



Republic of the Philippines  
**DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT**

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June 25, 2013

MA. MARY GRACE O. MENDOZA  
Board Secretary  
Pangasinan III Electric Cooperative  
Urdaneta City, Pangasinan



Dear Ms. Mendoza,

This refers to your letter seeking the office opinion on the status of local elective and appointive Municipal/Barangay officials and employees who are at the same time employees of Pangasinan III Electric Cooperative, a cooperative duly organized and existing in accordance with Philippine laws and registered with the Cooperative Development Authority.

Before dwelling on the issues, may we first invite your attention to the provisions of the Local Government Code of 1991, Section 90 and 94 to wit:

*Section 90. Practice of Profession. -*

*(a) All governors, city and municipal mayors are prohibited from practicing their profession or engaging in any occupation other than the exercise of their functions as local chief executives.*

*(b) Sanggunian members may practice their professions, engage in any occupation, or teach in schools except during session hours: Provided, That sanggunian members who are also members of the Bar shall not:*

*(1) Appear as counsel before any court in any civil case wherein a local government unit or any office, agency, or instrumentality of the government is the adverse party;*

*(2) Appear as counsel in any criminal case wherein an officer or employee of the national or local government is accused of an offense committed in relation to his office.*

*(3) Collect any fee for their appearance in administrative proceedings involving the local government unit of which he is an official; and*

*(4) Use property and personnel of the government except when the sanggunian member concerned is defending the interest of the government.*

*(c) Doctors of medicine may practice their profession even during official hours of work only on occasions of emergency: Provided, That the officials concerned do not derive monetary compensation therefrom. xxx*

