Excerpt from the

MINUTES OF THE 9TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BAYBAY, LEYTE, HELD AT THE SESSION HALL ON MARCH 3, 1992.

PRESENT:

HON. PATROCINIO L. ALBARICO	Sangguniang Bayan Member & Actg. Presiding
HON. MANUEL A. CHAN	Sangguniang Bayan Member
HON. BONIFACIO A. UN	-do-
HON. LILIA T. MOMINA	-do-
HON. AVELINO D. UY	-do-
HON. RICARDO L. AVILA	-do-
HON. DOMINADOR L. CHIONG	-do-
HON. CANDIDO P. SOMBILON	-do-
HON. JACINTO B. OMNDAC	-do-

ABSENT:

HON. EMMANUEL G. PILPA	Mun. Vice Mayor
HON. NOLAN T. MONSERATE	Sangguniang Bayan Member

MUNICIPAL ORDINANCE NO. 4

AN ORDINANCE ADOPTING THE REVISED RULES OF PROCEDURE OF THE SANGGUNIANG BAYAN OF BAYBAY, LEYTE, IN CONFORMANCE TO THE LOCAL GOVERNMENT CODE OF 1991.

Ultimately presented was the report of the special committee charged with the re-study of the existing rules of procedure of this Body, in pursuance of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

On motion of the Honorable SB Member Uy, duly seconded by the rest of the SB members present; be it

RESOLVED, as it is hereby RESOLVED, that the following Municipal Ordinance be, as hereby is, adopted, to wit:

AN ORDINANCE

ADOPTING THE REVISED RULES OF PROCEDURE OF THE SANGGUNIANG BAYAN OF BAYBAY, LEYTE, IN CONFORMANCE TO THE LOCAL GOVERNMENT CODE OF 1991.

Be it enacted by the Sangguniang Bayan of the Municipality of Baybay, Province of Leyte, in session assembled, that:

RULE I. - OFFICER: POWERS AND DUTIES

Section 1. OFFICER: - The following shall be the officers of the Sangguniang Bayan of the Municipality of Baybay, Leyte:

A. The Vice Mayor. - The Vice Mayor shall be the Presiding Officer of the Sangguniang Bayan.

Section 49 - Chapter 111. - Local Legislation (Local Government Code of 1991).

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1. Powers and Duties. - The Presiding Officer shall have these powers and duties:

a) He shall preside over all sessions of the Sangguniang Bayan.

b) He shall announce or cause to be announced the business in the order in which it should be acted upon by the Sangguniang Bayan.

c) He shall recognize any member who is entitled to the floor.

d) He shall state all questions before the Sangguniang Bayan and put the same into a vote, when regularly moved, and announce the result thereof.

e) He shall assist in expediting business compatible with the rights of the members allowing brief remarks in case of pending debatable motions.

f) He shall enforce at all times order and decorum.

g) He shall rule on all pending questions subject to appeal by the members of the Sangguniang Bayan which appeal shall not be debutable. Any member appealing shall not be more than five minutes. Any ruling on appeal shall be submitted to the Sangguniang Bayan for its approval or disapproval.

h) He shall authenticate whenever necessary all orders, acts or proceedings of its Sangguniang Bayan declaring its will and obeying its commands.

i) He shall sign all ordinances and all resolutions and motions directing the payment of money or creating liability enacted by the Sangguniang Bayan.

j) He shall approve vouchers and payrolls chargeable against the appropriations of the Sangguniang Bayan.

k) He shall declare the session adjourned to some other time or place in cases of fire, riots, serious disorders or grave emergency.

l) He shall not vote on any matter, except in case in tie.

B. The Temporary Presiding Officer. - In the absence of the Vice Mayor, the members of the Sangguniang Bayan constituting a quorum, shall choose from among themselves, a temporary presiding officer. He shall possess all the powers and perform all the duties of the presiding officer, except to vote in case of tie, but shall certify within ten (10) days all ordinances and resolutions enacted or adopted.

C. The Municipal Secretary. - The Sangguniang Bayan shall have a secretary who shall be appointed by the Municipal Mayor to serve during the term of office of the members thereof. (Sub-Sec. 5 - Sec 444, RA 7160)

1. In addition to the duties prescribed by law, the Secretary shall also perform the following:

a) He shall attend all sessions of the Sangguniang Bayan.

b) He shall prepare and certify the minutes of the Sangguniang Bayan.

c) He shall read or cause to be read by himself or through another designated by him all proposed ordinances, motions, memorials, petitions, and other documents which he shall report to the Sangguniang Bayan or when required by the presiding officer.

d) He shall notify officers and special committees of their appointments or creations.

e) He shall transmit to the proper committees all minutes referred to them by the Sangguniang Bayan.

f) He shall send out proper notices of all called sessions, other meetings and public hearings.

2. Whenever, for any cause, a temporary vacancy occurs in the office of the Secretary, the Chairman of the Sangguniang Bayan may designate any of its employees as Acting Secretary, without additional compensation, who shall perform the work of the regular secretary.

3. Majority Floor Leader: Duties and Responsibilities. -

1. Facilitate the speedy transaction of the legislative body and receive from the Secretary resolutions, ordinances, duly sgiend by the authors, communications, petitions, and other matters endorsed by the Mayor to the Sangguniang Bayan.

2. Shall confer from time to time with the Secretary as to the most expeditious and efficient methods in accomplishing the work of the legislative body, and in this connection, he may seek the help of the heads of different departments of the municipal government in the collection of data for ready reference of the presiding officer and the members of the Sangguniang Bayan.

4. Minority Floor Leader: Duties and Responsibilities. -

1. Shall act as the official representative of the minority group in the Sangguniang Bayan during its deliberation.

2. Shall assist the Majority Floor Leader in the speedy and efficient transaction of business by the Body.

RULE II - SESSION AND QUORUM

Section 1. Session defined. - A session is a meeting, which although lasting for several hours, is one meeting. The Sangguniang Bayan shall hold one (1) regular session each week for transacting business and also such number of special sessions as may be called, in accordance with law. (section 52, Local Gov't. Code 1991)

A. Unless the Vice Mayor orders otherwise, a regular session shall be held at the Session Hall of the Municipal Hall every Tuesday of the week at exactly 9:00 o'clock in the morning. Special sessions may be called by the Mayor or by the majority of the Sangguniang Bayan Members, when public interest so requires.

B. The Presiding Officer shall open the session by calling

- more over -

the Sangguniang Bayan to order and, motu propio, or when so directed by the Sangguniang Bayan, shall order the roll call.

C. In the absence of a quorum, the Presiding Officer shall declare a recess until such time a quorum is constituted.

D. The session shall not be suspended or adjourned, except when so directed by the Sangguniang Bayan, but the Presiding Officer may, in his discretion, declare a recess at short intervals: Provided, however, that the Chair may suspend or adjourn the session when the s same becomes unruly or uncontrollable.

E. The exact hour of opening or adjourning each session shall be entered in the minutes of the Sangguniang Bayan.

Section 2. - Quorum defined. - Quorum is such manner of the Sangguniang Bayan present in order that business can be legally transacted, which shall be one-half plus one (1/2 plus 1) of all the members constituting the said Body.

A. Absence of quorum: Procedure. - Whenever the question of quorum is raised by any member in any session, the Chair shall immediately order a roll call and announce forthwith the result thereof. In the absence of a quorum after the roll call, the Chair may compel the attendance of absent members. Members who voluntarily appear shall report their names to the Secretary to have their presence recorded and their names entered in the minutes as present. If in spite of the above, there is still an absence of quorum, or that there is no prospect of constituting a quorum, no other business shall be transacted and the Chair shall then declare the session adjourned for lack of quorum and fix the time to which the session shall be held.

B. IN CASE THERE IS A MOVE TO COMPEL THE IMMEDIATE ATTENDANCE OF ANY MEMBER ABSENT WITHOUT GOOD CAUSE THE SANGGUNIANG BAYAN SHALL ISSUE TO THE POLICE OF THE MUNICIPALITY AN ORDER FOR HIS ARREST AND PRODUCTION AT THE SESSION.

Section 3. - Members of the Sangguniang Bayan shall be required to wear Barong Tagalog in all session, except the women members who shall wear appropriate clothing or attire for the purpose.

RULE III - ORDER OF BUSINESS: AGENDA

Section 1. Order of Business. - At all stated meetings, the following order shall be observed in disposing of the business before the Sangguniang Bayan Members.

a) Roll Call
b) SB's Prayer
c) Singing of the Philippine National Anthem
d) Call to order
e) Reading of the minutes of the previous session unless dispensed with, and approval of the same.
f) Reports of standing Committees
g) Reports of Special Committees
h) Completion of business unfinished in the previous session
i) Consideration of the present business
j) Other Urgent Matters

- more over -

k) Privilege Speeches
l) Adjournment.

No business shall be taken up outside of the foregoing order, except by unanimous consent and without debate.

Section 2. Agenda. - Matters that may be taken up in the session of the Sangguniang Bayan shall be limited only to those item listed in the same, the matter and substance of which must be described, except the following:

A. With the consent of the Sangguniang Bayan, urgent matters which involve public interest, the delay in the consideration of which shall prejudice essential activities of the government.

B. The agenda shall be distributed among the members not less than one (1) day preceding the session.

RULE IV - ACTIONS BY THE SANGGUNIANG BAYAN

Section 1. Items in the agenda: General Rules. - Any motion, measure or proposal appearing in the agenda for reference to the corresponding committees shall not be subject to debate or discussion: Provided, however, that any measure which in the opinion of the Sangguniang Bayan may be acted upon without reference to any committee, may be considered immediately and be the subject of discussion, dabate or amendment, prior to final action. Explanatory speech by the author, not to exceed five (5) minutes, may be allowed following the reading of a particular matter appearing in the agenda.

Section 2. Ordinances: Procedure.- Before a proposed ordinance could be finally enacted, the following procedure shall be observed:

A. First Reading. - Proposed ordinance or proposals for the actment of ordinances calendared for the first time shall not be debated upon. It shall only be referred to the corresponding committees for comment and recommendation: Provided, however, that upon motion duly seconded, the Sangguniang Bayan upon being convinces of the urgency of any measure, may order its publication, which motion for publication is not subject to debate.

B. Second Reading. - (Publication).- After a proposed ordinance or proposal for the enactment of an ordinance is reported favorably by the committee concerned, it shall again be calendared for the second reading. The Sangguniang Bayan may then order its publication.

C. Third or last Reading (Final Action).- After publication according to law, the proposed ordinance shall again be calendared for dabate, discussion, amendment, and final action.

RULE V - MINUTES AND JOURNAL

Section 1. The Minutes of the Sangguniang Bayan. - The record of the proceedings of the Sangguniang Bayan shall be referred to as the "Minutes". It shall comprise a clear and succinct account of the businesses transacted and the actions taken thereon. The Minutes shall contain the followng:

A. 1. Nature of session held (either special or regular)

2. Name of the Sangguniang Bayan. (Sangguniang Bayan of the Municipality of Baybay)

3. Date of session

4. Place of session (when place is not always the same)

5. Statement whether minutes of previous meetings were approved, readings dispensed with and the dates of the said meetings.

6. Statement of the presence of presiding officer and members

7. All named motions (except these withdrawn).

8. Points of order and appeals, whether sustained or lost.

9. Hours of meetings and adjournment.

B. The minutes shall be signed by the Secretary and authenticated by the Presiding Officer. It shall be entered in a good well-bound record book and the corresponding dates of approval or disapproval properly placed therein.

Section 2. Journal. - The Sangguniang Bayan shall keep a journal of its proceedings which contain a concise and exact account of what takes place in every session, regular or otherwise. The following shall be contained in the journal:

a) Files of ordinances and resolutions introduced by the members of the Sangguniang Bayan;

b) Approved ordinances and resolutions;

c) Objectives to the ordinances and resolutions vetoed and the affirmative and negative votes of the Sangguniang Bayan;

d) Number of votes over the vote of the Mayor;

e) All nominal votes; and

f) Extracts or petitions, communications and messages addressed to the Sangguniang Bayan arranged by order of the dates of receipt.

RULE VI - COMMITTEES OF THE SANGGUNIANG BAYAN

Section 1. Committee defined. - A committee is a body of persons elected by the Sangguniang Bayan Members.

Section 2. Composition. - The committee shall be composed of a Chairman with at least two members unless more members are necessary.

Section 3. Committee Procedure. - The committee shall functions, as follows:

A. The Chairman shall from time to time convene the committee to a meeting: Provided, however, that if the Chairman is absent or shall neglect or decline to convene such meeting the committee may nevertheless meet upon the written position of the majority of the members thereon.

B. Any person shall have the right to appear at committee meetings and present this views on the matter before the committee at such reasonable times, as upon request the committee may schedule.

C. During final deliberations, no person shall be present except the committee members and such employees of the

- more over -

Sangguniang Bayan as are necessary to facilitate the performance of its functions.

D. All questions before the committee shall put into vote unless otherwise previously agreed upon.

E. After final deliberation and voting, the committee shall prepare for submission to the Sangguniang Bayan, a report to be filed by the Chairman and members thereof. Any member dissenting from the report shall submit, in writing his reasons thereof; Provided, however, that by reason or urgency, a verbal report is submitted by the Chairman to the committee concerned, said verbal report shall be considered, the report of the committee unless objected to by the majority of the members of the committees

Section 4. Special Committee. - There shall be a special committee to be elcted among the Sangguniang Bayan Members created from time to time for special purposes. Special committees shall cease to exist as soon as the Sangguniang Bayan shall have received their reports. Special committees shall be independent of other committees but may adopt the procedure prescribed in the proceeding section thereof.

Section 5. - Standing Committee of the Sangguniang Bayan. - Unless otherwise agreed upon the majority by member of the Sangguniang Bayan shall elect the following standing committee with powers and prorogative herein stated.

A. Committee on Finance and Ways and Means. - All matters relating to funds for the expenditures of the municipal government of Baybay and for the payment of public indebtedness and claims against the municipal government, appropriation of funds, adjustment of funds; all matters relating to public expenditures, revenue, taxes and fees, loans and revision of the measures and other sources and forms of revenue.

B. Committee on Planning, Infrastructures, Public Works, Transportation and Communications. - All matters relating to the construction, maintenance, and repair of public buildings, streets, bridges, parks, monuments, playgroundand other public improvements projects; subdivision zoning; building permits; expropriation of lands in the Municipality; and donations, leases, or exchange of properties affecting the Municipal government. Water and electrical facilities.

C. Committee on Health and Public Welfare. - Matters relating to health, pollution and environmental sanitation, hospitals, health centers, cemeteries, garbage and sewerage.

D. Committee on Human Rights, Laws and Ordinances. - Matters relating to the legality of proposed ordinances or proposed measures amending existing ordinances; proposals or measures including the legality of leases, donationsor exchange of properties affecting the municipal government, the naming of streets and schools; and legal orders from the courts on municipal ordinances. Rules and Procedure.

E. Committee on Labor & Employment, Trade and Industry. - Matters relating to labor and measures designed to bring about a better harmony between labor and capital.

- more over -

It shall have the power to consider, investigate and take action on matters affecting labor, conditions of laborers in their place of employment, tenants in rural from areas, agriculture products and, in general matters affecting agriculture. Non-descript evacuees,

F. Committee on Education and Upliftment of Women, and Family. - Matters relating to schools, its maintenance, school projects and naming of schools; establishment of vocational training centers; development and protection of women's right, home training activities, involvement in socio-civic services religious movements, Promoting tourism as an industry.

G. Committee on Barangay Affairs. - Matters relating to barangay affairs and administration.

H. Committee on Peace and Order. - Matters relating to the maintenance of peace and order, insurgency measures affecting the Philippine National Police and the barangay police assistance forces, the municipal jail, juvenile delinquency and traffic regulations, including the eradication of drug abuse and addiction among the youth.

I. Committee on Markets. - Matters affecting the operation, collection and improvements of the public market and slaughterhouse.

J. Committee on Sports, Youth and Cultural Development. - Matters relating to the development of a comprehensive sports program for the residents and the training of the youth for leadership, civic consciousness, scholarship program, and enhacing cultural heritage.

K. Committee on Agriculture and Livelihood.

L. Committee on Environmental Protection.

M. Committee on Cooperatives.

Section 6. Reports: Discharge of Committees.- The different standing committees shall report to the Sangguniang Bayan any matter referred to them for comment and recommendation. In case of failure of a committee concerned to render such report the majority of all the members of the Sangguniang Bayan may, by written petition discharge the committee after which the matter concerned shall be resubmitted to the whole Body for disposition. In case a majority of the members in a particular committee dissented and/or objected to the matter shall be considered as being laid on the table; Provided, however, that by a written petition of the majority of all the members of the Sangguniang Bayan the matter of the Sangguniang Bayan for final disposition.

When a measure is referred to two or more standing committee the corresponding committees may submit a joint or separate report thereon.

Section 7. Reports reconsidered and/or Transmitted. - When a report in recommended to the committee or in transmitted to another committee, the measure concerned shall remain in its original status unless the Chairman of the Committee renders a verbal report under letter "E" of Section 3, Rule VI.

Section 8. Filing of Vacancies. - Whenever a vacancy occurs in

- more over -

any standing committee the same shall be elected among the majority of the Sangguniang Bayan Members.

RULE V11 - GENERAL RULES GOVERNING RESOLUTIONS, MOTIONS, PETITIONS, COMMUNICATION, AND OTHER MATTERS.

Section 1. Filing. - All proposed ordinances, resolutions, memorials, or other communications shall be in writing, signed by their authors, and filed with the Secretary of the Sangguniang Bayan for inclusion in the agenda.

All communications and other matters addressed from the Mayor to the Sangguniang Bayan and all petitions received from the municipal residents, shall be filed with the Secretary for the same purpose.

Section 2. Action of the Sangguniang Bayan. - Any motion, measure or proposal appearing in the agenda shall be referred to the corresponding committee or person and shall not be subject to the debate or discussion. Any measure, except a proposed ordinance, may be considered immediately and be the subject of a discussion, debate, or amendment, prior to final action, when in the opinion of the Sangguniang Bayah, the same may be acted upon without reference to any committee or person.

Section 3. Report to the Sangguniang Bayan. - The measure or proposal, after having been duly considered by the committee or person concerned, shall be reported to the Sangguniang Bayan and during the consideration of the measure or proposal, it shall be subject to debate, discussion, or amendment.

Section 4. Reading Before Final Action. - Every ordinance and resolution shall be read in full before a vote is taken thereon. The reading of a resolution may be dispensed with by unanimous consent of the members of the Sangguniang Bayan.

Section 5. Debate and Discussion. - Main speeches shall be limited to fifteen (15) minutes for each speaker. Rebuttal speeches shall be limited to five (5) minutes. Only one member shall be allowed to deliver a speech in favor of, and another against, and amendment, each speech being limited to five (5) minutes. The same limitations apply to an amendment to the amendment.

No member shall be allowed to deliver more than one main speech and one rebuttal speech.

When a member is about to speak on a question, or make a motion, he shall raise his/her hand and respectfully address the Chair, and the Presiding Officer shall pronounce the name of the member entitled to the floor and the member shall confine himself to the question under consideration.

In the course of the debate, a member may move the "previous question" by simply stating: "I move the previous question". If approved by two-thirds (2/3) vote if the Sangguniang Bayan, it shall have the effect of cutting off the debate, and precluding all further amendment on any motion, resolution, amendment or other debatable motion, which shall be put immediately to a vote.

Section 6. Putting Question to a Vote. - When a question is put to a vote, the Presiding Officer must restate the question.

The question may be put in the following form: "As many as are in favor of the (restate the question), please raise the righ hand. Those

- more over -

opposed, please do the same". In doubtful cases, the Presiding Officer may direct, or a member, may call for a division.

The Presiding Officer shall always announce the result of the voting.

Section 7. Every Member to Vote. - Every member present when a question is put, shall vote, unless the Presiding Officer of the Sangguniang Bayan, for special reasons, excuse him.

Section 8. Roll Call Vote. - Except in cases where the vote is unanimous, the ayes and nays shall be taken and recorded upon the passage of an ordinance, and upon the request of any member, upon resolution or motion. While the Secretary is calling the ayes and nays, the members shall vote inside the booth (session hall on their seats).

Section 9. - Voting Limitations. - No member can vote on a question in which he has a direct or personal pecuniary interest. He may, however, vote for himself for any position within the Sangguniang Bayan.

A member can change his vote only before the Presiding Officer announces the result of the voting.

Section 10. Votes Required in Pass Measure. - Ordinary motions or resolutions may be approved by a majority of the members present.

The affirmative vote of a majority of the members of the Sangguniang Bayan shall be necessary for the passage of any ordinance or resolution directing the payment of money or creating liability.

The affirmative vote of two-thirds (2/3) of the members of the Sangguniang Bayan shall be required to repass an ordinance, resolution or motion over the vote of the Municipal Mayor.

When the law or these rules are silent as to the vote required to pass a particular question, a vote of the majority of the members present shall be sufficient to pass the question.

Section 11. Reconsideration of a Question. It shall be in order for any member who voted in the majority on any member who voted in the majority on any question, or who voted in the negative when the Sangguniang Bayan was equally divided, to move for a reconsideration of such a vote, at the same or next succeeding regular meeting of the Sangguniang Bayan. A motion to reconsider having been lost shall not be again in order.

Section 12. Members may file protest against Sangguniang Bayan action.- Any member shall have the reasons for his dissent from or protest against, any action of Sangguniang Bayan, entered in the minutes.

Section 13. Claims against Municipality. -No account or other demand against the Municipality shall be allowed until the account or demand has been considered and reported by a committee of the Sangguniang Bayan. In no case shall such claims be allowed on the day in which it is presented.

RULE VIII - DECORUM

Section 1. Presiding Officer to preserve order. - The Chair shall preserve decorum; and if any member transgresses the rules of the Sangguniang Bayan, the presiding officer shall, or any member may, call the offending member to order, in which case, the member called to order shall immediately sit down and be silent unless permitted to explain, and the Sangguniang Bayan, if appealed to, shall decide the matter.

Section 2. Only Members allowed on Sangguniang Bayan Floor.

No person, except the members of the Sangguniang Bayan, shall be allowed to come within the bar during the session, without the permission of the majority of the Sangguniang Bayan Members.

Section 3. Avoidance of Improper Language. During debates, a member shall confine himself to the question before the Sangguniang Bayan, and shall avoid personalities, or the use of offensive, abusive, or proper language.

Section 4. Manner of addressing another member. - In referring to another member, the latter shall always be referred to as "COUNCILOR" or as "the member who spoke last".

Section 5. How Floor is properly obtained. - In obtaining the floor, a member shall raise his/her hands and when recognized shall address the Presiding Officer as "Hon. Chairman". The member can do only if nobody has the floor.

When two or more members raise their hands at the same time, the member whose name is first called by the Presiding Officer shall be entitled to the floor.

Section 6. Striking out of objectionable words. - When a member of the Sangguniang Bayan is called to order for employing improper words while he has the floor, any other member may ask that the objectionable words be read for the information of the Sangguniang Bayan, and the same may be ordered stricken out if this is so approved by the body. The member who made the objectionable utterance shall not, however, be hold to answer to, not be subjected to consure by, business intervenes.

RULE IX - M O T I O N S

Section 1. When motion deemed in the possession of the Sangguniang Bayan. - When a motion is made and seconded, it shall be deemed to be in the possession of the Sangguniang Bayan, and shall be stated by the Chair or, being in writing, shall be delivered to the Secretary and read by him previous to debate. After a motion is stated by the Chair or read by the Secretary, it shall not be withdrawn except by consent of the Sangguniang Bayan.

Section 2. Precedence of Motion. - When a question is before the Sangguniang Bayan, no motion shall be received except the following motions which shall have precedence in the order in which they appear below, to wit:

a) Adjourn
b) Recess
c) Question of Provilege
d) Lay on the table
e) Previous question
f) Limit debate
g) Postpone definitely
h) Refer to committee
i) Amend
j) Postpone Indefinitely

Section 3. Motion to adjourn always in order. - A motion to adjourn shall always be in order, unless the Sangguniang Bayan is engage in voting, and shall be decided without debate.

Section 4. Incidental motions. - The following incidental motions may also be considered during the pendency of a main motion, to wit:

a) Appeal
b) Point of order
c) Parliamentary and other inquiries
d) Withdrawal of a motion
e) Suspend rules
f) Object to consideration of question
g) Division of vote or house
h) Divison of a question

The above motions shall not be subject to debate. The motion to suspend the rules and object to the consideration of the question

shall be resolved by a two-thirds (2/3) vote of all the members of the Sangguniang Bayan.

Section 5. Privileged Motions. - The following motions, in the order of their priority, or privileged:

a) Motion to adjourn
b) Motion to recess
c) Question of privilege
d) Call for orders of the Day

The aforementioned motions take precedence over the main motions and the subsidiary and incident motions. They are undebatable and, except the motion to recess, cannot be the subject of amendments.

Questions relating to the right and privileges of the Sangguniang Bayan, or to any of its members, shall take precedence over all motions, except motions relating to adjournments and recess. These questions are of two kinds, to wit:

1. Those affecting the rights of the Sangguniang Bayan collectively, its safety, dignity, and the integrity of its proceedings; and

2. Those affecting the rights or reputation of the members of the Sangguniang Bayan individually or in their representative capacity only.

RULE X - PRIVILEGE SPEECHES AND UNFINISHED BUSINESS

Section 1. Privilege Speech. - After the consideration of the present business during any session, any member, with the permission of the Chairman, may deliver a privilege speech on any subject for not more than ten (10) minutes. If more than one member desire to speak, the Chairman shall apportion the time among them. No action shall be presented and/or entertained in connection with the subject touched upon in the privilege speech.

Section 2. Status unfinished business. - Unfinished business at the end of any session, regular or otherwise, shall not be affected by the closing of the session, but shall be taken up again at the next session in the name status in which it was at the close of the proceding session. This provision shall not apply to unfinished business at the expiration of the term of the members of the Sangguniang Bayan.

RULE XI - DISCIPLINE OF MEMBERS

Section 1. Failure to Observe Rules. - Any member of the Sangguniang Bayan who shall fail to observed the rules herein prescribed shall do declared and of order and may be compelled to take his seat if he has the floor.

Upon motion of any member, duly seconded, the Sangguniang Bayan may in case of refusal to abide by ruling of the Chairman, officially reprimand such erring member. The reprimand shall appear in the minutes of the session of the Sangguniang Bayan.

Section 2. Dereliction of Duty.- In case of dereliction of duty, as when a member refuses to attend the session of the Sangguniang Bayan, the same penalty of reprimand may be imposed. The Sangguniang Bayan, however, is not precluded imposing whatever additional repression it may deem proper to impose.

Section 3. Disorderly behavior. - The Sangguniang Bayan may punish its members for disorderly behavior, and, with the concurrence of two-thirds (2/3) of all members, may suspend a member for not more than sixty days. By the same vote, the Sangguniang Bayan may expel a member, subject to the approval of the President of the Philippines.

Section 4. Abandonment of Office. - The seat of a member of the Sangguniang Bayan who has not performed his duties for an unreasonable lenght of time without justification, us may be determined by the Sangguniang Bayan or who has not resumed his duties for six months after the expiration of his official leave of absence, without reasonable ground, may be declared vacant by a vote of two-thirds (2/3) of all members of the Sangguniang Bayan, subject to the approval of the President of the Philippines. The member concerned shall be exluded in computing the two-thirds (2/3) vote requirement prescribed in this session.

RULE XII - APPEARANCE OF DEPARTMENT HEADS AND WITNESSES

Section 1. Appearance by Summons. - Any Department Head or officer may be summoned by the Sangguniang Bayan to inform the latter on any matter pertaining to his department or office. The summons shall be issued upon a resolution passed by the Sangguniang Bayan to that effect. It shall stated concretely and specifically the questions desired, the date and the hour at which the information shall be given. At least three (3) days from receipt of the summons shall be allowed for the Head of Officer concerned to answer the questions put to him, unless the Sangguniang Bayan, for reasons of urgency, shall require, by affirmative votes of the majority of the members present, an immediate answer or a much shorter period.

The Dpartment Head or officer concerned shall appear and answer verbally or in writing the questions contained in the summons, unless the publication of the desired information is contrary to public interests.

Section 2. Voluntary Appearance. - Any Department Head or Officer who desires to be heard by the Sangguniang Bayan on any matter related to his department pending consideration in said body or in any of its committees, shall so advice its chairman in writing, and the latter shall set the date and hour for his appearance before the said Body or committee.

Section 3. Appearance for witness. - The Sangguniang Bayan may subpoena witness to appear and testify on any matter pending consideration or investigation by the legislative body or any of its committee.

Section 4. Allowance for witnesses. - Witnesses subpoenaed to appear before the Sangguniang Bayan or any of its committees, shall be entitled to a per diem for their appearance and to reimbursement of the actual and necessary travelling expenses as recommended by the committee on Finance and approved by the Chairman of the Sangguniang Bayan.

Section 5. Contempt. - Any person summoned or subpoenaed to appear before the Sangguniang Bayan who fails, without justifiable cause to do so, may be cited in comtempt upon motion approved by a majority of the members of the Sangguniang Bayan.

RULE XIII - RECORDS OF THE SANGGUNIANG BAYAN.

Section 1. Withdrawal of Documents. - No document shall be withdrawn or taken away from the archives of the Sangguniang Bayan, or of any of its committees, or the Office of the Secretary, without its permission. The motion to this effect shall not be debatable.

In case of urgent necessity which shall appear in the written request of any proper authority, the Chairman of the Sangguniang Bayan may authorize the withdrawal of the requested document, subject to the condition that it be properly receipted and signed and later returned without delay to the archives concerned.