

December 11, 2007

HON. LORENZO M. BASAMOT  
Punong Barangay  
Kamputhaw Barangay Hall  
Cebu City

Dear Punong Barangay Basamot:

This has reference to your letter dated November 23, 2007, on the appointment of barangay personnel and members of the lupong tagapamayapa and their term of office.

In reply thereto, we would like to point out at the onset that as a re-elected Punong Barangay in the last October 29 election, you are starting a new term of office. As provided in DILG Memorandum Circular No. 2002-150 dated September 18, 2002, the previous and present terms of office of punong barangays are separate and distinct from each other. Corollary thereto, the appointment of barangay secretary, barangay treasurer and other barangay appointive officials are co-terminous with the appointing authority (CSC Opinion dated July 28, 1998), such that upon the expiration of the term of office of the punong barangay, the term of office of the barangay secretary, barangay treasurer and other appointive barangay personnel likewise expired. Accordingly, reappointment of incumbent barangay secretary, barangay treasurer and other barangay personnel or an appointment of new secretary or treasurer is necessary, which shall be done in accordance with the process provided in the Local Government Code of 1991.

As regards the appointment and term of office of the members of the lupong tagapamayapa, the law provides that the Punong Barangay shall determine within fifteen (15) days from the start of his term of office the actual number that will constitute the lupon, prepare the notice to constitute the lupon that will include the names of proposed members. Again, since you are starting a new term, you are bound to adhere to the aforesaid provision.

Truly yours,

PEDRO A. NOVAL, JR.  
Regional Director

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