



Republic of the Philippines
Province of Cavite
CITY OF BACOR

Office of the Sangguniang Panlungsod

CITY ORDINANCE NO. 294-2023
Series of 2023

DISTRICT I

HON. CATHERINE SARINO-EVARISTO
City Councilor

HON. MICHAEL E. SOLIS
City Councilor

HON. ADRIELITO G. GAWARAN
City Councilor

HON. VICTORIO L. GUERRERO, JR.
City Councilor

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HON. RAMON N. BAUTISTA
Liga ng mga Barangay President

HON. MAC RAVEN-ESPIRITU
SK Federation President

Attested by:

ATTY. KHALID A. XTEGA, JR.
Sangguniang Panlungsod Secretary

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Approved by:

HON. STRIKE B. REVILLA
City Mayor

AN ORDINANCE REQUIRING ALL NON-GOVERNMENTAL ORGANIZATIONS (NGOs), CIVIL SOCIETY ORGANIZATIONS (CSOs), AND PEOPLE'S ORGANIZATIONS (POs) THAT WISH TO PARTNER WITH THE CITY GOVERNMENT OF BACOR TO BE DULY ACCREDITED BY THE SANGGUNIAN PANLUNGSOD, PROVIDING THE STANDARDS GOVERNING SUCH ACCREDITATION, AND PROVIDING PENALTIES FOR VIOLATIONS HEREOF.

Sponsored by:

Hon. Reynaldo Fabian

Co-Sponsored by:

Hon. Roberto L. Advincula, Hon. Ramon N. Bautista, Hon. Simplicio G. Dominguez, Hon. Mac Raven Espiritu, Hon. Catherine Sarino-Evaristo, Hon. Adrielito G. Gawaran, Hon. Alejandro F. Gutierrez, Hon. Rogelio M. Nolasco, Hon. Alde Joselito F. Pagulayan, Hon. Reynaldo D. Palabrica, Hon. Michael E. Solis and Hon. Levy M. Tela.

WHEREAS, under Section 16 of Republic Act No. 7160 ("Local Government Code of 1991" or the "Code"), local government units shall exercise "powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare."

WHEREAS, Section 108 of the Code provides that the Sanggunian concerned shall accredit non-governmental organizations (NGOs), civil society organizations (CSOs), and people's organizations (POs) subject to such criteria as may be provided by law.

WHEREAS, Article 64 of Rule XIII of the Implementing Rules and Regulations of the Local Government Code of 1991 sets out standards for accreditation of non-governmental organizations.

WHEREAS, the Department of the Interior and Local Government Memorandum Circular No. 2022-083 ("DILG MC 2022-083") provides additional guidelines for accreditation of non-governmental organizations.

WHEREAS, the accreditation of NGOs, POs, and CSOs who wish to partner with the Bacoor City Government provides a safeguard, ensuring that only companies operating within the standards of good governance and ethical practice are granted the privilege of partnering with the government. Moreover, it is a mechanism to protect



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the City's resources and the interests of its constituents, enhancing the City's capacity to deliver quality public service.

WHEREAS, it is therefore evident that requiring NGOs, POs, and CSOs desiring to partner with the City Government to be duly accredited by the Sangguniang Panlungsod promotes the general welfare of the City.

WHEREAS, accreditation standards serve as benchmarks that align the said organizations' activities with the City's developmental goals, ensuring that the members of the said organizations contribute positively to the community. They pave the way for sustainable partnerships, while fostering transparency, and accountability.

WHEREAS, the establishment of standards for accrediting NGOs, POs, and CSOs by the Sangguniang Panlungsod enhances the City's general welfare by avoiding arbitrariness in the accreditation process and by giving NGOs, POs, and CSOs who wish to partner with the Bacoor City Government due notice for what constitutes acceptable practices. The said accreditation process shall also prevent criminal elements from taking advantage of the recognition accorded to them by the city government and dupe well-meaning individuals to part with their hard-earned money in support of their illegal activities.

WHEREAS, the Supreme Court of the Philippines has repeatedly held in cases such as *City of Cagayan De Oro v. Cagayan Electric Power & Light Co. Inc.* (G.R. No. 224825) and *City of Batangas v. Philippine Shell Petroleum Corporation* (G.R. No. 195003), among many others, that: "In order for an ordinance to be valid in substance, it (1) must not contravene the Constitution or any statute; (2) must not be unfair or oppressive; (3) must not be partial or discriminatory; (4) must not prohibit, but may regulate trade; (5) must be general and consistent with public policy; and (6) must not be unreasonable."

WHEREAS, the requirement for NGOs, POs, and CSOs to gain accreditation from the Sangguniang Panlungsod before entering into partnership with the City Government does not contravene the 1987 Constitution as it gave local government units (LGUs) with local autonomy, which includes the power to regulate the activities of NGOs, POs, and CSOs within their jurisdiction.

WHEREAS, the Code and its implementing rules neither prohibits the Sangguniang Panlungsod from imposing additional accreditation requirements from NGOs, POs, and CSOs nor does it prohibit requiring the said organizations to be accredited before they can partner with the City Government for its various projects. Thus, the requirement for NGOs, POs, and CSOs to gain accreditation from the Sangguniang Panlungsod before entering into partnership with the City Government does not contravene any Philippine statute.



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WHEREAS, even assuming that the silence of the Code casts doubt on the power of the Sangguniang Panlungsod to require such accreditation before NGOs, POs, and CSOs may partner with the City Government, Section 5 of said Code states that "the general welfare provisions in this Code shall be liberally interpreted to give more powers to local government units in accelerating economic development and upgrading the quality of life for the people in the community." Therefore, the said doubt — if it does exist — must be resolved in favor of granting the said power to the Sangguniang Panlungsod.

WHEREAS, the prerequisite of accreditation is not unfair or oppressive to NGOs, POs, and CSOs because it establishes a level playing field, where all NGOs, POs, and CSOs must meet the same standards to gain the privilege of partnering with the City Government. This ensures fair competition and promotes responsible organizational conduct. It does not impede the conduct of business activities but rather encourages them to uphold best practices in their operations.

WHEREAS, the requirement for accreditation is not partial or discriminatory because it applies to all NGOs, POs, and CSOs seeking to partner with the City Government, regardless of their nature, scale, or origin. It does not favor certain organizations over others, but instead promotes equal opportunity, ensuring all NGOs, POs, and CSOs have a fair chance to secure accreditation, provided they meet the set standards.

WHEREAS, requiring NGOs, POs, and CSOs to be accredited by the Sangguniang Panlungsod does not prohibit trade; it merely regulates it. The measure is a form of oversight aimed at ensuring compliance with laws, standards, and guidelines. It does not prevent NGOs, POs, and CSOs from operating, but ensures their operations align with the City's goals, policies, and the welfare of its citizens.

WHEREAS, the requirement for NGOs, POs, and CSOs to be accredited is general and consistent with public policy. It applies universally to all NGOs, POs, and CSOs, demonstrating fairness and impartiality. Further, it aligns with the broader policy of ensuring public welfare by encouraging responsible business conduct and safeguarding the City's resources.

WHEREAS, the requirement for accreditation is not unreasonable. It is a rational and prudent measure designed to ensure that NGOs, POs, and CSOs partnering with the City Government adhere to the established standards. It protects public interest and promotes accountability, thereby enhancing the trust and confidence of the citizens in the City Government and its partnerships.

WHEREAS, it is beneficial to adopt and expand the guidelines found in the Local Government Code of 1991's Implementing Rules and Regulations and DILG MC 2022-083 to NGOs, POs, and CSOs and to



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require such accreditation for all of the said organizations that wish to partner with the City Government of Bacoor.

NOW, THEREFORE, LET IT BE ORDAINED by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite, **THAT:**

Section 1. Short Title - This Ordinance shall be known and may be cited as the "**Bacoor City NGO Accreditation Ordinance**".

Section 2. Scope - This Ordinance shall apply to all non-governmental organizations (NGOs), Peoples Organizations (POs), Civil Society Organizations (CSOs), that desire to partner with the City Government of Bacoor, Cavite, for the implementation of any project, program, or activity. This encompasses all NGOs, POs, and CSOs regardless of their scale, scope, or area of operation. For the sake of brevity, the said NGOs, POs, and CSOs shall be referred to collectively as "organizations"

Section 3. Definitions - Whenever used in this Ordinance, the following terms shall have the respective meanings hereafter set forth:

(a) **Civil Society Organization (CSO)** - refers to a non-state and non-profit association that works to improve society and the human condition. Basic types of CSOs include non-governmental organizations, people's organizations, civic organizations, cooperatives, social movements, professional groups, business groups, and people's councils.

(b) **Non-Governmental Organization (NGO)** - refers to a non-stock, non-profit organization that works with different sectors and communities, promoting their general welfare and development, providing a wide range of services for people's organizations, foundations, and independent research institutions.

(c) **People's Organization (PO)** - refers to an independent, bonafide association of citizens with demonstrated capacity to promote public interest and with an identifiable leadership, membership and structure. People's organizations are often formed among the disadvantaged sectors of society such as the farmer-peasant, artisanal fisherfolk, workers in the formal sector and migrant workers, workers in the informal sector, indigenous people and cultural communities, women, persons with disabilities, senior citizens, victims of calamities and disasters, youth and students, children, and urban poor.

(d) **Accreditation** - the process of granting recognition to an NGO, CSO, or PO by the Sangguniang Panlungsod based on the satisfaction of standards provided under Section 6 of this Ordinance. It is an official endorsement that the organization is competent to carry out specific functions, including partnership with the City Government of Bacoor.

(e) **Community-based** - refers to activities conducted by NGOs, POs, and CSOs that are rooted in local communities within the City of Bacoor.



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This means that their initiatives or projects as well as the implementation thereof are based in the local areas where they are established, and their operations and activities are focused primarily on serving the local population.

(f) **Sectoral-based** - refers to activities conducted by NGOs, POs, and CSOs that focus their efforts on a specific sector or field of activity, such as health, education, environment, social welfare, development, and other purposes in line with the development goals of the City of Bacoor.

(g) **Track record** - refers to the past achievements, performance, or success of NGOs, POs, and CSOs in terms of project development and implementation. It is often used as a measure of the organization's ability to deliver on its commitments.

(h) **Reliability** - refers to the dependability of NGOs, POs, and CSOs as evidenced by their consistent performance, their fulfillment of commitments, and their preparedness to meet regulatory and legal requirements, such as the preparation of annual reports and the conduct of annual meetings.

(i) **Financial stability** - refers to the ability of NGOs, POs, and CSOs to sustain their operations, meet their obligations, and absorb shocks resulting from economic conditions or sudden changes in their financial situation.

(j) **Ethical practices** - refer to the moral principles that govern the behavior of NGOs, POs, and CSOs. This might include commitment to transparency, accountability, fair dealing, respect for the rights of all stakeholders, and the avoidance of any form of corruption.

Section 4. Rules of Interpretation - In interpreting the provisions of this Ordinance, the following rules shall apply:

(a) The Ordinance shall be interpreted as a whole, to make all parts harmonious and to give effect to each. Every part of this Ordinance should be interpreted in relation to the whole.

(b) The express mention of one thing implies the exclusion of another. When a thing is expressly provided for, then everything not included in the express provision should be understood to have been intentionally omitted.

(c) General words that follow an enumeration of persons or things, by words of a particular and specific meaning, are not to be construed in their widest extent. Rather, they are to be held as applying only to persons or things of the same kind or class as those specifically mentioned.

(d) In case of doubt, the provisions should be interpreted in a manner that would give effect to the intent of the Sangguniang Panlungsod.



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- (e) The words and phrases used in this Ordinance should be read and understood in their plain and ordinary sense, unless technical terms are used, in which case they should be understood in their technical sense.
- (f) No provision of this Ordinance shall be interpreted to allow its application in a manner that contravenes the Constitution, any statute, or any other Ordinance enacted by the Sangguniang Panlungsod.
- (g) The Ordinance shall be interpreted in a manner that is not unfair, partial, or discriminatory. All NGOs, POs, and CSOs shall be treated alike, under similar circumstances and conditions.
- (h) Interpretations of this Ordinance should not have the effect of prohibiting trade. Interpretations are limited only to the regulation of business activity.
- (i) Provisions of this Ordinance should be interpreted in a manner that promotes reasonableness and efficiency in the operation of the City Government.

Section 5. Requirement of Accreditation- Before entering into any partnership or undertaking any project, program, or activity with the City Government of Bacoor or with any of the barangays within the City, all NGOs, POs, and CSOs must first be duly accredited by the Sangguniang Panlungsod. Accreditation shall be granted based on the fulfillment of the said organizations of the standards provided in Section 6 of this Ordinance. Non-compliance with the requirement of accreditation shall be a ground for the disqualification of the NGO, PO, or CSO concerned from partnering with the City Government of Bacoor.

Section 6. Standards for Accreditation - The accreditation of NGOs, POs, and CSOs, for the purpose of partnering with the City Government shall be guided by the following standards:

- (a) The NGOs, POs, and CSOs must be registered with any of the following bodies:
- 1) the Securities and Exchange Commission;
 - 2) the Cooperatives Development Authority;
 - 3) the Department of Labor and Employment;
 - 4) the Department of Social Welfare and Development;
 - 5) Any other recognized governmental that accredits people's organizations, NGOs, POs, and CSOs, or the private sector; or with
 - 6) Any recognized non-governmental agency that accredits people's organizations, NGOs, POs, and CSOs, or the private sector.



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(b) If the NGO, PO, or CSO is not formally registered in compliance with paragraph (1) of this Section, the said NGO, PO, or CSO may be recognized by the Sanggunian for purposes only of meeting the minimum requirements for membership of such organizations in local special bodies mandated under RA 7160.

(c) The NGO, PO, or CSO's organizational purpose and objectives should include community organization and development, institution-building, local enterprise development, livelihood development, capability-building, or any similar developmental objectives and considerations that are in line with the development goals of the City of Bacoor.

(d) The NGO, PO, or CSO must be community-based and sectoral-based with a project development and implementation track record in the City of at least one year.

(e) The NGO, PO, or CSO must exhibit reliability as evidenced by the preparation of annual reports and conduct of annual meetings duly certified by the board secretary of the organization.

(f) The NGO, PO, or CSO's headquarters or base of operations must be located in the City of Bacoor.

(g) The NGO, PO, or CSO must demonstrate that it is financially stable, as evidenced by the audited financial statements for the previous fiscal year.

(h) The NGO, PO, or CSO must have a demonstrated commitment to ethical practices, as indicated by an adopted code of conduct, ethical standards, or similar guidelines.

(i) The NGO, PO, or CSO must show proof of previous successful partnerships with government agencies, if any, along with letters of recommendation or certificates of good standing.

(j) The NGO, PO, or CSO must have at least twenty (20) members residing within the City of Bacoor.

(k) No Certificate of Accreditation shall be issued to any NGO, PO, or CSO that fails to satisfy any of the above standards.

Section 7. Prohibitions and Penalties –

(a) It shall be prohibited for any barangay or city official to enter into partnership on behalf of the City Government of Bacoor or on behalf of any Barangay in the City of Bacoor with any non-governmental organization (NGO), people's organization (PO), or civil society organization (CSO) that has not been duly accredited by the Sangguniang Panlungsod. This includes, but is not limited to, initiating, signing, implementing, or endorsing any product, service, project, program, agreement, contract, memorandum of understanding, or any



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other instrument signifying partnership or cooperation with an unaccredited NGO, PO, or CSO.

(b) It shall also be prohibited for any barangay or city official to misrepresent to the City Mayor or Punong Barangay the accreditation status of an NGO, PO, or CSO for the purpose of causing the City Mayor or Punong Barangay to issue permits, request authority to sign memorandum of agreement or memorandum of understanding, or execute any other act instrument signifying partnership or cooperation with an unaccredited NGO, PO, or CSO.

(c) For the purpose of this section, it is the duty of the barangay or city official to check the accreditation status of every NGO, PO, or CSO before transacting, negotiating, endorsing, or any other act that signifies partnership or cooperation with the said organization. *Provided*, said official will not be held liable if the unaccredited NGO, PO, or CSO concealed the truth from them or falsified documents to make it appear that the organization was accredited and there were no readily available means for the official to verify the authenticity of such documents.

(d) It shall also be prohibited for any barangay or city official to manipulate, misrepresent, falsify or tamper with the accreditation process for an NGO, PO, or CSO with the intent to favor a particular organization or to prejudice the City Government or any of its constituents.

(e) The penalty for any official found guilty of violating this ordinance shall be a fine not exceeding Five Thousand Pesos (Php 5,000.00), imprisonment for a period not exceeding six (6) months, or both at the discretion of the court.

(f) The imposition of these penalties shall be without prejudice to any administrative or disciplinary action that may be taken against the official in accordance with existing laws, rules, and regulations.

(g) In addition to the penalties provided herein, any accreditation issued in violation of this Ordinance shall be revoked for being null and void.

SECTION 8. Implementation - The City Legal Services Office under the supervision of the City Administrator is hereby directed to implement this Ordinance and to submit to the City Mayor the Implementing Rules and Regulations for this Ordinance for his approval within sixty (60) days from its effectivity.

SECTION 9. Repealing Clause. All Ordinances, orders, and rules inconsistent with the provisions of this Ordinance are hereby modified or repealed accordingly.



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HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor

Approved by:

HON. STRIKE B. REVILLA
City Mayor

SECTION 10. Separability Clause. Any provision of this Ordinance not declared void or unconstitutional by the proper court of law shall remain valid.

SECTION 11. Effectivity - This Ordinance shall take effect after ten (10) days from the date a copy is posted in a bulletin board at the entrance of the City Hall of Bacoor and in at least two (2) other conspicuous places in the City of Bacoor.

ENACTED this 26th day of July 2023 by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

I hereby certify that the foregoing Ordinance was approved in accordance with law by the 5th Sangguniang Panlungsod of the City of Bacoor, Cavite.

Certified by:

HON. ROWENA BAUTISTA-MENDIOLA
City Vice Mayor/Presiding Officer

Attested by:

ATTY. KHALID A. ATEGA JR.
Sangguniang Panlungsod Secretary

Approved by:

HON. STRIKE B. REVILLA

City Mayor

Date of Approval: 25 SEP 2023