

[ADMINISTRATIVE ORDER NO. 94, November 26, 1993]

CREATING AN AD-HOC COMMITTEE TO INVESTIGATE THE ADMINISTRATIVE COMPLAINTS FILED AGAINST CERTAIN ELECTIVE LOCAL OFFICIALS OF THE PROVINCE OF ALBAY, ARISING FROM SPECIAL AUDIT OFFICE REPORT NO. 93-11 OF THE COMMISSION ON AUDIT (COA), AND OTHER ADMINISTRATIVE COMPLAINTS MENTIONED HEREIN

WHEREAS, Section 61 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", provides that a complaint against any local elective official of a province shall be filed with the Office of the President;

WHEREAS, Section 2, Rule 1 of Administrative Order No. 23 dated 17 December 1992 entitled "Prescribing the Rules and Procedures on the Investigation of Administrative Disciplinary Cases Against Elective Local Officials of Provinces, Highly Urbanized Cities, Independent Component Cities, Component Cities, and Cities and Municipalities in Metropolitan Manila" provides that "(a)ll administrative complaints, duly verified, against elective local officials mentioned in the preceding Section shall be acted upon by the President. The President, who may act through the Executive Secretary, shall hereinafter be referred to as the "Disciplinary Authority";

WHEREAS, Special Audit Office ("SAO") Report No. 93-11 was submitted by COA Chairman Pascasio S. Banaria to the Secretary of the Interior and Local Government in a letter dated 20 August 1993;

WHEREAS, as a result of SAO Report No. 93-11, several administrative complaints were filed against certain local elective officials of Albay Province which are under the disciplinary authority of the Office of the President;

WHEREAS, there are other administrative complaints which should be looked into and which may be investigated by this Office;

WHEREAS, pertinent aspects of SAO Report No. 93-11 has made mention of matters alleged and complained of in the case of "Mayor Naomi C. Corral versus Governor Romeo Salalima et al.", for: malversation, consistent and habitual violation of R.A. No. 7160, Section 60 (c) and (d), docketed as DILG Case No. P-11-93;

WHEREAS, DILG Case No. P-11-93 was filed prior to the release of SAO Report No. 93-11 and the latter is now one of the bases of the administrative charges mentioned herein;

WHEREAS, investigation of DILG Case No. P-11-93 has not yet commenced, and may accordingly be taken cognizance of the Investigating Committee herein created; and

WHEREAS, the magnitude and seriousness of the administrative complaints require the particular attention of this Office to ensure their speedy and judicious resolution.

NOW, THEREFORE, I, FIDEL V. RAMOS, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. An Ad-Hoc Committee to investigate the administrative complaints against certain elective local officials of the Province of Albay, arising from the Special Commission on Audit Report (Special Audit Office Report No. 93-11), and other administrative complaints mentioned hereinbelow, is hereby created and constituted.

Section 2. The Committee herein created is hereby designated as the Investigating Authority, as an exception, in this particular case, to Section 3, Rule 1 of Administrative Order No. 23 dated 17 December 1992, and shall be referred to as the "Investigating Committee".

Section 3. The Investigating Committee shall be composed of the following:

Alexander P. Aguirre	– Chairman
Undersecretary	
Department of the Interior and	
Local Government	
Angel V. Saldivar	– Member
Presidential Assistant for Public	
Administration	
Stephen F. Sergio	– Member
Director IV	
Office of the Sr. Deputy	
Executive Secretary	

Section 4. The Investigating Committee shall investigate the administrative charges against certain elective local officials of the Province of Albay, arising from COA Special Audit Office Report No. 93-11 on the Province of Albay, as well as the other administrative complaints filed with the Office of the President, listed herein below:

- a. Mayor Naomi C. Corral vs. Governor Romeo Salalima, et al.,
For: Abuse of Authority and Oppression under R.A. No. 7160,
Sec. 60 (c);
- b. Mayor Naomi C. Corral vs. Governor Romeo Salalima, et al.,
For: Malversation, consistent and habitual violation of R.A. No.
7160, Section 60 (c) and (d);
- c. Kgd. Francisco Alarte, et al. vs. Governor Romeo Salalima, et
al., For: Violation of R.A. No. 3019, Section 3 (g) and R.A. No.
7160, Section 60 (d);
- d. Antonio O. Demetriou vs. Governor Romeo Salalima, For:
Violation of R.A. No. 7160, Section 60 (c) and (d).

Section 5. In accordance with Section 1, Rule 5 of Administrative Order No. 23, the complaints and the answers together with their attachments and other relevant papers shall be referred by this Office to the Investigating Committee which shall