



Republic of the Philippines
PROVINCE OF NEGROS OCCIDENTAL
Old Capitol Building, Bacolod City
Tel. No. 707-8075 (Admin) * 435-7698 (Board Member) * 709-0121 (Legislative Division)
OFFICE OF THE SANGGUNIANG PANLALAWIGAN

**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE
SANGGUNIANG PANLALAWIGAN OF THE PROVINCE OF NEGROS
OCCIDENTAL HELD IN THE CITY OF BACOLOD ON THE 25TH DAY OF
MARCH 2025**

PRESENT:

Hon. Jeffrey P. Ferrer	Vice Governor/ Presiding Officer
Hon. Araceli T. Somosa	Member – 1 st District
Hon. Rommel T. Debulgado	Member - 1 st District
Hon. Samson C. Mirhan	Member - 2 nd District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Valentino Miguel J. Alonso	Member – 6 th District
Hon. Richard Julius L. Sablan	Member – ABC Rep.
Hon. Mayvelyn L. Madrid	Member – SK Rep.

ON OFFICIAL BUSINESS:

Hon. Manuel Frederick O. Ko	Member - 3 rd District
Hon. Andrew Martin Y. Torres	Member - 4 th District
Hon. Jose Benito A. Alonso	Member - 4 th District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Anthony Dennis J. Occeño	Member - 5 th District
Hon. Julius Martin D. Asistio	Member – PCL Rep.

RESOLUTION NO. 0371

Series of 2025

**RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 2024-286 OF THE
MUNICIPALITY OF CAUAYAN, NEGROS OCCIDENTAL ENTITLED: “AN
ORDINANCE PROVIDING FOR ADDITIONAL REQUIREMENT FOR THE
RECOGNITION AND ACCREDITATION OF DULY REGISTERED
ORGANIZATIONS AND ASSOCIATIONS OPERATING WITHIN THE
MUNICIPALITY OF CAUAYAN, NEGROS OCCIDENTAL” AS A VALID
ENACTED ORDINANCE**

Whereas, Section 56 of the Local Government Code of 1991 expresses the reviewing power of the Sangguniang Bayan on Component City and Municipal Ordinances and Resolutions declaring the Ordinance or Resolution valid if it is consistent with the law or invalid in whole or in part if the Sangguniang Panlalawigan finds the Ordinance or Resolution to be beyond the power conferred upon the Sangguniang Panlungsod or Sangguniang Bayan concerned;

WHEREAS, Municipal Ordinance No. 2024-286 of the Municipality of Cauayan, Negros Occidental entitled: “AN ORDINANCE PROVIDING FOR ADDITIONAL REQUIREMENT FOR THE RECOGNITION AND ACCREDITATION OF DULY REGISTERED ORGANIZATIONS AND ASSOCIATIONS OPERATING WITHIN THE MUNICIPALITY OF CAUAYAN, NEGROS OCCIDENTAL” was submitted for review by the Municipality of Cauayan to the Sangguniang Panlalawigan of Negros Occidental;

WHEREAS, after prompt examination by the Provincial Legal Office, it is the recommendation of the said Office that the subject Ordinance is within the conferred power of the Sangguniang Bayan of Cauayan enact, thus, the same may be given due course by the Sangguniang Panlalawigan;



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WHEREAS, the authority of local government units (LGUS) to regulate the recognition and accreditation of organizations is primarily derived from Republic Act No. 7160, otherwise known as the Local Government Code of 1991. The following legal bases as provided under the Local Government Code of 1991 (Republic Act No. 7160) are the following:

"Section 16 of Republic Act No. 7160 (General Welfare Clause): 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.

And

"Section 447 (a)(5)(xvii) of Republic Act No. 7160. - (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, and shall:xxx

(5) Approve ordinances which shall ensure the efficient and effective delivery of the basic services and facilities as provided for under Section 17 of this Code, and in addition to said services and facilities, shall:

(xvii) Establish a municipal council for the orderly which shall formulate policies and adopt measures mutually beneficial to the elderly and to the community; provide incentives for non-governmental agencies and entities and, subject to the availability of funds, appropriate funds to support programs and projects for the benefit of the elderly;

WHEREAS, the ordinance aligns with DILG Memorandum Circular No. 2022-083, which prescribes guidelines for LGUs in recognizing civil society organizations (CSOs) and other associations. The additional requirements imposed by the ordinance, such as:

Certificate of Compliance from concerned registering agencies (DOLE, SEC, CDA);
Certification from Sambayanan and/or the Philippine Army; and
Barangay Certification of the organization's existence—

are within the regulatory authority of the LGU to ensure the legitimacy and accountability of organizations. However, these requirements must be applied without undue restriction on an organization's right to operate;



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WHEREAS, Section 447(a)(1)(iii) of R.A. No. 7160 allows municipalities to impose penalties, provided they do not exceed Php2,500.00 in fines or six (6) months of imprisonment. The prescribed fine of Php500.00 in the ordinance, along with potential suspension or revocation of accreditation, falls within legally permissible limits;

WHEREAS, the ordinance complies with the six (6) generally accepted principles for a valid ordinance, as adopted by the Sangguniang Panlalawigan of Negros Occidental, which are:

1. *It must not contravene the Constitution or any statute.*
2. *It must not be unfair or oppressive.*
3. *It must not be partial or discriminatory.*
4. *It must not prohibit but may regulate trade.*
5. *It must be general and consistent with public policy.*
6. *It must not be unreasonable.*

WHEREAS, the reviewing authority of the Sangguniang Panlalawigan finds no irregularity that follow thereto as a result of the thorough scrutiny of the Provincial Legal Officer;

WHEREAS, in view of the foregoing, the SP Committee on Laws recommends approval of the same;

NOW THEREFORE, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr., unanimously seconded by all the members present;

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to declare Municipal Ordinance No. 2024-286 of the Municipality of Cauayan, Negros Occidental entitled: "AN ORDINANCE PROVIDING FOR ADDITIONAL REQUIREMENT FOR THE RECOGNITION AND ACCREDITATION OF DULY REGISTERED ORGANIZATIONS AND ASSOCIATIONS OPERATING WITHIN THE MUNICIPALITY OF CAUAYAN, NEGROS OCCIDENTAL" as a valid enacted Ordinance.

ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. JEFFREY P. FERRER
Vice Governor/ Presiding Officer

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary