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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT January 9, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 06, S. 2024 of the Sangguniang Bayan of Villaba, Leyte.

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

• Ordinance No. 06, S. 2024 entitled: "An Ordinance institutionalizing the Paleng-QR PH Program, etc."

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)(3)(ii)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

Provincial Legal Officer y

¹ (3) Subject to the provisions of Book II of this Code, grant franchises, enact ordinances authorizing the issuance of permits or licenses, or enact ordinances levying taxes, fees and charges upon such conditions and for such purposes intended to promote the general welfare of the inhabitants of the municipality, and pursuant to this legislative authority shall:

⁽ii) Regulate any business, occupation, or practice of profession or calling which does not require government examination within the municipality and the conditions under which the license for said business or practice of profession may be issued or revoked;

Republic of the Philippines PROVINCE OF LEYTE Palo, Leyte -000-



OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1st INDORSEMENT 10 January 2025

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed Municipal Ordinance No. 06, S. 2024 of the Municipality of Villaba, Leyte, entitled: An Ordinance institutionalizing the Paleng-QR PH Program in the Municipality of Villaba, Leyte.

FLORINDA JILLS. UYVICO Secretary to the Sanggunian



January 10, 2025

SANGGUNIANG PANLAL

PROVINCE OF LEYTE

THE SANGGUNIANG PANLALAWIGAN MEMBERS

New Provincial Government Complex Campetic, Palo, Leyte

Thru:

LEONARDO M. JAVIER, JR.

Vice Governor/Presiding Officer

Hon. Sangguniang Panlalawigan Members:

We respectfully transmit herewith fifteen (15) copies of:

MUNICIPAL 'ORDINANCE NO. 6, S-2024 - entitled: "AN ORDINANCE INSTITUTIONALIZING THE PALENG-QR PH PROGRAM IN THE MUNICIPALITY OF VILLABA, LEYTE,"

for your review and approval.

Best regards.

Very truly yours,

MC QUIRIE P. UMPAD, J. D. Secretary to the Sangguniang Bayan

Copy Furnished:

- 1. LOCAL CHIEF EXECUTIVE OFFICE
- 2. MUNICIPAL TREASURY OFFICE
- 3. MUNICIPAL ACCOUNTING OFFICE
- 4. MUNICIPAL BUDGET OFFICE Local Government Unit Villaba, Leyte



MUNICIPAL ORDINANCE NO. 06, S. 2024



AN ORDINANCE INSTITUTIONALIZING THE PALENG-QR PH PROGRAM IN THE MUNICIPALITY OF VILLABA, LEYTE

WHEREAS, Section 447 (3) (ii) of the Local Government Code states that regulate any business, occupation or practice of profession or calling which does not require government examination within the municipality and conditions under which the license for said business or practice of profession may be issued or revoked;

WHEREAS, in Joint Memorandum Circular No. 01, Series of 2022 issued by the Department of Interior and Local Government (DILG) and Bangko Sentral ng Pilipinas (BSP) on June 22, 2022, the DILG and BSP jointly developed the Paleng-QR Ph Program to promote digital payment in public markets and tricycle hubs in support of the National Strategy for Financial Inclusion (NSFI);

WHEREAS, the Joint Memorandum Circular sets the guidelines for the adoption and implementation of Paleng QR Ph Program by the local government units (LGUs) to promote digital payment among market vendors, sari-sari store owners, tricycle drivers, consumers and commuters;

WHEREAS, the Office of the Sangguniang Panlalawigan passed Resolution No. 2024-249 enjoining all Local Government Units of the Province Leyte to craft an ordinance and participate on the Paleng-QR PH Plus Program of the Bangko Sentral Ng Pilipinas and the Department of the Interior and Local Government (DILG).

WHEREFORE, on the motion by the Hon. Meriam P. Umpad, Chairman, Committee on Business and Economic Development of the Sangguiang Bayan of Villaba, Leyte, duly seconded en masse, be it

RESOLVED, as the body hereby resolves, to enact:

MACARIO V. ESMAS

ng Bayan Member

N-UI

RILE CHRISTON G. VELOSO SK Pederas on President MERIAM P. LUMPAD Sangguniang Bayan Member ROGEO J. BAAN

Sangguniang Bayan Member

ERALYN D. ARAGON Temporary Secretary to the Sangguniang Bayan

ENGR. CARLOS G. VELOSO Municipal Mayor

MUNICIPAL ORDINANCE NO. 06, S-2024

AN ORDINANCE INSTITUTIONALIZING THE PALENG-QR PH PROGRAM IN THE MUNICIPALITY OF VILLABA, LEYTE

Sponsored by: Hon. Meriam P. Umpad

Section 1. Title- The Ordinance shall be known as the "Villaba's Paleng-QR Ph Program."

Section 2. Definition of Terms

- a) Client or user refers to a person who owned a business related to products, commodities, goods as well as operators of tricycles or habalhabal and who opted to avail of the QR Ph-ready Transaction Account.
- b) Customer- refers to a person who buys products, commodities, goods or other food products in public markets or rides in a tricycle, habal-habal or tricab.
- c) Digital Payment refers to a monetary payment transaction between two
 (2) parties through a digital payment instrument in which both the customer and user use an electronic channel.
- d) Transaction Account refers to a bank ore-money account held with a BSP-regulated financial service provider (FSP) that can be used to store, send, and receive funds.
- e) Quick Response Code (QR Code)- is a two-dimensional image-based bar 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.
- f) 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.
- g) Financial Service Providers (FSPs) refers to financial institutions that provide banking, loans, money transfers, and financial options to customers.

Section 3. Coverage - All vendors in Villaba public market, community shops, sari-sari store owners, tricycle, habal-habal 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

DENNIS L. SY
Vice Mayor/ Presiding Officer
ROQUE M. COMPRA
Sangguniang Bayan Member

MACARIO V. ESMAS LNB President Sangguniang Bayan Member

RILE CHRISTIAN P. VELOSO SK Pederasyon President MERIAM P. UMPAD Sangguniang Bayan Member

ROGELIO BAAY Sangguniang Bayan Membe

ERALYN D. ARAGON Temporary Secretary to the Sangguniang Bayan

ENGR. CARLOS G. VELOSO Municipal Mayor Any person other than those persons mentioned above who wishes to buy commodities, goods or other food products in public markets or rides in a tricycle, habal-habal or tricab, and wants to avail of Digital Payment may opt to open QR Ph-ready Transaction Account.

Section 4. Assistance - The Local Government Unit of Villaba Leyte (LGU-Villaba), through the Local Economic and Investment Promotions Office/Business Permit and Licensing Office (LEIPO/BLPO), and in coordination with the Municipal Treasurers Office (MTO), shall provide necessary assistance to vendors, sari-sari store owners, tricycle, habal-habal and drivers, other local merchants, and their clients in opening of QR Code.

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 LGU-Villaba to participate in the Paleng-QR 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.a QR Ph-ready Transaction Account.

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 Villaba 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-Villaba's financial literacy program;
- d) Assign competent contact person to the LGU-Villaba 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, but not limited to, free microinsurance coverage, t-shirts and other wearables, and special rebates for users or clients.

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.

DENMIS D.SY Vice Mayor/ Presiding Officer

MACARION. ESMAS LNB President JULCA MARINA L. CON-UT Sangguriang Bayan Member

RILE CHRIST ANG. VELOSO

MERIAM P. UMPAD Sangguniang Bayan Member

ROGELIO1. BAAY Sangguniang Bayan Member

ERALYN D. ARAGON
Temporary Secretary to the Sangguniang Bayan

ENGR. CARLOS G. VELOSO Municipal Mayor Section 9. Information, Education and Communication Campaign (IECC) - The LGU Villaba shall develop its IECC and provide banners, standees, and other Paleng-QR Ph markers in public markets, terminals, and tricycles, habal-habals in order to promote and sustain the objective of the Paleng-QR Ph Program.

The IECC will cover financial literacy program using appropriate channels on key topics such as effective use of Digital Payments in business, financial services for micro and small enterprises, and financial consumer protection.

Section 10. Free Internet Connectivity - The LGU-Villaba shall implement a 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 or clients.

Section 11. 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 12. Penalties - The following penalties shall be imposed for any violation of this Ordinance:

- a) First Offense - the violator shall pay the penalty of PhP1,000.00 and order the owner to comply with the provisions of the Ordinance, within thirty (30) days from receipt of order.
- **b**) Second Offense - the violator shall pay the penalty of PhP2.000.00 and notify to cease operations until the owner to comply with the provisions of the Ordinance, within thirty (30) days from receipt of order.
- Third Offense the violator shall pay the penalty of PhP2,500.00 and impose c) a Closure Order to the establishment.

Refusal or failure to settle or pay the aforesaid penalty shall cause the filling of appropriate charges in the proper courts.

Section 13. 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.

/ice Mayor/ Presiding Offi

MACARIO VESMAS LNB President

N. ÉNEVOLDSEN

ng Bayan Member

RILE CHRIST AF G. VELOSO SK Pederasyon President

Secretary to the Sangguniang Bayan

Municipal Mayor

Section 15. Effectivity- This Ordinance shall take effect upon approval and upon completion of its publication requirements.

This Ordinance was approved by the Sangguniang Bayan in its Regular Session on October 22, 2024.

ERALYN D. ARAGON
Temporary Secretary to the Sanggunian

ATTESTED:

DENNIS L. SY

√ice Mayor/Presiding Officer

JULCA KATRINA L. CON-UI Sangguniang Bayar Member

MERIAM P. UMPAD
Sangguniang Bayan Member

ROQUE M. COMPRA Sangguniang Bayan Member

RILE CHRISTIAN G. VELOSO
SK Pederasyon President

ELLY MARIA N. ENEVOLDSEN Sangguniang Bayan Member

ROGELIO J. BAAY Sangguriang Bayan Member

MACARIO V. ESMAS LNB President

APPROVED:

ENGR. CARLOS G. VELOSO

Municipal Mayor

2 6 NOV 2024



MINUTES OF THE PUBLIC HEARING CONDUCTED BY THE COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT ON THE PROPOSED ORDINANCE AN ORDINANCE INSTITUTIONALIZING PALENG — OR PH PROGRAM IN THE MUNICIPALITY OF VILLABA, LEYTE ON OCTOBER 18, 2024 AT THE VILLA FANTA, FISH PORT, BARANGAY POBLACION DEL NORTE, VILLABA, LEYTE.

PRESIDING OFFICER: HON.MERRIAM P. UMPAD, COMMITTEE CHAIR.

Present:

HON. NIEL ALBERT B. INOPIQUEZ - Vice Chairman, Committee on Business and Economic Development

MRS. ANA MARIE B. SARINO - Local Legislative Operations Officer

MARKET VENDORS, Sari-Sari Store Owners, Tricycle Drivers and other concern individual in the Municipality of Villaba, Leyte.

Members Absent:

HON. ELLY MARIA N. ENEVOLDSEN

The Public Hearing was called to order by the Presiding Officer at 9:30 in the morning. The Hon. Niel Albert B. Inopiquez led the singing of the Philippine National Anthem. Mrs. Aiza Maurillo led the prayer. Roll Call and acknowledgement of the attendees.

AGENDA:

Proposed Ordinance Institutionalizing the Paleng- QR PH Program in the Municipality of Villaba, Leyte.

Hon. Umpad informed and discussed the Paleng- QR Ph Program on how to promote digital payment in the public market and tricycle hubs in support of the National Strategy for Financial Inclusion (NSFI). She also informed that the Joint Memorandum Circular sets the guidelines for the adoption and implementation of Paleng – QR Ph Program by the local government units (LGU's) to promote digital payment among market vendors, sari-sari store owners, tricycle drivers, consumers and commuters.

In the proposed ordinance, the following acts are prohibited that 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 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.

Hon. Umpad discussed the penalties shall be imposed for any violation of this ordinance; First offense the violator shall pay the penalty of P 1,000.00 and order the owner to comply with the provisions of the Ordinance, within thirty (30) days from receipt of order. Second Offense the violator shall pay the penalty of P2,000.00 and notify to cease operations until the owner to comply with the provisions of the Ordinance,

within thirty (30) days from receipt order. Third Offense the violator shall pay the penalty of P2,500.00 and notify to cease operations until the owner to comply with the provisions of the Ordinance, within thirty (30) days from receipt of order.

On the other hand, attendees also raised their concerns about an individual who does not know how to use the gadget and does not have a gadget and can not know how to operate a digital payment which the Presiding Officer took notice.

Eventually the concerned individuals agreed to the said prohibited acts and penalties in the proposed ordinance.

The public hearing ended at 10:30 in the morning. No other matters to be discussed.

The public hearing was adjourned at 10:30 in the morning

CERTIFIED CORRECT:

Secretary to the Sangguniang Bayan

ATTESTED:

HON. MERIAM P. UMPAD

Committee Chairman



COMMITTEE ON BUSINESS AND ECONOMIC DEVELOPMENT

COMMITTEE REPORT

SUBJECT:AN ORDINANCE INSTITUTIONALIZING THE PALENG-QR PH PROGRAM IN THE MUNICIPALITY OF VILLABA, LEYTE.

FINDINGS AND RECOMMENDATIONS:

It was found out that this program is not applicable to all vendors considering that some of them are not knowledgeable in operating digital payment and those who has a small business. The Chairman recommended that vendors, sari-sari store owners, tricycle drivers who does not know how to operate the digital payment will find ways or used their iniative in dealing their customers and consumers during payment transactions.

	Committee Chairman
CONCURRING:	DISSENTING:
NIEL ALBERT B. INOPIQUEZ	
Member	Member
ELLY MARIE N. ENEVOLDSEN	
Member	Member
ABSTAIN	1 :
Member	

APPENDICES:

e.g. Minutes of Public Hearing and Committee Meetings and Attendance Sheet, Photo/Videos.

ATTENDANCE SHEET

Second Public Hearing on the proposed ordinance "An Ordinance Institutionalizing the Paleng-QR PH Program in the Municipality of Villaba, Leyte on October 18, 2024 at 9:00 o'clock in the morning at Villa Fantha, Poblacion del Sur, Villaba, Leyte.

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Roberto Jr. Magallanes	Pob del Norte	Store Owner	Larris
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JESSIE S. ORNOPIA	PAYAO, VILLABA	SALES LADY - AN STOR	E YOU
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SANGGUNIANG BAYAN

Office of the Secretary to the Sanggunian

NOTICE OF PUBLIC HEARING

Notice is hereby given that another public hearing will be conducted by the Sangguniang Bayan Committee on Business and Economic Development, October 18, 2024 at 9:00 o'clock in the morning at Villa Fanta, Fish Port, Barangay Poblacion del Sur, this Municipality regarding the proposed ordinance authored by Sangguniang Bayan Member Meriam P. Umpad entitled:

"AN ORDINANCE INSTITUTIONALIZING THE PALENG-QR PH PROGRAM IN THE MUNICIPALLITY OF VILLABA, LEYTE"

The Municipal Administrator, Municipal Treasurer's Office, Officers and Members of Villaba Chamber and Commerce, as well as the Sectoral Representatives of the market vendors and all other interested parties are invited to attend.

Villaba, Leyte, Octobe	er 14, 2024.	- codor	ATT TO M
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Republic of the Philippines)
City of Ormoc)S.S.

AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned:

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

MUNICIPAL ORDINANCE NO. 06, S. 2024

AN ORDINANCE INSTITUTIONALIZING THE PALENG-QR PH PROGRAM IN THE MUNICIPALITY OF VILLABA, LEYTE

APPROVED:

VERIFICATION

SWORN AND SUBSCRIBED before me this day of with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

Doc No. : <u>801</u>
Page No.: <u>60</u>
Book No.: <u>IV</u>

Series of 20 24

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Valid until April 14, 2025



