 10. Sanggunian Secretary. The Sanggunian Secretary shall perform the following functions and duties:

a) To be the Administrative Officer of the Secretariat of the City Council.

b) To take custodianship of the records of the City Council.

c) To attend the sessions of the Council and keep a journal of its proceedings and certify the minutes of the Council.

d) To keep the seal of the City Council of Marikina and affix the same with his/her signature to all ordinances, resolutions, and other official acts of the Council and present the same to the Presiding Officer for his signature.

e) To forward to the City Mayor, for approval, such copies of ordinances, resolutions enacted by the City Council and duly certified by the Presiding Officer.

f) To furnish upon request any interested party of certified copies of records of public character, of a non-confidential nature, which are in his/her custody, upon payment of fee to the City Treasurer.


g) To record in a book kept for the purpose, all ordinances and resolutions enacted or adopted by the City Council with their respective dates of passage and publications thereof.

h) To keep her office and all non-confidential records therein open to the public during the usual business hours.

i) To translate in Tagalog all ordinances and resolutions of the City Council immediately after their approval, and to cause the publications thereof together with the original version in English, in the manner provided in the Local Government Code of 1991 and its Implementing Rules and Regulations.

j) To take custody of the local archives.

k) To notify the members of the City Council of the creation of regular, special and ad hoc committees and their appointments to such committees.

l) To transmit to the proper committees all matters referred to it by the City Council.

m) To receive proposed resolutions and ordinances duly assigned by their author(s) with the notation of their date and time of receipt, and transmit them to the Floor Leader for inclusion in the agenda.

n) To transmit to the Floor Leader for inclusion in the agenda all matters endorsed to the City Council by the City Mayor, as well as petitions and other communications from city residents and other agencies, public or private which are addressed to the City Council.

o) To send out notices of special sessions, other meetings, or hearings.

p) To cause the posting and/or publication of proposed and approved ordinances, resolutions, motions, and the like, whenever required, in the manner provided by applicable laws.
q) To carry out or enforce, cause to be enforced, all orders of the City Council when such function is devolved upon her.

r) To exercise such other functions, as may be prescribed by law or ordinance, relative to the position.

SECTION 11. Sergeant-at-Arms. The City Council shall have one Sergeant-at-Arms who shall have the following functions and duties:

a) To attend sessions, committee meetings, public hearings and other similar activities of the City Council.

b) To be responsible for the security and maintenance of order in the session hall, corridors and offices of the City Council, whether in session or not, in accordance with the orders of the City Council through the Presiding Officer.

c) To execute or serve personally summons or notices, which may be issued by the members of the City Council’s regular or special committees, or the City Council as a whole, and by the Presiding Officer.

d) To perform such other functions and duties as may be inherent in the position, and as may be described by the City Council and/or the Presiding Officer.

RULE V
DUTIES AND RESPONSIBILITIES OF INDIVIDUAL MEMBERS


SECTION 13. Every member shall attend all the sessions of the City Council unless he/she is prevented from doing so by reason of sickness or other unavoidable circumstances provided that, as a general rule, prior notice thereto, particularly a formal letter, shall be sent to the City Council thru the Presiding Officer or the Sanggunian Secretary.

SECTION 14. Every member shall observe proper deportment and decorum during sessions, meetings and hearings.

SECTION 15. In order to maintain the dignity of the office, all members of the City Council shall attend the Regular Sessions in proper attire. A proper attire may consist of Barong Tagalog and/or long sleeves with tie for male legislators and Sunday dress or business suit for the lady legislators.

RULE VI
REGULAR AND SPECIAL SESSIONS

SECTION 16. City Council Session

a) The City Council shall hold regular sessions weekly, every Wednesday, at the City Council Session Hall, starting at 9:00 o’clock in the morning. A session may last for several
days. The City Council, however, may hold regular sessions outside its usual venue, that is the City Legislative Hall, within the city, when so called by the Presiding Officer, provided that it was announced during the session preceding the session which venue is sought to be changed.

b) Sessions will be on recess starting at the third (3rd) Wednesday of December each year. A special session/s may be called upon by the Presiding Officer or by the simple majority of the members of the City Council whenever necessary. Regular session shall resume on the second (2nd) Wednesday of January of the following year.

c) The City Council may hold a Special Session, subject to the following conditions:
   c.1 Upon written request of a majority of all the members of the City Council, which request shall be submitted to the Vice-Mayor before the intended date of special session with provision of at least 24 hours prior notice to the members, or,
   c.2 Upon the request of the City Mayor when public interest so demands.

In the case of Special Sessions, a written notice of Special Session indicating the date, time, and place where the same may be held, together with the copy of the agenda thereof, shall be served personally to the City Council member or to his/her official staff or left with the member of his/her household of sufficient age and discretion at his usual place or residence, at least twenty-four (24) hours before the Special Session is held. Unless otherwise agreed upon by two-thirds (2/3) vote of the members present, there being a quorum, no other matter may be considered at a Special Session except those stated in the notice.

d) All sessions of the City Council shall be open to the public, unless a closed-door session is ordered by an affirmative vote of a simple majority of all of the members present, there being a quorum, for the sake of public interest, or for reasons of security, decency, or morality.

e) No two (2) sessions, Regular and Special, shall be held in one day.

f) An “adjourned session” may be held:
   f.1 Thru the initiative of the Presiding Officer, by using the “assumed motion, where there is NO quorum, he may decide to adjourn from hour to hour, or day to day, and compel the attendance of the absent members in order to obtain the necessary quorum.
   f.2 By a simple majority vote of the members present in any Regular or Special session, there being a quorum, in order to finish very important business or attend an urgent activity which needs immediate action.

The imposition of the foregoing penalties shall be tempered by the Presiding Officer only upon proof of the late comer of a just cause for the tardiness.

h) Smoking shall be strictly prohibited during sessions of the City Council, meetings and conference, and inside the City Council offices. A fine of One Hundred Pesos (Php100.00) shall be imposed on any member of the City Council who smoke or even light a cigarette or hold a lighted cigarette inside the City Council office, conference room, session hall, corridor, or toilet.
Firearms are strictly prohibited inside the City Council office and hall. Mobile phones shall be turned-off or set to silent mode when the session is on-going. Anyone who violates this rule shall be fined an amount of One Hundred Pesos (Php100.00).

RULE VII
EXECUTIVE SESSIONS

SECTION 17. Executive Session; How Called. On motion by the Chairperson of the Committee on Rules and Privileges, a closed-door session may be ordered by an affirmative vote of a majority of the members present, there being a quorum, in the public interest or for reasons of security, decency, or morality. In such sessions, only the Secretary and such other persons as may be authorized by the members may be admitted to the session hall. Thereupon, the Presiding Officer shall order that the public be excluded from the hall and the doors of the session hall be closed.

SECTION 18. Minutes of the Executive Session. The minutes of an executive session shall be recorded in a separate book.

SECTION 19. Confidentiality. The Presiding Officer as well as the members and the officials and employees of the City Council and the City Council Secretariat Office shall absolutely refrain from divulging any of the confidential matters taken up by the members in executive session, and all proceedings which might have taken place in the executive session shall be likewise considered as strictly confidential until the City Council, by two-thirds (2/3) vote of the members present, including the Presiding Officer and there being a quorum, decides to lift the ban of secrecy.

SECTION 20. Punishment Consequential to Breach of Confidentiality. Pursuant to Republic Act No. 3019 otherwise known as the “Anti-Graft and Corrupt Practices Act” and Republic Act No. 6713 otherwise known as the “Code of Conduct and Ethical Standards for Public Officials and Employees,” any member who violates the provisions contained in Section 19 of this Rule, may, by a two-thirds (2/3) vote of all members present, including the Presiding Officer and there being a quorum, excluding in the count the member to be disciplined, be suspended for not more than sixty (60) calendar days or expelled from the City Council after due process.

RULE VIII
QUORUM

SECTION 21. A majority of the members, including the Presiding Officer, of the City Council who have been elected and qualified shall constitute a quorum to transact official business.

SECTION 22. Other interpretations to the contrary notwithstanding, the term “elected and qualified” shall be construed to include not only the regular member but also the “ex-officio” members and sectoral representatives of the City Council.

SECTION 23. In computing the presence of a “quorum” the term “majority” shall be based on the actual membership or incumbents in the City Council which shall exclude the following:
- A deceased member;
- A member who has resigned;
- A member who has been suspended;
- A member who was expelled or removed by final judgment;
- A member whose term of office expired. In case of sectoral representatives, their duly authorized successors shall continue their unexpired terms subject to the constitution and by-laws of their respective organizations or associations and other applicable laws.

SECTION 24. **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:

   **a)** He may adjourn the session from hour to hour if he would like to wait for other members who may be late in coming to the session;
   **b)** He may adjourn the session from day to day; or
   **c)** He may adjourn the session for lack of quorum.

In the absence of a quorum, the Presiding Officer may declare a recess of not more than one (1) hour and wait for other members to come. However, as an alternative, a majority of the members may decide to compel the attendance of any absent member by designating a member then present, to be assisted by the Sergeant-at-Arms, to arrest the absent member and present him/her at the session. Thereupon, the Presiding Officer shall impose a penalty of One Thousand Pesos (Php1,000.00) upon the member,

If there is still no quorum despite the enforcement of the above remedial measures, 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.

Finally, a member who arrives late at any session or meeting of the City Council shall report his/her name to the Sanggunian Secretary to have his/her name recorded in the attendance sheet as present, but late.

SECTION 25. **No quorum during the session which was started with a quorum.** During a session which was started with 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 exist a quorum.

**RULE IX**

**ORDER OF BUSINESS**

SECTION 26. The Order of Business of the City Council shall be as follows:
I) (A) Opening Formalities
   (B) Councilor’s Creed (every 1st Wednesday of the month)
   (C) Roll Call
   (D) Approval of the Day’s Agenda
II) Reading and Approval of the Minutes of the Previous Session(s)
III) Privilege Hour (when applicable)
IV) Question Hour
V) Committee Reports
VI) Unfinished Business
VII) New Business and Referral to Committee(s)
VIII) Business for the day
   1. Proposed Ordinance and Resolution for 2nd Reading
   2. Proposed Ordinance for 3rd Reading
IX) Urgent Matters
X) Announcements (if any)
XI) Adjournment

Every first (1st) Wednesday of the month, the members of the City Council shall recite “The Councilors Creed” after the Opening Prayer.

SECTION 27. The Calendar of Business shall be prepared by the Floor Leader, in coordination with the Sanggunian Secretary, and a copy thereof shall be furnished to every member of the City Council not more than 24 hours before the date of the Regular Session.

SECTION 28. The Calendar of Business shall contain brief description of the item of business to be taken up during the Regular Session including, but not limited, to the following:

   a) The title of the proposed ordinance or resolution;
   b) The name of the sponsor/s or author/s and the committee/s to which it was referred or the committee sponsoring it;
   c) In the case of petitions, letters, endorsements and other communications, the source or the name of senders.

SECTION 29. In rendering committee reports, priority shall be given to Standing Committees (aka Regular Committees) to be followed by Special Committees (aka Ad-Hoc committees). Joint Committee Reports too may be rendered as desired when a proposed measure or other new business is ruled by the Presiding Officer to be endorsed or referred to several committees for study.

SECTION 30. As a general rule, committee reports shall be rendered by its Chairman, unless he/she dissents with the majority decision. In his absence, the Vice Chairman 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 31. 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 City Council, the Floor Leader shall calendar it for “second reading”. If the reporting committee’s recommendation is for the City Council not to take 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 City Council to file the proposed measure away and that recommendation has been adopted, then it is “filed away” which means that the proposal will be filed in the archive of the City Council.

**SECTION 32.** As a general rule, no member of a committee shall oppose or object to the report of his/her committee unless he/she submits his/her dissenting opinion to the majority decision in writing before the said committee renders its reports during a session of the City Council. Otherwise, he/she shall be precluded, during a session, to oppose it on the floor.

**SECTION 33.** Deviation from the prescribed Order of Business may be done under the following circumstances:

- a) When the City Council 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 vote by general consent, a unanimous vote, or at least two-thirds (2/3) vote of the members present.
- b) When the measure to be acted upon by the City Council is “certified by the City Mayor as urgent”, it shall have priority over all other items of business, and shall be considered without need of suspending the rules or even if it is included in the calendar of business.

**SECTION 34. Agenda**

- a) Matters that may be taken up during a City Council session or meeting, shall be limited to those listed in the agenda subject to the provisions of the Internal Rules of Procedure. The agenda shall be distributed among the members of the City Council one day before the scheduled session or meeting. Any person who willfully delay or obstruct the proper distribution of agenda shall be meted a penalty subject to the limitation provided for by the law.
- b) With the consent of two thirds (2/3) of all the members of the City Council present, urgent matters which involve public interest and the delay of which shall prejudice essential activities of the City Government, may be submitted to the Floor Leader for inclusion in the agenda of the day’s session.
- c) Any motion, resolution, proposal, or ordinance appearing in the agenda for reference to the corresponding committees shall not be made the subject of any debate or discussion.

**SECTION 35. Privilege Hour.** A member who wishes to avail of the Privilege Hour by delivering a privilege speech in a session shall schedule such delivery of speech with the Chairman of the Committee on Rules for inclusion thereof in the Order of Business clearly stating the topic, title or subject matter of such speech. No member may deliver such speech without having it included in the Order of Business.

The same shall be reduced into writing which shall be submitted to the Chairman of the Committee on Rules furnishing all the members of the City Council of the copies thereof at least
two (2) days prior to the holding of Regular Session. It is incumbent upon the Vice Mayor or the
Presiding Officer to finally review and evaluate the contents of the Privilege Speech upon receipt
thereof and that he shall have the discretion for purposes of inclusion in the Order of Business of
the City Council.

SECTION 36. Privilege Speech; Manner of Delivery and Time Limit. A member who shall
deliver a privilege speech shall take the rostrum. Such speech shall be addressed, however, to the
Presiding Officer. A Sangguniang Panlungsod Member shall be entitled to a maximum of five
(5) minutes to deliver such speech.

SECTION 37. Privilege Speech Maybe Debatable. After a member has delivered his/her
privilege speech, he/she shall return to his/her seat except when a member chooses to interpolate
the speaker.

SECTION 38. Privilege Speech may be Referred. – A privilege speech of a member may be
referred to a committee or committees for appropriate action, response or consideration;
otherwise, the City Council shall not act on it.

RULE X
LEGISLATIVE PROCESS

SECTION 39. Rules in the enactment of ordinances and adoption of resolutions. In the
enactment of ordinances and adoption of resolutions including other matters requiring legislative
actions, the following rules shall be observed:
  a) Legislative actions of a general and permanent character shall be enacted in the form of
ordinances, while those which are of temporary character shall be passed in the form of
resolutions. Matters relating to proprietary functions and to private concerns shall also be
acted upon by a resolution.
  b) Proposed ordinances shall be in writing and shall contain an assigned number, a title or
caption, an enacting or ordaining clause, repealing clause and the date of its proposed
effectivity. In addition, every proposed ordinance may be accompanied by a brief
explanatory note containing the justification for its approval. It shall be signed by the
author or authors and will be submitted to the Floor Leader thru the Sangunian Secretary
on or before 12:00 noon of Monday preceding the Wednesday Regular Session for its
possible inclusion in the agenda.
  c) A resolution shall not go through a third reading for its final consideration unless decided
otherwise by a majority of the City Council members present. It shall either be approved
or disapproved as the case maybe under 2nd reading. However, in the case of an
ordinance, after its passage under 2nd reading, it has to be confirmed as enacted by the
City Council through the affirmation of the Presiding Officer during its third and final
reading. Adopted resolutions and enacted ordinances must indicate the names of those
members who favor, those who voted against or abstained from voting. Those who voted
for the adoption of a resolution or enactment of an ordinance would necessarily mean that
they did not abstain during the voting period. Finally, signatures of the members are
dispensed with and are not required to form part of the final form of the adopted
resolutions and enacted ordinances. Meanwhile, the attendance of the members during
the session when these legislative measures were adopted or enacted are indicated in the resolutions and ordinances.

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 unless it is certified as urgent by the City Mayor or by approval of the two-third (2/3) votes of the members present.

e) Any legislative matter duly certified by the City Mayor as urgent whether or not it is included in the calendar of business shall be presented and considered by the body at the same session without need of suspending the rules.

f) The Sanggunian Secretary shall prepare copies of the proposed ordinances or resolutions in the form it was passed on second reading, and shall distribute to each City Council member a copy thereof except on a measure certified by the City Mayor as urgent may be submitted for the final voting immediately after it shall have been presented and considered by the body during a session.

g) No ordinance or resolution passed by the City Council 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, except those which require a 2/3 vote as expressly provided by the Local Government Code of 1991.

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

SECTION 40. Filing Consideration and Approval of Proposed Ordinances, Resolutions, Motions and Other Matters.

a) Filing - The title with the complete text of proposed ordinances and resolutions bearing the signatures of the author(s) shall be filed with the Floor Leader thru the Sanggunian Secretary for inclusion in the agenda on or before 12:00 noon on Monday preceding the session as explicitly provided in Section 39 (b) hereof. Only those who are stated or signed as author(s) and co-author(s) shall be considered as such, but other members may be considered as author(s) and co-author(s) if so manifested on the floor, subject to the consent of the main author.

b) First Reading - All proposed measures transmitted by members to the Floor Leader shall be calendared for the first time, and only the titles thereof and the names of their author(s) shall be read. However, the draft of the said proposed measure shall be included and distributed to all the members. No measures shall be taken or included in the agenda without its draft text.

After such first reading, the proposed measure shall be referred to the proper committee(s) for study, comment and recommendation. No debate shall be allowed at this stage.

c) Committee Report - The committee may conduct meeting/s or hearing/s on such proposed measure, or if the committee may decide that a hearing is not necessary, the Chairman of the committee should report it immediately on the floor in the next session. In other words, after due consideration of the proposed measure, the committee(s)
concerned shall report the same to the City Council. During committee meetings the said proposal shall be put into a vote among members of the committee to determine who are in favor or against the proposed measure.

A committee member who is in favor of the proposed measure during committee meetings shall have the right to rescind or withdraw his/her vote in the session when the committee report is read out, especially during the voting period, but he/she shall have no right to participate during the discussion, debate or discussion thereof.

If the committee, to which a proposed measure is referred, fails to take action thereon within two (2) weeks from such referral, the proposed measure shall be deemed favorably reported by such a committee, and the proposal shall be calendared for second reading, upon the proponent’s instance.

A committee report which has not been included in the agenda for the day shall require the approval/concurrence of the simple majority of the members of the City Council present, there being a quorum, in order for the same to be added to the agenda. The said report shall be included during the approval of the agenda.

**d) Second Reading** - On the next regular session after a proposed measure is reported favorably by the committee(s) concerned, it may be calendared for second reading at the instance of the proponent.

During the second reading, the principal author of the proposed measure may deliver a sponsorship speech. The speech shall not exceed five (5) minutes. Thereafter, he/she may proceed to make the necessary motion to open the floor for debate on the measure or upon the assumed motion of the Presiding Officer. After the motion is duly seconded, the Presiding Officer shall restate the motion and open the period for debate and discussion.

Main speeches during the discussion of any proposed measure shall be limited to five (5) minutes only for each speaker in favor of the proposed measure excluding the principal author. Rebuttal speech shall be limited to five (5) minutes only for every speaker who is against the measure. The order of the speeches should as much as possible, be alternated between speakers in favor of and against the proposed measure. The Presiding Officer may close the discussion at any time when deemed necessary.

The Presiding Officer may close the debate after the maximum of two (2) speeches in favor and two (2) speeches against the proposed measure have been delivered alternately, or after only one speech in favor of the proposed measure shall have been delivered and none against it. After which, a motion to close the general debate shall be in order. Once approved by a majority of all the members present, the Presiding Officer shall then declare the period for amendments open.

The City Council retains the right, by a majority vote of all its members, to close all debates at any time during the discussion.
After the period of amendments has been closed, the proposed measure shall be voted
upon for final action by the City Council, during which no more than one main speech
and one rebuttal speech, both subject to the (5) five-minute rule shall be delivered.

e) Third Reading - All ordinances which have been approved by the City Council during
second reading shall again be presented by the Floor Leader to the august body in the
final form complete with all approved amendments, for the purpose of confirmation only,
not later than the second session day immediately following the day of their approval. No
debate of amendments shall be allowed at this stage.

Ordinances shall be considered enacted and resolutions adopted on the date such
measures were approved on second reading. All approved ordinances or resolutions shall
be transmitted to the Office of the City Mayor not later than ten (10) days upon final
approval. Any one who causes delay shall be given disciplinary action by the Committee
of the Whole.

SECTION 41. Approval of Ordinance and Veto Power of the City Mayor. The approval of the
ordinance by the City Mayor, as the case may be, and the exercise of his veto power shall be
governed by the following rules:

a) Every ordinance enacted by the City Council shall be presented to the City Mayor for his
approval. If he approves the same, he shall affix his signature on each and every page
thereof; otherwise, he shall veto it and return the same with his objections to the City
Council, which may proceed to reconsider the same. The City Council may override the said
veto by two-thirds (2/3) vote of all its members thereby making the ordinance or resolution
effective for all legal intents and purposes.

b) The veto shall be communicated by the City Mayor to the City Council within ten (10)
working days. Otherwise, the ordinance shall be deemed approved as if he had signed it.

c) The City Mayor may veto any ordinance of the City on the ground that it is “ultra vires” or
prejudicial to the public welfare, stating his reasons thereof in writing.

d) The City Mayor shall have the power to veto any particular items of an appropriation
ordinance, an ordinance or resolution adopting a local development plan and public
investment program or an ordinance directing the payment of money or creating liability. In
such case, the veto shall not affect the item or items which are not objected to. The vetoed
item or items shall not take effect unless the City Council overrides the veto in the manner as
provided in this section, otherwise, the item or items in the appropriation ordinance of the
previous year corresponding to those vetoed, if any, shall be deemed re-enacted.

SECTION 42. Legislative measures which need no approval by the City Mayor are as follows:

a) Resolutions related to the internal government or operation of the City Council.

b) Resolutions granting authority to the City Mayor to represent the City of Marikina in a
business transaction per Section 455 (b) (i) (vi) of the Local Government Code of 1991.

c) Resolutions expressing certain sentiments of the members as a collegial body (i.e.
expressing sympathy/ extending congratulations/ expressing appreciation/ expressing
support)
d) Resolutions promulgating a decision by the City Council on an administrative case in the exercise of its quasi-judicial function.

SECTION 43. **Methods of Voting.** Unless a different method is prescribed by the City Council for a particular measure, voting shall be either one of the following methods:

a) By voice;

b) By raising of hand (or show of hand);

c) By rising;

d) By ballot; or

e) By nominal voting (or roll call).

SECTION 44. **To put the question to a vote.** The Presiding Officer shall rise whenever he is putting a question to a vote. In taking the vote, the Sanggunian Secretary shall take note first the affirmative votes and then the negative votes. While still in standing position the Presiding Officer shall announce the result thereof.

**RULE XI**

**VOTES AND VOTING**

SECTION 45. **Voting on the Question.** Whenever a nominal voting (or roll call voting) is being applied, the Sanggunian Secretary shall call the roll of members either in alphabetical order or by rank. As each name is called, the member shall announce his vote by stating “YES” or “NO”, as the case may be. As a general rule, a member may explain his vote but not to exceed three (3) minutes.

A second roll call may be requested by any member from the Presiding Officer but this time only the names of those who failed to vote shall be called. This is to give another opportunity to those who failed to cast their votes to exercise their rights. After this second roll call, no other request of the same kind shall be determined by the Presiding Officer.

SECTION 46. **Voting Restriction.** 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 City Council where a member, as a matter of right, can vote for himself/herself. However, no member shall be compelled to vote. A member who refuses to vote either way shall be deemed to have abstained therefrom.

SECTION 47. **Change of Vote.** A member may change his/her vote but only when the result of the voting has not been announced by the Presiding Officer. Otherwise, he/she can 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 48. **Vote by Late-comer.** A member who came in late during the session but who happens to arrive while voting is in progress shall be allowed to vote, provided that the result of the voting has not yet been announced by the Presiding Officer.
SECTION 49. Allowable Motion during Voting. Except for a motion pertaining to question of quorum, no other motion shall be entertained by the Presiding Officer while voting is in progress.

SECTION 50. Tie Vote. A tie vote resulting from a vote taken on any motion, measure or proposal shall be construed to mean that the particular motion, measure or proposal is defeated, unless the Presiding Officer decided to break it. Exception to this rule is when a “motion to appeal from the decision of the Presiding Officer” is put to a vote and resulted in a tie. In this case the tie vote is considered to sustain the decision of the Presiding Officer.

SECTION 51. Breaking a Tie. In case of tie, the Presiding Officer of the City Council is allowed to cast his vote if he so desires. He cannot vote in order to create a tie. His right to vote to break a tie is not compulsory. He may or may not exercise it.

SECTION 52. 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 City Council is required in the following circumstances:

a) paragraph 2-ii (Sec. 458, RA 7160)
   "Subject to the provisions of Book II of this Code and applicable laws and upon the majority vote of all the members of the sangguniang panlungsod, enact ordinances levying taxes, fees and charges, prescribing the rates thereof for general and specific purposes, and granting exemptions, incentives or reliefs."

b) paragraph 2-iii (Sec. 458, RA 7160)
   "Subject to the provisions of Book II of this Code and upon the majority of all the members of the sangguniang panlungsod, authorize the city mayor to negotiate and contract loans and other forms of indebtedness."

c) paragraph 2-iv (Sec. 458, RA 7160)
   "Subject to the provisions of Book II of this Code and upon the majority of all the members of the sangguniang panlungsod, enact ordinances authorizing the floating of bonds or other instruments of indebtedness, for the purpose of raising funds to finance development projects."

d) paragraph 2-v (Sec. 458, RA 7160)
   "Appropriate funds for the construction and maintenance or the rental of buildings for the use of the city; and, upon the majority vote of the members of the sangguniang panlungsod, authorize the city mayor to lease to private parties such public buildings held in a proprietary capacity, subject to existing laws, rules and regulations."

e) paragraph 3-vii (Sec. 458, RA 7160)
   "Upon approval by a majority vote of all the members of the sangguniang panlungsod: grant a franchise of any person, partnership, corporation, or cooperative to do business within the city; establish, construct, operate and maintain ferries, wharves, markets or slaughterhouses; or undertake such other activities within the city as may be allowed by existing laws: Provided, That, cooperatives shall be given preference in the grant of such franchise."
f) paragraph (d) (Sec. 454, RA 7160)

“Unless otherwise provided herein, heads of departments and offices shall be appointed by the city mayor with concurrence of the majority of all the sangguniang panlungsod members, subject to civil service law, rules and regulations. The sangguniang panlungsod shall act on the appointment within fifteen (15) days from the date of its submission, otherwise the same shall be deemed confirmed.”

SECTION 53. Simple Majority Vote of the Members Present (thereby constituting a Quorum).

Except as provided in Section 42 hereof, all other legislative matters or measures including the passage of Annual and Supplemental Budget shall require only a simple majority (50% + 1 of legal votes casted provided that there is a quorum) (Source: DILG Opinion No. 13, Series 2010 dated February 09, 2010).

In other words, 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.

SECTION 54. 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 City Council shall be required in overriding the veto of the City Mayor for any ordinance or resolution, thereby making the particular ordinance or resolution effective for all intents and purposes. (Sec. 54, RA 7160).

b) Unless otherwise concurred in by two-thirds (2/3) vote of the City Council 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 City Council to an erring member “shall require the concurrence of at least two-thirds (2/3) vote of all the City Council members.” (Sec. 50, b-5, RA 7160).

d) With the concurrence of at least two-thirds (2/3) of all the members of the City Council, grant tax exemptions, incentives or reliefs to entities engaged in community growth-including industries.

e) A simple majority vote of the members present, there being a quorum, shall be required for the adoption of the following motions:
   1. Motion to expunge
   2. Motion to extend or limit debate
   3. Motion to call for the previous question
   4. Motion to reconsider a question

f) 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”.

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SECTION 55. Reconsideration. After a report, motion, proposed resolution or proposed ordinance has been adopted or lost, only a member who voted with the prevailing side may present a motion for consideration, if the matter is still within the control of the City Council. A member who voted with the losing side may present for reconsideration if seconded by a member who abstained from voting on the matter. Otherwise he/she shall not be allowed to ask reconsideration.

RULE XII
RULES ON DEBATES, AMENDMENTS, AND MOTIONS

SECTION 56. For the purposes of decorum and to maintain orderly proceedings, the following rules shall be observed in the conduct of Council debates and discussions:

a) The medium of communication permitted during sessions are English, Filipino, or a mixture of both.
b) Members shall wear formal attire on Regular Sessions of the Council conformably with Section 15 hereof.
c) During debate, a member shall confine himself/herself to the question before the Council, observe proper decorum, and strictly avoid personalities.
d) All members shall address the Presiding Officer as “Mr. Presiding Officer,” “Your Honor” or Mr. Vice-Mayor”.
e) In referring to another member, the latter shall always be referred to by his official title.
f) To obtain the floor, a member shall raise his/her hand and address the Presiding Officer. This can be done only after a member who has the floor, yields the same.
g) The Presiding Officer shall be the only authority to recognize any member by announcing the latter’s name as a sign of recognition that the member has the floor.
h) When two (2) or more members address the Presiding Officer at the same time, the member whose name is first called by the Presiding Officer shall be entitled to the floor.
i) A member sponsoring a measure may move to close the debate where a general debate has been ordered thereon.
j) Before any matter may be debated on, a motion shall first be made to that effect, and stated by the Presiding Officer.
k) Only the Presiding Officer may rule any verbal motion out of order. Unless so ruled, the Presiding Officer shall state the motion before the City Council for consideration and approval.
l) Any member may modify a motion through suggestion. The movant, with the consent of the seconder, has the right to make any suggested modification, in his/her discretion, or to withdraw the motion in its entirety.
m) Words desired to be deleted and stricken out from the records by any member shall be stated aloud by the Presiding Officer, and the member who uttered the same shall be subject to appropriate disciplinary action, if the words are offensive to any members’ or others’ sensibilities.
n) While the Council is in session, no member or other person shall pass between the member who has the floor and the Presiding Officer.
o) No member rendering a committee report or delivering the sponsorship speech shall speak for more than five (5) minutes unless allowed by a majority of the members present.
p) No member shall speak for more than five (5) 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.

q) During the period of amendments, every member shall observe the so-called “five-minute rule”, i.e., remarks or argumentations by any member on each proposed amendments shall not exceed Five (5) minutes.

r) 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 five (5) minutes period allowed to him/her. If he/she fails to exercise his/her option, the Presiding Officer may use the “assumed motion” to open or close the debate, or any member may formally move for it. In any case, after a member has rendered a committee report or has finished his/her sponsorship speech of a proposed measure, it shall be considered open to debate.

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

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

- Point of Order
- Point of Information
- Point of Parliamentary Inquiry
- Call for Orders of the Day
- Divide the Assembly
- Raise a Question of Privilege
- Reconsider
- Appeal from the Decision of the Chair

u) All questions addressed to the speaker or the member having the floor must always be courséd thru the Presiding Officer.

v) The speaker being interpolated may decline to answer questions, if he/she so desires.

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

x) 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 Presiding Officer.

y) A motion to close debate is in order if two (2) 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.

z) 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.

aa) When a motion “to call for the previous question” is proposed by a member which would result in the closing of debate on a pending question, two-thirds (2/3) affirmative vote is hereby required.
Whenever the Presiding Officer is addressing the Council, no member shall leave his/her post nor interrupt the former in his talk.

After the period of debate has been closed, the period of amendments shall immediately follow.

SECTION 57. Motion and Order of Preferences. Unless withdrawn by the movant on the day of its submission, every motion or proposal shall be included in the Agenda.

a. While motion or proposal is being considered, no other motion shall be entertained except the following and only in the order in which the herein appear:

   a.1 Motion to adjourn
   a.2 Motion to suspend the session or to recess
   a.3 Motion to read any part of the rules
   a.4 Motion to lay matter on the table
   a.5 Motion to postpone to a definite date
   a.6 Motion to postpone indefinitely
   a.7 Motion to commit/recommit to a committee

b. All motions to adjourn or suspend the session or to hold executive session shall be resolved without debate.

c. A question laid on the table shall be taken up not later than the next regular session, otherwise the question dies.

d. When a verbal motion is presented, the Presiding Officer shall state the same. If the motion is in writing, the Presiding Officer shall cause it to be read by the Sanggunian Secretary before being debated upon.

e. A motion may be withdrawn any time before a decision thereon is made or any amendments thereto is presented, by general consent, or if there is an objection, by majority vote of the members present.

f. No motion to postpone, definitely or indefinitely, which has already failed to pass, shall again be made on the same day.

g. When a general debate on a motion or proposal is closed, a motion to amend shall be in order.

h. Before a question is made as a subject of discussion, such question shall be divided, on motion duly seconded, if it includes matters so distinct in substance that when one is taken away, another substantive matter remains.

i. A motion to read any part of the rules is equivalent to a call to order and shall take precedence over all other motions except to adjourn, suspend, or recess.

j. When voting on a motion which is not debatable, no other remarks by the member casting his/her vote shall be made to or entertained by the Presiding Officer.

RULE XIII
RULES ON MOTIONS

SECTION 58. All motions relating to a committee report, if presented or proposed by the reporting committee Chairman, or the reporting committee member, shall need NO second.

SECTION 59. All privilege motions may be proposed even if there is a pending motion or question before the body.
SECTION 60. 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
c) Divide the assembly, body (or house, if any)
d) Divide the question
e) Object to the consideration of a question
f) Point of order
g) Point of information
h) Point of parliamentary inquiry
i) Reconsider
j) Reconsider and have entered on the minutes
k) Raise a question of privilege

SECTION 61. 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 62. The following motions require a SECOND, *viz*.:  

a) Adjourn
b) Adopt a report or resolution, except when proposed by the reporting Committee Chairman or Member
c) Amend
d) Appeal from the decision of the Chair
e) Commit or refer to a Committee
f) Expunge
g) Extend or limit the time for debate
h) Fix the time to which to adjourn
i) Lay on the table
j) Postpone definitely
k) Postpone indefinitely
l) Call for the previous question
m) Recess
n) Reconsider
o) Reconsider and have entered on the minutes
p) Rescind or repeal
q) Suspend the rules
r) Take from the table
s) All main motions

SECTION 63. A motion to amend (amendment of the 1st degree) and motion to amend an amendment (amendment of the 2nd degree) may be withdrawn but only before a decision is made thereon.
SECTION 64. Privileged Questions and Questions of Privilege

a) Privileged Questions. These shall include, aside from questions of privilege, motions to adjourn or recess, and call for the orders of the day. All these questions shall be undebatable and shall have the precedence over other motions and questions, in accordance with order of preference.

ai. A call for order of the day shall be demanded that the City Council conform to its order of business, a motion to that effect requires no second.

a(ii). Any member shall have the right to demand from the Presiding Officer that the order of business be conformed to.

aiii. Any member who shall call for order of the day when there has been no deviation from the order of business shall be declared out of order.

b) Questions of Privilege. Questions relating to the rights and privileges of the City Council or any of its members shall take precedence over all motions except those relating to adjournment and recess. The following shall constitute question of privilege:

bi. Any member may interrupt another member’s speech when required by urgency and immediate action is called for, as when a speech which is being read cannot be heard.

b(ii). Those relating to matters pertinent to the comfort and convenience of the members of the City Council.

b(iii). Those relating to freedom from noise, interference, and offensive conduct of officers or other employees.

b(iv). Those relating to organization of the City Council.

b(v). Those relating to the punishment of a member for disorderly conduct or other offense.

b(vi). Those relating to accuracy of published reports.

Questions of privilege may be raised while another business is pending, and may even interrupt a speaker, who should then take his seat and yield to the privileged questioner, until the question of privilege is acted upon.

If the Presiding Officer, however, decides that the question is not a privilege, he should rule it out by saying: “The Chair does not grant the request.”

RULE XIV
COMMITTEES

SECTION 65. 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 City Council;

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

d) A Committee of the Whole is hereby created to take up matters which the City Council members judiciously think are contentious and controversial issues that need to be discussed exclusively by them during a session or during a meeting called by the Presiding Officer or by a simple majority of the members. The chairman thereof, being interim in character, is the chairman of the Committee which has a primary concern over the issue.

SECTION 66. Committee Composition. Each committee shall be composed of a Chairman and four (4) members. The Chairman shall have the right to select the members of his/her committee subject to the rule on equal representation of the City’s two (2) districts, in that two (2) members must come from the City’s First District, and the other two (2) members from the City’s Second District. The names and designation of the members chosen by a Chairman to comprise his/her committee shall be submitted to the Presiding Officer for information, through the Sanggunian Secretary, within three (3) days from the date of his election as Chairman. The majority of the members of the City Council shall elect the Chairman of a particular committee. The Chairman shall appoint the Vice Chairman thereof.

SECTION 67. Restrictions.
   a) The Presiding Officer shall not be a regular member but shall be an ex-officio member of any regular committee. However, he may be designated by the body as Chairman of 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 City Council shall be made a member of any regular committee.
   c) No member shall participate in the committee’s deliberations if he/she has a direct or indirect personal or pecuniary interest on the matter being handled by that committee.

SECTION 68. Committee Hearings or Public Hearings. No tax ordinance or revenue measures and other legislative measures with penalty provisions shall be enacted by the City Council in the absence of a public hearing duly conducted by the committee concerned.

SECTION 69. Committee Meetings. As a general rule, a committee meeting shall be attended only by committee members unless a majority of the members of the committee thereof decided to allow other persons to be present especially invited resource persons or consultants.

SECTION 70. Oversight Functions of the Committees. Each committee is allowed to play an oversight role primarily in receiving inputs and information from resource persons including the department heads in aid of legislation. However, the manner of extending invitation to the department heads to appear before a committee shall conform with Section 75 hereof.

SECTION 71. Committee Hearing distinguished from Committee Meeting. For purposes of this Internal Rules of Procedure, a committee hearing is an activity of the City Council, thru its committees, wherein the general public particularly those representing different sectors that may
be interested or affected by a proposed measure are invited to attend to hear and be heard on that
matter. This is synonymous to the term “public hearing”. On the other hand, a committee
meeting, as the term implies, is a “meeting” of the members of the committee for the primary
purpose of decision-making. Since decision-making is a difficult task, the committee is not
precluded from inviting and seeking advice from technical persons.

SECTION 72. Quorum. A majority of all the members of the committee shall constitute a
quorum to do business.

SECTION 73. Calling a Committee Meeting. A committee meeting may be called by the
following:
   a) Chairman
   b) Vice Chairman, if he/she is in the capacity of “Acting Chairman”
   c) Majority of the committee members

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

SECTION 74. Vacancy in Standing Committees. When vacancy occurs in the chairmanship of
any of the standing committees, the same shall be filled by a vote of majority of all the members
of the City Council. The Chairperson thereof shall fill any vacancy in the membership of any
committee, within three (3) days from the occurrence of the vacancy, subject to the review by the
Presiding Officer.

SECTION 75. Appearance of Heads 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 coursed thru the Presiding
Officer. The Presiding Officer shall then endorse it to the head of local and national
offices concerned.
   b) The invitation or request shall specify the reason for such appearance or the assistance
needed, as the case may be.

SECTION 76. Committee Procedure. The committees of the City Council shall function in the
following manner:
   a) The Chairperson of the committee shall, from time to time, convene the committee to a
meeting.
   b) When proposed measure has been referred to more than one committee, the Presiding
Officer shall designate the lead committee. The Chairperson of the other committee to
which the proposed measure was also referred, shall have the right to participate in the
deliberations of the subject measure that will be conducted by the designated main
committee, and vice versa. In such cases, the committees concerned may render separate
reports, or a joint report. If conflicting reports are rendered by the two (2) committees,
the committees shall hold a joint meeting to come up with a joint report. If the two (2)
committees fail to render a joint report, the proponent may calendar the proposal for
second reading referring the decision on the proposal to the City Council in session.
c) All proposed measure referred to a committee for study, investigation and recommendation, shall be considered in the committee meeting. Discussion of the committee shall be reported to the City Council for further deliberation and consideration.

d) In the deliberation and consideration if any matter before a committee, the committee may call on any person to appear during a committee meeting or hearing and request his/her opinions, views, and comments on the matter under consideration, or concerning which he/she was invited to appear.

e) During the final deliberation of the committee, no person shall be allowed in the meeting except the members thereof, and such employees of the City Council as may be necessary or expedient to facilitate the performance of its functions.

f) All questions before a committee shall require a majority vote for their approval, unless a previous agreement by the members has already been made thereon.

g) After final deliberation and voting, the committee shall prepare, for submission to the City Council, a report to be signed by the Chairperson and the members thereof.

A verbal report accepted during the session shall necessitate a report in writing to be submitted to the Floor Leader immediately after the session.

h) When a report is recommitted to a committee to which it has been previously referred, or is transmitted to another committee, the proposed measure subject thereof shall remain in its original form, unless the Chairperson of the first committee renders a verbal report under the immediately preceding paragraph (g).

RULE XV
COMMITTEE REPORTS

SECTION 77. Submission of Committee Report. Every committee to which a particular measure is referred by the Presiding Officer shall submit its report in writing to the City Council, thru the Sanggunian Secretary, after finishing its task.

SECTION 78. Joint Committee or Multiple Committee Report. When measure is referred to two or more committees, the committees concerned may submit a “joint committee report” or “multi-committee report” as the case may be, or separate report thereon.

SECTION 79. Content of Committee Report. The committee report shall contain the following information:

a) Name of the reporting committee or committee
b) Brief statement of the subject matter referred to it and the action taken thereon including information gathered during the conduct of committee hearings or meetings and other relevant information
c) Findings or conclusions
d) Recommendations (either to “file it away” or “to calendar it for second reading”)
e) Names and signatures of concurring members
f) Appendices (Minutes of the committee hearings or committee meetings, as the case may be)
SECTION 80. Discharge of Committee. A committee which failed to submit a committee report within the time required may be discharged by the City Council 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 to the body for proper disposition.

SECTION 81. Recommitting a Measure. When the City Council is not satisfied with the report of a particular committee on a measure referred to it, the same may be re-committed or returned back to that committee for further study.

SECTION 82. Calendaring a Measure for Second Reading. After the committee has rendered its report recommendation favorably for the enactment of proposed ordinance, a copy of the same shall be furnished to the members of the City Council. The sponsor shall calendar the same for second reading. Before the said proposed ordinance is sponsored on the floor, a copy of the text of the proposal shall be furnished every City Council member by the committee Chairman concerned.

RULE XVI
STANDING COMMITTEES

SECTION 83. Standing Committees – The following committees are constituted, whose duties, powers and jurisdictions are as follows, to wit:

a) Committee on Finance and Appropriations – This shall have general jurisdiction over all matters relating to the approval of the budget, monetary and fiscal matters; all matters relating to the funds for the expenditure of the city government and for the payment of public indebtedness, claims against the government, and appropriations of public funds.

b) Committee on Ways and Means – This shall have jurisdiction over all matters related to taxes, fees, charges, loans, study and revision of tax measures; and generation of other sources and forms of revenue from public and private sectors, including codification of revenue ordinance.

c) Committee on Human Rights Protection and Justice – This shall have general jurisdiction over all matters relating to the promotion of an individual’s fundamental rights and liberties guaranteed by the Philippine Constitution and other existing laws and its implementing rules and regulations;

d) Committee on Education – This shall have jurisdiction over all matters relating to the City’s education and literacy programs including issues on tuition/admission fees, local schools, colleges and universities, libraries and museums, non-formal and community-adult education, out-of-school education, scientific and technological research, development and advancement, and moral and religious formation of the community.

e) Committee on Telecommunications and Information Technology – This shall have general jurisdiction over all matters relating to proper supervision and enforcement of regulatory measures pertinent to the conduct and operation of private utility company, establishment of communication facilities (i.e. construction of base stations and cell-site towers for cellular mobile telephone service and other wireless communication service or usage of electrical posts as post to telecommunication carriers and communication antenna television companies and other apparatus) and grant of IT economic zone status,
etc. Shall oversee advances in ICT and ensure that the city’s computerization program complements effective governance.

f) **Committee on Health and Sanitation** – This shall have jurisdiction over all matters relating to the health and welfare of the residents, including proposals pertaining to sanitation, cemeteries, hospitals, health centers and other health and sanitary measures including the proper collection, hauling and disposal of garbage.

g) **Committee on Infrastructure** – This shall have general jurisdiction over all matters relating to planning, construction, maintenance, improvements and repair of public buildings, highways, bridges, roads, parks, shrines, monuments, playgrounds and other public edifices, drainage, sewerage, flood control and protection, building permits and other public improvement projects.

h) **Committee on Peace and Order, Public Safety and Security** – This shall have jurisdiction over all matters relating to the City’s police work and fire fighting services; promotion and enforcement of measures for public’s safety, security and welfare; the maintenance of peace and order in the City; the prosecution and prevention of crimes in coordination with the Philippine National Police and other protective agencies and organizations of the national government; drug prevention; and generally, the enforcement of all laws, ordinances, resolutions, orders and rules and regulations for public welfare.

i) **Committee on Transportation and Traffic** – This shall have the legislative jurisdiction over all matters relating to the conduct and operation of public and private vehicles, including the grant of franchises for public transport vehicles; jurisdiction over issues affecting transportation facilities within the City; and the enforcement of regulatory measures relative to the foregoing as they affect public welfare interest.

j) **Committee on Rules and Codification of Ordinances and Privileges** – This shall have jurisdiction over all matters relating to the Sanggunian Rules of Procedures; Order of Business; Certification of Ordinances; implementation of local ordinances and conduct, rights, privileges, safety, dignity, integrity and reputation of the Sanggunian and its members including matters relating to the legal aspect of action by the City Council; legality of ordinances with or without penal provisions and resolutions passed; legality of contracts to include Memoranda of Agreement entered into by the City Government; matters relating to the legal orders from the courts of Justice, quasi-judicial, or administrative agencies regarding any of the City Council’s ordinances or resolutions, or other official actions taken by the Council; legality of matters affecting the organizations, reorganizations, functions and interrelations of the departments and offices of the City Government and/or those of its component Barangays; the codification of ordinances passed by the City Council; and, review, amendment, revision or modification of the Internal Rules of Procedure of the City Council.

k) **Committee on Trade, Commerce and Industry** – This shall have general jurisdiction over all matters relating to the establishment, operation, promotion, development, maintenance and regulation of all business establishments within the City; economy-enhancing programs and activities; productivity and livelihood projects; supervision over and enforcement of all regulatory measures pertinent to the conduct and operation of any trade and industry within the City including matters relating to the regulations of prices of prime commodities sold within the City; matters relating to trade fairs and exposition; jurisdiction over all markets, public and private, slaughterhouses and related franchises.
within the City; and in general, all matters relating to consumer protection against unfair and illegal trade manipulations, practices, and monopolies.

l) Committee on Tourism – This shall have general jurisdiction over all matters relating to the development and promotion of tourism in the City including sisterhood agreement, licensing, registration, regulation and supervision of the operations of tourism oriented/related establishment.

m) Committee on Labor and Capital Relations – This shall have jurisdiction over all matters relating to employment, labor disputes and conciliation, manpower development, enforcement of labor standard laws and regulations, maintenance of industrial peace, and generally, the promotion of employer-employee ideal relationship.

n) Committee on Environment Management – This shall have jurisdiction over all matters relating to protection and management of the environment and the eco-system as a whole, including pollution control and innovative waste management.

o) Committee on Women, Family Affairs and Gender Equality – This shall have jurisdiction over all matters relating to the promotion and protection of the rights, opportunities and welfare of women; the protection, promotion, strengthening and developing of family as the basic unit of society and the promotion of gender equality.

p) Committee on Cooperatives – This shall have jurisdiction over all matters relating to organization, development of, and support to, and supervision of local cooperatives.

q) Committee on Barangay Affairs – This shall have general supervision over all matters pertaining to the governmental affairs of the City’s component barangays, with the objective of bringing the City Government closer to the people, especially to those residing in small communities.

r) Committee on Youth and Sports Development – This shall have jurisdiction over all matters relating to the youth; the promotion of the youth’s welfare especially in the aspect moral, physical, intellectual and social well being with the aim of molding them into responsible and productive citizens; all matters concerning sports and recreational development and promotion as well as the enhancement of the value of sportsmanship among the youth.

s) Committee on Senior Citizens and Persons with Disability – This shall have jurisdiction over all matters relating to the promotion of programs, activities, and support for the City’s senior citizens and the disabled persons; and enforcement of applicable laws and regulations mandating benefits for senior citizens and disabled persons.

t) Committee on Parks Development - This shall have jurisdiction over all matters relating to the greening and beautification program with the aim of uplifting the aesthetic quality of the environment and surroundings, rehabilitation of Marikina River, and development of all parks within the City.

u) Committee on Games and Amusement - This shall have jurisdiction over all matters relating to the regulation on the conduct and operation of games and amusement and places of entertainment within the City.

v) Committee on Government Affairs, Ethics and Accountability- This shall have jurisdiction over all matters relating to the organizational structure of the City Government, appointments of the city officials and employees, investigation and inquiry to acquire informative facts, complaints and/or irregularities lodged against City’s barangay officials and employees, and all other matters that may be referred to it by the City Council for investigation in aid of legislation.
w) Committee on Housing, Zoning, Urban Planning, and Community Development - This shall have jurisdiction over all matters relating to the preparation and development of an integrated and comprehensive master plan for the physical, economic, sociocultural, religious, and other aspects of the development of the City; all matters relating to zoning, permissible and non-permissible uses in said zones, the proper enforcement of laws, rules and regulations thereon; and generally, all matters relating to the implementation of the provisions of the National Building Code, PD 957, Metro Manila Comprehensive Zoning Ordinance No. 81-01 and all other relevant existing national laws.

x) Committee on Culture and Arts - This shall have jurisdiction over all matters relating to the promotion, development and preservation of the City’s artistic and cultural heritage and resources, as well as the general promotion of tourism.

y) Committee on Dangerous Drugs - This shall have jurisdiction over all matters relating to the unrelenting and intensive campaign against the trafficking, importation, manufacture and use of dangerous drugs, controlled precursors and other similar substances through an integrated system of planning, implementation and enforcement of anti-drug abuse policies, programs and projects, including the rehabilitation and treatment of drug dependents.

z) Committee on Disaster Preparedness, Mitigation and Management - This shall have jurisdiction over all matters relating to the adoption of measures to protect the inhabitants of the City from harmful effects of man-made or natural disasters and calamities, and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and in their return to productive livelihood following said events.

aa) Committee on Footwear and Leathercraft Industry - This shall have jurisdiction over all matters relating to the development, enhancement, revitalization, protection and regulation of the footwear and leathercraft industry within the City.

bb) Committee on People’s Participation - This shall have jurisdiction over all matters relating to the roles, rights and responsibilities of people’s organizations, civic non-government organizations and the establishment of adequate mechanisms for consultation with and participation of the people in the affairs of government and the City.

RULE XVII
INTERNAL GOVERNMENT

SECTION 84. Unparliamentary Acts and Words Sanctions. All words and declarations uttered or acts committed during the City Council’s session or meeting, which personally offend any person or public institution, shall be declared unparliamentary. No member of the City Council, during any debate or discussion, shall use offensive or improper language, or innuendos, or employ any offensive acts, against any member of the City Council, or any public officer or institution.

Any member of the City Council who shall utter unparliamentary words, or commit any unparliamentary acts shall be sanctioned as follows:

a) The Presiding Officer, motu proprio or at the instance of another member, shall call the erring member to order. The erring member shall immediately take his seat if he has the floor. In case a point of order is raised and sustained by the Presiding Officer, the
member shall not be allowed to continue speaking without the consent of the majority of the Council members then present, upon motion duly seconded.

b) When a member is called out of order for using improper or offensive words or innuendos during a debate, upon motion made by another member and approved by the Presiding Officer, such words shall be ordered stricken from the records.

c) In addition to the foregoing, depending on the gravity of the offense, the Presiding Officer may, upon proper motion, reprimand the erring member and such reprimand shall be noted in the records of the proceedings.

d) In case of serious or grave offense, the City Council, by a two-thirds (2/3) vote of all the members present, may impose the higher penalty of exclusion from the session, for not more than sixty (60) calendar days, with corollary forfeiture of salary for the same period, without prejudice to the filing of the appropriate administrative and/or judicial complaint as may be warranted.

SECTION 85. Disorderly Behavior, Absences Without Justifiable Cause and Dereliction of Duties. Members found guilty of disorderly behavior or conduct disruptive of Council’s proceedings or incurring four (4) consecutive absences from the sessions without valid and justifiable cause or of being derelict in the discharge of his duties as a member of the City Council shall be censured or reprimanded, expelled from the session, suspended for a maximum of sixty (60) days, with forfeiture of salary for the same period, or expelled from the Council.

The Presiding Officer shall impose the penalty of censure upon motion duly seconded. The penalty of expulsion from the session shall require a majority vote of all the members present of the City Council shall be required. In any case, whatever penalty maybe imposed by the City Council on the erring members, the same shall be noted in the records of the proceedings.

A member who is convicted by final judgment of any crime involving moral turpitude shall be automatically expelled from the City Council.

SECTION 86. Refusal to abide by the Rules and Dereliction of Duties. Any member of the City Council who fails to observe any of these rules, shall be declared by the Presiding Officer to be out of order, and if he has the floor, he must yield the same, or be compelled to do so. In case of refusal to abide by the ruling of the Presiding Officer, the City Council, upon motion of any member duly seconded, shall officially reprimand the erring member, which reprimand must be entered in the record of the proceedings. A refusal to abide by the Council’s rules shall be deemed a dereliction of duty and shall be punishable as such, pursuant to the provisions of the immediately preceding paragraph.

SECTION 87. Suspension of Rules. The rules of the City Council may be suspended for a definite period, upon general consent if no objection is raised, upon motion for this purpose, duly seconded, and approved by the simple majority vote of all the members present, there being a quorum. However, should the Presiding Officer state a motion so made and no objection is raised, it shall be deemed that the motion was unanimously approved by all the members present.
When making a motion to suspend the rules, the specific purpose for the suspension and the specific rule sought to be suspended shall be identified. No matter other than this shall be considered covered by the suspension.

A motion to suspend the rules shall cite the grounds for suspension and the specific rule to be suspended.

It shall be understood that if one particular rule is suspended for specific purpose, only such rule shall be affected, and all other rules shall remain in full force and effect.

Among the grounds that may be invoked for the suspension of the Rules are:
    a. Urgency/Time is of the essence;
    b. The denial of the motion shall cause irreparable damage to life, liberty or property; gravely hamper the delivery of basic services; or adversely affect peace, order or security;
    c. Urgent financial or budgetary requirements;
    d. Similar circumstances which will prejudice the interest and welfare of the public.

SECTION 88. Special Commemorative Award. A member of the City Council who has rendered continuous three (3) terms of office shall be conferred the benefits provided for by Ordinance No. 134, Series of 2002 and Ordinance No.67, Series of 2007.

RULE XVIII
JOURNAL AND RECORD OF PROCEEDINGS

SECTION 89. Record of Proceedings. The City Council shall keep a “journal and record” of its proceedings which may be published upon resolution of the majority members thereof.

SECTION 90. Minutes. In addition to the “journal of proceedings” which is required by the law (RA 7160) to be kept, the City Council, thru its Sanggunian Secretary shall also record its proceedings in the form of a “minutes” which shall be submitted by the Secretary to the City Council for appropriate action.

SECTION 91. Reading and Consideration of Previous Minutes. The minutes of the previous session shall be submitted by the Sanggunian Secretary to the City Council during its succeeding regular session. The City Council shall first determine if there are corrections to be made on the minutes and act on it accordingly before the same is adopted and becomes its property. Consideration of the minutes shall not be dispensed with. Reading of the minutes “verbatim” may be dispensed with if the members were already furnished a copy before hand. The members are presumed to have read the minutes already before they come to the session.

SECTION 92. Contents of Minutes. The minute shall contain the following information:
    a) Date of session;
    b) Place of session;
    c) Time when the session was called to order;
    d) Statement regarding the attendance of the Presiding Officer and the City Council members;
e) Statement whether the minutes of the previous session were read and approved, or whether reading was dispensed with, including the date of the said session;

f) All motions made, except those withdrawn;

g) Titles, synopsis of proposed ordinances and resolutions as introduced or as vetoed by the City Mayor;

h) The affirmative and the negative votes made;

i) Points of order and appeals, and the result thereof;

j) Time when the session was adjourned.

SECTION 93. Signing of the Minutes. The minutes shall be signed by the Sanggunian Secretary and the Presiding Officer, and entered into the City Council’s record book with an indication of its approval or disapproval and the date thereof.

SECTION 94. Excerpts. Excerpts to be taken out of the minutes shall be certified and attested to as correct by the Sanggunian Secretary and the Presiding Officer on that particular session, respectively.

RULE XIX
DISCIPLINARY ACTIONS

SECTION 95. Penalty. Any member who commits an act in transgression of the foregoing Internal Rules of Procedure shall be punished with the corresponding penalties hereunder prescribed, to wit:

1. For disorderly conduct or behavior during a session, committee hearing or committee meeting;
2. For refusal without valid excuse to perform the task assigned to him by the City Council or Committee of which he is a member;
3. For violation of any other provision of this Internal Rules of Procedure not specified:
   1st offense – reprimand
   2nd offense – exclusion from the membership in the committee concerned;
suspension to automatic expulsion which includes fifteen (15) days suspension without remuneration or a fine of not less than P500.00 but not more than P1,000.00 or suspension of not more than fifteen (15) days without remuneration.

SECTION 96. Requisites. The penalty of suspension or expulsion to be imposed shall require the concurrence of at least two-thirds (2/3) vote of all the members of the City Council. For other kinds of penalty only a majority vote of all the members shall suffice.

SECTION 97. Initiation of Action and Conduct of Investigation. The Committee on Government Affairs, Ethics and Accountability shall take cognizance of all the offenses enumerated in the preceding Section committed by any member of the City Council, both composite member and constituent member, i.e. including the Regular Presiding Officer and shall initiate the necessary disciplinary action. It shall forthwith conduct the necessary fact-finding investigation and thereafter shall submit its committee report together with the corresponding recommendation for consideration of the City Council sitting en banc.
For purpose of this Section, only a fact-finding investigation and NOT an “administrative investigation” shall be conducted, and thus, the technical rules of court practice, procedure and evidence shall not be applied. However, the substantive due process requirement of fairness and reasonableness shall be observed.

Should any member of the Committee on Government Affairs, Ethics and Accountability be the respondent, the Presiding Officer (regular or temporary presiding officer, as the case may be) shall designate a replacement to complete the membership thereof but only insofar as the conduct of the fact-finding investigation is concerned. In performing the other functions of the said committee, the respondent is still a member of that committee.

**SECTION 98. Collection of Fines and its Disposition.** The Sanggunian Secretary shall collect the fines as may be imposed by the City Council and shall take custody thereof as a private trust fund. In the disposition or disbursement of the said fund, the “Committee of the Whole” shall decide how and for what purpose the said fund would be spent.

**RULE XX**
**SUPPLEMENTARY RULES, AMENDMENTS, HIERARCHY OF SOURCES**

**SECTION 99.** This “Internal Rules of Procedure” may be amended at any regular session by two-thirds (2/3) vote of all the members of the City Council, provided that notice of such proposed amendment is given to all the members of the City Council, and provided further that no provision herein which is based on, or prescribed by, existing laws shall be amended.

**SECTION 100.** The rules, procedure and parliamentary practices of the Philippine Congress and books dealing on this subject written by Dr. Antonio Orendain and Handbook on Local Legislation by Reverendo Dihan among others, shall serve as supplementary authorities of this Sanggunian but only insofar as they are not incompatible with the rules and procedures adopted herein.

**SECTION 101. Hierarchy of Sources and Their Applications.** The sources of the Internal Rules of Procedure of the City Council and their application are arranged in the order of hierarchy, to wit: 1) The 1987 Philippine Constitution; 2) the Local Government Code of 1991; 3) Judicial Decisions; 4) Adopted Internal Rules of Procedure; 5) Parliamentary Practice; 6) Parliamentary Authors; and 7) Customs and Usage. This means that the higher source takes precedence over the lower source. *(Source: DILG Opinion No. 76, S.2007, September 05, 2007, By Undersecretary Austere A. Panadero)*

**RULE XXI**
**AMENDMENTS**

**SECTION 102.** This “Internal Rules of Procedure” may be amended at any Regular Session by a two-thirds (2/3) votes of all the members the City Council, provided that prior notice of such proposed amendments is given to all members and provided further that no provision herein which is based on existing laws be amended.
RULE XXII
REPEALING CLAUSE

SECTION 103. In case, any part of the provisions of this Rules, shall be held invalid or inconsistent with the Local Government Code of 1991, resolutions and ordinances and other related laws, other parts or provision hereof are not affected thereby shall continue to be in full in force and effect.

RULE XXIII
ADOPTION AND EFFECTIVITY

SECTION 104. These Rules shall be adopted by the 7th City Council upon the approval of the majority of the members of the Sangguniang Panlungsod, after which they shall immediately organize as indicated by Section 66 hereof.

SECTION 105. This “Internal Rules of Procedure” shall take effect on the date of its adoption.

I HEREBY CERTIFY to the correctness of the foregoing Resolution otherwise known the Internal Rules of Procedure of the 7th City Council as which was duly adopted by the Sangguniang Panlungsod during its Inaugural Session held at the City Council Session Hall on July 3, 2013.

NORALYN R. TINGCUNGCO
City Council Secretary

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

HON. JOSE FABIAN I. CADIZ, M.D.
City Vice Mayor
Presiding Officer