DRAFT VPN
January 30, 2025

**RESOLUTION NO. -25**
(Series of 2025)

**FOR SECOND READING #**
126TH Regular Session
February 4, 2025
Tandag City
5

**DECLARING APPROPRIATION ORDINANCE NO. 05 DATED NOVEMBER 26, 2024 (GENERAL FUND ANNUAL BUDGET AND ECONOMIC ENTERPRISE FY 2025) OF THE MUNICIPALITY OF CARMEN, THIS PROVINCE OPERATIVE SUBJECT TO SOME CONDITIONS**

**SPONSORS:**

**HON. GINES RICKY J. SAYAWAN, SR., HON. ANTONIO C. AZARCON, HON. ANTHONY JOSEPH P. CAÑEDO, HON. CONRAD C. CEJOCO, HON. AMADO M. LAYNO, JR., HON. VALERIO T. MONTESCLAROS, JR., HON. MARGARITA G. GARAY, HON. RAUL K. SALAZAR, HON. JOHN PAUL C. PIMENTEL AND HON. YURI ART EUFY R. SANCHEZ**

**WHEREAS**, pursuant to Chapter 3, Article 1, Section 327 of the Local Government Code of 1991, the Sangguniang Panlalawigan is mandated to review ordinances authorizing annual or supplemental appropriations of component cities and municipalities in the same manner and within same period prescribed for the review of other ordinances;

**WHEREAS,** Appropriation Ordinance No. 05 dated November 26, 2024 of the Municipality of Carmen, this Province authorizing its General Fund Annual Budget and Economic Enterprise FY 2025 involving an appropriation in the amount of One Hundred Forty Eight Million Six Hundred Forty Thousand Six Hundred Fifty Four Pesos (₱148,640,654.00), was submitted to this Body for review and same was referred to the Committee on Finance and Appropriation, for appropriate action and was subsequently endorsed to the Provincial Finance Committee, for technical review;

**WHEREAS,** the Provincial Finance Committee, in its review letter dated January 7, 2025 returned Appropriation Ordinance No. 05 dated November 26, 2024 of the Municipality of Carmen, this Province, with the information that the same shall be declared operative and after a thorough review of the provisions embodied in the Ordinance by the Committee to which the matter was referred to, it was found out that it has substantially complied with the provisions of the Local Government Code of 1991 and its Implementing Rules and Regulations, except for the following findings, viz:

1. the items of appropriations for the proposed salary rate in the Plantilla of LGU personnel is determined to be in adoption with the pertinent provision of R.A. No. 11964 and BLGF MC No. 020-2024 dated December 9, 2024;

2. the Statement of Indebtedness did not properly append in the Appropriation Ordinance No. 05 as an integral part under Section 1;

3. the Appropriation for long-term debt has exceeded by ₱555,833.34 as determined hereunder:

| | |
|---|---|
| Appropriation – This Budget FY 2025 | ₱3,067,500.00 |
| Less: Amount due for the year FY 2025 | ₱2,511,666.66 |
| **Excess Appropriation .....** | **₱ 555,833.34** |

4. there are some items of appropriation possess the character of infraction to the provision cited under Section 305(i) of R.A. 7160;

4.1 the Descriptive Title/Titles of Programs, Activities and Projects (P/A/P is different and/or not among those presented in the AIP.

4.2 the allocated budget for Program, Activity and Project is higher than the budgetary requirement reflected in the AIP.

4.3 some PPA's have no AIP Code reflected in the Appropriation Ordinance.

4.4 there are inconsistencies in the presentation of Expense Class between Program, Project and Activities (PPAs) under Section 3.1 of the Appropriation Ordinance and PPAs found the Annual Investment Program (AIP) of the following offices, viz:

| As Presented in the AIP | As Presented in the AO |
|---|---|
| Mayor's Office:<br><br>Improvement/repair/maintenance of PNP Station Facilities<br>Capital Outlay – ₱400,000.00 | <br><br><br>MOOE – ₱400,000.00 |
| Mun. Agriculture Office<br>- Procurement of Laboratory Equipment for Abaca, Lakatan Tissue Culture Lab<br>Capital Outlay – ₱1,000,000.00 | <br><br><br>MOOE – ₱1,000,000.00 |

**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 Appropriation Ordinance No. 05 dated November 26, 2024 (General Fund Annual Budget and Economic Enterprise FY 2025) of the Municipality of Carmen, this Province operative, subject to the following conditions, to wit:

1. in the implementation of the said proposed salary rate, the LGU shall adhere with the salary schedule prescribed in Annex "A-6" and A-1" 9for health employees) of Local Budget Circular No. 160 dated August 12, 2024;

2. the LGU shall adopt the prescribed format in preparing the Appropriation Ordinance to conform what is emphasized in the BOM for LGUs, 2023 Edition. To remind the LGU to properly append the therein documents as an integral part of the AO to strictly observed what is mandated in the manual;

3. the LGU shall make a re-programming (since part of the excess appropriation therein determined was source out from the 20% Development Fund) and/or re-appropriation for development projects that would qualify for funding out the excess 20% Development Fund to conform with Section 287 of R.A. 7160;

4. the LGU shall reconcile on the subject appropriations to conform/align with its object of expenditures or in the general classification of expenditures;

   It is therefore necessary that the classification of expenditures in the AIP shall be consistent as to those presented in the AO in compliance with the provisions of LBC 152 covering the BOM for LGU's 2023 Edition and in Section 305(i) of R.A. 7160, which states that "local budgets shall operationalize approved local development plans;

5. in all cases the appropriation authorized herein shall be used in conformity with Section 305 of R.A. 7160 and shall be subject to availability of funds, accounting and auditing rules and regulations;

6. it is understood that this review action does not authorize any of those undermined/undetermined items of appropriation that is specifically prohibited by or inconsistent with the provision of law; and

7. compliance and adherence with all existing laws, rules and regulations shall be the responsibility of the implementing Officials of the Municipality of Carmen, this Province.

**RESOLVED FURTHER**: To require the Municipality of Carmen to comply with the posting requirements under Section 59 of the Local Government Code of 1991 and the herein recommendations and to notify this Body of the actions taken thereon.

**RESOLVED FURTHERMORE**: To inform the Municipality of Carmen that the review action does not authorize any item/s of appropriation that is specifically prohibited by or inconsistent with the provisions of the law.

**RESOLVED FINALLY:** To furnish copies of this Resolution to the Provincial Budget Officer and the Provincial Auditor, both of this Province, to Hon. Jane V. Plaza, Municipal Mayor, to the Sangguniang Bayan thru Hon. Harvey S. Manawatao, Municipal Vice Mayor/Presiding Officer, the Municipal Budget Officer, the Municipal Treasurer and the Municipal Accountant, all of the Municipality of Carmen, this Province, for their information and guidance.

**ADOPTED** this 4th day of February, 2025 at the City of Tandag, Province of Surigao del Sur by unanimous votes of all Sangguniang Panlalawigan Members present.

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