



**Republic of the Philippines  
Tanggapan ng Sangguniang Panlungsod  
City of Naga**



**ORDINANCE NO. 95-002**

**AN ORDINANCE REGULATING THE ISSUANCES OF PERMIT FOR FUND RAISING,  
SOLICITATION AND OTHER SIMILAR FORMS OF FUND DRIVES; PRESCRIBING FEES  
AND CHARGES; AND PRESCRIBING PENALTIES FOR VIOLATING THEREOF: -**

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that: -

**ARTICLE I – TITLE & SCOPE**

**SECTION 1. - TITLE.** - This ordinance shall be known as the “Naga City Solicitation and Fund Drives Permit Ordinance”.

**SECTION 2. - SCOPE.** - The provisions of this ordinance shall control and regulate the solicitation of donations and voluntary contributions from the public to obviate illegal fund drives, and at the same time enjoin the cooperation and support of both public and private sector in all charitable and public welfare activities, pursuant to the provisions of Act. No. 4075, as amended by PD 1564, otherwise known as the Solicitation Permit Law, and as provided for the Local Government Code of 1991, Republic Act 7160.

**ARTICLE II – DEFINITION OF TERMS**

**SECTION 3. - Words and phrases defined.** - Words and Phrases as used in this ordinance mean the following:

- a) **FUND RAISING/FUND DRIVE** - shall refer to the act of solicitation by groups or organizations for the purpose of raising money for charitable or public welfare purposes, etc. including but not limited to benefit dances, contest, races, bingo games and other activities for a good cause, etc., but shall not include cockfights, lotteries and other games of chance and all kinds of solicitations emanating from the school.
- b) **SOLICITATION** - shall mean procuring anything of value, asking for donations and voluntary cash contributions from the public and private sectors in the community as a fund drive.
- c) **DONATION** - shall mean cash donation to a certain group for public welfare purposes and/or for a good cause.

**ARTICLE III – ISSUANCES OF PERMIT FOR SOLICITATION PERMIT**

**SECTION 4. - PROCESSING OF SOLICITATION PERMIT.** - The City social Welfare and development Office shall be tasked to process the issuance of permits for solicitation, fund raising and other similar forms of fund drives.

## **SECTION 5. – PROCEDURES. -**

1. Every application for a solicitation permit must be filled up in the prescribed Solicitation Permit form which shall be provided for by the City Social Welfare and Development Office (CSWDO) .
2. The CSWDO shall screen the application to determine if all requirements are complied with.
3. The CSWDO shall endorse the application to the City Mayor for his approval.

## **SECTION 6. –REGULATIONS. -**

The following regulations shall govern the issuance of solicitations and fund drives permits and strict compliances by al concerned must be observed:

1. In no case should any applicant start the drive for raising funds until the necessary permit to do so has already been obtained.
2. All applications for solicitations and fund drives must include the following:
  - a) A certified true copy of the constitution and By-Laws and a resolution of the Committee or board of directors of the applying association starting among other things the following:
    1. Name and address of the person duly authorized by the Committee or board to make the application;
    2. Names, addresses and positions of officers of the association;
    3. Names and addresses of authorized solicitors (or agents);
    4. Aims and purposes for which the drive to raise funds will be conducted;
    5. Commitment of each and everyone of the officers of the association to assume full responsibility for the value for all tickets and/or ballot sold in case of non-payments; and
    6. A pledge to limit the expenses of the drive to not more than 30% of the totals gross income if the funds are raised through the holding of benefits. In cases where the funds are raised purely through voluntary contributions, a pledge to limit the expenses to not more than 10% is required. In all cases, the balance must be expanded only for the projects proposed to b undertaken. This pledge should likewise state that no person should have a share in the proceeds to be derived there from.
3. The period of drive shall not exceed three (3) months. In meritorious cases, however, the City Mayor may extend the effectivity of such permit to a longer period but not exceeding three (3) months. Application for extension of permit beyond three (3) months shall require the approval of the City Mayor.
4. Postponement of the date of the affair and/or extension of period of the drive of solicitation may be made only upon approval of the CSWDO. In such case, a written request containing the reasons for the postponement or extension should be filed beforehand for immediate consideration thereof.
5. Persons or Officers in-charge of the drive for raising funds shall have absolutely no share in the proceeds to be derived there from, and contributions or collection from whatever source are to be acknowledged with receipts and expenditures supported by invoices or vouchers. Their books of

account should be in the possession of the Treasurer of the association who should make such books available for inspections and verifications at any reasonable time and place, as the CSWDO/City Mayor's Office deems it necessary.

6. Expenditures for any project other than those specified should be reported to the CSWDO/City Mayor.
7. In case of the loss of the permit, the person to whom the permit was issued must submit immediately to the City Mayor a statement duly sworn before a Notary Public stating the circumstances of the said loss before a replacement is issued.
8. On the sate of expiration of the permit, either used or unused, it is the duty of the person whom the permit was issued or the holder thereof, to surrender it to the City Social Welfare and development office and to submit a report of the names and addresses of the contributors and the person to whom assistance was rendered from the funds obtained; and an itemizes statement of collections and disbursements within one month from the date of its expiration or earlier as the City Mayor or CSWDO so required, said statement to be duly certified correct by a licensed Certified Public Accountant not connected with the organization, or by the City auditor or City Treasurer, or their authorized representatives, as the case maybe. If the permit was not used, a sworn statement of explanation to this effect must be made and submitted too.
9. In case of failure to surrender the original of the solicitations and Fund Drives Permit and to submit the financial report within the period given to the organization, the City Mayor or the CSWDO will send a letter of reminder. Failure to comply with the above will be sufficient case for the CSWDO/City Mayor to proceed against the erring corporation, association or individual.
10. In case of dissolution of the organization, any unexpended balance of funds or assets left must be accounted for in the name of the City Government for charitable and public welfare purpose.
11. Any group or organization conducting fund raising activities should always bring along with them the permit issued by the City Mayor subject for inspection.

**SECTION 7. - COLLECTION OF FEES AND CHARGES.** - The following fees and charges for the processing are hereby prescribed and authorized, to wit:

1. Concerts	P 1,000.00
2. Exhibitions, baseball and other similar games	1,000.00
3. Fund Raising/Fund Drives	300.00
4. Carolling/Pastoras	300.00
5.Schools Solicitation (e.g. Souvenir Program, Ads, Yearbooks Plays, all forms of solicitations And donation emanating from school)	200.00

The corresponding fees and charges shall be paid to the city Treasurer's Office provided by the official receipt to be attached to the Solicitation Permit application.

**SECTION 8. - PENALTY.** - Any person or persons founds guilty of violating any provision of this ordinance shall be penalized by a fine of not less than FIVE HUNDRED (P500, 00) PESOS but not more than ONE THOUSAND (P1, 000.00) PESOS or an imprisonment of not less than One (1) month but not more than six (6) months or both such fine and imprisonment at the discretion of the court.

**SECTION 9. - SEPARABILITY CLAUSE.** - Any ordinance, rules and regulations found inconsistent with the provisions of this ordinance are hereby repealed, amended and/or modified accordingly.

**SECTION 10. - EFFECTIVITY.** - This ordinance shall take effect upon its approval.

**ENACTED:** January 4, 1995.

**WE HEREBY CERTIFY** to the correctness of the foregoing ordinance.

**J. ANTONIO A. AMPARADO**  
City Secretary

**LOURDES V. ASENCE, M.D.**  
City Vice Mayor & Presiding Officer

APPROVED:

**JESSE M. ROBREDO**  
City Mayor