

February 18, 2009

HON. HARRY JOE S. REPUNTE &
HON. JOYCE RALE ROBIN
Sangguniang Barangay Members
Hipodromo Barangay Hall
Cebu City

Dear Kagawad Repunte & Kagawad Robin:

This reference to your letter dated February 03, 2009, requesting enlightenment on sanggunian committees, among other concerns.

In reply thereto, please be advised that the creation of sanggunian committees including the determination of the jurisdiction of each committee and the chairmanship thereof are within the prerogative of the sanggunian to do so. This is being conferred upon by the explicit provision of Section 50(b)(1) of the Local Government Code (RA 7160). Please take note of the keywords “prerogative of the sanggunian”, referring to the collegial body and not just to the will of the presiding officer or a particular member. In the absence of an applicable provision in the body’s internal rules of procedure, the accepted rules of parliamentary procedure may apply in suppletory character. But it may not be amiss to state that internal rules of procedure may be waived, disregarded or suspended by the **deliberative body** (Romulo vs. Yñiguez, L-71908, February 04, 1986).

As regards minutes of sanggunian sessions, our Department does **not** have any issuance providing guidelines in the taking thereof. Minutes should reflect the discussions and decisions reached by a deliberative body such as the sanggunian. Taking of the minutes of sanggunian sessions is among the duties and responsibilities of the barangay secretary. It is not for the barangay secretary to decide what to include in the minutes. He/she does not have any participation in the sanggunian sessions except to take down the minutes.

Truly yours,

PEDRO A. NOVAL, JR.
Regional Director

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