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Republic of the Philippines
PROVINCE OF LEYTE

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Date: **21 MAR 2023**

SANGGUNIANG PANLALAWIGAN
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PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

2RD INDORSEMENT
March 1, 2023

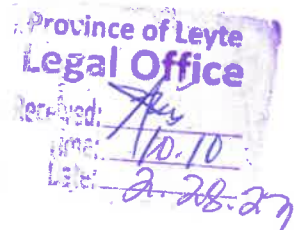
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4-8-23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2022-07 of the SB of Palo, Leyte, recommending for the declaration of its validity pursuant to its power under Section 56 (c), of R.A 7160, the same being, to the opinion of the Provincial Legal Office (PLO), in consonance with the authority under R.A No. 9501 or the Magna Carta for MSMES mentioned in the ordinance.

[Signature]
ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer *[Signature]*


Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City

OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1ST INDORSEMENT
27 February 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 2022-07** of the **MUNICIPALITY OF PALO, LEYTE**, ENTITLED: **AN ORDINANCE PRESCRIBING FOR THE ALLOCATION OF AT LEAST TEN PERCENT (10%) OF THE TOTAL PROCUREMENT VALUE OF ALL GOVERNMENT AGENCIES IN THE MUNICIPALITY OF PALO, LEYTE, FOR LOCALLY-PRODUCED GOODS AND SERVICES AND THEIR MANDATORY PROMOTION THEREOF.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Palo

SANGGUNIANG BAYAN

1st Indorsement
February 27, 2023

Respectfully forwarded to Hon. Sangguniang Panlalawigan, Province of Leyte, Palo, Leyte, the herein attached copy of Municipal Ordinance No. 2022-07 of the Sangguniang Bayan, Palo, Leyte, dated December 6, 2022, with accompanying Certificate of Posting, Publication and Minutes, which are all self-explanatory, being submitted herewith for consideration and review.


BRIAN VALENTE P. ELORCHA
Acting Municipal Sanggunian Secretary

/amp



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Palo

SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIGAN

1:56 pm
2/27/23

EXCERPTS FROM THE MINUTES OF THE 21ST REGULAR SESSION OF THE 2022 SANGGUNIANG BAYAN OF THE MUNICIPALITY OF PALO, PROVINCE OF LEYTE, HELD ON DECEMBER 6, 2022, AT THE SANGGUNIANG BAYAN SESSION HALL.

Present:

SB Member Jan Michelle L. Dolina – Temporary Presiding Officer
SB Member Andres Ian R. Sevilla
SB Member Casimero P. Villas, Jr.
SB Member Chiqui Ruth C. Uy
SB Member Aaron H. Roca
SB Member Antonino C. Hernit
SB Member Casimero B. Parado II
SB Member Roel D. Baldevia – LIGA President
SB Member Oriell D. Chiquillo – SK Federation President

Absent:

Vice-Mayor Jonathan P. Chiquillo – on official travel
SB Member Felipe T. Ygrubay, Jr. – Officer-in-Charge, Office of the Mayor

MUNICIPAL ORDINANCE NO. 2022-07

AN ORDINANCE PRESCRIBING FOR THE ALLOCATION OF AT LEAST TEN PERCENT (10%) OF THE TOTAL PROCUREMENT VALUE OF ALL THE GOVERNMENT AGENCIES IN THE MUNICIPALITY OF PALO, LEYTE, FOR LOCALLY-PRODUCED GOODS AND SERVICES AND THEIR MANDATORY PROMOTION THEREOF.

WHEREAS, Article II, Section 20 of the 1987 Constitution provides that the State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments;

WHEREAS, Republic Act No. 9501 or the Magna Carta for Micro, Small and Medium Enterprises (MSMEs) recognizes that MSMEs have the potential for more employment generation and economic growth and therefore can help provide a self-sufficient industrial foundation for the country, and thus declared the policy of the State to promote, support, strengthen and encourage the growth and development of MSMEs in all productive sectors of the economy particularly rural/agri-based enterprises;

WHEREAS, Section 4 of Republic Act No. 9501 or the Magna Carta for MSMEs provide that eligible MSMEs shall be entitled to a share of at least ten percent (10%) of total procurement value of goods and services supplied to the Government, its bureaus, offices and agencies annually;

WHEREAS, to qualify under this Ordinance, the requirements set forth in Section 4 of Republic Act No. 9501 or the Magna Carta for MSMEs are hereby adopted;

WHEREAS, the Municipal Government of Palo has a legal and moral obligation to recognize the specific needs of the Small and Med Enterprise (SMEs) and shall undertake to promote entrepreneurship, support entrepreneurs, encourage the establishments of MSMEs and ensure their continuing viability and growth and thereby attain countryside industrialization.



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Palo

SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 21ST REGULAR SESSION OF THE 2022 SANGGUNIANG BAYAN OF THE MUNICIPALITY OF PALO, PROVINCE OF LEYTE, HELD ON DECEMBER 6, 2022, AT THE SANGGUNIANG BAYAN SESSION HALL.

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(Mun. Ord. No. 2022-07)

NOW THEREFORE, be it ordained by the Sangguniang Bayan of Palo that:

Section 1. Short Title. This Ordinance shall be known as the "MANDATORY PROMOTION AND PROCUREMENT OF LOCALLY-PRODUCED GOODS AND SERVICES";

Section 2. Definition of Terms. As used in this Ordinance, the following terms shall mean:

- (a) **Locally-produced goods and services** -These are food and non-food products and services made
- (b) **MSME** -Micro, Small and Medium enterprise, including cooperatives, rural improvement clubs, associations and existing businesses without registrations, with a capitalization not exceeding Php100 Million; has an existing product, food or non-food, or has commenced operation but is in the process of developing its product.
- (c) **Pasalubong Centers** - Municipal Government-administered outlets where MSMEs may display/sell their products.
- (d) **Rural/Agri-based Enterprises-businesses that are into:**
 - (i) agricultural production and marine products; and/or,
 - (ii) processing agricultural produce/raw materials into finished goods;
- (e) **Tourism-related Establishments** -establishments offering services in support to tourism such as hotels, restaurants, shops, museums, training centers, homestays, sports and recreational clubs, among others.

Section 3. Coverage and Eligibility for Assistance. To qualify under this Ordinance, businesses must be:

- (a) all manufacturing, processing, and/or production of agricultural produce and provision of services which are duly registered with the appropriate agencies as presently provided by law (DTI, SEC, CDA or DOLE) and have the requisite Mayor's permit, including other statutory registrations;
- (b) one hundred percent (100%) owned, capitalized by Filipino citizens, whether single proprietorship or partnership or cooperative. If the enterprise is a juridical entity, at least sixty percent (60%) of its capital or outstanding stock must be owned by a Filipino citizens residing in Palo, Leyte; and
- (c) a business activity within the major sectors of the economy, namely; industry, trade, services, including the operation of tourism-related establishments, and rural/agri-based enterprises.

Section 4. MSME Registry. Within three (3) months after the effectivity of this Ordinance, the Palo Livelihood Development Office, in coordination with the Negosyo Center all barangays shall



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Palo

SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 21ST REGULAR SESSION OF THE 2022 SANGGUNIANG BAYAN OF THE MUNICIPALITY OF PALO, PROVINCE OF LEYTE, HELD ON DECEMBER 6, 2022, AT THE SANGGUNIANG BAYAN SESSION HALL.

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(Mun. Ord. No. 2022-07)

submit to the Municipal Mayor and the Sangguniang Bayan of Palo, a complete list of all MSMEs eligible to avail the benefits of this Ordinance.

The list shall be known as the "**MSME Registry**" and shall serve as the basis of the procurement of locally-produced goods and services.

The MSME Registry shall be posted in the official website of the Municipality and shall be subject to validation by the Office of the Municipal Mayor, in coordination with the Department of Trade and Industry and various CSOs in the Municipality within 3 months from posting thereof. The registry shall be subject to periodic updating once every two (2) years following the effectivity of this Ordinance.

Section 5. Statement of Policy. The Municipal Government believes that the role of MSMEs is vital in the prosperity of the Municipality. In consideration that businesses comprising on the processing/manufacturing/ services sectors contributes to the resources of the municipality, the municipal government deems it necessary to develop a vibrant MSME sector by improving their access to market within five (5) years from effectivity of this ordinance.

Section 6. Program Guidelines. The various programs, projects and activities to be implemented by virtue of this Ordinance shall be guided by the following principles:

- (a) In every purchase of goods and services by the Municipal Government, consideration must first be made whether or not there are local counterparts of these products/services deemed to be purchased.
- (b) All tokens to be given in all activities of the Municipal Government, must be locally- produced goods and/or services;
- (c) At least eighty percent (80%) of the goods displayed in Pasalubong Centers must be locally-produced;
- (d) At least ten percent (10%) of total procurement value of goods and services supplied to the Municipal Government, must be solely devoted to locally-produced goods and services;
- (e) Development of MSMEs to act as consolidators of locally-produced goods and services to help facilitate marketing of these products.
- (f) Establishment of more Pasalubong Centers or market outlets for MSMEs to display/sell their products.

Section 7. Primary Implementing Offices. The Palo Technology and Livelihood Development Office (TLDO) or any unit/division within the LGU with similar function must ensure that the provisions of this Ordinance are strictly observed. They are hereby tasked to be the Primary Implementing Offices with respect to the procurement as embodied in this Ordinance.

As such, the Primary Implementing Offices are mandated to:



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Palo

SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 21ST REGULAR SESSION OF THE 2022 SANGGUNIANG BAYAN OF THE MUNICIPALITY OF PALO, PROVINCE OF LEYTE, HELD ON DECEMBER 6, 2022, AT THE SANGGUNIANG BAYAN SESSION HALL.

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(Mun. Ord. No. 2022-07)

- (a) Within three (3) months after this ordinance shall have taken effect, in coordination with each other, prepare the general rules and guidelines implementing the provisions of this Ordinance and submit the same to the Sanggunian for its review and approval;
- (b) Design and prepare a **Procurement and Marketing Plan for MSME Products** to be carried out pursuant to the provisions of this Ordinance, subject to the approval of the Municipal Mayor and the availability of funds with the TLDO.
- (c) Submit semi-annual report to the Office of the Mayor and to the Office of the Vice Mayor of implementation of this Ordinance;
- (d) Exercise such other functions expressly granted and those necessarily implied therefrom, as well as those functions necessary, appropriate and incidental to the effective and efficient implementation of the provisions of this Ordinance.


Section 8. Funds. Aside from the mandatory 10% procurement requirement, the Municipal Mayor, within one (1) year after this Ordinance shall have taken effect, shall propose the necessary appropriation of funds to be used in the implementation of the Municipal Government's Procurement and **Marketing Plan for MSME** products to be taken from the General Fund, subject to the approval of the Sangguniang Bayan. The Municipal Government is hereby authorized to accept funds from other GOs, NGAs, RLAs, NGOs, CSOs, POs and the Business Sector to be used in the implementation of the **Procurement and Marketing Plan**, subject to proper government accounting and auditing procedures.

Section 9. Separability Clause. If, for any reason or reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall stand and continue to be in full force and effect.

Section 10. Repealing Clause. All local ordinances and enactments, executive orders, resolutions, memoranda, circulars or any part thereof contrary to or inconsistent with the provisions of this Ordinance is hereby repealed, modified or amended accordingly.

Section 11. Effectivity Clause. This ordinance shall take effect upon its approval and after the required posting and publication, as provided under Local Government Code of 1991.

ATTESTED:


JAN MICHELLE L. DOLINA
SB Member
Temporary Presiding Officer

CERTIFIED CORRECT:

BRIAN VALENTE P. ELORCHA
Acting Municipal Sanggunian Secretary







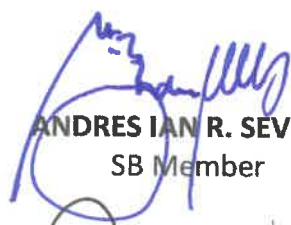
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Municipality of Palo

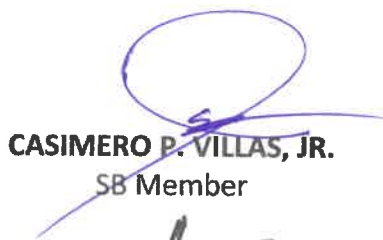
SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 121ST REGULAR SESSION OF THE 2022 SANGGUNIANG BAYAN OF THE MUNICIPALITY OF PALO, PROVINCE OF LEYTE, HELD ON DECEMBER 6, 2022, AT THE SANGGUNIANG BAYAN SESSION HALL.

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(Mun. Ord. No. 2022-07)

ATTESTED LIKEWISE:



ANDRES IAN R. SEVILLA
SB Member

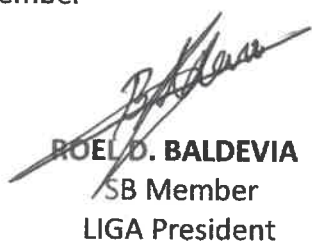

CASIMERO P. VILLAS, JR.
SB Member

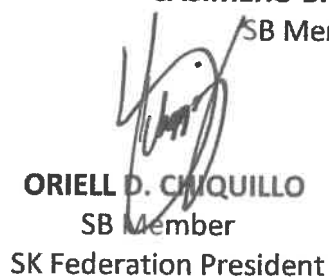

CHIQUI RUTH C. UY
SB Member


AARON H. ROCA
SB Member


ANTONINO C. HERNIT
SB Member


CASIMERO B. PARADO II
SB Member


ROEL D. BALDEVIA
SB Member
LIGA President


ORIELL D. CHIQUILLO
SB Member
SK Federation President

APPROVED December 22, 2022.


REMEDIOS L. PETILLA
Municipal Mayor



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Palo

SANGGUNIANG BAYAN


CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that pursuant to Section 59, Chapter 3, Title Two, Book I, of the Local Government Code of 1991, the undersigned had caused the posting of copies of Municipal Ordinance No. 2022-07 entitled An Ordinance Prescribing for the Allocation of at least Ten percent (10%) of the Total Procurement Value of all the Government Agencies in the municipality of Palo, Leyte, for Locally-Produced Goods and Services and their Mandatory Promotion Thereof, which was enacted by the Sangguniang Bayan on December 6, 2022, and the copies of the said ordinances were actually posted on December 23, 2022, for a period of not less than three (3) weeks therefrom, in the following conspicuous places in the Municipality of Palo.

- 1) One copy in the bulletin board at the entrance of the Palo Municipal Hall
- 2) One copy in the bulletin board at the Office of the Market Supervisor.

ISSUED this 23rd day of February 2023 at Palo, Leyte.


BRIAN VALENTE P. ELORCHA
Acting Sanggunian Secretary

amp/

the same was calendared for Third and Final Reading on the next regular session.

2. Draft Ordinance Institutionalizing the “Kabataan Kontra Krimen Droga’t Terorismo (KK2DAT)” of the Sangguniang Kabataan of Palo, Leyte and for Such Other Purposes, Sponsor: Hon. Oriell D. Chiquillo.

- Likewise, copies of the proposed ordinance were furnished each Sangguniang Bayan Member. After going through the draft ad seriatim and refinements were made thereto, Hon. Oriell D. Chiquillo moved for its Approval on Second Reading. The motion was duly seconded by all Sangguniang Bayan Members present. Having been approved, the same was calendared for Third and Final Reading on the next regular session.

III. Business for Third and Final Reading.

1. Draft Ordinance Prescribing for the Allocation of at least Ten Percent (10%) of the Total Procurement Value of the Local Government Unit of Palo for Locally Produced Goods and Services, and their Mandatory Promotion Thereof, Sponsor: Hon. Vice-Mayor Jonathan P. Chiquillo.

- Copies of the final draft were furnished each Sangguniang Bayan Members for their perusal. Thereafter and with the expressed consent of Hon. Vice-Mayor Jonathan P. Chiquillo, Hon. Oriell D. Chiquillo moved for the approval of the final draft on third and final reading. The motion was duly seconded by all Sangguniang Bayan Members present. Since there was no objection, the final draft was declared Approved on Third and Final Reading, thus:

MUNICIPAL ORDINANCE NO. 2022-07

(see Annex “A” for the text)

2. Draft Ordinance Establishing the Guidelines for the Different Programs and Services under the Assistance to Individual in Crisis Situation in the Municipality of Palo, Leyte, Sponsor: Hon. Vice-Mayor Jonathan P. Chiquillo.

- Copies of the final draft were furnished each Sangguniang Bayan Members for their perusal. Likewise, with the expressed consent of Hon. Vice-Mayor Jonathan P. Chiquillo, Hon. Oriell D. Chiquillo moved for the approval of the final draft on third and final reading. The motion was duly seconded by all Sangguniang Bayan Members present. Since there was no objection, the final draft was declared Approved on Third and Final Reading, thus:

MUNICIPAL ORDINANCE NO. 2022-08

(see Annex “B” for the text)