ORDINANCE NO.12-092

AN ORDINANCE REPEALING ORDINANCE NO. 07-017 OTHERWISE
KNOWN AS “AN ORDINANCE REQUIRING OWNERS, OPERATORS, LESSEES, OCCUPANTS AND CONCESSIONAIRES OF BUSINESS
ESTABLISHMENTS, CONTRACTORS AND DEVELOPERS, AND OTHER
PERSONS REQUIRED TO SECURE BUSINESS AND/OR BUILDING
PERMITS IN DOING BUSINESS OR UNDERTAKING CONSTRUCTION.

Sponsored by: Hon. Coun. Luvi P. Constantino
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Alexander B. Diaz
Hon. Coun. Ringo A. Teves
Hon. Coun. Robert A. Abas
Hon. Coun. Engr. Neptali S. Santiago
Hon. Coun. Joselito V. Arevalo
Hon. Coun. Robert P. Baes
Hon. Coun. Rafael T. Sevilla
Hon. Coun. Vergel C. Ulanday
Hon. Coun. Adorado P. San Pedro

WHEREAS, Ordinance No. 07-017 was enacted by the 5th Sangguniang Panlungsod on the 19th day of November, 2007 on its 17th Regular Session;

WHEREAS, Article XII Section 19 of the Constitution states that, “the state shall regulate or prohibit monopolies when the public interest so requires. No combinations in restraint of trade or unfair competition shall be allowed”;

WHEREAS, the provision of the Insurance Code, particularly the mandate under Section 414 and all other related provisions therein, “pertaining to the administrative and adjudicatory powers of the Insurance Commission should be paramount and binding to all”;

WHEREAS, according to Insurance Commission Emmanuel F. Dooc, the practice of LGU’s in requiring persons applying for or renewing their permits to secure the Comprehensive General Liability (CGL) Insurance only from LGU-accredited insurance companies, in addition to the imposition of a matrix of rates violates the Constitution and encroaches on the mandate of the Insurance Commission;

WHEREAS, the Committee on Ways and Means chaired by the Hon. Luvi P. Constantino conducted a public hearing which was held on October 3, 2012, regarding the repeal of Ordinance No. 07-017 and on its Committee Report made on October 8, 2012 during the 94th Regular Session of the 5th Sangguniang Panlungsod recommended for the repeal of the said ordinance.

WHEREAS, repeal of this Ordinance shall take effect immediately upon its
NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 6th Sangguniang Panglunsod of Muntinlupa, to repeal Ordinance no. 07-017, otherwise known as, "an ordinance requiring owners, operators, lessees, occupants and concessionaires of business establishments, contractors and developers, and other persons required to secure business and/or building permits in doing business or undertaking construction".

ENACTED, by 6th Sangguniang Panglunsod of Muntinlupa this 22nd day of October 2012, on its 96th Regular Session.

CONCURRED:

DISTRICT I:

COUN. ATTY. PATRICIO L. BONCAYAS, JR.
Member

COUN. ALEXANDER B. DIAZ
Member

COUN. LUVI P. CONSTANTINO
Member

COUN. ENGR. NEPTALI S. SANTIAGO
Member

COUN. ROBERT P. BAES
Member

DISTRICT II:

COUN. RINGO A. TEVES
Member

COUN. ROBERT A. ABAS
Member

COUN. JOSELITO V. AREVALO
Member

COUN. RAFAEL T. SEVILLA
Member

COUN. VERSEL C. ULANDAY
Member

COUN. ADORADO P. SAN PEDRO
Sectoral Representative
President
Association of Barangay Captains
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ABSENT:
COUN. MARGARITA AMYTHYST PATDU-LABIOS, MD
Member

COUN. BAL NIEFES
Member

COUN. DAN HUBERT A. BARLIS
Member

COUN. ALLEN F. AMPAYA
Member

COUN. ELMER S. ESPELETA
Member

COUN. EULOGIO DS. DIOKO, II
Sectoral Representative
President
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing ordinance.

CECILIA C. LAZARTE
Secretary

ATTESTED:
COUN. ATTY. RÁUL R. CORRO
Acting Presiding Officer

APPROVED:
ARTEMIO A. SIMUNDAC
Acting City Mayor
Date: 06-1-2013

Norie/6th SP