

ORDINANCE NO. 2015-032

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AN ORDINANCE STRENGTHENING THE PEOPLE PARTICIPATION IN THE BARANGAYS, INSTITUTIONALIZING THE BARANGAY PEOPLE'S COUNCILS AND URGING THE BARANGAY GOVERNMENTS TO ALLOCATE AND PROVIDE ONE PERCENT OF THE BARANGAY FUNDS AS EMPOWERMENT FUND TO ALL BARANGAY PEOPLE'S COUNCILS:-

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BE IT ORDAINED by the Sangguniang Panlungsod of the City of Naga in Session duly assembled that:

SECTION 1. TITLE. – This ordinance, for brevity, shall be known as the “Barangay Empowerment Ordinance of Naga City”.

SECTION 2. DECLARATION OF PRINCIPLES. – It is the declared principles City Government of Naga and all Barangay Governments under it that:

- a. The will of the People shall always reign supreme. It shall be the prime responsibility of any government to ensure that such will is at all times manifested and enforced.
- b. The will of the People can best be served if they organize themselves to address their sectoral or common concerns.
- c. Governance is most effective if its responsibilities are shared by the people. A system of partnership between the governor and the governed shall guarantee that sovereignty effectively resides in the people.

SECTION 3. BARANGAY PEOPLE'S COUNCIL. – Only one (1) Barangay People's Council (BPC) shall be organized and established in each of the twenty-seven (27) Barangays of Naga City. It will be comprised of all NGO's and PO's duly accredited by the Sangguniang Barangay which has jurisdiction over the territory of operation of said organization.

As used in this Ordinance, the following terms shall mean:

- a) Non-Government Organization (NGO)- Any aggrupation of individuals, 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.
- b) People's Organization (PO)- Any cooperative, labor union, business group or any individual organization sharing a common interest, 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. However, an organization of Government employees shall not qualify as people's organization under this ordinance.

SECTION 4. INVENTORY AND DIRECTORY OF NGOS AND POS. – Any nongovernment organization or people's organization in active operation for at least one (1) year within the territorial jurisdiction of the barangay may be registered and accredited by the Sangguniang Barangay concerned upon submission of and/or compliance with the following requirements:

- a. Letter of Application

- b. Duly accomplished Application Form for Accreditation which shall include in the minimum the following details:
 - i. Name of the NGO/PO
 - ii. Office address
 - iii. Contact info, such as telephone, cellular phone or fax number and email address;
 - iv. Objectives or purposes and services offered;
 - v. Name, addresses and contact information of officials and members; and
 - vi. National, regional, provincial, city and municipal affiliations, if any;
- c. Board resolution manifesting a decision to seek accreditation and participation under this Ordinance
- d. Copies of its constitution, by-laws and/or articles of incorporation
- e. Certificate of Registration
- f. Proof of existence and operation in the barangay for at least one (1) year prior to the application for accreditation;
- g. Proof of activities held in pursuit of developmental objectives or of organizational activities conducted;
- h. Program of activities planned for the year following the date of application for accreditation;
- i. Lists of its officers and members of good standing;
- j. Financial statement and declaration of assets and liabilities; and

Coalitions, alliances and federations of NGOs and POs shall not be entitled to a separate accreditation if at least 50 percent of its members are already accredited as individual NGOs and POs.

An NGO or PO whose application for accreditation has been approved shall be issued a certificate of accreditation containing, among others, the terms and conditions for the maintenance of its accredited status. The concerned Sangguniang Barangay, in consultation with its respective Barangay People's Council, however, may from time to time, impose such other requirements and condition for accreditation as it may deem appropriate to best adhere to the principles behind this Ordinance.

Even NGOs or POs already accredited by the concerned Sangguniang Barangay or by the Sangguniang Panlungsod of Naga prior to the effectivity hereof need to apply again for accreditation for purposes of this Ordinance.

For this purpose, the Punong Barangay may enlist the support of the Naga City People's Council (NCPC) in the conduct of such accreditation.

SECTION 5. WITHDRAWAL OF ACCREDITATION. – Any Sangguniang Barangay, in consultation with its respective Barangay People's Council and after hearing, may withdraw any accreditation granted to any non-government organization or people's organization for violation of any provision of this Ordinance or for failure to comply with any of the aforementioned conditions for accreditation.

SECTION 6. SPECIAL COMMITTEE ON ACCREDITATION. – All barangay councils within the city is hereby mandated to create a special committee from among its members for purposes of processing applications for accreditation, monitoring compliance with the conditions for accreditation, recommending withdrawals thereof, and initiating necessary and desirable legislative measures for the effective performance of its tasks. Their respective Barangay People's Council, once formally organized, shall be entitled to a two-seat representation in the Committee on Accreditation.

SECTION 7. OFFICERS AND ORGANIZATION OF BPC. – The Barangay People’s Council shall, in accordance with its policies and internal rules, shall elect the officers of the BPC from among its member organizations each represented by the president or its equivalent. There shall be a President, Vice President, Secretary, Treasurer and Auditor.

SECTION 8. NON-PARTISAN NATURE OF THE BARANGAY PEOPLE’S COUNCIL.
– The Barangay People’s Council shall not engage or allow itself or its member organizations to be used for partisan politics and shall adopt such measures to ensure that it is adequately shielded from any political partisanship or influence.

For purposes of this Ordinance, partisan politics shall refer to any activity, statement or manifestation which serves to campaign for or against any particular political party or any candidate for any elective public office.

SECTION 9. POWERS AND RESPONSIBILITIES. – The BPC President or the duly authorized representative may attend all regular and special sessions of the Sangguniang Barangay. He may participate in the conceptualization, deliberation, formulation and evaluation of the activities, projects and programs of the Sangguniang Barangay without suspending the rules. He shall also act as the people’s representative in the exercise of their constitutional rights to information on matters of public concern and access to official records and documents necessary to perform his duties just like a regular member of the SangguniangBarangay. However, he cannot vote if a division of the house is warranted. He shall also not be counted in the determination of a quorum but his name shall be called during the start of the session.

The BPC shall have the sole prerogative to choose, elect or appoint from the bonafide officers of the member organizations its representative to the Barangay People’s Council that shall sit in the boards, councils, committees, Task Forces and/or Special bodies of the Barangay government where they operate. Likewise, the representative of the Barangay People’s Council may vote and participate in the conceptualization, deliberation, formulation and evaluation of the activities, projects and programs boards, councils, committees, Task Forces and/or Special bodies and other similar work groups which the Barangay Government, City Government or the national Laws may hereinafter create. He shall sit as a regular member and shall be counted in the determination of a quorum.

SECTION 10. VOLUNTEER WORK. – Participation of the Barangay People’s Council any of its member organization as representative in the boards, councils, committees, task forces and/or special bodies and other similar work groups where they participate in the conceptualization, implementation and evaluation of government programs, projects and/or activities shall be considered voluntary in nature and shall be without any compensation or remuneration.

They shall, however, be entitled to reimbursement of actual transportation and other incidental expenses incurred in the performance of their duties chargeable against the one (1) percent allocation provided to the Council by the Barangay Local Government.

SECTION 11. FUNDING SUPPORT TO THE BARANGAY PEOPLE’S COUNCIL. – In order to effectively execute the provisions of this ordinance and to ensure the sustainability of people’s participation in the barangays, all the twenty-seven (27) barangay governments of Naga City are hereby requested to allocate and provide one (1) percent of their annual budget as empowerment fund to the operations of their respective Barangay People’s Council.

Funding support shall be released to the Barangay People’s Council only after the submission of the following requirements:

- Annual Work and Financial Plan prepared by the BPC and submitted to the Punong Barangay concerned.
- List of representatives and alternates to the different boards, councils, committees, task forces and/or special bodies of the Barangay Government.

SECTION 12. REPEALING CLAUSE. – All resolutions, ordinances and executive issuances, or provisions thereof, which are inconsistent with any of the provisions hereof are hereby accordingly repealed, amended and/or modified.

SECTION 13. SEPARABILITY. – Should any provision of this ordinance be subsequently declared unconstitutional or ultra vires, the rest of the provisions not so declared shall remain to be in full force and effect.

SECTION 14. EFFECTIVITY CLAUSE. – This ordinance shall take effect immediately upon approval and publication in at least one (1) newspaper of general circulation in Naga City.

ENACTED: June 16, 2015

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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

GIL A. DE LA TORRE
Secretary to the
Sanguniang Panlungsod

NELSON S. LEGACION
City Vice Mayor &
Presiding Officer

APPROVED:

JOHN G. BONGAT
City Mayor