



Republic of the Philippines  
PROVINCE OF NEGROS ORIENTAL  
City of Bayawan  
*Office of the Sangguniang Panlungsod*

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION HELD BY THE CITY COUNCIL OF BAYAWAN, NEGROS ORIENTAL ON AUGUST 17, 2021 AT 2 PM AT THE LEGISLATIVE BUILDING GOVERNMENT CENTER.

RECORD OF ATTENDANCE

HON. HENRY E. CARREON, JR.	Vice Mayor & Presiding Officer	Present
HON. NICO ANGELO L. LIM		Present
HON. MERLITA R. GAUDIEL		Present
HON. RUSMAR IAN D. TIJING		Present
HON. LUIS J. SUMALPONG		Present
HON. JONAS M. TRIAS		Present
HON. NARCISO N. CASIPONG		Present
HON. ROLANDO B. ABRASALDO		Present
HON. FELIPE O. SANTIAGO, JR.		Present
HON. SEVERINO SALVADOR M. CAPULSO	(LNMB Vice President)	On Leave
HON. TRISTAN GOLD T. TORRILLO	(SK Federated President)	Present

RESOLUTION NO. 493

**“WHEREAS**, on May 2004, the Sangguniang Panlungsod of Bayawan City passed Ordinance No. 12, series of 2004 otherwise known as “An Ordinance Establishing a Scholarship Program to Support the Poor but Deserving Students to Pursue their College Education and Appropriating Funds Therefor”;

**“WHEREAS**, on May 2015, the same Council enacted Ordinance No. 14, Series of 2015, to amend the above Ordinance No. 12 to provide for a fixed amount for board exams review and incidental expenses;

**“WHEREAS**, under the above-cited ordinance, the scholarship program was restricted to “students who will enroll in the tertiary public school within the city of Bayawan (Section 5),” adopting the interpretation of Article III, Section 458 (5) (xi) of the Local Government Code by the reviewing Sangguniang Panlalawigan, which provision states that the concerned sanggunian may “[e]stablish a scholarship fund for the poor but deserving students in schools located within its jurisdiction **or** for students residing within the city”;

**“WHEREAS**, the rule on statutory construction is that (Kataniag vs. People of the Philippines, G.R. No. L-48398, November 28, 1942) “the word ‘or’ is a disjunctive conjunction which, in the ordinary usage, signifies dissociation and independence of one thing from each of the other things mentioned,” hence by way of application, as long as the student is a resident of Bayawan City, he/she is eligible for a scholarship regardless of the situs of the school the student enrolls into, which in this instance, a public tertiary school;

**“WHEREAS**, Republic Act No. 10931 otherwise known as the Universal Access to Quality Tertiary Education Act has been enacted into law last August 2017, providing for free tuition and other school fees in state universities and colleges, local universities and colleges, and state-run technical-vocational institutions;

**“WHEREAS**, above-cited law effectively impliedly repealed certain provisions of Ordinance No. 12, particularly those pertaining to provisions for tuition fees;

**“WHEREAS**, in light of the fact that more than a decade has passed since the ordinance sought to be amended was enacted, necessary adjustments must be made to the amount of allowance each scholar is receiving to account for the inflation-adjusted cost of living increase that has accrued over the past years;

**“WHEREAS**, from the foregoing, it is only appropriate to revise Ordinance No. 12 to make the same in harmony with the true intent of the Sangguniang Panlungsod to maximize the accommodation of deserving students for the scholarship program of the city while providing them with certain degree of comfort consistent with their dignity as state scholars.

**“WHEREFORE**, on motion of Honorable Councilor Nico Angelo L. Lim and duly seconded by Honorable Tristan Gold T. Torrillo, SK Federated President, the Council

**“RESOLVED**, to enact, as it hereby enacts the following ordinance:

**ORDINANCE NO. 23**

**AN ORDINANCE ADOPTING A REVISED SCHOLARSHIP PROGRAM TO SUPPORT THE POOR BUT DESERVING STUDENTS TO PURSUE THEIR COLLEGE EDUCATION AND APPROPRIATING FUNDS THEREFOR**

**BE IT ORDAINED that:**

**SECTION 1.** This Ordinance shall be known and cited as “A Scholarship Program to support the poor but deserving students to pursue their College Education”.

**SECTION 2. Definition of Terms -**

- a. Scholarship Fund - Monetary consideration in payment of the student’s education allowance as provided in Section 6 of this ordinance.
- b. Poor – Those within the poverty threshold as determined by the City Social Welfare and Development Office.
- c. Deserving – Shall mean Bayawanon students who are among the top five (5) ranking of their class or students who have maintained an average scholastic rating of not less than 85% but must not have a grade lower than 80% in any of the subjects.
- d. College Education – Refers to a tertiary academic degree.

**SECTION 3.** There shall be appropriated initially the amount of Six Million Five Hundred Thousand Pesos (PHP 6,500,000,00) for the implementation of this program subject to increase as the need arises.

**SECTION 4.** There shall be created a Scholarship Program Board to oversee and issue guidelines pertinent to the implementation of this scholarship program which will be composed of the following:

- a. Chairman - City Mayor
- b. Vice Chairman – Sangguniang Panlungsod Chairman on the Committee on Education
- c. City Cooperative and Manpower Development Officer
- d. Department of Education Representative
- e. Negros Oriental State University Representative
- f. LIGA ng mga Barangay President
- g. Sangguniang Kabataan President
- h. Community Affairs Representative
- i. Culture Arts Tourism and Investment Promotion Officer
- j. City Legal Officer
- k. Business Sector Representative
- l. City Social Welfare and Development Office Representative
- m. Secretariat

**SECTION 5.** This scholarship program shall be applicable only to students who will enroll in the tertiary public school/s within the Province of Negros Oriental.

**SECTION 6.** This scholarship program will provide an allowance of One Thousand Five Hundred Pesos (PHP 1,500.00) per month or Seven Thousand Five Hundred Pesos (PHP 7,500.00) per semester.

**SECTION 7.** The scholarship program will likewise provide the scholar for his/her review cost for the Board Exam, Professional Regulation Commission (PRC) application fee/s, and other incidental expenses (transportation, board and lodging) for the filing of their application in the total amount of Ten Thousand pesos (PHP 10,000.00).

**SECTION 8.** The Board is hereby ordained to prepare such guidelines as may be necessary for the program subject to review and approval of the Sangguniang Panlungsod.

**SECTION 9.** This ordinance shall take effect SY 2021.

**SECTION 10. Separability Clause.** If any provision of this ordinance or any part thereof be declared invalid or unconstitutional, the remaining provisions not affected shall continue in full force and effect.

**SECTION 11. Repealing Clause.** This ordinance repeals Ordinance No. 12, series of 2004 and Ordinance No.14 series of 2015 respectively.

**SECTION 12. Effectivity Clause.** This ordinance shall take effect immediately upon compliance with the appropriate provision under the Local Government Code for its effectivity.

“Enacted.”

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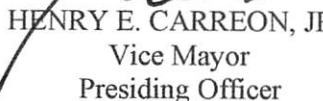
I hereby certify to the correctness of the foregoing resolution.

\* \* \*

  
JULIUS T. ESPARTERO  
Secretary to the Sangguniang Panlungsod

ATTESTED:

APPROVED:

  
HENRY E. CARREON, JR.  
Vice Mayor  
Presiding Officer

  
PRYDE HENRY A. TEVES

Mayor

Date: 06 SEP 2021

Copy for:

- The Honorable Provincial Board, Dumaguete City