

**BASIC : LETTER DATED APRIL 18, 2006, FROM MS. JEAN TARIGA,  
MUNICIPAL ACCOUNTANT OF SAGBAYAN, BOHOL.**

**3<sup>rd</sup> Indorsement**

May 3, 2006

Respectfully returned to Ms. Rustica N. Mascariñas, Provincial Director, DILG Bohol Provincial Office, the herein basic communication from Ms. Jean Tariga, Municipal Accountant of Sagbayan, Bohol, requesting for requesting for legal opinion on whether or not a punong barangay could use local funds to purchase a firearm.

It is our considered view that the barangay through its punong baranga has the authority to purchase the firearm using its local funds as there is no prohibition provided in the Local Government Code of 1991n or in any other related laws. Local government units are vested with vast powers and authority. It can exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental of its efficient and effective governance (Sec. 16, LGC 1991).

It is expressly provided in the Local Government Code of 1991 that in the performance of his peace and order functions, the punong barangay is entitled to possess and carry firearm within his territorial jurisdiction subject to appropriate rules and regulations [Sec. 389(c)]. The authority to purchase said firearm is necessarily implied from such provision of the law, applying the rule laid down in Section 16.

**RENE K. BURDEOS**  
Regional Director

.cc : Atty. G. J. Emeterio S. Moreno, Jr.  
Director, Legal Service  
DILG Central Office

.ord /legal

