



OFFICE OF THE SANGGUNIANG BAYAN

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF SIAYAN,
ZAMBOANGA DEL NORTE HELD AT THE MUNICIPAL SESSION HALL ON THE 4TH DAY OF DECEMBER
2023.**

PRESENT:

Hon. Josecor S. Gepolongca, Presiding Officer	Municipal Vice Mayor
Hon. Raul P. Dominise, Presiding Officer Pro-Tempore	Sangguniang Bayan Member
Hon. Daisy A. Limbang, Majority Floor Leader	-do-
Hon. Wilfredo A. Siasico, Asst. Majority Floor Leader	-do-
Hon. Roel J. Fabiran,	-do-
Hon. Rey L. Anugon	-do-
Hon. Wencito B. Intoy,	-do-
Hon. Billynel C. Catig,	-do-
Hon. Estrella S. Zapatos, Minority Floor Leader	-do-
Hon. Maribel C. Okay, LIGA President	-do-
Hon. Dave F. Labadlabad, SK Fed. President	-do-
Hon. Johnny C. Anugon, Sr. IPMR	-do-

ABSENT:

PREFATORY STATEMENT

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 Accoutrements 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 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, considering that the PNP National Headquarters sits within the territorial jurisdiction of the municipality and there are a number of business establishments that engage in the manufacture, sale and distribution of PNP uniforms, insignias, and other accoutrement, there is a dire need to enact a corresponding Municipal Ordinance to mitigate, or even eradicate, the proliferation of the unauthorized PNP uniforms and commission of illegal activities within the municipality of Siayan, Zamboanga del Norte.

BE IT ORDAINED by the Sangguniang Bayan in Session Assembled:

"MUNICIPAL ORDINANCE NO. 23-16

Series of 2023

SECTION 1. TITLE. This Ordinance shall be known as: **"AN ORDINANCE MANDATING BUSINESSES OPERATING WITHIN THE TERRETRIAL JURISDICTION OF THE MUNICIPALITY OF SIAYAN, ZAMBOANGA DEL NORTE TO SECURE A 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".**

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 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 mark, emblem, merchandise, or decorations worn by bona fide members and officially acknowledged by the Philippine National Police.

b) PNP Certificate of Conformity – a certification issued by the PNP through the Directorate for Research and Development 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 and sale – act of producing or trading of fit-to-use, ready-to-wear, or ready-to-use PNP uniforms, insignias, and other accoutrements.

e) Certificate of Distributorship – a certification issued by a holder of PNP 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 businesses must likewise secure the same certification prior to its application for business license/permit renewal.

SECTION 5. IMPLEMENTING OFFICES – The Business Permit and Licensing Office (BPLO) is the primary office mandated to make the Implementing Rules and Regulations (IRR) and to execute the provisions of this Ordinance, with the assistance of the Department of Public Order and Safety (DPOS) and the Information and Technology Department Office (ITDO) and in coordination with the Philippine National Police through the Directorate of Research and Development

SECTION 6. COORDINATION WITH THE PNP - The Business Permit and Licensing Office (BPLO) will regularly coordinate with the PNP Directorate for Research and Development for the latest list of manufacturers, suppliers, sellers, distributors, etc., with valid and existing PNP Certificate of Conformity and/or Certificate of Distributorship. The updated list will be the basis of verification by the municipal government of the status of the applicant for business license/permit.

SECTION 7. AUTHORITY TO INSPECT ESTABLISHMENTS – The Siayn Municipal Police Station (SMPS) personnel shall be authorized to conduct inspection of business establishments requiring the presentation of its respective PNP Certificates of Conformity and/or Certificate of Distributorship. 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 noncompliance, continued and subsequent failure to comply with the provisions of this Ordinance shall constitute ground for suspension, revocation, or cancellation of establishment's business permit.

In case of violations found during the aforementioned inspections for failure to present competent proof of authority to deal with PNP uniforms, insignias and other accoutrements, the items found therein shall be seized or 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 of a penalty of fine of One Thousand (p1,000.00) Pesos not exceeding Two Thousand Five Hundred (P2,500.00) pesos and/or imprisonment for Thirty days but not more than Sixty days.

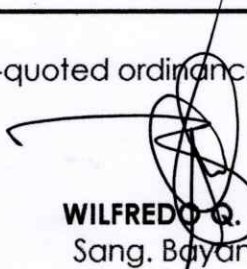
SECTION 9. SEPARABILITY CLAUSE. - If for any reason, any section of this Ordinance shall be held unconstitutional or invalid, other sections which are not affected thereby shall continue to be in full force and effect.

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 effectivity of this Ordinance shall not be impaired.


SECTION 11. EFFECTIVITY CLAUSE. – This Ordinance shall take effect ten (10) days after the Declaration in Order as operative of the Sangguniang panlalawigan in the Province of Zamboanga del Norte and publication in a newspaper of local circulation.

ENACTED this 24th day of December 2023.


I HEREBY CERTIFY to the correctness of the above-quoted ordinance.


WILFREDO Q. DOMPALES
Sang. Bayan Secretary

**CERTIFIED CORRECT
AS TO ITS PASSAGE:**


JOSECOR S. GEPOLONGCA
Municipal Vice Mayor
(Presiding Officer)

APPROVED:


ALBERTO J. BONGCAWEL
Municipal Mayor

DEC 21 2023