Item No.: 2

Date: 0 1 2024 OCI



Republic of the Philippines PROVINCE OF LEYTE Provincial Capitol Tacloban City

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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

September 19, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2024-13 of the Sangguniang Bayan of Hilongos, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

Ordinance No. 2024-13 entitled: An Ordinance Mandating Businesses Operating
Within the Territorial Jurisdiction of the Municipality of Hilongos, to Secure a
Philippine National Police (PNP) Certificate of Conformity and/or Certificate
of Distributorship Before Manufacturing, Selling, Using, or Distributing PNP
Uniforms, Insignias, and other Accourtements and Prescribing Penalties for
Violation Thereof.

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is within the power covered under Section 447(1)(ii)¹ and (1)(iii)² of the Local Government Code of 1991 (R.A 7160).

This likewise conforms to E.O 297 regulating the manufacture, sale, distribution and use of PNP uniforms, to ensure that items are produced and sold only by PNP authorized manufacturer. Hence, recommending the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY JOSE RAYMUND A. ACOL

Asst. Provincial Legal Officer

¹ Section 447 (1) (ii) Maintain peace and order by enacting measures to prevent and suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose penalties for violation of said ordinance;

² Section 447(1)(iii) Approve ordinances imposing a fine not exceeding Two Thousand Five Hundred Pesos (P 2,500.00) or an imprisonment for a period not exceeding six (6) months, or both in the discretion of the court, for the violation of a municipal ordinance.

Republic of the Philippines PROVINCE OF LEYTE Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT 13 September 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed Municipal Ordinance No. 2024-13 of the Municipality of Hilongos, Leyte, entitled: An Ordinance Mandating Businesses Operating Within the Territorial Jurisdiction of the Municipality of Hilongos to Secure a Philippine National Police (PNP) Certificate of Conformity and/or Certificate of Distributorship Before Manufacturing, Selling, Using, or Distributing PNP Uniforms, Insignias, and Other Accourtements and Prescribing Penalties for Violations Thereof.

FLORINDA JILL S. VÝVICO Secretary to the Sanggunian





OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN

SEP 1 2 2024
PROVINCE OF LEYTE

HON. LEONARDO M. JAVIER, JR.

Provincial Vice-Governor Province of Leyte

Sir:

Greetings!

10 September 2024

OFFICE OF THE SECRETARY TO THE SENGLE HILONGOS, LEYTE RELEASED

DATE: 9/10/24

This is to respectfully forwarding fifteen (15) copies of - Municipal Ordinance No. 2024 -13: An Ordinance Mandating Businesses Operating Within The Territorial Jurisdiction of the Municipality of Hilongos To Secure A Philippine National Police (PNP) Certificate of Conformity and/or Certificate of Distributorship Before Manufacturing, Selling, Using or Distributing PNP Uniforms, Insignias and Other Accountrements and Prescribing Penalties For Violations Thereof which its supporting documents, to wit:

- 1) Certificate of Posting
- 2) Copy of the Minutes of the Public Hearing with pictures
- 3) Duly accomplished attendance sheet

Hoping this suffice.

Respectfully yours,

CATHERINE A. FABULAR
Secretary to the Sanggunian



OFFICE OF THE SANGGUNIANG BAYAN



MUNICIPAL ORDINANCE NO. 2024-13

N ORDINANCE MANDATING BUSINESSES OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF HILONGOS TO SECURE A PHILIPPINE NATIONAL POLICE (PNP) CERTIFICATE OF CONFORMITY AND/OR CERTIFICATE OF DISTRIBUTORSHIP BEFORE MANUFACTURING, SELLING, USING, OR DISTRIBUTING PNP UNIFOMS, INSIGNIAS, AND OTHER ACCOUTREMENTS AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF

Authored by: HON. MANUEL M. GABISAN

Chairperson, Committee on Public Safety, Public Utilities, and Transportation

WHEREAS, Section 16 of the Local Government Code or Republic Act No. 7160, also known as the General Welfare Clause provides in part that every local government unit shall ensure and support the maintenance of peace and order within their respective territorial jurisdiction;

WHEREAS, Executive Order No. 297 entitled Regulating the Manufacture, Sale, Distribution and Use of PNP Uniforms, Insignias and Other Accourrements was signed on October 4, 2000 to control and manage the unauthorized manufacture, sale, and distribution of PNP uniforms, insignias and other accoutrements.

WHEREAS, E.O. No. 297 imposes as penalties the immediate closure of establishment; cancellation of business license or permit, condemnation, seizure and forfeiture of unauthorized items, and, imposition of reasonable fines for violators of the said order, all of which could be undertaken by the local government units concerned;

WHEREAS, the unauthorized manufacture, sale, use, and distribution of PNP uniforms, insignias, and other accoutrements impose serious concerns since such symbolic PMP identifiers, instead of providing a comforting sense of security, could be used by wless elements in the commission of crimes within the city;

WHEREAS, considering that the PNP National Headquarters sits within the territorial jurisdiction of the Municipality of Hilongos and there are a number of business establishments that engage in the manufacture, sale and distribution of PNP uniforms, insignias, and other accoutrements, there is a dire need to enact a corresponding municipal ordinance to mitigate, or even eradicate the proliferation of the unauthorized PNP iforms and commission of illegal activities within the Municipality of Hilongos

NOW, THEREFORE, on motion of Hon. Manuel M. Gabisan, as seconded by Hon. Edwin F. Faller, Hon. Bernadeth M. Nerves, and Hon. Aline B. Reoma;

BE IT ORDAINED BY THE 16th SANGGUNIANG BAYAN OF THE MUNICIPALITY OF HILONGOS IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE OF ORDINANCE - This Ordinance shall be known as: An Ordinance Mandating Businesses Operating within the Territorial Jurisdiction of Municipality of Hilongos to Secure a PNP Certificate of Conformity before Manufacturing, Selling, Using, or Distributing PNP Uniforms, Insignias, and Other Accoutrements and Prescribing Penalties for Violations Thereof.

B. REOMA

Ex-Officio Member / President, Pambayang Pederasyon ng

FRANCISCO M. ORTEGA

CECILLE ANTONIETA'E C. SABRIDO

Municipal Mayor

BERNADETH M. NERVES SE Member

EDWIN F FALLER SB Member

ALBERT R. VILLAHERMOSA Municipal Vice-Mayor

MANUEL M.

ANTIONIO B. ONG

Secretary to the Sanggunian

RICHARD BENEBACT

Ex-Officio Member/ Liga ng mga Ba

GABISAN

MANUEL V. LOR

Municipal Ordinance No. 2024-13

An Ordinance Mandating Businesses Operating within the Territorial Jurisdiction of (Province/City/Municipality) to Secure a PNP Certificate of Conformity before Manufacturing, Selling, Using, or Distributing PNP Uniforms, Insignias and Other Accoutrements and Prescribing Penalties for Violations Thereof.

Secretary to the Sanggunian A. FABULAR

RICHARD BENEDICT

Ex-Officio Member/

yesident,

OGARIO

Liga ng mga Bayanga

SECTION 2. SCOPE AND APPLICATION - All businesses, whether in physical, online or in digital platforms, engaged in the manufacture, sale, use and distribution of Philippine National Police uniforms, insignias, and other accourrements. It includes enterprises dealing with raw materials for the production of aforementioned items.

SECTION 3. DEFINITION OF TERMS - For purposes of implementation of this ordinance, the following definitions shall be binding and controlling:

- PNP uniforms, insignias, and accoutrements these are authorized clothing, garment, distinguish mark, emblem, merchandise, or decorations worn by bona fide members and officially acknowledged by the PNP.
- PNP Certificate of Conformity a certification issued by the PNP through the b) Directorate for Research and Development (DRD) which signifies authority to manufacture, sell, or distribute PNP uniforms, insignias, and accoutrements.
- Distributor an authorized agent of a supplier or manufacturer to supply or deliver PNP uniforms, insignias, and accoutrements wherein the latter has a valid PNP Certificate of Conformity.
- Manufacture and sale act of producing or trading of fit-to-use, ready-to-wear, or ready-to-use PNP uniforms, insignias, and other accoutrements.
- Certificate of Distributorship a certificate issued by a holder of PNP e) Certificate of conformity which warrants that the person/company is authorized to distribute, supply, or sell specific PNP uniforms, insignias, and other accoutrements.

SECTION 4. REQUIREMENT FOR PNP CERTIFICATE OF CONFORMITY AND/OR CERTIFICATE OF DISTRIBUTORSHIP - all businesses engaged and dealing with PNP uniforms, insignias, and accoutrements must secure a PNP Certificate of Conformity and/or a Certificate of Distributorship before applying for a corresponding business license or permit. All existing business must likewise secure the same certificate prior to its application for business license/permit renewal.

SECTION 5. IMPLEMENTING OFFICE - The Business Permit and Licensing Office (BPLO) is the primary office mandated to make the Implementing Rules and Regulations (IRR) and to execute the provision of this Ordinance, in coordination with the PNP.

SECTION 6. COORDINATION WITH THE PNP - The BPLO will regularly coordinate with the Philippine National Police-Hilongos Police Station for the latest list of the manufacturers, suppliers, sellers, distributors, etc. The update list will be the basis of verification by the Local Government of Hilongos thru the BPLO of the status of the applicant for business license/permit.

NUELR. VILLAHERMOSA Municipal Mayor

BERNADETHM. NERVES

EDWIN F. FALLER SB Member

ALBERT R. VILLAHERMOSA Municipal Vice Mayor

CRIS ANTÓNIO B. SB-Member . ONG

MANUEL N

MANUEL V. LO

DAD V. ZARATE

Ex-Officio Member / President, Pambayang Pederasyon ng

CECILLE ANTONIETTE C. SABRIDO

ALINE B. REOMA

SB Member

An Ordinance Mandating Businesses Operating within the Territorial Jurisdiction of (Province/City/Municipality) to Secure a PNP Certificate of Conformity before Manufacturing, Selling, Using, or Distributing PNP Uniforms, Insignias and Other Accoutrements and Prescribing Penalties for Violations Thereof.

Secretary to the Sanggunian

Ex-Officio Member/P Liga ng mga Baranga

resident, OGARIO

CRIS ANTONIO B. ONG

MANUEL V. LO

SECTION 7. AUTHORITY TO INSPECT ESTABLISHMENTS - The BPLO with the Hilongos Police Station Representative shall be authorized to conduct inspection of business establishment's requiring the presentation of its respective PNP Certificate of Conformity and/or Certificate of Distributorship. The authorized distributors of PNP uniforms, insignias, and other accoutrements shall likewise present acceptable proof of authority to supply, sell or trade the aforementioned items.

SECTION 8. PENALTIES - Failure to present or submit a PNP Certificate of Conformity and/or PNP Certificate of Distributorship is a ground for denial of application for issuance/renewal of business permit or license for the covered businesses.

> For purposes of this Ordinance after thirty (30) days from the initial findings of non-compliance, continued and subsequent failure to comply with the provisions of this Ordinance shall continue ground for suspension, revocation, or cancellation of establishment's business permit.

> In case of violation found during the aforementioned inspections for failure to present competent proof of authority to deal PNP uniforms, insignias and other accoutrements, the items found therein shall be seized of confiscated subject to proper disposal, without prejudice to the cancellation or revocation of business license/permit and the filing of appropriate administrative, civil or criminal case.

> Any violator of the aforementioned provisions shall be imposed a penalty of fine not exceeding P 2,500.00 but not less than P 500.00 and imprisonment of not exceeding six (6) months at the discretion of the discretion of the court.

SECTION 9. SEPARABILITY CLAUSE - If for any reason, any section of this ordinance shall be held unconstitutional or invalid other section which are not affected thereby shall continue to be in full force and effect.

SECTION 10. REPEALING CLAUSE - All ordinance, rule and regulations or parts thereof in conflict with this ordinance are hereby repealed, provided that the rights that are vested upon the effectively of this ordinance shall not be impaired.

SECTION 11. EFFECTIVITY CLAUSE - This ordinance shall take effect ten (10) days after its publication in a newspaper of general circulation.

ENACTED this 19th day of August, 2024 during the Thirty-Third Regular Session of the Sangguniang Bayan.

BERNADETH M. NERVES SB Member

SB Member

ALBERT R. VILLAHERMOSA Municipal Vice-Mayor

Ex-Officio Member / President/Pambayang Pederasyon ng

Sangguniang Kabataar

CECILLE ANTONIETYE C. SABRIDO

NUEL R. VILLAHERMOSA Municipal Mayor

Page 4

Municipal Ordinance No. 2024-13

An Ordinance Mandating Businesses Operating within the Territorial Jurisdiction of (Province/City/Municipality) to Secure a PNP Certificate of Conformity before Manufacturing, Selling, Using, or Distributing PNP Uniforms, Insignias and Other Accoutrements and Prescribing Penalties for Violations Thereof.

CRIS ANTONIO B. ONG

8B Member

MANUEL M GABISAN

SB Member

BERNADEZH M. NERVES

SB Member

FRANCISCO M. ORTEGA

SB Member

RICHARD BENEDICT VOGARIO

Ex-Officio Member/President, Liga ng mga

Barangay

EDWIN F. FALLER

SB Member

MANUEL V. LOR

SB Member

ALINE B. REOMA

SB Member

TRINIDAD V. ZARATE

SB Member

CECILLE ANTONIETTE C. SABRIDO

Ex-Officio Member/President, Pambayang Pedeyasyon ng Sangguniang Kabataan

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

CATHERINE A. FABULAR
Secretary to the Sanggunian

ATTESTED:

ALBERT R. VILLAHERMOSA

Municipal Vice-Mayor / Presiding Officer

APPROVED:

MANUEL R. VILLAHERMOSA

Municipal Mayor

Date: Suppember 9, 2





OFFICE OF THE SECRETARY TO THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

This is to certify that posting in the Municipal Hall and other conspicuous places in the Municipality of Hilongos on the **Municipal Ordinance No. 2024 -13**: An Ordinance Mandating Businesses Operating Within The Territorial Jurisdiction of the Municipality of Hilongos To Secure A Philippine National Police (PNP) Certificate of Conformity and/or Certificate of Distributorship Before Manufacturing, Selling, Using or Distributing PNP Uniforms, Insignias and Other Accoutrements and Prescribing Penalties For Violations Thereof was posted from August 20, 2024 up to August 30, 2024 and shall remain posted for three (3) conspicuous places pursuant to Section 59 (b) of Republic Act 7160, also known as the Local Government Code of 1991.

ISSUED this 9th day of September, 2024 in Hilongos, Leyte.

CATHERINE A. FABULAR
Secretary to the Sanggunian



In attendance:

Republic of the Philippines Province of Leyte Municipality of Hilongos OFFICE OF THE SANGGUNIANG BAYAN



COMMITTEE ON LAWS, RULES AND PRIVILEGES

MINUTES OF THE PUBLIC HEARING ON TUESDAY, SPTEMBER 3, 2024 AT 2:00 IN THE AFTERNOON, SB SESSION HALL OF THE LEGISLATIVE BUILDING IN HILONGOS, LEYTE.

	(Please refer to the attendance sheets.)
Y	

The meeting started at 2:00 in the afternoon with the prayer lead by the SB Secretary Mrs. Catherine Fabular. Thereafter, Hon. Manuel Gabisan welcomes everyone who are present in the meeting and introduced its agenda. He asked the SB Secretary to elaborate the Municipal Ordinance Mandating Business Operating Within the Territorial Jurisdiction of the Municipality of Hilongos to Secure a Philippine National Police (PNP) Certificate of Conformity and/or Certificate of Distributorship Before Manufacturing, Selling, Using or Distributing PNP Uniforms, Insignias, and Other Accoutrements and Prescribing Penalties for Violations Thereof.

Ms. Fabular discussed the Municipal Ordinance Mandating Business Operating Within the Territorial Jurisdiction of the Municipality of Hilongos to Secure a Philippine National Police (PNP) Certificate of Conformity and/or Certificate of Distributorship Before Manufacturing, Selling, Using or Distributing PNP Uniforms, Insignias, and Other Accoutrements and Prescribing Penalties for Violations Thereof.

Hon. Manuel Gabisan emphasized to all sellers if they are planning to sell PNP uniforms, insignias, and other accourrements they must coordinate with the PNP to assure the authenticity of the uniforms.

PLT. Jose Mangmang Jr. also added that this ordinance would not just give them the authority to sell but also the security of everyone. He also pointed out that in the Philippines there are only three (3) suppliers for all PNP uniforms. Thus, they could not manufacture or sell easily without being given authority from the PNP.

Hon. Gabisan reminds all sellers that anyone who does not obey the ordinance has a business permit will be suspended.

Mr. Benjie Natividad states that there are two ways to avoid cancellation of a business permit. First is to apply separately. If the seller has the plan to sell PNP uniforms they must first comply with a PNP Certificate of Conformity and/or PNP Certificate of Distributorship. If failure to present those certificates there will be ground for denial of application and you will be given thirty (30) days to comply. Failure to comply within thirty (30) days the suspension, revocation, or cancellation of the establishment's business permit will continue.

Mr. Natividad asked on what is the assurance in purchasing the PNP uniforms from its reliable supplier. PLT. Jose Mangmang Jr. assured that the PNP would help in purchasing the PNP uniforms.

Secretary to the Songgunian DATE:

For the other matters, Ms. Fabular asked the concerns, feedback, suggestions, or comments of all the sellers and or proprietors that would improve and satisfaction of their needs.

One of the sellers states the improper segregation of solid waste in their store. Another concern is about the dissemination of information on some resources in Hilongos. The LGU outsources to other municipalities not knowing the resources are now available in Hilongos as well as the business owner doesn't know that the LGU was looking for some resources. She states that "unsaon man namo nga makahibaw mi para ma update mi nga naa mi diri anhi available mi ana"

Mr. Natividad suggested that they should coordinate with the BAC about the requirements, especially in inquiring about PhilGEPS.

One of the business owners asked about the amount of PhilGEPS. Ms. Fabular answered that according to her research, the red PhilGEPS is below 200 thousand, beyond that is platinum required in PhilGEPS. She added that the municipality of Hilongos is very particular when it comes to the PhilGEPS color code. The LGU of Hilongos does not allow bidding on one office. They have public bidding where all offices are incorporated for bidding that requires platinum. Ms. Fabular reminded them that they should communicate with the proper office to be involved in the bidding.

Another concern is about the interior roads in the public market. There are instances in which motorcycles especially those Three (3) Wheeled Motor Vehicles can't pass through or have difficulty in passing the road because of its unevenness. This situation also causes accidents for some motorcycle drivers and other vehicles.

Ms. Fabular suggested that this could be referred to Hon. Lora under the Committee on Traffic. However, Ms. Fabular assured me that it may not have an action at the moment because it's a process however rest assured it will have an action.

There being no other matter to be discussed, the meeting was adjourned for the afternoon session at 3:00 on the afternoon with productive discussion and support showed from the people.

Prepared by:

MYKAEYLA MAE D AGUYO

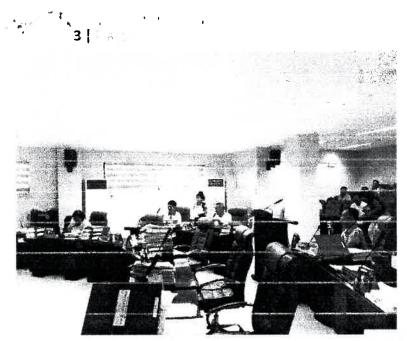
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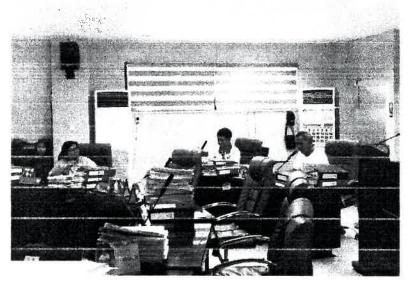
CATHERANE A. FABULAR
Secretary to the Sanggunian

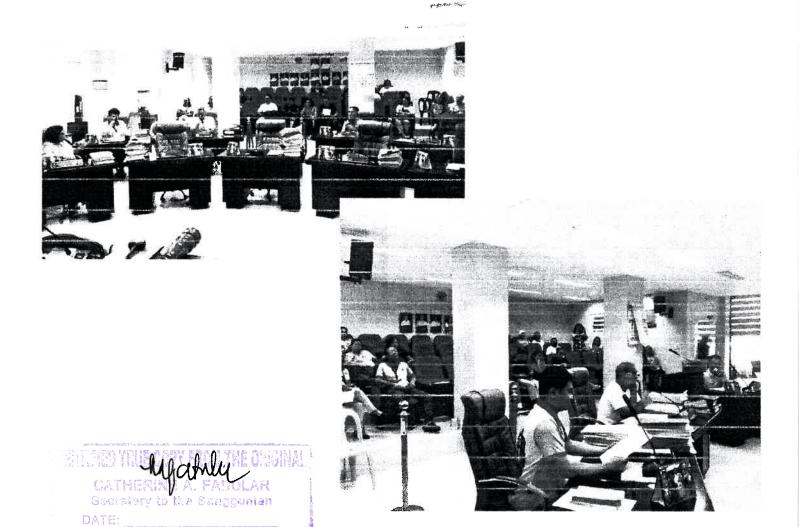
Concurred by:

HON. MANUEL M. GABISAN

Chairperson, Committee on Laws, Rules and Privileges













ATTENDANCE SHEET

PUBLIC HEARING ON THESDAY SEPTEMBER 3, 2024 AT 4:00 IN

THE AFTERNOON, CB SESSION HALL OF THE LEGESLATINE BUILDING

RE: AN OADINANCE MANDATING BUSINESSES OPERATING WITHIN THE TERRITORIAL

DIRISDICTION OF THE MUNICIPALITY OF HILONGOS TO SECURE A PHILIPPINE NATIONAL POLICE (PNP)

LENTIFICATE OF COMPORMITY AND OR DERIFFICATE OF DISTRIBUTION (HIP

Name	Position	Gender		Office/ Agency	Signature
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1. Timotea R. Riang	Seven		V		较
2. Ignorcia B. Navales	Semen		V		
3. Ailean S. Ruiz/Maila Newes	Accidant		/		of.
1. Tecdoro Ampo					- 0
MANUEL GABLEAN	SB Member	/			/1/2)
BENJE NATTYWDAD	Ad. MT	/		Mao	MYK
Alex Segundo	Store owner	1		CENTIFIED TRUE OF STOM THE ORIGIN	A Parties
MINA VIOLETA CALVISON VILLARTA	ASSILTANT		✓	CATHERINE A. FABULAR Secretary to the Senggunian DATE:	At d
ELENOR V. LEONOR	Hore cowner		V	A TOTAL SHORE SHOULD TRANSPORT TO THE SHORE SHOWING THE SHOP SHOWING THE SHOP SHOWING THE SHOP SHOWING THE SHOP SHOWING THE SHOWING THE SHOP SHOWING THE SHOWING THE SHOP SHOWING THE SH	Zim







Name	Position	Gender		Office/ Agency	Signature
		Male	Female		Signature
10. PACEL WIERTO	STORE OWNER		/		Hotel
11. Janet Llesis	OWNER		/		V. Llery
12. Miraisa A mand	Store owner		<u></u>		219-
13. JAMOTTO V. MUEGO	Market-14- charge - Designal		V		Quirap
14. HMJI Abdullah P.	stone owner	V			Shnoff.
15. JOYZETH P. LUZARES	SUPER Y 150R		\checkmark		Jans
16. Beyoni Gamp	LTOOY	-1			
17. PELINDA FUTALIGO	OWNER		L	JB Commercial Trading	M
.18. Catherine A. Fabular	Sec. to the SO		/	SO Secretary	Subahla
19. PH JOSE MANGMANG JR	DOOP. Holdes fur	_		Hilongo pur	
20. JERTHIAS A. FLORIS	SHEET !			CERTIFIED TRUE AND CAPACITY OR CATHERING A FARMING	
20. JERINIAS A. FLORES 21. Notginas Store	(hur		/	CATHERING A. FABULAR Secretary to the Sanggunian	phy
22. Romas Laran	Gury	/		DATE:	Rha







Name	Position	Gender		Office/ Agency	Signature
		Male	Female	Omet Agency	Signature
23. Markarbe Divinco Pollo	Sales attendant				Jungarte
24. Sheila P. Yambar	Proprietor			TRESE AWERTISING	
25. Dancy Marriam Albangam	Proprieta	To the second			m
26. Januar Dumper	proprián		/		h
27. Gay Dae s. mulato	propriotor		_		Mark Contraction of the Contract
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29. Jennifer Costo/Melchara Dela Torre	sales Atendant		/	k-one Star	Y
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32. × ~	_	-		•	· · · ×
33.	NOTHING 1	FOLLOWS		TOTOTIZIEN TOTE ABOV ANDRE TOTE	STORES AND SERVICE STORES
34.				CATHERINE A. FABUL Secretary to the Senggo	P*** *
35.				DATE: NAME OF THE OWNER OWNER OF THE OWNER OWN	14251 ************************************