



Republic of the Philippines
Province of Iloilo
MUNICIPALITY OF OTON
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT from the Minutes of Session of the Sangguniang Bayan ng Oton, Iloilo recorded during its Regular Session held at the SB Session Hall on December 28, 2023 at 9:00 in the morning.

PRESENT:

Vice Mayor Jose Neil Portugalete Olivares
Hon. Jimmy Robles Olivares
Hon. Ma. Lorna Tumambo Geonigo
Hon. Dennis Quillo Geroche
Hon. Ernesto Cordova Ticao
Hon. Lee Cereño Alison – Bretaña
Hon. Grace Marie Escanlar-Cruz
Hon. Rodolfo Zurita Alconga, Jr.
Hon. Vanessa Turita Salinas
Hon. Paul Mediavilla Buenafe
Hon. Hyacinth Celiz Gardose

Vice Mayor and Presiding Officer

SB Member
SB Member
SB Member
SB Member
SB Member
SB Member
SB Member
SB Member
SB Member (LNB Representative)
SB Member (PPSK Representative)

ON OFFICIAL BUSINESS:

None.

ABSENT:

None.

**ORDINANCE NO. 2023 – 434**

AN ORDINANCE MANDATING ALL BUSINESSES OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF OTON, ILOILO ENGAGED IN THE MANUFACTURING, SELLING OR DISTRIBUTION OF PNP OFFICERS, INSIGNIAS, AND OTHER ACCOUTREMENTS TO SECURE PNP CERTIFICATE OF CONFORMITY AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF.

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 until shall ensure and support the maintenance of peace and order within their respective territorial jurisdiction;

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

WHEREAS, on 03 September 2020, the Philippine National Police Directorate for Research and Development (PNP-DRD) has issued DRD Standard Operating Procedure No. 2020-001 prescribing the procedures and guidelines in handling of samples as basis for issuance of Certificate of Conformity(COC);

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

WHEREAS, there is a need to enact a corresponding ordinance to mitigate, or even eradicate, the proliferation of the unauthorized PNP uniforms and commission of illegal activities within the Municipality of Oton, Iloilo through the business establishments that will be identified that engage in the manufacture, sale and distribution of PNP uniforms, dss insignias, and other accoutrement.

NOW, THEREFORE, ON MOTION Hon. Rodolfo Z. Alconga, Jr., chair committee on Public Order & Safety and Disaster Risk together with Hon. Paul Mediavilla Buenafe and Hon. Hyacinth Celiz Gardose and **DULY SECONDED** by Hon. Ma. Lorna T. Geonigo

BE IT ORDAINED by the Sangguniang Bayan of Oton, that;

SECTION 1. SHORT TITLE OF ORDINANCE - The Ordinance shall be known as: Securing the PNP Certificate of Conformity Ordinance.

SECTION 2. SCOPE AND APPLICATION - This ordinance covers all businesses operating within the territorial jurisdiction of Municipality of Oton, Iloilo, whether in physical, online or in digital platforms, engaged in the manufacture, sale and distribution of Philippine National Police uniforms, insignias, and other accoutrements. 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:

a) PNP uniforms, insignias, and accoutrements - these are authorized clothing, garment, distinguishing mask, emblem, merchandise or decorations worn by bona fide members and officially acknowledged by Philippine National Police.

b) PNP Certificate of Conformity (COC) – a certification issued by the PNP through the Directorate for Research and Development (DRD) which signifies authority to manufacture, sell or distribute PNP uniforms, insignias and accoutrements.

c) 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.

d) Manufacture – act of producing or trading of fit to use, ready to wear, or ready to use PNP uniforms, insignias and accoutrements.

SECTION 4. REQUIREMENT FOR PNP CERTIFICATE OF CONFORMITY – all businesses engaged and dealing with PNP uniforms, insignias and accoutrements shall secure a PNP Certificate of Conformity prior to obtaining a Business Permit or the renewal thereof and submit to the BPLO the certified true copy of the PNP Certificate of Conforming as additional requirement in the application or renewal of their business permit..

SECTION 5. COORDINATION WITH PNP – for effective implementation of Ordinance, the PNP shall be integrated into the BPLO of Oton, to ensure that all covered establishments engaged in the manufacturing, selling or distribution of PNP uniforms, insignias and accoutrements that are applying for business permit shall be evaluated by a dedicated PNP personnel.

The PNP shall also submit to the BPLO a Negative list of registered covered establishments who failed to secure PNP Certificate of Conformity.

SECTION 6. AUTHORITY TO INSPECT ESTABLISHMENTS – the BPLO, in coordination with the PNP shall periodically conduct joint inspection of covered business establishments requiring the presentation of its respective PNP Certificate of Conformity.

SECTION 7. IMPLEMENTING OFFICES - the Business Permit and Licensing Office in coordination with the Oton Municipal Police Station shall make the Implementing Rules and Regulations (IRR) and execute provisions of this Ordinance as to the manner of inspection, presentation and submission of the PNP Certificate of Conformity.

SECTION 8. PENALTIES - Failure to secure PNP Certificate of Conformity or the same during the inspection shall warrant the issuance of appropriate Notice of Violation. Upon findings that the establishment continuously violates pertinent provision this Ordinance, the BPLO may either order the suspension of the business operation, revocation of the business permit, or closure of business establishment depending of the nature of violation committed.

In case of violations found during the aforementioned inspections of failure to present competent proof of authority to deal with PNP uniforms, insignias and other accoutrements. The items found therein shall be seized and confiscated subject to proper disposal, without prejudice to revocation of the business permit and the filling of appropriate administrative, civil or criminal case.

Any violator of the aforementioned provisions shall be imposed of a penalty of fine of Two thousand Five Hundred Pesos and/ or imprisonment for Five (5) days, at the discretion of the Court.

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

SECTION 10. REPEALING CLAUSE – All ordinances, rules 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. Based on Section 511 of the Code, this Ordinance shall take effect after 3 weeks following the completion of its posting in at least 2 conspicuous places in the municipality and publication in the newspaper of general circulation, whichever comes later.

SECTION 12. COPIES – Copies of this ordinance given to Mayor’s Office, MTO, MBO, Acctg., MPDC, BPLO, MEEDO, Admin., Legal Officer, 37 Barangays, Oton – PNP and Sangguniang Panlalawigan for information and review respectively.


UNANIMOUSLY APPROVED.

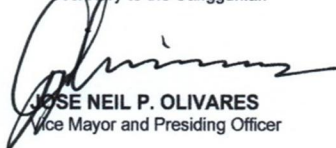
I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

Concurred:


VANESSA T. SALINAS
Chair - Committee on Rules and Privileges

Attested:


KERRY ANN T. LACIFICAR
Secretary to the Sanggunian


JOSE NEIL P. OLIVARES
Vice Mayor and Presiding Officer

Approved:


SOFRONIO M. FUSIN, JR.
Municipal Mayor

Date Approved: JAN 17 2024

Date Posted: JAN 17 2024