

42

RESOLUTION NO. _____
(Series of 2026)

DECLARING ORDINANCE NO. 01 DATED FEBRUARY 10, 2026 OF THE MUNICIPALITY OF MADRID, THIS PROVINCE ENTITLED "AN ORDINANCE CREATING AND INSTITUTIONALIZING THE GENERAL SERVICES OFFICE (GSO) OF THE MUNICIPALITY OF MADRID, SURIGAO DEL SUR, WITH INITIAL FOCUS ON PURCHASING SUPPORT AND SUPPLY MANAGEMENT, AND FOR OTHER PURPOSES", INVALID FOR VIOLATION OF SECTION 325 (a) OF THE LOCAL GOVERNMENT CODE OF 1991

SPONSORS:

HON. HENRICH M. PIMENTEL, HON. GINES RICKY J. SAYAWAN, SR., HON. ANTONIO C. AZARCON, HON. MARGARITA G. GARAY, HON. RUEL D. MOMO, HON. JOSE DUMAGAN, JR., HON. VALERIO T. MONTESCLAROS, JR., HON. JOEY S. PAMA, HON. ANTHONY JOSEPH P. CAÑEDO, HON. RAUL K. SALAZAR, HON. MELANIE JOY M. GUNO, HON. JIMMY I. GUINSOD AND HON. YURI ART EUFY R. SANCHEZ

WHEREAS, Chapter 3, Article III, Section 468 Par. (a) No. 1 (i) of the Local Government Code of 1991 provides that, "the sangguniang panlalawigan shall review all ordinances approved by the sanggunians of component cities and municipalities and executive orders issued by the mayors of said component units to determine whether these are within the scope of the prescribed powers of the sanggunian and of the mayor";

WHEREAS, Ordinance No. 01 dated February 10, 2026 of the Municipality of Madrid, this Province entitled "An Ordinance Creating and Institutionalizing the General Services Office (GSO) of the Municipality of Madrid, Surigao del Sur, with Initial Focus on Purchasing Support and Supply Management, and for Other Purposes", was submitted to this Body for review and same was referred to the Committee on Good Government, Public Ethics and Accountability, for appropriate action and was indorsed the Provincial Finance Committee (PFC) and to the Provincial Human Resource Management Office (PHRMO), for technical review;

WHEREAS, the Provincial Finance Committee (PFC) in its letter dated February 27, 2026 informed the Body that the above-mentioned Ordinance is within the scope of the prescribed powers of the Sanggunian Bayan concerned pursuant to Section 447 of R.A. 7160 (Local Government Code of 1991) and in accordance with Section 305 of the Code which shall provide fundamental principle governing local government budgeting, financial management, accountability and fiscal administration. However, during the initial review of the FY 2025 General Fund Annual Budget, the LGU **HAS EXCEEDED** its Personal Services limitation of P4,671,616.28;

WHEREAS, Mr. Ace R. Orcullo, MPA, CHRA, Provincial Human Resource Management Officer, this Province in his letter dated March 04, 2026 upon perusal of the subject Ordinance, informed the August Body that the said Ordinance is in accordance with the provisions of Section 3 of CSC MC No. 12, Series of 2022. However, the LGU shall present the Organizational Structure and Staffing Pattern as well as the Description of the Office Structure including the Positions and its Qualification Standards (QS);

WHEREAS, after a careful deliberation on the matter, the Committee on Good Government, Public Ethics and Accountability, to which the matter was referred to, during its Committee Meeting on March 24, 2026 recommended to declare Ordinance No. 01 dated February 10, 2026 of the Municipality of Madrid, this Province, invalid for violation of Section 325 (a) of Local Government Code of 1991 and shall adhere to the corresponding observations/findings by the Provincial Human Resource Management Officer, this Province;

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WHEREAS, in view of the foregoing and on motion of _____ and duly seconded by _____;

NOW THEREFORE

BE IT RESOLVED by the Sangguniang Panlalawigan of Surigao del Sur to declare Ordinance No. 01 dated February 10, 2026 of the Municipality of Madrid, this Province entitled "An Ordinance Creating and Institutionalizing the General Services Office (GSO) of the Municipality of Madrid, Surigao del Sur, with Initial Focus on Purchasing Support and Supply Management, and for Other Purposes", invalid for violation of Section 325 (a) of the Local Government Code of 1991.

RESOLVED FINALLY: To furnish copies of this Resolution to Hon. Juan Paolo L. Lopez, Municipal Mayor and to the Sangguniang Bayan thru Hon. Glenn F. Teves, Municipal Vice Mayor/Presiding Officer, all of the Municipality of Madrid, this Province, for their information, guidance and appropriate action.

ADOPTED this 31st day of March, 2026 at the City of Tandag, Province of Surigao del Sur by unanimous votes of all the Sangguniang Panlalawigan Members present.

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I HEREBY CERTIFY to the correctness of the foregoing Resolution.

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