



Republic of the Philippines
City Government of Meycauayan
Province of Bulacan

Office of the Sangguniang Panlungsod

EXCERPT FROM THE MINUTES OF THE 6TH REGULAR SESSION IN THE YEAR 2023
OF THE 7TH SANGGUNIANG PANLUNGSOD OF THE CITY OF MEYCAUAYAN, BULACAN,
HELD AT THE SESSION HALL OF THE CITY HALL BUILDING ON FEBRUARY 21, 2023.

Present:

JOSEFINA O. VIOLAGO	City Vice Mayor (Presiding Officer)
MARIANO V. ALARILLA II	City Councilor
RONALD S. PALOMARES	City Councilor
RAOUL M. ATADERO	City Councilor
MARIO T. BERBOSO	City Councilor
DANILO B. ABACAN, JR.	City Councilor
LARISSA DS. ABRACERO-SAN DIEGO	City Councilor
WILFREDO DS. MACATULAD	City Councilor
ROVIELYN A. CABIGQUEZ	City Councilor
OLIVERT Y. DUVA	President, LnB
CRISANTO NIÑO D. CAPARAS	President, SK Federation

Absent:

ANNA KATHRINA M. HERNANDEZ	City Councilor
JERIMECO S. DULALIA	City Councilor

Also in attendance:

CATHERINE C. ABACAN	Acting Secretary to the Sanggunian
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CITY ORDINANCE NO. 345 (OF 2023)

***AN ORDINANCE INSTITUTIONALIZING THE PEOPLE'S LAW ENFORCEMENT BOARD,
PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES IN RELATION THERETO.***

WHEREAS, Article II Section 5 of the 1987 Philippine Constitution explicitly mandates "the maintenance of peace and order, the protection of life, liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.";

WHEREAS, Section 458 (a) (1) (6) of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", provides that:

"SECTION 458. Powers, Duties, Functions and Compensation. -

(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 and in the proper exercise of the corporate powers of the city as provided for under Section 22 of this Code, and shall:

(1) Approve ordinances and pass resolutions necessary for an efficient and effective city government, and in this connection, shall:

XXX

- (6) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.”;

WHEREAS, Republic Act No. 8551, also known as the “Philippine National Police Reform and Reorganization Act of 1998”, provides:

“SECTION 66. Paragraph (a), Section 43 of Republic Act No. 6975 is hereby amended to read as follows:

SEC. 43. People’s Law Enforcement Board (PLEB). - (a) Creation and Functions - The sangguniang panlungsod/bayan in every city and municipality shall create such number of People’s Law Enforcement Boards (PLEBs) as may be necessary; Provided, that there shall be at least one (1) PLEB for every five hundred (500) city or municipal police personnel and for each of the legislative districts in a city.”;

WHEREAS, there is a need to institutionalize the People’s Law Enforcement Board in the City of Meycauayan, to empower the people against abusive and erring policemen.

NOW, THEREFORE, be it **ORDAINED**, as it is hereby **ORDAINED**, by the Sangguniang Panlungsod of Meycauayan, Bulacan, in a Regular Session duly assembled, **THAT:**

SECTION 1. This Ordinance shall be known as the “**INSTITUTIONALIZATION OF THE PEOPLE’S LAW ENFORCEMENT BOARD (PLEB) OF THE CITY OF MEYCAUAYAN**”.

SECTION 2. FUNCTIONS, POWERS, AND DUTIES. The PLEB shall be the central receiving entity for any citizen’s complaint against uniformed members of the PNP. It has the power to hear and decide citizen’s complaints formally filed with, or referred to it, against any uniformed member of the PNP, and if warranted, impose the corresponding penalty.

The PLEB is empowered to issue Clearances or Certifications, indicating the pendency or non-pendency of an administrative case against any PNP member within its jurisdiction.

The members of the PLEB have the authority to administer oaths on matters connected with the performance of their duties.

The members of PLEB, in acting on all cases lodged in their office, shall adhere to all issuances of the NAPOLCOM, DILG, and such other offices related to their functions.

SECTION 3. OFFENSES UNDER THE JURISDICTION OF PLEB. The following are the offenses committed by a uniformed PNP member within the jurisdiction of the PLEB:

- a. **Neglect of Duty** - is the omission or refusal, without sufficient excuse, to perform an act or duty, which was the peace officer's legal obligation to perform, implies a duty as well as its breach and the fact can never be found in the absence of duty.
- b. **Irregularities in the Performance of Duty or Malfeasance** - is the improper performance of some act which might lawfully be done.
- c. **Misconduct or Malfeasance** - is any wrongful, improper or unlawful conduct motivated by premeditated, obstinate, or intentional purpose. It usually refers to transgression of some established and definite rule of action, where no discretion is left except where necessity may demand; it does not necessarily imply corruption or criminal intention.
- d. **Dishonesty** - is the concealment or distortion of truth in a matter of fact relevant to one's office or connected with the performance of his duties.
- e. **Conduct Unbecoming of a Police Officer** - any act or behavior of a police officer, irrespective of rank, done in his official or private capacity which, in dishonoring or disgracing himself as a police officer, seriously compromises his character and standing in the PNP in such a manner as to indicate vitiated or corrupt state of moral character which shows his unworthiness to remain in the police service.
- f. **Incompetence** - is ignorance or the material lack of adequate ability and fitness for the satisfactory performance of police duties. This refers to any physical, intellectual, psychological, and moral quality, the lack of which substantially incapacitates a person to perform the duties of a police officer.
- g. **Oppression** - imports an act of cruelty, severity, unlawful exaction, domination, or excessive use of authority. The exercise of unlawful powers or other means, in depriving an individual of his property or liberty against his will is generally an act of oppression.
- h. **Disloyalty to the Government** - consists of abandonment or renunciation of one's loyalty to the government of the Republic of the Philippines, or advocating the overthrow of the government, through overt or covert acts.

SECTION 4. COMPOSITION AND QUORUM. The PLEB shall be composed of the following:

- a. A city councilor chosen by the Sangguniang Panlungsod;
- b. A punong barangay chosen by the Liga ng mga Barangay;
- c. Three (3) other members who can be removed only for cause, chosen by the City Peace and Order Council from among the respected members of the community known for their probity and integrity, one (1) of whom must be a woman and another, a member of the Bar, or in the absence thereof, the principal of the central elementary school in the locality, or a college graduate.

The Chairman of the PLEB shall be elected from among its members.

Except as provided by this section or as may be provided by law, a public official or employee is disqualified for appointment or designation as members of the PLEB.

The Chairman or any member of the PLEB who is related to the complainant or respondent by affinity or consanguinity within the fourth civil degree shall be disqualified from participating in the proceeding and the case shall be tried by the remaining members: Provided, that there is a quorum.

The presence of three (3) members of the PLEB shall constitute a quorum; provided, that a vote of at least three (3) members shall be required in rendering a decision. If for any reason, the chairperson is absent or disqualified from participating in the hearing, the members, there being a quorum, shall elect from themselves a temporary chairperson to perform the duties of a chairperson.

SECTION 5. CONSTITUTION OF THE PLEB. The Sangguniang Panlungsod shall pass a resolution formally organizing the composition of the PLEB for the three-year term. A copy thereof shall immediately be submitted to the City Mayor who shall, within five (5) days from receipt of the same, issue the appropriate executive order adopting the said resolution. The NAPOLCOM Regional Office shall be furnished with the said executive order within ten (10) days from issuance.

SECTION 6. OATH OF OFFICE. Before assuming the duties of their office, the chairman and members of the PLEB shall take the oath or affirmation before the City Mayor, a copy of which shall be filed with the office of the National Police Commission in the region where the PLEB is situated. The oath shall read:

"I, _____, do solemnly swear/affirm that I will faithfully and conscientiously discharge my duties as Chairman/Member of the People's Law Enforcement Board in the City/Municipality of _____; that I will perform the duties imposed upon me in accordance with the pertinent provisions of law and the rules and regulations promulgated pursuant thereto; that having in view the best interest of the police service, I will administer justice without partiality, favor or affection; That I will keep the deliberations of the Board with strictest secrecy and confidence; and that I impose these obligations upon myself voluntarily, without mental reservation or purpose of evasion. SO HELP ME GOD."

SECTION 7. TERM OF OFFICE. The term of office of the members of the PLEB shall be for a period of three (3) years from assumption of office. Such member shall hold office until his successor shall have been chosen and qualified.

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 Liga ng mga Barangay ends upon the expiration of his term as Sangguniang Panlungsod member or as Punong Barangay. If reelected, and subsequently re-designated to the PLEB, he must take a new oath of office.

Members removed for cause or by non-election shall be replaced by newly-designated members, who shall serve the remaining period of the term.

SECTION 8. SECRETARIAT. The PLEB Secretariat Head shall be a holder of a plantilla position, and has a Bachelor's Degree. There shall be two (2) administrative support staff of the secretariat, who shall assist in the conduct of the meeting and implementation of the board's decisions and projects.

SECTION 9. MEETINGS AND AGENDA. There shall be a maximum of four (4) meetings of PLEB per month.

PLEB Meetings shall be limited to the following:

- a. Inventory of pending cases in the PLEB;
- b. Evaluation, hearing, and decision on cases;
- c. Assessment of PLEB performance and discussion of issues and concerns and possible solutions;
- d. Information and education campaigns to be conducted to raise awareness on the PLEB;
- e. Updating of records for ready issuance of certification of no pending case for police officers requesting such requirement for whatever legal purposes it may serve.

The PLEB shall submit its agenda to the Office of the City Mayor and seek the City Mayor's approval at least two days before the intended meeting. Approval of the City Mayor is required for the PLEB Meeting to be considered official.

SECTION 10. BUDGET, COMPENSATION, AND INSURANCE. The annual budget of the city shall include an item and corresponding appropriation for the maintenance and operation of the PLEB.

Membership in the PLEB is a civic duty. However, the City Government shall pay the per diem of each PLEB Member in the amount of One Thousand Pesos (₱1,000.00) per meeting actually attended, but not exceeding Four Thousand Pesos (₱4,000.00) per month.

The head of the secretariat and administrative support staff rendering services to the board/body may be compensated in the form of honoraria not exceeding Two Hundred Pesos (₱200.00) per meeting but not to exceed Eight Hundred Pesos (₱800.00) per month.

PLEB members must provide means of verification for participation in meetings/sessions to be able to claim their per diem. Such means of verification shall include the notice of meeting, minutes of meetings, signed attendance sheets, and any other such document equivalent to the aforementioned.

The city shall provide all PLEB members with life insurance coverage, in the minimum amount of One Thousand Pesos (₱1,000.00) per persons per month, subject to the terms agreed upon in a Memorandum of Agreement to be entered into by and between the DILG Office and the City Government of Meycauayan. Allocation for insurance coverage is separate from the per diem and may not be considered as per diem in case there is no life insurance that can be procured.

SECTION 11. PLAN OF ACTION. PLEB Members shall submit their action plans to the City Mayor's Office, copy furnished the DILG Provincial Office through the DILG local office. Activities in PLEB Action Plans shall be included as activities in the city's Peace and Order and Public Safety Plan.

SECTION 12. MONTHLY REPORT. Within the first week of each month, the PLEB shall submit a report for the preceding month to the regional office of the NAPOLCOM, copy furnished the chief of the Meycauayan PNP and the City Mayor's Office, indicating the following:

- a. List of newly-filed or received cases, revived or reinstated cases, or cases transferred or referred from other office/officers;
- b. List of investigated, heard, resolved, decided, or pending cases;
- c. List of cases transferred, referred, or re-raffled to other offices/officers, stating clearly the reason for such transfer, referral, or re-raffle;
- d. List of cases with suspended proceedings stating clearing the reason for its suspension.

Should there be no cases lodged before the PLEB office, a certificate stating the fact shall be submitted to the said offices.

SECTION 13. SEPARABILITY CLAUSE. Should any provision of this ordinance be declared unconstitutional or inconsistent with law, the other remaining parts thereof shall remain valid in full force and effect.

SECTION 14. REPEALING CLAUSE. All ordinances, resolutions, memoranda, orders and other issuances which are inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 15. EFFECTIVITY. This Ordinance shall take effect immediately following its publication.

APPROVED UNANIMOUSLY.

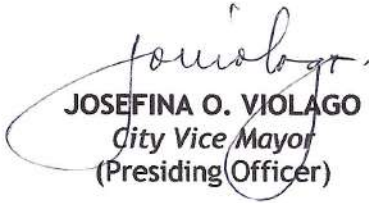
I hereby **CERTIFY** that this *Ordinance* was approved by the Sangguniang Panlungsod.




CATHERINE C. ABACAN

Acting Secretary to the Sangguniang Panlungsod

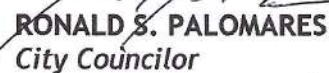
ATTESTED BY:



JOSEFINA O. VIOLAGO
City Vice Mayor
(Presiding Officer)




MARIANO V. ALARILLA II
City Councilor



RONALD S. PALOMARES
City Councilor



RAOUL M. ATADERO
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OLIVERT Y. DUYA
President, LdB


ROVIELYN A. CABIGQUEZ
City Councilor


CRISANTO NIÑO D. CAPARAS
President, BK Federation



APPROVED by the *City Mayor* this _____ day of 28 FEB 2023, 2023:


ATTY. HENRY R. VILLARICA
City Mayor