

PROVIDING GUIDELINES ON SECTION 4 OF REPUBLIC ACT NO. 6679, “AN ACT TO AMEND REPUBLIC ACT NO. 6653 TO POSTPONE THE BARANGAY ELECTIONS TO MARCH 28, 1989, PRESCRIBING ADDITIONAL R...

EXECUTIVE ORDER NO. 341, November 08, 1988

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I, CORAZON C. AQUINO, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

SECTION 1. All incumbent barangay officials, whether elected, appointed or designated, shall remain in office unless sooner removed or suspended for cause and with due process by order of the city or municipal mayor concerned until their successors shall have been elected and qualified.

Any barangay official who has been removed from office from January 1, 1988 to the date of the approval of Republic Act No. 6679 may, within fifteen (15) days from receipt thereof: Provided, That upon the effectivity of said Act, the power of removal or suspension for cause of barangay officials and filling up of vacancies in the various elective offices of the barangay shall be exercised by the city or municipal mayor concerned, subject to appeal to the President: Provided, further, That pending appeal, the order of removal or suspension shall not be executory.

SEC. 2. The Phrase "for cause" shall mean those causes for the suspension or removal of an elective local official under Section 60 of Batas Pambansa Blg. 337, as amended, otherwise known as the "Local Government Code", viz:

- Disloyalty to the Republic of the Philippines;
- Culpable violation of the Constitution
- Dishonesty, oppression, misconduct in office and neglect of duty;
- Commission of any offense involving moral turpitude;
- Abuse of authority; and
- Unauthorized absence for three consecutive months.

The removal and/or suspension shall be effected only after due hearing and investigation in accordance with the procedure prescribed in said BP Blg. 337, as amended, and Republic Act No. 6679.

Removals or suspensions in willful disregard or violation of these requirements of cause and due process shall be dealt with in accordance to law as acts constituting abuse of authority.

SEC. 3. The provisions of Administrative Order No. 18 dated February 12, 1987, entitled "Prescribing Rules and Regulations Governing Appeals To The Office of the President of the Philippines" shall, to the extent applicable, govern the petition for review and/or appeal to the President provided for in this Order.

SEC. 4. This Executive Order shall take effect immediately.

Done in the City of Manila, this 8th day of November, in the year of Our Lord, nineteen hundred and eighty-eight.

(Sgd.) CORAZON C. AQUINO

By the President:

(Sgd.) CATALINO MACARAIG, JR.

Executive Secretary

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