

BASIC : LETTER DATED JUNE 30, 2010, FROM ABC PRESIDENT FELIJUR QUIÑO OF COMPOSTELA, CEBU

2nd Indorsement

July 2, 2010

Respectfully returned to Ms. Edna Vicoy, OIC-Provincial Director, DILG Cebu Provincial Office, the herein basic communication from ABC President Felijur Quiño of Compostela, Cebu requesting legal opinion from your end on the legality of his assumption as OIC/Acting Mayor of Compostela.

It is surprising that ABC President Quiño is seeking your opinion on the matter when he informed this level in his letter dated June 29, 2010, the day before he wrote you for herein request, that he has assumed as OIC/Acting Mayor of Compostela. Correspondingly, he was informed under this level's letter dated July 02, 2010, that his assumption as OIC/Acting Mayor of Compostela has no legal basis with the added information that the reason cited for his assumption was misplaced. The ABC President nor the SK Federation President are not included in the order of succession as provided in Sections 44, 45, & 46 of the Local Government Code of 1991. In the event there are no proclaimed winners in an election or there is failure of election, it is the President of the Republic of the Philippines who may designate an Officer-in-Charge of the affected local government unit in the exercise of his residual powers. Consequently, ABC President Felijur Quiño was advised to cease and desist from assuming as OIC/Acting Mayor of Compostela.

PEDRO A. NOVAL, JR.
Regional Director

