

19<sup>th</sup> Regular Session

ORDINANCE NO. SP- **1494**, S-2005

AN ORDINANCE SUPPLEMENTING ORDINANCE NO. SP-23, S-1992 AND ESTABLISHING AND PROVIDING FOR "PEOPLE'S ORGANIZATION" ORDINANCE OF 2004".

Introduced by Councilors JANET M. MALAYA, BERNADETTE HERRERA-DY, ELIZABETH DELARMENTE, ROMMEL R. ABESAMIS, VOLTAIRE GODOFREDO L. LIBAN III, ALLAN BUTCH T. FRANCISCO, ANTONIO E. INTON, JR. and RESTITUTO B. MALANGEN.

Co-Introduced by Councilors Edcel B. Lagman, Jr., Alma F. Montilla, Winston "Winnie" T. Castelo, Ramon P. Medalla, Eric Z. Medina, Jorge B. Banal, Jr., Dante M. De Guzman, Edcel B. Lagman, Jr., Janet M. Malaya and Bayani V. Hipol.

WHEREAS, it is hereby declared to be the policy of the people of Quezon City to recognize and respect the role of independent people's organizations for the purpose of enabling the people to pursue and protect, within the democratic framework, their legitimate and collective interests and aspirations through peaceful and lawful means;

WHEREAS, in compliance with the provision of Republic Act 7160 also known as the Local Government Code of 1991, the Honorable City Mayor Feliciano R. Belmonte, Jr., through Executive Order No. 3, S 2003, dated February 3, 2003, has created the Quezon City Development Council;

WHEREAS, in order to safeguard and protect the right of the people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making, it shall facilitate and strengthen the establishment of adequate consultation mechanism;

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NOW, THEREFORE,

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

SECTION 1. Title. - This Ordinance shall be known as "An Ordinance Supplementing Ordinance No. SP-23, S-1992 and establishing and providing for "People's Organization".

SECTION 2. Definitions. As used in this ordinance, the following terms shall, unless context otherwise indicates, have the following respective meaning:

- a. "People's organizations" are bonafide associations of citizens with demonstrative capacity to promote the public interest and identifiable leadership, membership, and structure.
- b. A "bona fide associations" are those which genuinely reflect and foster the legitimate and collective interest and aspirations of their respective memberships, and not the personal interest merely of one or several individuals or minority groups within or outside of the association.
- c. "Demonstrated capacity to promote the public interest" shall refer to the association's proven ability, to adopt, undertake and/ or implement actual projects, Program and activities that benefits or redound to the benefits of its membership and/ or the community in which the members of the association resides, during a period of not less than three (3) consecutive years , shall be substantiated by appropriate documentation thereof.
- d. "Identifiable leadership" shall refer to the persons who are duly empowered officers of the association and recognized by its membership as such, and whose identities are named and disclosed in writing by the association at the time of its registration pursuant to this ordinance.
- e. "Identifiable membership" shall refer to those persons listed and disclosed as member of the association at the time of its registration pursuant to this ordinance. Only residents of Quezon City shall be members of people's organizations.



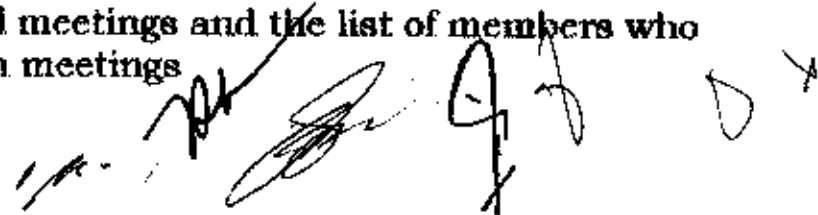
- f. "Identifiable structure" shall refer to the defined organizational structure of the association, and shall include that of any chapter, branch and/ or unit which may be established by the associations, as well as the relationship of chapters, branches and /or units to one another and to their parent association.
- g. "Local development councils" shall refer to the city council and barangay development council in all barangays created by law or pursuant to law that are constituted for the purpose of policy-making or planning and decision-making and for project planning and monitoring.
- h. The term "effective and reasonable participation" shall refer to the provision of opportunities to attend, participate and deliberate in hearings of local government councils, including planning meeting and public hearings of local development councils, barangay development council (s), and Sangguniang Panglunsod of Quezon City pursuant to the provisions of this ordinance.

**SECTION 3. Accreditation.** All NGO's and People's Organization may be required to accredit their organization as provided for in Ordinance No. SP-23, S-1992, in order to be lawfully recognized as such and to enjoy the corresponding rights conferred by ordinance.

**SECTION 4. Procedure for Accreditation.** (a) Who may apply for Accreditation. - Any bona fide association as defined in this Ordinance may apply for registration as a legitimate "people's organization.

(b) Requirements for Accreditation - The following shall be the requirements for registration:

- (1) Filing of an application for registration duly signed by the majority of all the members of the association.
- (2) Submission in writing of the names of the officers of the association, their addresses, the principal office address of the association, the minutes of the organizational meetings and the list of members who attended such meetings

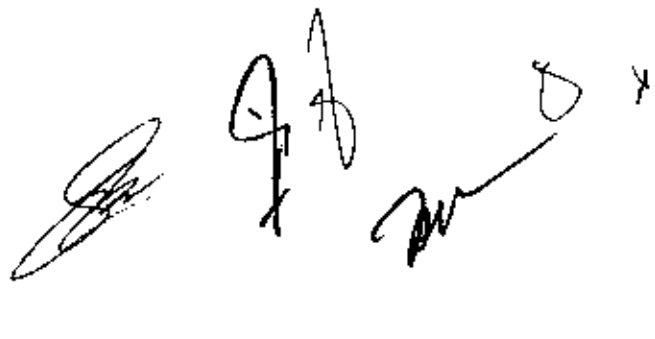


- (3) Submission of the list of members indicating their names, residences and citizenships, certified under oath by the secretary of the association, and the names of the association's duly authorized representative
- (4) Submission of two (2) copies each of the constitution or articles of association and by-laws of the applicant associations, minutes of the adoption or ratification thereof as well as the list of members who participated therein as evidenced by their signatures.
- (5) Submission of two copies of the certificate of registration issued by the Securities and Exchange Commission, if duly incorporated under the Corporation Code of the Philippines, or, in the case of unincorporated association not registered with the Securities and Exchange Commission consisting of five (5) to fifteen (15) members based in barangays, a written statement of the barangay captain attesting to the existence of the organization in the barangay for a period of at least three (2) years and a list of the activities and projects of the organization during the same period.

(c) Where to Accredit. – The applicant organization shall file its application for accreditation to NGO's or PO's Accreditation Committee as provided for in Ordinance No. SP-23, S-1992.

(d) Issuance of Certificate of Accreditation. – The certification of accreditation issued pursuant to Ord. No. SP-23, S-1992 shall remain valid for the duration of the term of Office of the Sangguniang Panlungsod concerned which issued such certificate of accreditation and it shall remain co-terminous.

The certificate of accreditation issued pursuant to Ordinance No. SP-23, S-1992 shall remain valid for the duration of the term of Office of the Sangguniang Panlungsod concerned which include such certificate of accreditation for three (3) years from the date of issuance whichever comes first, provided, however, that said certificate of accreditation shall remain co-terminus with the issuing Sangguniang Panlungsod concerned.

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**SECTION 5. Rights of People's Organization.** - duly registered people's organization shall have the following rights:

a. To act as the representative of its members for the purpose of effective and reasonable participation as defined in this ordinance and to designate duly authorized representative thereof;

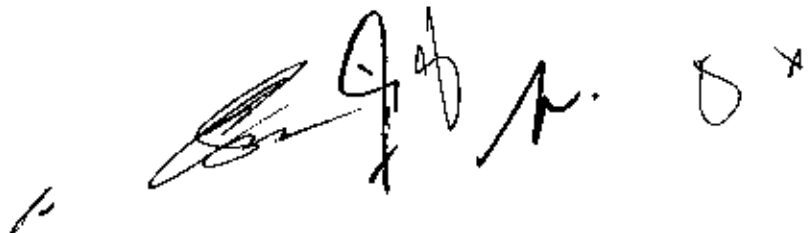
b. Subject to the discretion of the local special body concerned in view of the relevance of the specific issues involve to a particular accredited organization;

To be informed of and be invited to participate in, and act as the representative of its members for the purpose of participating in, meetings, and hearings of the local government council (s), local development council (s), Sangguniang Panglunsod, in which it has been duly registered as a people's organization; provided that notices of or invitations to such meetings and hearings shall be sent or served by said councils or committees upon the people's organizations concerned through their respective duly authorized representatives, as disclosed and declared in their respective registration papers, provided, further, that receipt of such notice or invitation by the duly authorized representative shall be deemed sufficient notice to the people's organization concerned; provided however, that no change by a people's organization of its authorized representative to a convening council or committee meeting or hearing shall be effective unless such change has been previously recorded in the records of the Accreditation Committee.

c. To act as the representative of its members in any negotiation or proceedings in meetings called by the barangay captain in matters pertaining to the interest of the community where the members reside;

d. To have access to information of decision reach or plans and projects which are approved for implementation.

**SECTION 6. Non-abridgement of Rights of People's Organizations.** - It shall be unlawful for any persons to restrain, coerce, discriminate against or unduly interfere with the rights of people to self organize, and those of their organizations, as provided for in this ordinance.

A handwritten signature in black ink, appearing to be 'J. N. S.', is written over the bottom right portion of the text. The signature is stylized and includes a small mark resembling a cross or asterisk to the right.

**SECTION 7. Notice of Hearing and Meetings** - For the purpose of providing opportunities for participation of people's organization, the following shall constitute notice of hearing and meetings, without prejudice to the provisions of Section 5 of this ordinance.

- (a) Publication of date, time, venue and subject matter of hearing and meeting in a news paper of local circulation, if any;
- (b) Posting of notice of date, time, venue and subject matter of hearing meeting in the municipal and/ or barangay hall, or residence of the barangay captain;
- (c) Service of notice of date, time, venue and subject matter of hearing and meetings on the president of the association or in his absence, any officer of the association

The government agency, local development council, or local legislative body conducting the hearing or meeting shall responsible for publication and posting of meeting or hearing. In the case of matters of local barangay halls will be required.

**SECTION 8. Verification of Notice of Hearing/Meeting** - In all matters and hearings conducted by any of the agencies and councils mentioned in Section 7 of this ordinance, the chairman shall verify that the appropriate notice has been issued in accordance with the provisions of this law and this verification shall be constituted as part of the records of the meeting/ hearing conducted.

**SECTION 9. Penalties** - Any person violating any of the provisions of this ordinance shall be punished by a fine of not exceeding five Hundred Pesos and/or imprisonment for not less than one day nor more than six months. If the person violating the provisions of this act is a public officer, he shall be punished with the maximum penalty as provided herein.

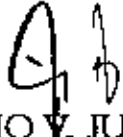
**SECTION 10. Repealing Clause.** - Any ordinance or resolution or portion thereof which is inconsistent is hereby modified, amended and/or repealed accordingly.

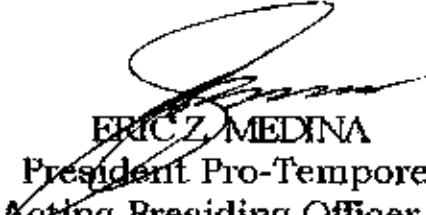
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SECTION 11. This ordinance shall take effect upon its approval.

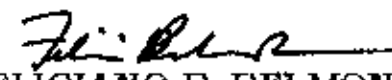
ENACTED: February 15, 2005.

ATTESTED:

  
EUGENIO V. JURILLA  
City Council Secretary


  
ERIC Z. MEDINA  
President Pro-Tempore  
Acting Presiding Officer

APPROVED:  March 22, 2005

  
FELICIANO R. BELMONTE, JR.  
City Mayor

CERTIFICATION

*This is to certify that this Ordinance which was APPROVED on Second Reading on February 8, 2005, was RECONSIDERED for Second Reading on February 15, 2005, and was finally PASSED on Second and Third/Final Reading by the City Council on the same date.*

  
EUGENIO V. JURILLA  
City Council Secretary