



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
Old Capitol Building, Bacolod City
Tel. No. 707-8075 (Admin) * 435-7698 (Board Member) * 709-0121 (Legislative Division)
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD ON THE 12TH DAY OF NOVEMBER 2024

PRESENT:

Hon. Manuel Frederick O. Ko	Acting Vice-Governor/Presiding Officer Pro-Tempore
Hon. Rommel T. Debulgado	Member - 1 st District
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Samson C. Mirhan	Member - 2 nd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Valentino Miguel J. Alonso	Member - 6 th District
Hon. Richard Julius L. Sablan	Member - ABC Rep.
Hon. Mayvelyn L. Madrid	Member - SK Rep.

ON OFFICIAL BUSINESS:

Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Julius Martin D. Asistio	Member - PCL Rep.

ON ACTING CAPACITY AS GOVERNOR:

Hon. Jeffrey P. Ferrer	Vice-Governor
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RESOLUTION NO. 1300
Series of 2024

RESOLUTION DECLARING CITY ORDINANCE NO. 2024-013 OF THE CITY OF LA CARLOTA, NEGROS OCCIDENTAL INSTITUTIONALIZING THE ESTABLISHMENT OF BARANGAY VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (VAWC) DESK IN THE 14 BARANGAYS OF THE CITY OF LA CARLOTA AND PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES AS A VALID ENACTED ORDINANCE

WHEREAS, Section 56 of the Local Government Code of 1991 expresses the reviewing power of the Sangguniang Panlalawigan on Component City and Municipal Ordinances and Resolutions declaring the Ordinance and Resolution valid if it is consistent with the law or invalid in whole or in part if the Sangguniang Panlalawigan finds the Ordinance or Resolution to be beyond the power conferred upon the Sangguniang Panlungsod or Sangguniang Bayan concerned;

WHEREAS, Ordinance No. 2024-013 of the City of La Carlota institutionalizing the establishment of Barangay VAWC Desk in the 14 barangays of the City of La Carlota and providing funds therefor and for other purposes, was submitted for review by the City of La Carlota to the Sangguniang Panlalawigan of Negros Occidental;

WHEREAS, after prompt examination by the Provincial Legal Office, it is the recommendation of the said office that the subject Ordinance is within the conferred power of the Sangguniang Panlungsod of La Carlota to enact, thus the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the subject Ordinance finds legal basis under the Local Government Code, to wit:

Pursuant to Section 16 of the Local Government Code of 1991 (R.A. 7160), "every local

[Handwritten signatures]



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government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare."

"Section 458 (a) The sangguniang panlungsod as the legislative body of the city, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants pursuant to Section 16 of this Code xxx."

The key to the promotion of the general welfare or the common good is the provision of basic services as stated under Section 17 (b)(4) of R.A. 7160, thus:

"Section 17. Basic Services and Facilities – xxx. Local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities xxx."

(b) Such basic services and facilities include but are not limited to, the following:

(4) For a City:

"Social welfare services which include programs and projects on child and youth welfare, family and community welfare; xxx ((2)(iv) For a municipal in suppletory application) (underlining/emphasis supplied)."

WHEREAS, various laws, rules, and issuance guarantee the entitlement of women and their children to protection and support, including Art. II, Section 14 of the 1987 Philippine Constitution, R.A. 9262, R.A. 9710, Section 12D Rule IV of the Magna Carta IRR, and Joint Memorandum Circular No. 2010-2. These provisions explicitly mandate that the best interests of women and children should be given paramount consideration. Accordingly, the subject ordinance was enacted in alignment with DILG Memorandum Circular 2012-61;

WHEREAS, the ordinance complies with the six (6) generally accepted principles for a valid ordinance, as adopted by the Sangguniang Panlalawigan of Negros Occidental, which are:

1. It must not contravene the Constitution or any statute.
2. It must not be unfair or oppressive.
3. It must not be partial or discriminatory.
4. It must not prohibit but may regulate trade.
5. It must be general and consistent with public policy.
6. It must not be unreasonable.

WHEREAS, the reviewing authority of the Sangguniang Panlalawigan finds no irregularity that follow thereto as a result of the thorough scrutiny of the Provincial Legal Officer;

NOW THEREFORE, premises considered, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr. duly seconded by all members present during the regular session of the Sangguniang Panlalawigan of Negros Occidental,

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to pass and approve this resolution, to wit:



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ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

HON. SAMSON C. MIRHAN
Temporary Presiding Officer

ATTESTED:

ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary

NOTE: The Presiding Officer Pro-Tempore, Hon. Manuel Frederick O. Ko relinquished the chair to the Temporary Presiding Officer, Hon. Samson C. Mirhan.