



Republic of the Philippines  
**OFFICE OF THE CITY MAYOR**  
City of Davao

**EXECUTIVE ORDER NO. 62**

Series of 2022

**AN ORDER RECONSTITUTING THE INVESTIGATING COMMITTEE AND ITS  
SECRETARIAT, AND IDENTIFYING THE SPECIAL ADMINISTRATIVE  
PROSECUTORS, AND DEFINING THE RESPECTIVE POWERS, FUNCTIONS AND  
DUTIES THEREOF**

**WHEREAS**, Section 6, Article IX-A of the 1987 Philippine Constitution in relation to Executive Order No. 292 or the Administrative Code of 1987 empowers the Civil Service Commission (CSC) to prescribe, amend and enforce rules and regulations to effectively carry into effect the provision of the Civil Service Law and other pertinent laws which includes the procedures in administrative cases in the Civil Service;

**WHEREAS**, pursuant to the above mandate, the CSC promulgated the Revised Rules on Administrative Cases in the Civil Service last November 10, 2011;

**WHEREAS**, Republic Act No. 7160 or the Local Government Code of 1991 (LGC) particularly Section 83 to Section 88 thereof provides that the administrative discipline and investigation of city government employees rests upon the City Mayor and shall be in accordance with Civil Service law and rules and other pertinent laws;

**WHEREAS**, in its desire to put into place an effective and impartial system to conduct proper administrative proceedings, to ensure proper observance of due process, and to avoid delay in the disposition or resolution of complaints against City Government of Davao employees, the City Government of Davao through the City Mayor created an Investigating Committee through Executive Orders No. 37, series of 2013, Executive Order No. 06, series of 2019, and Executive Order No. 68, series of 2020;

**WHEREAS**, there is a need to reconstitute the Investigating Committee.

**NOW, THEREFORE, I, SEBASTIAN Z. DUTERTE**, City Mayor of Davao, by virtue of the powers vested in me, do hereby order the following:

**SECTION 1. RECONSTITUTION OF THE INVESTIGATING COMMITTEE.**

The Investigating Committee is hereby reconstituted and shall be composed of the following, to wit:

- Chairperson - **Atty. Osmundo P. Villanueva, Jr.**  
Acting City Legal Officer
- Members - **Melody C. Herrera**  
Human Resource Management Officer
- Vingelin A. Bajan**  
City Accountant

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**SECTION 2. POWERS, FUNCTIONS AND DUTIES.** The Investigating Committee shall have the following powers and functions:

1. Conduct Preliminary Investigation, through the Special Administrative Prosecutor, to determine the existence of prima facie case to warrant the filing of a formal charge pursuant to Sections 15, 16 and 17 of the Revised Rules on Administrative Cases in the Civil Service (RRACCS);
2. Conduct conferences to expound on clarificatory and relevant questions, summon all parties concerned and/or issue notices, subpoena duce tecum, subpoena ad testificandum, show-case memoranda and other lawful processes to appropriate individuals relative to a complaint filed against an employee of the city government;
3. Submit to the City Mayor, through the Special Administrative Prosecutor, upon termination of the Preliminary Investigation, an Investigation Report with recommendation/s and the complete records of the case;
4. Conduct Formal Investigation pursuant to Section 39 of RRACCS and Section 86 of LGC and thereafter submit the findings and recommendations to the City Mayor upon the conclusion of the same; and
5. Perform such other functions as may be necessary to the foregoing and as the undersigned may assign from time to time relative to investigations or complaints made against employees of the City Government.

**SECTION 3. QUORUM AND VOTING SESSIONS.** A majority or a minimum of two (2) present shall be necessary to constitute a quorum for the Investigating Committee to validly conduct any proceeding or conduct its affairs, and the same number shall be necessary for it to act and vote on a matter brought before it.

**SECTION 4. SPECIAL ADMINISTRATIVE PROSECUTOR.** All administrative actions shall be prosecuted under the direction and control of a Special Prosecutor. A private prosecutor may be authorized to prosecute during the administrative proceedings subject to an affirmative vote of the Investigating Committee.

The following employees of the City Legal Office shall act as the Special Prosecutors during the conduct of the investigations brought before the Investigating Committee, to wit:

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|---|---|
| <b>1. Atty. Enrique Junior A. Bonocan</b> | - Attorney IV, Special Prosecutor, Lead       |
| <b>2. Atty. Arsenio E. Caballero, Jr.</b> | - Attorney IV, Special Prosecutor, Alternate  |
| <b>3. Atty. Benigno B. Masungcad, Jr.</b> | - Attorney III, Special Prosecutor, Alternate |
| <b>4. Atty. Karmela A. Tongo</b>          | - Attorney III, Special Prosecutor, Alternate |

Additional administrative prosecutors maybe designated by the City Mayor, as the need arises.

**SECTION 5. SECRETARIAT.** The Investigating Committee shall have its own Secretariat composed of the following office/persons who shall perform the respective functions indicated hereunder, to wit:

1. Carmelita S. Bangayan -City General Services Office Head, Secretariat
2. Atty. Mariel Ariane Malaki-Monton -City Legal Office Asst. Head Secretariat
3. Marie Antoinette B. Sindao -City Planning & Dev't. Office Stenographer/Encoder
4. Cheerylee B. Saldua -Human Resource Mgt. Office Support Staff
5. Precious Mabelle A. Belviz -City Legal Office Support Staff
6. Such other employees as may be designated by the City Mayor.

The Secretariat shall perform all clerical functions (i.e., encoding and service of appropriate communications, recording of all the proceedings and etc.) necessary for the effective performance of the Investigating Committee.

**SECTION 6. HONORARIA OF MEMBERS, PROSECUTORS, AND SECRETARIAT.** The members of the Committee, its Secretariat and Prosecutors, are entitled to receive honoraria, subject to appropriate government auditing rules and regulations.

**SECTION 7. FUNDING/OPERATING COSTS.** All costs pertaining to the operation of the Investigating Committee, including the payment of honoraria, if there be any, shall be taken from the available funds of the Office of the City Mayor.

**SECTION 8. SEPARABILITY CLAUSE.** If any provision of this Executive Order is declared invalid or unconstitutional, the other provisions not affected thereby shall remain valid and subsisting.

**SECTION 9. REPEALING CLAUSE.** All previous Executive Orders inconsistent with this Executive Order are hereby repealed or modified accordingly.

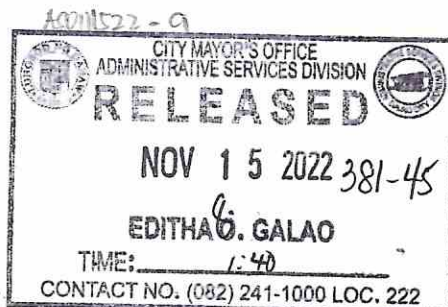
**SECTION 10. EFFECTIVITY.** This Executive Order shall take effect immediately and shall remain effective unless otherwise revoked or modified.

Done this NOV 15 2022 in Davao City, Philippines.

  
**SEBASTIAN Z. DUTERTE**  
 City Mayor

Attested by:

  
**ATTY. FRANCIS MARK H. LAYOG**  
 Acting City Administrator



Ref. no. ASD11522-9

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