

Item No.: 10
Date: 03 2024 DEC



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City
-oOo-

Province of Leyte
Legal Office
Released: *[Signature]*
Time: *11.26.24*

SANGGUNIANG PANLALAWIGAN
PROVINCE OF LEYTE
NOV 28 2024

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
November 15, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 478 of the Sangguniang Bayan of Babatngon, Leyte.

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

- Ordinance No. 478 entitled: **“An Ordinance adopting the Paleng QR PH Program in the Municipality of Babatngon, Leyte.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)¹ of the Local Government Code of 1991 (R.A 7160). Hence, we recommend for 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 the 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 (a) *The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code,*

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
06 November 2024

Province of Leyte
Legal Office
Received: *[Signature]*
Time: *[Signature]*
Date: 11-11-24

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein **Ordinance No. 478** of the **Municipality of Babatngon, Leyte**, entitled: **An Ordinance Adopting the Paleng QR PH Program in the Municipality of Babatngon, Leyte.**


ANDRES SANICO
Provl Govt. Asst. Dept. Head



OFFICE OF THE SANGGUNIANG BAYAN

05 November 2024

Honorable Leonardo M. Javier, Jr.
Vice Governor and Presiding Officer, and

The Honorable Members
Sangguniang Panlalawigan
Leyte Provincial Government Complex
Palo, Leyte

Dear Honorable Ladies and Gentlemen,


Respectfully endorsed to the Honorable Sangguniang Panlalawigan of the Province of Leyte is Ordinance ORDINANCE NO. 478 ENTITLED: "AN ORDINANCE ADOPTING THE PALENG QR PH PROGRAM IN THE MUNICIPALITY OF BABATNGON, LEYTE ." Said Ordinance is being forwarded to that Body for review in compliance with Section 56 (a) of Republic Act 7160.

Enclosed please find the following:

1. Ordinance No. 478, and
2. Certification of Posting

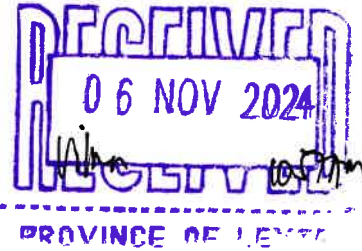
Please find them in order and praying for your favorable action thereof.

Very truly yours,


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate

Enclosed:
As stated

SANGGUNIANG PANLALAWIGAN

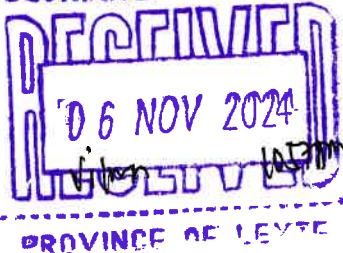




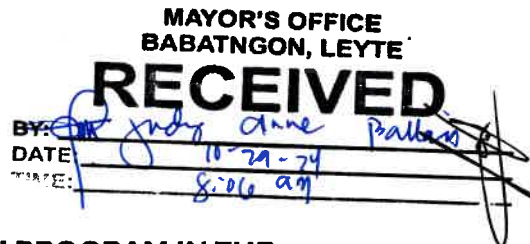
OFFICE OF THE SANGGUNIANG BAYAN

RELEASED
DATE: Nov. 5, 2024
TIME: 8:30 AM

EXCERPT FROM THE MINUTES OF THE 11th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BABATNGON, LEYTE HELD ON THE 23rd DAY OF SEPTEMBER 2024 AT THE SB SESSION HALL, LEGISLATIVE BUILDING, BABATNGON, LEYTE



ORDINANCE NO. 478



AN ORDINANCE ADOPTING THE PALENG QR PH PROGRAM IN THE MUNICIPALITY OF BABATNGON, LEYTE.

Author: **HON. FEDERICO P. ELIZAGA, JR.**
Sangguniang Bayan Member

Be it ordained by the Sangguniang Bayan of Municipality of Babatngon, Leyte in session assembled:

SECTION 1. Title - This ordinance shall be known as the "PALENG QR PH PROGRAM IN THE MUNICIPALITY OF BABATNGON, LEYTE."

SECTION 2. Definition of Terms .

- a) **DIGITAL PAYMENT** – refers to a monetary payment transaction between two (2) parties through digital payment instrument in which both the payer and the payee use an electronic channel.
- b) **ELECTRONIC FUND TRANSFER (EFT)** – refers to transfer of funds between two (2) transaction accounts in the same or in different financial institutions supervised by the BSP, which are initiated and received using electronic devices and channels to transmit payment transactions.
- c) **TRANSACTION ACCOUNT** – refers to a bank or e-money account held with a BSP-regulated Financial Service Provider (FSP) that can be used to store, send, and receive funds.
- d) **QUICK RESPONSE CODE (QR Code)** - is a two-dimensional image-based bar code capable of holding large amounts of information. QR codes store information using patterns of black dots and white spaces, arranged in a square grid. It can be read by a smartphone camera that is equipped with a barcode reader.
- e) **QR Ph** – is the national QR Code standard that allows a quick, low-cost, and safe method to pay, transfer to and receive funds from other bank and e-money accounts in the Philippines.
- f) **CLIENT or USER** – refers to a person who availed of the QR Ph ready Transaction Account.
- g) **CUSTOMER** – refers to a person who buys products, commodities, goods or other food products in public markets.
- h) **FINANCIAL SERVICE PROVIDER (FSP)** – refers to financial institutions that provide banking, loans, money transfers, and financial options to customers.

SECTION 3. Coverage – All vendors in public markets, community shops, sari-sari store owners, tricycle and tricycab operators and drivers, and other local merchants except for ambulant and street vendors, shall require to open a QR Ph-ready Transaction Account which shall be used for the payment of commodities, goods or other food products and fare, respectively. They shall also display conspicuously the QR Codes in their stores and vehicles for the convenience of customers.

SECTION 4. Assistance - The Local Government Unit of Babatngon (LGU-Babatngon), through the Business Permit and Licensing Office and in coordination with the Financial Service Providers (FSPs), shall provide necessary assistance to vendors, sari-sari store owners, tricycle and tricycab operators and drivers, other local merchants, and their clients in opening a QR Ph-ready Transaction Account.

The assistance may include the issuance of relevant documents such as LGU-Babatngon Certification which shall be free of charge, to support the know-Your-Customer (KYC) requirements of FSP and the holding of Paleng-QR Ph "account opening day (s)".



OFFICE OF THE SANGGUNIANG BAYAN

SECTION 5. Strategic Location of FSPs - All participating FSPs shall set up booths in strategic locations where they shall assist target users or clients in account opening and provide QR Code printouts that can be readily displayed in their terminals, stores, and vehicles.

SECTION 6. Participation of FSPs - All participating FSPs which are QR Ph-ready shall be invited by the LGU-Babatngon to participate in the Paleng-OR Ph Program and support the onboarding target users or clients to a Transaction account and adoption of Digital Payments in public markets and local transportation.

SECTION 7. Duties of FSPs - All participating FSPs shall perform the following:

- a) Provide personnel, customer assistance booths and other appropriate resources including QR Code printouts which are deemed reasonable to ensure the successful conduct of LGU-Babatngon Paleng-QR Ph account opening day (s);
- b) Provide target users or clients with appropriate materials on opening a Transaction Account using the QR Code payments and other digital financial services;
- c) Provide resource speakers and contents, as requested, for the LGU-Babatngon financial literacy program;
- d) Assign competent contact person to the LGU-Babatngon for efficient and timely coordination on the program implementation; and
- e) Provide special offers for accounts opened under the Paleng-QR Ph program such as free microinsurance coverage for a certain period (e.g., three months); t-shirts and other wearables; and special user rebates for a limited period.

SECTION 8. Identification of Users or Clients. Prior to the opening of QR-Ph ready Transaction Account, all target users or clients must show for the purpose of identification at least one government-issued identification card (ID card) to the FSPs personnel.

SECTION 9. LGU-Babatngon Certification - The LGU-Babatngon shall issue Certification to the participating FSPs in support of the Know-Your-Customer (KYC) of their requirements.

SECTION 10. - Information, Education and Communication Campaign (IECC) - The LGU-Babatngon shall develop its IECC and provide banners, standees, and other Paleng-QR Ph markers in public markets, terminals, tricycles and tricabs in order to promote and sustain the objective of the Paleng-QR Ph Program.

SECTION 11. - Free Internet Connectivity - The LGU-Babatngon shall facilitate the free internet access in public areas, public and community markets, and terminals to ensure ease and convenience of account opening and using QR Code digital payment by users and clients.

SECTION 12. - Prohibited Acts - The following are the prohibited acts:

- a) Refusal of vendors, sari-sari store owners, tricycle operators and drivers, and other local merchants to adopt and open a QR Ph-ready Transaction Account; and
- b) Failure of vendors, sari-sari store owners, tricycle operators and drivers, and other local merchants to provide QR Code printouts their stores, terminals and vehicles.

SECTION 13. Penalties - The following penalties shall be imposed for violation of this ordinance.

- a) First Offense - shall pay the penalty of PhP 1,000.00 and order the owner to comply with the provision of the ordinance, existing laws, rules and regulation within thirty (30) days from receipt of order.
- b) Second Offense - shall pay the penalty of PhP 2,000.00 and notify to cease operations until the owner to comply with the provisions of the Ordinance, existing laws, rules and regulation within the thirty (30) days from receipt of order.
- c) Third Offense - shall pay the penalty of PhP 2,500.00 and impose a Closure Order to the establishment.

SECTION 14. Separability Clause - If any provision or section of this Ordinance or the application of such provision or section to any person or circumstances is declared invalid, the remainder of the ordinance or the application of such provision to other persons or circumstances shall not be affected by such declaration.

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[Handwritten signatures and initials on the right margin]



OFFICE OF THE SANGGUNIANG BAYAN

SECTION 15. Effectivity. This ordinance shall take effect upon its approval, publication in a newspaper of general circulation and posting in three (3) conspicuous places in the local government unit.

ENACTED and APPROVED this 23rd day of September 2024 at Babatngon, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.

ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-Designate

ATTESTED BY:

HON. ROSARY PEARL G. CATUDIO
Municipal Vice-Mayor and
Presiding Officer

HON. CHRISTIAN C. LAWSIN
Sangguniang Bayan Member

HON. KEMUEL RUE M. CORSIGA
Sangguniang Bayan Member

HON. KARL JOMAR L. EMBANA
Sangguniang Bayan Member

(Mandatory Leave)
HON. ILDEFONSO B. ODON
Sangguniang Bayan Member

HON. FEDERICO P. ELIZAGA, JR.
Sangguniang Bayan Member

HON. HILARION S. MENZON
Sangguniang Bayan Member

HON. ALEX VELOSO BELLO
Sangguniang Bayan Member

(Official Travel)
HON. EDGARDO Y. MORDEN
President
Liga ng mga Barangay

HON. JUDE LEMWEL B. VETHIMVAS
President
Pambayang Pederasyon ng
Sangguniang Kabataan

APPROVED:

HON. ELEONOR B. LUGNASIN
Municipal Mayor

Date: 04 Nov. 2024





OFFICE OF THE SANGGUNIANG BAYAN


CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to certify that **POSTING** in prominent places in the Municipal Hall and some conspicuous places in the locality was undertaken starting **05 November 2024** and copies of said ordinance shall remain posted for **three (3) consecutive weeks**, pursuant to **Sec. 59 (b) of Republic Act 7160**, in relation to hereunder **Ordinance**, to wit:

1. **ORDINANCE NO. 478 - AN ORDINANCE ADOPTING THE PALENG QR PH PROGRAM IN THE MUNICIPALITY OF BABATNGON, LEYTE.**

Made this 5th day of November 2024 at Babatngon, Leyte.


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate

