

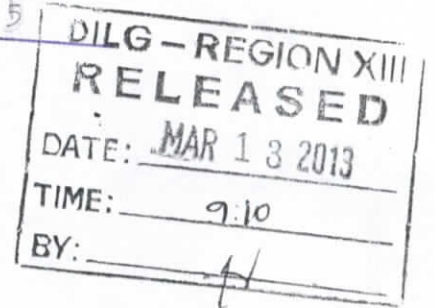
file copy



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.dilg13.org; email address: dilgxiii@yahoo.com



DILG-13 OPINION NO. 5
March 5, 2013



Mr. ALFREDO M. RAFANAN
Secretary to the Sanggunian
Office of the Sangguniang Panlalawigan
Province of Agusan del Norte

Dear Mr. Refanan:

This refers to your letter seeking opinion from this office on whether the election ban in connection with the Synchronized National and Local Elections on May 13, 2013, also includes the investigation of cases involving local officials.

We answer in the affirmative. The directive of the Office of the Ombudsman-Mindanao is for the Sangguniang Panlalawigan of Agusan del Norte to conduct administrative investigation pursuant to Section 61 (b) of the Local Government Code of 1991 (R.A. No. 7160). With this, we believed that the provisions on disciplinary actions against elective local officials under the Code shall govern. Section 62 of the Local Government Code of 1991 (R.A. No. 7160) provides that:

"Section 62. Notice of Hearing. -

x x x

(c) x x x no investigation shall be held within ninety (90) days immediately prior to any local election x x x"

We hope to have clarified you on this matter.

Very truly yours,


LILIBETH A. FAMACION, CESO IV
OIC-Regional Director

