

90<sup>th</sup> Regular Session

ORDINANCE NO. SP-**1415**S-2004

AN ORDINANCE CHARGING FEES IN OBTAINING CERTIFICATIONS, CLEARANCES AND CERTIFIED TRUE COPIES FROM THE PEOPLE'S LAW ENFORCEMENT BOARD. AND AMENDING ARTICLE 31 OF ORDINANCE NO. SP-91, S-93, OTHERWISE KNOWN AS THE QUEZON CITY REVENUE CODE, FOR THE PURPOSE.

Introduced by Councilors VICTOR V. FERRER, JR., ERIC Z. MEDINA, MARY ANN L. SUSANO, ANTONIO E. INTON, JR., RICARDO R. DEL ROSARIO, XYRUS L. LANOT and JUNIE MARIE L. CASTELO.

WHEREAS, the law itself recognizes the imperative of strengthening each People's Law Enforcement Boards (PLEBs) in the various local government units; hence, Republic Act No. 8551, otherwise known as the Philippine National Police Reform and Reorganization Act of 1998, provides:

"SEC. 66. Paragraph (a), Section 43 of Republic Act No. 6975 is hereby amended, to read as follows:

"SEC. 43. People's Law Enforcement Board (PLEB).  
(a) Creation and Functions - The sangguniang panlungsod/bayan in every city and municipality shall create such number of People's Law Enforcement Boards (PLEBs) as may be necessary: Provided, that there shall be at least one (1) PLEB for every five hundred (500) city or municipal police personnel and for each of the legislative districts in a city.

The PLEB shall be the central receiving entity for any citizen's complaints against the officers and members of PNP. Subject to the provisions of Section 41 of Republic Act. No. 6975, the PLEB shall take cognizance of or refer the complaint to the proper disciplinary or adjudicatory authority within three (3) days upon the filing of the complaint.

SEC. 71 Request for the Preventive Suspension. - The PLEB may ask any authorized superior to impose preventive suspension against a subordinate police officer who is subject of a complaint lasting to a period as may be allowed under the law. A request for preventive suspension shall not be denied by the superior officer in the following cases:

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- a) When the respondent refuses to heed the PLEB's summons or subpoena.
- b) When the PNP personnel has been charged with offenses involving bodily harm or grave threats,
- c) When the respondent is in a position to tamper with the evidence; and
- d) When the respondent is in a position to unduly influence the witnesses.

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Any superior who fails to act on any request for suspension without valid grounds shall be held administratively liable for serious neglect of duty."

WHEREAS, the PLEB performs functions pursuant to the police power of the state conferred by the General Welfare Clause of Republic Act No. 7160, otherwise known as the Local Government Code of the Philippines (LGC);

"SEC. 16 General Welfare. - Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants."

WHEREAS, for the past three (3) years, i.e., calendar years 2001, 2002 and 2003, the PLEB in the local government of Quezon City operates within budgets of P3,121,000.00, and P3,402,000.00 and P3,492,000.00, respectively.

WHEREAS, the regulatory functions of the PLEB and its expenses therefor justify and authorize it in charging fees which partake the nature of administrative fees, collected with the end in view of an effective and efficient enforcement of each PLEB's mandate as embodied in the law. Further, such charges reinforce the objective of the law in strengthening the PLEB;

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WHEREAS, the Local Government of Quezon City is, by law, authorized to create its own sources of revenue to cover, at least in part, its expenditures under Article 33 of the 1987 Constitution.

WHEREAS, a similar charge is being collected by other local government units, particularly the cities and municipalities in the National Capital Region (Metro Manila).

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN SESSION ASSEMBLED

SECTION 1. Article 31 of Ordinance No. SP-91, 93 is hereby amended to read as follows:

ARTICLE 31  
POLICE AND PLEB CLEARANCE FEES

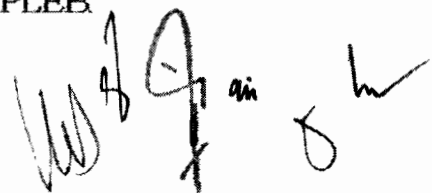
Section 133. Police Clearance Fees. - The following police clearance fees shall be collected for each issuance thereof:

- 1) For employment, scholarship and study grant for other purposes not herein specified ----- P10.00
- 2) For firearms permit application ----- 20.00
- 3) For change of name ----- 50.00
- 4) For passport or visa application ----- 100.00
- 5) For application for Filipino citizenship ----- 500.00
- 6) Certification that the document is a certified true copy ----- 10.00

In addition to the above fees, the following service charges shall be collected:

- 1) Verification fee ----- 10.00
- 2) Finger printing ----- 30.00
- 3) Photo, if taken by the agency ----- 15.00

Section 134. PLEB Clearance Fees. - The following clearance fees shall be collected for each issuance thereof from the PLEB:



- 1) Clearance ----- 50.00
- 2) Certification ----- 50.00
- 3) Certification that the document  
is a certified true copy ----- 10.00

Section 135 Renewal. Any renewal of the clearances/certificates in Article 133 and 134 hereof shall be charged the same rate as above, except those renewed within a year upon request of the party to whom the same was issued which shall be charged fifty percent (50%) of the regular rate."

The numerical arrangement of the Quezon City Revenue Code is hereby accordingly adjusted.

SECTION 2. Should any part of this Ordinance be declared invalid or unconstitutional for whatever reason by a competent court, the portions hereof not affected by the declaration shall remain effective and enforceable.

SECTION 3. This Ordinance shall take effect immediately upon its approval.

ENACTED February 24, 2004

*[Signature]*  
GEORGE BANAL  
President Pro-Tempore  
Acting Presiding Officer

ATTESTED

*[Signature]*  
EUGENIO V. JURILLA  
City Council Secretary

APPROVED \_\_\_\_\_

FELICIANO R. BELARTE, JR.  
City Mayor

CERTIFICATION

*This is to certify that this Ordinance which was APPROVED on Second Reading on February 24, 2004 was finally PASSED on Third Final Reading by the City Council under Suspended Rules on the same date.*

*[Signature]*  
EUGENIO V. JURILLA  
City Council Secretary