

possible time which should not be later than ninety (90) days from the approval of this Ordinance.

For the purpose of this ordinance, organizations belonging to the following sectors are defined as follows:

1. "Women organization." An organization whose members are women and are espousing women, gender and community concerns.

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2. "Labor organization." An Organization of industrial, service, educational, retail or transport laborers whose main concern is to protect and promote workers' rights and interests.
3. "Urban poor organization." An organization composed of heads of families that are without land, residents of Naga City, and with a gross monthly family income of not more than 15,000.00 pesos. This however shall not exclude urban poor beneficiaries who have been already awarded lands. Provided that their gross monthly family income is not more than 15,000.00 pesos. Provided further, that the person, who may be elected as sectoral representative, shall not lose her/his urban poor status by reason of salary or other benefits derived from her/his position.
4. "Indigenous cultural communities." Refers to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of

colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos.

5. "Organization of Persons with disabilities." Refers to group of persons suffering from restriction of different abilities as a result of mental, physical, or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being.
6. "Senior Citizen Organization." An aggrupation of residents of Naga City at least sixty (60) years old, including those who have retired from both government offices and private enterprises, and has an income of not more than Sixty thousand pesos (P60,000.00).

Section 4. Registration for LSR Election. - All organizations belonging to a particular sector as defined in Section 3 should apply for registration for purposes of participation in the LSR Election. For this purpose, the SP

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Committee on People Empowerment or Accreditation may adopt the guidelines for accreditation presently used by the sanggunian. However, should the committee deem it necessary to add further guidelines, it may do so within (30) days from the passage of this ordinance.

The registration shall run for a period of sixty (60) days counted from the posting of the notice for accreditation in the bulleting board of the City Hall and in two other conspicuous public places in Naga City. All organizations belonging to the three sectors mentioned which have been accredited earlier or have engaged the city in its programs shall also be notified via registered mail.

An organization, to qualify for registration/accreditation, should be a member of any sector as defined in the preceding section. The organization must have at least 25 active members. The

same organization should have been accredited by the City Government for a period of not less than two (2) consecutive years or must have been actively engaging the city for the past two years, prior to the passage of the ordinance, even if not accredited. In both instances, they should prove active involvement in addressing sectoral and/or community issues.

Section 5. Certified List of Registered Sectoral Organizations. - The SP shall, not later than sixty (60) days before election, prepare a certified list of sectoral organizations which have applied or manifested their desire to participate in the election of sectoral representatives to the Sanggunian Panlungsod.

Section 6. Constitution of the General Assembly of Each of the Sectors. - The sectors of Women, Labor and any of the following sectors: the urban poor, indigenous cultural communities, differently-abled persons, or other sector as may be determined by the Sangguniang Panglungsod shall have its own respective general assembly.

The General Assembly of each sector shall be composed of one representative from each of the accredited organizations belonging to each of the abovementioned sectors. For this reason, each organization shall elect one representative to form part of the sectoral general assembly, which election shall have been conducted no later than 15 days prior to the election of the sectoral representatives.

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The names of the representatives chosen by each of the organizations shall be personally submitted to the Committee on Elections at least 7 days prior to the elections of the Sectoral Representatives, personally furnishing a copy thereof to all other accredited organization belonging to the particular sector.

Section 7. Committee on Elections. - There is hereby constituted the LSR Committee on Elections composed of the following members:

- a. People's Council Chairperson as chair of the committee
- b. SP Member, Chair of Committee on People Empowerment or accreditation
- c. Representative from the Mayor's Office
- d. Representative from the City Legal Office
- e. Representative from the DILG

Section 8. Powers and Functions of the Committee on Elections.- The Committee on Elections shall supervise the conduct of the elections of the sectoral representatives. Pursuant thereto, it shall promulgate rules and regulations on the conduct of the elections. It shall also have the power to decide cases regarding disqualifications and protests. However, in the event that the COMELEC assumes jurisdiction, then proceedings of election shall be under its supervision. And should the COMELEC require funding for such conduct of elections, the Sangguniang Panlungsod shall provide such needed funds.

Decision of the Committee shall be appealable to the Sangguniang Panlungsod within 10 days from receipt of the decision. The Decision of the Sangguniang Panlungsod shall be final and executory.

Section 9. Election of Sectoral Representatives. - Only members of the sectoral general assembly shall be eligible to run as sectoral representative.

The General Assembly shall nominate from among themselves not less than 3 but not more than 5 candidates.

Section 10. Qualifications and disqualifications of Sectoral Candidates. - Any individual seeking election under this ordinance shall have the following qualifications and none of the disqualifications:

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- a. A Filipino citizen;
- b. Of legal age;
- c. A resident of Naga City for at least two years immediately preceding the day of the LSR election. However, the 3-year requirement as embodied in the Kaantabay sa Kauswagan Ordinance shall apply for the Urban Poor Sector.;
- d. A registered voter of Naga City, in the local or national elections immediately preceding her/his candidacy as sectoral representative;
- e. A bona-fide member of the registered sectoral organization for no less than two years immediately preceding the day of the LSR election;
- f. Able to read and write Filipino or any other local language or dialect;
- g. Endorsed in writing by her/his duly-accredited organization;
- h. Must not have been convicted of a crime involving moral turpitude or for an offense punishable by one (1) year or more imprisonment, within two years after serving sentence;
- i. Must not have been removed from office by final judgment in an administrative case;
- j. Must not have been convicted by final judgment for violating the oath of allegiance to the Republic;
- k. Must not have dual citizenship;
- l. Must not be a fugitive from justice in criminal or non-political cases here or abroad;
- m. Must not be a permanent resident in a foreign country or have acquired the right to reside abroad and continue to avail of the same right;
- n. Must not be affiliated with any political party, including party-list organization.
- o. Candidates whose wife or relative within the 4th civil degree of affinity or consanguinity is a candidate in any of the enumerated sectors, shall automatically be disqualified.

Provided further that persons with interlocking membership in several organizations, must first choose the organization she/he wishes to represent.

Thereafter, she/he shall be disqualified to run as candidate of any other organization.

Section 11. Schedule of Election. - The first election of the local sectoral representatives shall be made within 120 days from the date of effectivity of the ordinance.

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The succeeding elections shall be held on the first Wednesday of December preceding the scheduled local elections. However, the assumption to office shall be of the same time as the elective officials.

Section 12. Manner of Election. - The election of the representatives shall be held during a special sectoral general assembly duly called for that purpose.

During the assembly, the candidates shall be given the opportunity to address their respective sectors and to respond to specific concerns through a forum that shall be facilitated by the Election Committee.

After the Forum, the Committee on Elections shall officially declare the elections open. Elections shall be by secret ballot.

While members of the accredited organizations may attend the general assembly, only the official representative of the organization has the right to vote in the election.

The Elections proper shall be conducted from 2:00 o'clock until 3:00 o'clock in the afternoon, subject to extension as may be determined by the Committee on Elections.

The nominee receiving the highest number of valid votes cast by the sector shall be declared by the Committee on Elections as the winner and official representative of the sector.

Section 13. Non-Partisan Nature of Election. - No candidate may run for election under the banner of any political party, whether local or national, including party-list organizations.

Any complaint for violation of this provision may be lodged to the committee on election, furnishing a copy thereof to the respondent, who shall have a non-extendible period of 48 hours to file the answer. The committee shall then conduct its investigation, and hearing, if necessary. The committee shall decide the complaint within 5 days from receipt of the answer.

Violation of this provision is a ground for disqualification.

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Section 14. Term of Office. - The term of office of the elected sectoral representatives shall be co-terminus with the term of office of the regular members of the Sangguniang Panlungsod.

However, the representatives elected on the first election shall serve until the expiration of the term of incumbent councilors.

No sectoral representative shall serve for more than two (2) consecutive terms. Voluntary renunciation of the office for any length of time shall not be considered as an interruption in the continuity of service for the full term for which the sectoral representative concerned was elected.

Section 15. Vacancy. - In case of permanent vacancy due to any of the following: (a) resignation (b) death (c) disqualification, or (d) recall, there shall be a Special Election to be conducted following the same procedure for

regular election within a period of Sixty (60) days from vacancy.

Section 16. Rights, Privileges and Entitlements. - The LSR representatives shall be entitled to the same rights, salaries and statutory benefits accorded to a regular sanggunian member to take effect upon approval by DBM. In case the appropriation for salaries and benefits of the elected sectoral representatives and their staff is disapproved by the DBM, the elected sectoral representatives shall be paid per diem for each day of work they dedicate to the office.

Section 17. Duties and Functions.- In addition to the functions vested upon Sanggunian members under the Local Government Code, the elected Sectoral Representatives shall render a semestral report, conduct regular consultations with the sector she/he represents, and shall ensure that the issues and concerns of her/his sector are brought up before the Sanggunian. The sectoral representatives are obliged to advocate for the cause and interests of his/her sector.

Section 18. Amendment to the Sangguniang Panlungsod Rules and Procedures. - Upon election of the Representatives, the SP, within 30 days should amend the composition of the standing committees to include the new members of the council. Sectoral representatives shall

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automatically be members of the Sanggunian Committees for the Women, Labor or any of the following sectors: the urban poor, indigenous cultural communities, differently persons, or any other sector as may be determined by the Sangguniang Panglungsod.

Section 19. Sectoral Assembly Meetings. - The different accredited sectoral organizations shall compose the sectoral general assembly.

As such, the GA shall meet quarterly whereby the representative shall render a report to the sector on the accomplishments for the quarter. The meeting shall serve as an avenue for the members of the sectors to strategize and discuss pertinent issues.

During the first general assembly following the first sectoral election, the sector shall define its legislative agenda.

Section 20. Grounds for disciplinary actions.

Considering that the sectoral representatives are deemed to be regular members of the Sangguniang Panlungsod, they are bound by the same disciplinary standards as the regular members, subject to the same grounds, penalties and procedures embodied in sec. 60 of the R.A. 7160.

Section 21. Recall- Notwithstanding the disciplinary measures embodied in the preceding section, the sectoral representative may also be removed by the process of recall.

- a. The power of recall may be exercised by the sectoral general assembly.
- b. The grounds for recall are loss of confidence and/or performance of acts detrimental to the interest of the sector she/he belongs.
- c. 25% of the sectoral general assembly may call for a general assembly stating specifically that it is called for recall of the sectoral representative, stating the grounds for the same. Provided further that the 25% membership is supported by each of the organization they represent, evidenced by a board resolution to that effect.
- d. The said notice or call must state the date, time, and place of the assembly, which notice must be given at least three days before the scheduled date, personally furnishing a copy thereof to the person subject of recall.

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- e. During the general assembly, the proponents would be given 15 minutes to state their reason why they are pushing for the recall. Thereafter, the person subject of recall will be given the same period to rebut and disprove the allegations of the proponents. The absence without justifiable cause is deemed a waiver. Thereafter, voting by secret ballot shall be conducted which must not be less than two hours after the forum to give the GA members time to consult with his/her organization follow. A majority vote of all the members shall be sufficient to recall the sectoral representative. However, it is understood that the vote of the GA members is reflective of the vote of the organization as shown by a board resolution to that effect.
- f. The committee on elections shall be in charge of facilitating the process of recall, except if the Comelec assumes jurisdiction, in which case, the latter shall then manage and supervise the process of recall.
- g. Should the person subject of recall get the majority vote, she/he is deemed to have been vindicated and shall continue to hold office.
- h. It is further understood that Recall limitations imposed by LGC shall remain applicable.

Section 22. Rules and Regulations.- Should there be a need to promulgate rules and regulations to effectively carry out the purposes of this Ordinance, the Sanggunian shall form a seven-person committee which shall all be members of the SP but automatically include the three (3) sectoral representatives. Notwithstanding the absence of implementing rules and regulations, this Ordinance shall be rendered self-executory.

Section 23. Funding. - An annual appropriation in the amount of TWO MILLION SEVEN HUNDRED THOUSAND PESOS (P2.7M) shall be appropriated in the annual budget of the City in the calendar year 2008 and the amount of TWO MILLION TWO HUNDRED THOUSAND PESOS (P2.2M)for the succeeding years.

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Section 24. Separability Clause.- If, for any reason, any part or provision of this Ordinance is declared unconstitutional or illegal, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

Section 25. Repealing clause- Any ordinance or local executive order or memorandum or any provision thereof found inconsistent with this ordinance is deemed to have been repealed or amended accordingly.

Section 26. Effectivity. - This Ordinance shall take effect ten (10) days after publication in a local newspaper.

ENACTED: October 9, 2007

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

JOSE L. GRAGEDA
Secretary to the
Sangguniang Panlungsod

GABRIEL H. BORDADO, JR.
City Vice Mayor &
Presiding Officer

APPROVED:

JESSE M. ROBREDO
City Mayor