

AN ORDINANCE AMENDING SECTION 3 OF ORDINANCE NO. 1995-092, ALSO KNOWN AS THE EMPOWERMENT ORDINANCE OF NAGA CITY, BY DEFINING THE PHRASE "SUBSIDIZED BY GOVERNMENT FUND" IN PARAGRAPHS A AND B OF SAID ORDINANCE: -

Sponsors:

Hon. Gabriel H. Bordado Jr.

Hon. Mila S.D. Raquid-Arroyo

EXPLANATORY NOTE

WHEREAS, Section 3 of Ordinance No. 1995-092, otherwise known as The Empowerment Ordinance of Naga City, defines non-government organizations (NGOs) as "any aggrupation of individuals, not subsidized by government funds or organized for religious purposes or partisan politics, and whose primary ends are advocacy of issues or the realizations of specific developmental objectives for the community or a sector thereof" and people's organization (POs) as "any cooperative, labor union, business group, or any aggrupation of at least twenty-five (25) individuals belonging to the same sector or sharing a common interest, not subsidized by government funds or organized for religious purposes or partisan politics, and whose primary concern is the advocacy of sectoral issues; and/or the realization of specific developmental objectives for their sector or the promotion of their common interest; provided, that organizations of government employees shall not qualify as people's organizations under this ordinance."

WHEREAS, Section 7 of the aforementioned ordinance, on the other hand, clearly stipulates that "the City Government may provide assistance, financial or otherwise, to accredited NGOs and POs for economic, socially-oriented, environmental or cultural projects to be implemented within the territorial jurisdiction of the city";

WHEREAS, the term subsidy may be construed in the strictest sense of the word to mean as financial assistance or, as defined in Merriam-Webster's Dictionary and Thesaurus, "a gift of public money to a private person or company or to another government";

WHEREAS, the intention of the City Government of Naga not to categorize groups "subsidized by government funds" as non-government organizations or people's organizations is to disqualify those organizations being FULLY funded by a government institution:

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WHEREAS, the words "subsidized by government funds" in Section 3 of Ordinance No. 1995-092 may cause misunderstanding and confusion;

BE IT ORDAINED, therefore, by the Sangguniang Panlungsod of the City of Naga, in session duly assembled, that:

SECTION 1. -AMENDMENT TO SECTION 3 OF ORDINANCE NO. 1995-092.- Section 3 of Ordinance No. 2012-037 is hereby amended by defining the phrase "subsidized by government funds" in Paragraphs a, b and c, as follows:

"SECTION 3. - DECLARATION OF INTENT TO ENTER INTO PARTNERSHIP WITH NGOS AND POs. - The City Government of Naga hereby declares itself open to a partnership with duly accredited Naga-based people's organizations and non-government organizations in the conception, implementation and evaluation of all government activities and functions. As used in this ordinance, the following terms shall mean:

- a. Non-Government Organizations (NGOs) - any aggrupation of individuals, not organized for religious purposes or partisan politics, and whose primary ends are advocacy of issues or the community or a sector thereof.
- b. People's Organization (POs) - any cooperative, labor union, business group, or any aggrupation of at least twenty-five (25) individuals belonging to the same sector or sharing a common interest, not organized for religious purposes or partisan politics, and whose primary concern is the advocacy of sectoral issues; and/or the realization of specific developmental interest; provided, that organizations of government employees shall not qualify as people's organizations under this ordinance.
- c. Subsidized by government funds - refers to entities, groups or offices receiving government funds for the purpose of utilizing such funds to defray salaries and wages as well as operating expenses such as office rental and utilities expenses, etc. Government funds received by private entities by reason of projects and programs jointly implemented with the government shall not be considered as subsidy."

SECTION 2. - REPEALING CLAUSE. -All previous ordinances, issuances and regulations which are inconsistent with this ordinance are hereby repealed, amended or modified accordingly.

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SECIION 3. -EFFECTIVITY CLAUSE.-This ordinance shall take effect immediately upon its approval.

ENACTED: October 14, 2014.

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

GABRIEL H. BORDADO JR.
Acting City Vice Mayor &
Presiding Officer

GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod

APPROVED:

NELSON S. LEGACION
Acting City Mayor