

July 29, 2010

HON. SISINIO M. ANDALES
Member
Sangguniang Panlungsod of Cebu
City Hall
Cebu City

Dear Councilor Andales:

This has reference to your letter dated July 26, 2010, requesting for legal opinion on the nature of the Liga ng mga Barangay, whether or not it is a government organization.

In reply thereto, please be advised that the Liga ng mga Barangay is a government organization considering its governmental purpose, functions and fund sources (DILG Legal Opinion No. 71-1997; DOJ Opinion No. 41-1995).

Perusal of Sections 491 and 492 of the Local Government Code of 1991 would reveal that the liga ng mga barangay is infused with a purpose which is governmental in nature. It exercises governmental powers, functions and duties. Any position in the liga would qualify as a public office or position because one important element of the same is that it must possess some sovereign functions of government to be exercised for public interest. The principal aim of the liga ng mga barangay is to promote the development of barangays and secure the general welfare of their inhabitants. All other powers and duties vested upon the liga are ancillary to this main purpose (DILG Legal Opinion No. 71, June 25, 1997).

Truly yours,

PEDRO A. NOVAL, JR.
Regional Director