



Republic of the Philippines
 DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT
 REGION XIII (CARAGA REGION)
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February 27, 2012

DILG-13 OPINION NO. 10

DILG REGION XIII
 RECORDS SECTION
 RELEASED
 TIME: 2:40
 DATE: FEB 28
 BY: [Signature]

Hon. ANTONIO B. MATURAN
 Punong Barangay
 Barangay San Jose
 Prosperidad, Agusan del Sur

Thru: Ms. Arleen Ann R. Sanchez
 Provincial Director
 DILG, Agusan del Sur

Dear Punong Barangay Maturan:

This refers to your letter dated February 22, 2012 seeking opinion from this office on whether a sangguniang kabataan (SK) member can be appointed as barangay bookkeeper.

Please be informed that the sanggunian kabataan (SK) is part of the local government structure and SK kagawads are considered barangay officials. The appointment of SK member as barangay bookkeeper would constitute "dual position" which is prohibited by the Local Government Code of 1991. Section 94 of the Code provides:

"Section 94. Appointment of Elective and Appointive Local Officials; Candidates who Lost in Election. x x x

"Unless otherwise allowed by law or by the primary functions of his position, no elective or appointive local official shall hold any other office or employment in the government or any subdivision, agency or instrumentality thereof x x x"

Thus, if the SK member would accept the barangay bookkeeper position, she has to resign first as SK member to avoid violating the abovementioned provision.

Bear it in mind that the SK member shall submit her resignation to the Municipal Mayor for acceptance (Section 82(a)(4), Local Government Code) and her appointment shall be governed by Section 396 of the Code and the ordinance creating the position of bookkeeper.

We hope to have clarified you on this matter.

Very truly yours,



ATTY. RENE K. BURDEOS, CESO III
Regional Director