

Republic of the Philippines
Province of Cebu
CITY OF NAGA



Excerpt from the minutes of the Regular Session of the Sangguniang Panlungsod of the City of Naga, Cebu held on September 27, 2017 at the Session Hall, Legislative Building, City of Naga, Cebu.

Present:

HON.OTHELLO M. CHIONG
HON.ALEXANDER R. LARA
HON. VIRGILIO M. CHIONG
HON. AURELIO B. ALINSONORIN
HON. DELFIN R. SEÑOR
HON. AFSHIN MARK K. SEÑOR
HON. CARMELINO N. CRUZ, JR
HON.RODRIGO A. NAVARRO
HON.PABLO A. ABANGAN
HON.LUZMINDA R. LAPITAN
HON. PORFERIO V. RESABA
HON. JUSTINO L. DAKAY

-Vice Mayor/Presiding Officer
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- Sangguniang Panlungsod Member
- ABC President



ORDINANCE NO. 2017- 020

Hon. Virgilio M. Chiong – Sponsor

SP Committee Chairman on Public Order and Safety

**AN ORDINANCE RE-ESTABLISHING AND STRENGTHENING THE PEOPLE’S
LAW ENFORCEMENT OF THE CITY OF NAGA, CEBU**

EXPLANATORY NOTE

Section 43 of Republic Act No. 6975 s. of 1990, otherwise known as the Department of the Interior and Local Government Act of 1990 provides for the creation of People’s Law Enforcement Boards (PLEBs) in every city/municipality to conduct hearing and adjudication of citizen’s complaints against uniformed members of the Philippine National Police (PNP) for offenses committed in their area of jurisdiction.

Republic Act No. 8551 s. of 1998, otherwise known as the “PNP Reform and Reorganization Act of 1998,” took effect amending among others, Section 43 of R.A. 6975 strengthening the PLEB.

For its part, the City Government of Naga, Cebu enacted SP Resolution No. 008-B-2013 s. of 2013, creating the PLEB. To further strengthen the establishment of the PLEB in the City of Naga, Cebu, the City Government deemed it necessary to enact an Ordinance to establish the same.

BE IT ORDAINED, as it is hereby ORDAINED by the Sangguniang Panlungsod of the City of Naga Cebu, in session assembled that:

SECTION 1. TITLE. This Ordinance shall be known as the “THE PEOPLE’S LAW ENFORCEMENT BOARD (PLEB) ORDINANCE.”

SECTION 2. ESTABLISHMENT. There shall be established one PLEB in the City of Naga, Cebu for every 500 police.

SECTION 3. COMPOSITION. Pursuant to Memorandum Circular No. 2002-010 of the National Police Commission (NAPOLCOM) otherwise known as the 2002 PLEB Revised Rules of Procedure, the PLEB stated in the immediately preceding section shall be composed of the following:

- a.) One member from the Sangguniang Panlungsod voted by the majority of all the members in a session made for this purpose.
- b.) One Barangay Captain chosen by the Association of Barangay Captains (Liga ng mga Barangay) supported with a valid Resolution / Recommendation signed by a majority of all the members.

- c.) Three (3) other members chosen by the Local Peace and Order Council, supported with a valid resolution/recommendation signed by a majority of the members, known for their probity and integrity, one of whom must be a woman, and another a member of the Bar or in the absence thereof, a college graduate or a principal of the Central Elementary School in the locality.

SECTION 4. FUNCTIONS, DUTIES AND RESPONSIBILITIES. The PLEB shall have the power to hear and adjudicate all citizen's complaints formally filed with, or referred to it, against any uniformed member of the PNP, and, if warranted, impose the corresponding penalty.

In the exercise of its functions, the PLEB, acting through its chairman, is empowered to administer oaths, summon witnesses, require the production of documents, records, books, or other things by a subpoena *duces tecum* and issue other processes as may be necessary.

SECTION 5. EXECUTIVE ORDER CONSTITUTING THE PLEB. Upon enactment of this Ordinance, a copy thereof shall immediately be submitted to the City Mayor who shall, within ten (10) days from receipt thereof, issue the appropriate executive order adopting and cause the implementation of the same.

SECTION 6. TERM OF OFFICE. The term of office of the member of the PLEB shall be for a period of three (3) years from the assumption of office. A member shall hold office until his successor shall have been chosen and qualified, unless such member is removed for cause or unfit to perform his duties and functions, or resigned.

The tenure of office of a PLEB member who has been designated as such by virtue of his election to the Sangguniang Panlungsod or his membership with the Association of Barangay Captains ends upon the expiration of his term of office as Sangguniang Panlungsod member or as Barangay Chairman. If re-elected, and subsequently re-designated to the PLEB, he must take a new oath of office.

SECTION 7. ELECTION OF PLEB CHAIRMAN. The Chairman of the PLEB shall be elected from among its members to be voted by a majority of all the members.

SECTION 8. COMPENSATION OF MEMBERS. Membership in the PLEB is a civic duty. However, PLEB members shall be paid *per diem* and shall be provided with life insurance coverage as may be determined by the Sangguniang Panlungsod from the city funds.

SECTION 9. BUDGET ALLOCATION. The budget of the PLEB for support of its maintenance and operation shall be provided in the yearly annual budget of the Local Government Unit.

SECTION 10. REPLACEMENT OF MEMBERS. Any member who resigned, or remove for cause or unable to perform a mandated duty shall be replaced by the incumbent City Mayor through executive order, which shall serve for the unexpired term.

SECTION 11. REORGANIZATION. The incumbent City Mayor shall by executive order, reorganize the PLEB when membership thereof has no longer have a majority by reason of inability, resignation, death or removal for cause of other members, which shall serve for the unexpired term.

SECTION 12. SELECTION OF MEMBERS IN REPLACEMENT/REORGANIZATION. The selection in the replacement of members under Section 10 and reorganization under Section 11 of this Ordinance shall be in accordance with the conditions provided in Section 4, hereof.

SECTION 13. APPOINTMENT OF MEMBERS. The PLEB members shall be appointed by the incumbent City Mayor within ten (10) days following the complete submission of the names of representatives of the sector concerned pursuant to the condition set forth in section 3 of this ordinance.

The incumbent City Mayor shall require the sectors concerned to submit the names of their representatives, to succeed the outgoing PLEB Members to be appointed as new PLEB Members.

SECTION 14. WHEN TO ELECT A CHAIRMAN. Within ten (10) days from the date of appointment or reorganization, the incumbent Mayor shall require the members to meet and elect the Chairman from among themselves.

SECTION 15. ELECTION PROCESS. In a meeting called for the purpose of electing chairman, any member may proceed to nominate and vote a temporary Presiding Officer for the election of a regular PLEB Chairman.

SECTION 16. FORMULATION OF IMPLEMENTING RULES AND REGULATION. Within one (1) month from the approval of this Ordinance and its constitution pursuant to Section 5 herein, the PLEB shall formulate and issue the appropriate rules and regulation necessary for the efficient and effective implementation of any and all provisions of this Ordinance, subject to existing laws on the matter.

SECTION 17. SEPARABILITY CLAUSE. If any provision of this Ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, the other provisions unaffected shall remain valid and subsisting.

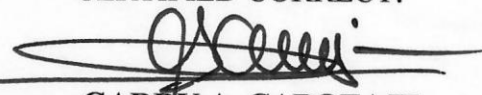
SECTION 18. REPEALING CLAUSE. All ordinances, resolutions, orders, issuances, rules, regulations, or parts thereof, which are inconsistent with any of the provisions of this Ordinance are hereby repealed accordingly.

SECTION 19. COPIES FURNISHED CLAUSE. Let copies of this Ordinance be furnished to all offices concerned for their formation, reference, guidance, and documentation.

SECTION 20. EFFECTIVITY. This Ordinance shall take effect immediately upon its approval in accordance with law.


UNANIMOUSLY APPROVED this 27th day of September 2017, on motion of Hon. Virgilio M. Chiong, seconded by Hon. Porferio V. Resaba, Jr.

CERTIFIED CORRECT:



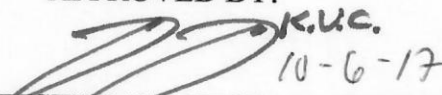
GARRY A. CABOTAJE
Secretary to the Sanggunian

ATTESTED BY:



OTHELLO M. CHIONG
Vice Mayor/Presiding Officer

APPROVED BY:



ATTY. KRISTINE VANESSA T. CHIONG
City Mayor