

September 23, 2010

HON. MIGUEL MA. TRINIDAD MARTINEZ
Vice Mayor
Municipal Hall
San Remigio, Cebu

Dear Vice Mayor Martinez:

This has reference to your letter dated August 20, 2010, requesting legal opinion on the designation of the duly appointed Personnel Officer as the Sanggunian Bayan Secretary to perform the duties and functions of the office notwithstanding the incumbency of a duly appointed sanggunian bayan secretary who reportedly lost the trust and confidence of the 2007-2010 sangguniang bayan.

Please be advised that we have forwarded the matter to the Civil Service Commission for reply considering it concerns civil rules and regulations. As regards the query on whether or not resolutions passed by the sangguniang bayan have to be submitted to the Mayor for approval, only resolutions approving the local development plan and annual investment program have to be submitted to the Mayor for approval. However, as a matter of courtesy, most sanggunians would submit to the Mayor or Governor for approval resolutions they have passed.

Truly yours,

PEDRO A. NOVAL, JR.
Regional Director