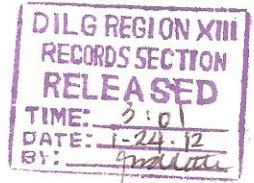


Republic of the Philippines
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
REGION XIII (CARAGA REGION)
1559 Matimco Bldg., Km.4, Libertad, Butuan City
Telefax. Nos. (085) 342-2134/815-1299
website: www.dilgxiii.org; email address: dilgxiii@yahoo.com



January 24, 2012
DILG-13 OPINION NO. 03

MR. ROMEO A. SOLIS
OIC- Provincial Director
DILG, Agusan del Norte

Dear Dir. Solis:

This refers to the letter Barangay Kagawad Tyron Hans C. Salas, Brgy. La Fraternidad, Tubay, Agusan del Norte seeking opinion on the validity of the dismissal and replacement of the barangay secretary and barangay treasurer.

In response thereto, please be informed that we have answered a similar query in our letter to Ms. Maria S. Selades and Ms. Marisol C. Talidro, all of Brgy. La Fraternidad, Tubay, Agusan del Norte, dated January 8, 2012 that the termination and replacement of the barangay secretary and barangay treasurer by the acting punong barangay is presumed valid without prejudice to the power of Punong Barangay Aliore P. Page (who has just reassumed after his six (6) months suspension) to appoint or replace, upon approval by a majority of all the members of sangguniang barangay, the appointive barangay officials, pursuant to the power of the punong barangay under Section 389 (b) (5) of the Local Government Code of 1991.

For your ready reference, attached is photocopy of the said opinion.

Very truly yours,

ATTY. RENE K. BURDEOS, CESO III
Regional Director X