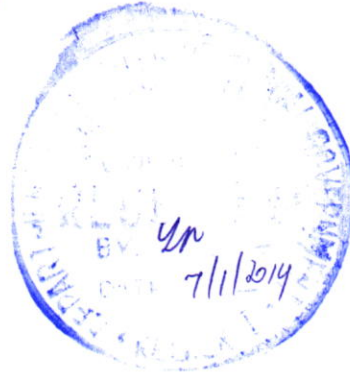




June 30, 2014

HON. ALFONSO C. BINCE, JR.
Provincial Board Member
Province of Pangasinan



Dear BM Bince:

This has reference to your request for legal opinion on whether indeed a Sangguniang member (Panlalawigan or Bayan) can still receive his salaries and other emoluments even without attending any regular or special sessions and absent for more than four (4) consecutive sessions without any justifiable reason?

Before dwelling on the issue, may we first invite your attention to Sections 447 (b) and section 468 (b) of the Local Government Code of 1991, to wit:

Section 447. Powers, Duties, Functions and Compensation.

(b) The members of the sangguniang bayan shall receive a minimum monthly compensation corresponding to Salary Grade twenty-four (24) as prescribed under R.A. No. 6758 and the implementing guidelines issued pursuant thereto: Provided, That, in municipalities in Metropolitan Manila Area and other metropolitan political subdivisions, members of the sangguniang bayan shall receive a minimum monthly compensation corresponding to Salary grade twenty-five (25).

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Section 468. Powers, Duties, Functions and Compensation.

(b) The members of the sangguniang bayan shall receive a minimum monthly compensation corresponding to Salary Grade twenty-four (24) as prescribed under R.A. No. 6758 and the implementing guidelines issued pursuant thereto: Provided, That, in municipalities in Metropolitan Manila Area and other metropolitan political subdivisions, members of the sangguniang bayan shall receive a minimum monthly compensation corresponding to Salary grade twenty-five (25).

We answer on the affirmative.

Based on Sections 447 (b) and 468 (b) of the Local Government Code of 1991, Sanggunian Bayan members and Sangguniang Panlalawigan members shall receive their monthly compensation equivalent to Salary Grade Twenty-Four (24) of RA 6758. As compared to the Sangguniang Barangay members, Sangguniang Bayan/Panlalawigan