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AN ORDINANCE INSTITUTING THE GUIDELINES IN THE GRANT OF IN
KIND DONATIONS BY THE CITY GOVERNMENT FOR DEVELOPMENT
PROJECTS, ACTIVITIES OR EVENTS UNDERTAKEN BY ORGANIZATIONS OR
ASSOCIATIONS IN NAGA CITY:-

Author: Hon. Elmer S. Baldemoro

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

SECTION 1. Title.- For brevity, this Ordinance shall also be known as the "Guidelines in Granting In Kind Assistance for Development Activities/Events".

SECTION 2. Purpose.- This Ordinance aims to establish the necessary rules and regulations in the giving of in kind assistance to non-government organizations or private associations as aid of the city government in the conduct of their developmental projects. This is in line with the mandate under the 1987 Constitution and the Local Government Code of 1991 to promote participatory governance at the grass-root levels.

SECTION 3. In Kind Assistance.- Pursuant to this ordinance, the city government, for the conduct by non-government organizations and private associations of extension activities aimed at the city's socio-economic development, shall extend to the same in kind assistance which may include, but not limited to trophies, plaques, tarpaulins, tokens and souvenirs.

SECTION 4. Qualified Activities.- Only activities geared towards the advancement of socio-economic development in Naga shall qualify for in kind assistance, such as the following:

- a. Trainings, competitions or events aimed at enhancing the people's awareness on societal issues, such as, but not limited to, environmental protection, human rights and the needs of marginalized sectors, peace and order, economic growth, manpower development and disaster management;
- b. Academic, cultural, artistic, or sport activities; and,
- c. Scientific/technological researches, presentations and conferences.

SECTION 5. Qualifications.- For a non-government organization or private association to avail of the in kind assistance being provided by the city government, the following requisites must be met:

1. The applicant has a valid and subsisting accreditation by Sangguniang Panlungsod of Naga or recognized by the City Government or the Barangays;
2. The request for assistance must clearly state how Naga City or its residents may directly benefit from the project/activity/event;
3. If the proposed project/activity/event is to be implemented in a particular barangay, the request for assistance has been favourably endorsed by the Barangay Council of the barangay where the applicant is a resident,
4. The organization/association has no sufficient financial capability to undertake the project/activity/event on its own.

SECTION 6. Extent of Assistance.- The following schedule shall be followed in determining the maximum in kind assistance that the city government may provide to a duly-qualified event or project:

SCOPE OF EVENT

EXTENT OF ASSISTANCE

International

In Kind Assistance being requested, provided the monetary value thereof should not exceed Twenty Five Pesos (P25,000);

National

In Kind Assistance being requested, provided the monetary value thereof should not exceed Fifteen Thousand Pesos (P15,000);

Regional

In Kind Assistance being requested, provided the monetary value thereof should not exceed Ten Thousand Pesos (P10,000);

Provincial

In Kind Assistance being requested, provided the monetary value thereof should not exceed Eight Thousand Pesos (P8,000);

City

In Kind Assistance being requested, provided the

monetary value thereof should not exceed Five Thousand Pesos (P5,000);

Barangay

In Kind Assistance being requested, provided the monetary value thereof should not exceed Three Thousand Pesos (P3,000);

Determination of the scope of the event (international, national, regional, provincial, city or barangay) shall be based on the composition of its participants, the prominence or stature of the speakers thereon, the nature and coverage of the sponsoring organization, and the impact or relevance of the activity. Whatever the scope of the event, however, for the same to be qualified for the in kind assistance by the city government, it must be held or conducted within the territorial jurisdiction of Naga City.

SECTION 7. Exemptions.- This Ordinance shall not be applicable when the City Government is a co-sponsor of the projects/activities/events.

The City Government shall be deemed a co-sponsor of the project/activity/event if:

- a. the City Government, as represented by the appropriate office/department, participated in the planning of the project/activity/event or has endorsed the same as part of its programs; and
- b. the project/activity/event has been approved by the City Mayor for co-sponsorship by the City Government.

SECTION 8. Documentary Requirements.- Applicants for in kind assistance under this Ordinance shall submit the following requirements:

1. Letter of Application for assistance;
2. Brief of the project/activity/event indicating therein the financial requirements thereof, number of target beneficiaries, and clear performance measure or indicators of success;
3. Certification/endorsement from the City Mayor for the citywide events or the Punong Barangay for the barangay events, as the case maybe in case of non-accreditation to the Sangguniang Panlungsod;
4. List of officers and members of the non-government organization or private association requesting for in kind assistance.

SECTION 9. Procedure for Availment. Requests for in kind assistance may be submitted to the Office of the City

Mayor or to the Sangguniang Panlungsod, with all the necessary supporting documents attached thereto. Submission must be made to only one of the abovementioned offices at least thirty (30) days before the event.

If the same is submitted to the Office of the City Mayor, the local chief executive shall decide on the matter and the budget for the provision of the assistance shall be sourced from his office.

If the same is submitted to the Sangguniang Panlungsod, the legislative body shall decide on the matter and the budget for the provision of the assistance shall be sourced from its office.

Forum shopping is not allowed. The same project/activity proposal submitted to two or more offices or officials shall be considered as one.

In case a non-government organization or private association has been found to have obtained in kind assistance from more than one office or official, by employing fraud, deceit or misrepresentation, shall be prosecuted under this ordinance and other relevant penal laws.

SECTION 10. Penalty. Officers of non-government organizations and private associations who violates the provision of this ordinance shall be liable on the following penalties:

- a. First Offense - A fine of One Thousand Pesos (P1,000.00) each and blacklisting of the erring organization;
- b. Second Offense - A fine of Three Thousand Pesos (P3,000.00) each and blacklisting of the erring organization;
- c. Third Offense - Blacklisting of the erring organization and a fine of Five Thousand Pesos (P5,000.00) each and/or imprisonment of no longer than six months, subject to the discretion of the court.

SECTION 11. Appropriation. Such needed amount to effectively implement the provisions of this ordinance shall be included in the Annual Appropriation Ordinance of the City Government of Naga under the donation account of the annual budgets of the Office of the City Mayor and of the Sangguniang Panlungsod of Naga.

SECTION 12. Repealing Clause.- All other ordinances, rules, orders, and regulations or parts thereof contrary to or inconsistent with any of the provisions of this ordinance are also hereby repealed.

SECTION 13. Separability Clause.- Should any portion or provision of this ordinance be declared unconstitutional or invalid, the other parts thereof which are not affected thereby shall continue to be in full force and effect.

SECTION 14. Effectivity Clause.- This ordinance shall take effect immediately upon its approval.

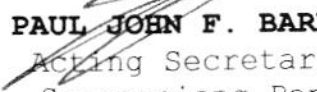
ENACTED: January 30, 2018.


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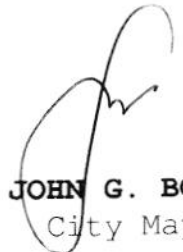
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WE HEREBY CERTIFY to the correctness of the foregoing ordinance.


PAUL JOHN F. BARROSA, MBA
Acting Secretary to the
Sangguniang Panlungsod


NELSON S. LEGACION
City Vice Mayor
& Presiding Officer

APPROVED:


JOHN G. BONGAT
City Mayor *2/5/18*