



Republika ng Pilipinas
Lungsod Quezon
SANGGUNIANG PANLUNGSOD
(City Council)

PO98-89

30th Regular Session

ORDINANCE NO. ~~SP-784~~ S-99

AN ORDINANCE PENALIZING THE OWNER/OPERATORS OF ANY BUSINESS AND/OR ENTERTAINMENT ESTABLISHMENT OPERATING IN QUEZON CITY FOR HIRING/EMPLOYING CHILDREN AND MINORS.

Introduced by Councilor NANETTE CASTELO DAZA.

Co-Introduced by Councilors Vincent P. Crisologo, Elizabeth A. Delarmente, Rommel R. Abesamis, Godofredo T. Liban II, Jorge L. Banal, Eufemio C. Lagumbay, Julian M.L. Coseteng, Anthony C. Castelo, Jesus C. Suntay, Marcel C. Rillo, Ramon G. Mathay, Bayani V. Hipol and Almario E. Francisco.

WHEREAS, there are business establishments in Quezon City, notably the entertainment sector, exploiting and/or employing the services of minors in violation of existing laws on the protection of children and minors including, but not limited to, the Labor Code of the Philippines, the Child and Youth Welfare Code (P.D. 603), the Child Prostitution and Other Sexual Abuse Law (R.A. 7610), and the Anti-Sexual Harassment Law (R.A. 7877);

WHEREAS, on the part of the Quezon City government which has the power and authority to issue permits to regulate the establishment, operation or conduct of business and/or entertainment establishments in Quezon City, there is a need to provide measures that will prevent these establishments from violating pertinent laws by temporarily suspending the Mayor's Permit of the concerned establishment and ordering its temporary closure after an information has been filed in Court charging the owner, manager, operator, president and/or chairman of the board thereof of a crime involving violation of laws on the protection of children and minor;

WHEREAS, under the Rules of Court, when an information is filed in Court, it means that the investigating fiscal has found cause to hold the respondent for trial for the crime charged and that there is a reasonable ground to believe that a crime has been committed and the accused is probably guilty thereof;

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991" provides that:

"Section 16. General Welfare. - Every local government unit shall exercise the powers expressly granted, those necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare...";

WHEREAS, under Section 455 (b)(3)(iv) of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", the City Mayor has the power to "issue licenses and permits and suspend or revoke the same for any violation of the conditions upon which said licenses or permits had been issued, pursuant to law or ordinance";

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED:

SECTION 1. The owner/operator of any business and/or entertainment establishment operating in Quezon City hiring/employing children and/or minors is hereby penalized.

SECTION 2. Any person, natural or juridical found violating any provision of this Ordinance shall be penalized by a fine of Five Thousand Pesos (P5,000.00) and/or imprisonment of one (1) month at the discretion of the Court. In the case of a corporation, the penalty shall be imposed upon the Chairman of the Board, the President or the Manager and the cancellation of the Mayor's Permit issued for the said business establishment.


SECTION 3. The City Mayor, upon the recommendation of the Business Permits and Licensing Office, may order the closure of the said establishment if the case is filed in Court.

SECTION 4. The Social Services Development Department (SSDD) shall undertake the necessary coordination with the Judiciary and the Central Police District Command (CPDC) to enable the City government through the said office to immediately know when a criminal case has been filed in Court.


SECTION 5. Separability Clause. - If, for any reason or reasons, any part or portion of this Ordinance is declared unconstitutional or invalid, other parts or portion thereof which are not affected thereby shall continue to be in full force and effect.

SECTION 6. This Ordinance shall take effect thirty (30) days after its publication in a newspaper of general circulation in Quezon City.


ENACTED: May 18, 1999.


CONNIE S. ANGELES
Vice Mayor
Presiding Officer

ATTESTED:


EUGENIO V. JURILLA
City Council Secretary

APPROVED: _____


ISMAEL A. MATHAY, JR.
City Mayor

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