



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 16TH DAY OF SEPTEMBER 2025

PRESENT:

Hon. Jose Benito A. Alonso
Hon. Laurence Marxlen J. de la Cruz
Hon. Araceli T. Somosa
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.
Hon. Arthur Christopher D. Marañon
Hon. Hope Marey B. Depasucat
Hon. Andrew Gerard L. Montelibano
Hon. Patricia Paula M. Alonso-Valderrama
Hon. Nicholas M. Yulo
Hon. Rita Angela S. Gatuslao
Hon. Genaro G. Alvarez, IV
Hon. Richard Julius L. Sablan
Hon. Mayvelyn L. Madrid

Vice-Governor/Presiding Officer
Member - 1st District
Member - 1st District
Member - 2nd District
Member - 2nd District
Member - 3rd District
Member - 3rd District
Member - 4th District
Member - 4th District
Member - 5th District
Member - 6th District
Member - ABC Rep
Member - SKF Rep.

ON OFFICIAL BUSINESS:

Hon. Hadji P. Trojillo
Hon. Jeffrey T. Tubola
Hon. Julius Martin D. Asistio

Member - 5th District
Member - 6th District
Member - PCL Rep.



RESOLUTION NO. 0966
Series of 2025

RESOLUTION DECLARING CITY ORDINANCE NO. 2025-02 OF THE CITY OF HIMAMAYLAN, NEGROS OCCIDENTAL, INSTITUTIONALIZING TRANSPARENCY MECHANISMS IN THE UTILIZATION OF THE SPECIAL EDUCATION FUND (SEF) OF THE CITY OF HIMAMAYLAN, 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 or 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, City Ordinance No. 2025-02 of the City of Himamaylan, entitled: "AN ORDINANCE INSTITUTIONALIZING TRANSPARENCY MECHANISMS IN THE UTILIZATION OF THE SPECIAL EDUCATION FUND (SEF) OF THE CITY OF HIMAMAYLAN" was submitted for review by the City of Himamaylan 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 Himamaylan to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;



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(Page 2 of SP Resolution No. 0966, Series of 2025)

WHEREAS, the subject ordinance finds legal basis in Section 16 of Republic Act No. 7160 which authorizes LGUs to enact measures promoting the general welfare. Transparency in the utilization of the Special Education Fund (SEF) aligns with this mandate by ensuring accountability and safeguarding the people's right to information on matters of public concern;

WHEREAS, under Section 98 of RA 7160, the Local School Board is created precisely to determine the allocation of SEF resources, while Section 272 of the same law earmarks one percent (1%) of the real property tax (RPT) for the SEF. Thus, transparency mechanisms enhance the statutory safeguards ensuring that these funds are properly monitored and utilized for their intended purpose;

WHEREAS, as to its effectivity, however, the ordinance merely provides that it shall "take effect as of the 3rd quarter of 2025." Pursuant to Section 59 of RA 7160, all ordinances must take effect only after posting in a bulletin board at the provincial capitol or city/municipal hall and in at least two (2) conspicuous places within the locality. The absence of a clear reference to posting or publication renders the effectivity clause incomplete;

WHEREAS, the Provincial Legal Office recommends approval of the said ordinance of the City of Himamaylan, subject to compliance with the posting and publication requirements under Section 59 of Republic Act No. 7160;

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, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr., unanimously seconded by all the members present,

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

RESOLUTION DECLARING CITY ORDINANCE NO. 2025-02 OF THE CITY OF HIMAMAYLAN, NEGROS OCCIDENTAL, INSTITUTIONALIZING TRANSPARENCY MECHANISMS IN THE UTILIZATION OF THE SPECIAL EDUCATION FUND (SEF) OF THE CITY OF HIMAMAYLAN, AS A VALID ENACTED ORDINANCE.

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.



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(Page 3 of SP Resolution No. 0966, Series of 2025)

CERTIFIED CORRECT:

HON. JOSE BENITO A. ALONSO
Vice-Governor

ATTESTED:

ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary.

*Copy for all concerned
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