

September 14, 2010

MS. FERLIZA C. CONTRATISTA
630 Burgos Street
Poblacion, Talisay City
6045 Cebu

Dear Ms. Contratista:

This has reference to your two letters dated September 07, 2010, on the actions of Gov. Gwendolyn F. Garcia on your appointment as Administrative Officer IV of the Office of the Vice Governor and on the publication of the sangguniang panlalawigan, The Legislative Gavel.

Please be advised that our Department does not have the authority to pass upon the validity of official acts of local government functionaries since they are accorded with the presumption of regularity. Nevertheless, you can still be guided by previous DILG legal opinions and Supreme Court ruling which you quoted in your letter that “the appointing power of the Vice Governor is limited to those employees of the sangguniang panlalawigan, as well as of those of the Vice Governor, whose salaries are paid out of the funds appropriated for the sangguniang panlalawigan”. On this regard, it is suggested that you seek assistance from the Office of the Ombudsman (Visayas) on your predicament.

Truly yours,

PEDRO A. NOVAL, JR.
Regional Director