



Republic of the Philippines
Province of Sorsogon
CITY OF SORSOGON



Office of the Sangguniang Panlungsod

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SEVENTH CITY COUNCIL
HELD AT THE SANGGUNIANG PANLUNGSOD SESSION HALL, CABID AN, EAST DISTRICT,
SORSOGON CITY ON JANUARY 11, 2022.

PRESENT:

HON. MARK ERIC C. DIONEDA
City Vice Mayor/Presiding Officer

BACON DISTRICT

Hon. Jo Abegail C. Dioneda –via zoom
Hon. Melchor P. Atutubo-via zoom
Hon. Danilo A. Deladia

EAST DISTRICT

Hon. Ralph Walter R. Lubiano
Hon. Franco Eric O. Ravanilla-via zoom
Hon. Joven Francis J. Laura

WEST DISTRICT

Hon. Nestor J. Baldon
Hon. Erwin J. Duana
Hon. Fernando David H. Duran, III
Hon. Rebecca D. Aquino

EX-OFFICIO MEMBERS

Hon. Ma. Teresa D. Perdigon
Hon. Lorenz S. Abenion

ABSENT:

Hon. Hilario D. Dioneda
Hon. Mary Ellen D. Jamisola – on official business

Resolution No. 020, Series of 2022

(Author: Hon. Danilo A. Deladia)

RESOLUTION ENACTING AN ORDINANCE PRESCRIBING FEE FOR THE ISSUANCE OF CERTIFICATION OF DETENTION FOR INMATES CONFINED IN BJMP-MANNED JAIL FACILITIES IN THE CITY OF SORSOGON

WHEREAS, Article X, Section 5 of the 1987 Constitution provides that each local government unit shall have the power to create its own sources of revenues and to levy taxes, fees and charges subject to such guidelines and limitations as the Congress may provide, consistent with the basic policy of local autonomy. Such taxes, fees and charges shall accrue exclusively to the local government;

WHEREAS, Rule XXX, Part One, Art. 218 of the Implementing Rules and Regulations of R. A. 7160 specifically provides that consistent with the basic policy of local autonomy, each LGU shall exercise its power to create its own sources of revenue and to levy taxes, fees and charges subject to the provisions of this Rule. Such taxes, fees and charges shall accrue exclusively to the LGU;

WHEREAS, Article 100, (a), (5), (XV) of the Implementing Rules and Regulations of R. A. 7160 states that the Sangguniang Panlungsod, as the legislative body of the City,

shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the City and its inhabitants pursuant to Section 16 of the Code and in the proper exercise of the corporate powers of the City as provided in Rule IX of these Rules, and shall establish and provide for the maintenance and improvement of jails and detention center, institute sound jail management programs, and appropriate funds for the subsistence of detainees and convicted prisoners in the City;

WHEREAS, in comparison, under the Department of the Interior and Local Government (DILG), the Philippine National Police (PNP) and the Bureau of Fire Protection (BFP) have ways and means of generating revenues for the National Treasury;

WHEREAS, the PNP collects fee for the issuance of police clearances, permits related to firearms use and regulation, charges for the inspections and other regulatory fees for the operation of security agencies and similar security offices, while the BFP similarly issues paid permits and clearances to inspected commercial establishments on matters of fire prevention and protection;

WHEREAS, the BJMP is one of those organizations in government, specifically within the DILG, that do not have institutional ways and means of contributing to the national treasury nor to the local government units while charged with safekeeping inmates;

WHEREAS, to improve lives and living conditions of our less fortunate constituents detained in jails, a legislative fiat apposite to the augmentation of BJMP's meagre operational resources particularly those not provided in the General Appropriation Act or expense items not provided in the national budget, is called for;

NOW THEREFORE, on motion of **Hon. Danilo A. Deladia** duly seconded by **Hon. Ma. Teresa D. Perdigon**, resolve as it is hereby resolved to prescribe fee for the issuance of Certification of Detention for inmates confined in BJMP-Manned Jail Facilities in the City of Sorsogon.

City Ordinance No. 001, Series of 2022

AN ORDINANCE PRESCRIBING FEE FOR THE ISSUANCE OF CERTIFICATION OF DETENTION FOR INMATES CONFINED IN BJMP-MANNED JAIL FACILITIES IN THE CITY OF SORSOGON

BE IT ORDAINED BY THE 7TH CITY COUNCIL OF SORSOGON IN SESSION ASSEMBLED THAT:

Be it ordained by the 7th Sangguniang Panlungsod in session duly assembled that:

SECTION 1. SHORT TITLE

This ordinance shall be known as, **“CERTIFICATE OF DETENTION FEE FOR INMATES ORDINANCE OF 2022”**.

SECTION 2. PURPOSE AND GENERAL COVERAGE

This ordinance is in line with the provisions of the Local Government Code and its Implementing Rules and Regulations concerning common revenue-raising powers, power to create sources of revenue of a Local Government Unit (LGU) and the duties and

functions of the Sangguniang Panlungsod respectively. This shall cover BJMP-Manned Jail(s) in a Local Government Unit.

SECTION 3. DECLARATION OF POLICY

Consistent with the Local Government's commitment to improve the lives and living conditions of our less fortunate constituents who are detained in jails, providing means for the BJMP to generate revenue will in directly contribute to the easement of operational requisites for the realization of objectives that are intended for such purposes.

SECTION 4. SCOPE

4.1 This ordinance shall govern the issuance of Certificate of Detention for all inmates confined in jail situated within the jurisdiction of Sorsogon City, and other concerned individuals who wish to secure a copy for whatever legal purpose it may serve;

4.2 This ordinance shall be enforced by the Warden or by his/her authorized representative, and by the City Treasurer;

SECTION 5. DEFINITION OF TERMS

5.1 City – refers to the City of Sorsogon

5.2 BJMP-Manned Jail Facility – refers to jail facility managed and supervised by the Bureau of Jail Management and Penology (BJMP) within the territorial jurisdiction of the City of Sorsogon.

5.3 Certificate of Detention – refers to the certificate issued to the Person Deprived of Liberty (PDL) after actual and physical detention.

5.4 Person Deprived of Liberty (PDL) – refers to a person charged on an offense by virtue of which he is physically detained in a jail/detention facility. This term includes persons serving sentence by final judgement.

5.5 Fee – refers to the amount collected by the City Government from the PDL for the issuance of Certificate of Detention in the amount of One Hundred (P 100.00) Pesos per Certification.

SECTION 6. PROCEDURE ON HOW TO SECURE A CERTIFICATION. Procedure shall be follows:

6.1 A person deprived of liberty (inmate) or his representative or any other who wish to secure a Certificate of Detention or an authenticated copy thereof, for any legal purposes shall first seek from the Warden or his/her authorized representatives a verification slip indicating that the inmate whose certificate is being sought was actually or is presently confined/detained in the said facility;

6.2 After securing the verification slip, payment shall be made directly at the City Treasurer's Office, which shall issue an Official Receipt as proof of payment.

6.3 The cost of Certificate of Detention shall be One (Php 100.00) Pesos.



6.4 The Jail Warden or his/her duly Authorized Representatives shall cause the printing and issuance of the Certificate of Detention for the concerned inmate upon presentation of the official receipt issued by the City Treasurer's Office.

6.5 An inmate so declared by the court as indigent may avail of the Certificate of Detention free of charge.

SECTION 7. PENALTY FOR VIOLATION. Penalty for Violation of this ordinance shall be in the amount of Three Thousand (P 3,000.00) Pesos and without prejudice to filing of criminal complaint in accordance with the relevant provisions of the Revised Penal Code.

SECTION 8. SEPARABILITY CLAUSE - If for any reason or reasons, any part or provisions of this ordinance shall be held unlawful or invalid, other parts of provision thereof shall continue to be in full force and effect.

SECTION 9. REPEALING CLAUSE- All ordinances, local issuances, rules and regulations or parts thereof in conflict with or inconsistent with any provision of this ordinance are hereby repealed or modified accordingly.

SECTION 10. EFFECTIVITY - This ordinance shall take effect immediately upon its approval by the Sangguniang Panlungsod and after compliance with the law on public dissemination and publication as prescribed in Section 511(a) of R.A. 7160.

DATE APPROVED: JANUARY 11, 2022

I HEREBY CERTIFY to the correctness of the foregoing resolution and ordinance.

NEREO RONIE N. SIPOY

Assistant Secretary to the Sangguniang Panlungsod

Attested:


MARK ERIC C. DIONEDA
City Vice Mayor/Presiding Officer

Approved:


MA. ESTER E. HAMOR
City Mayor