



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 2ND DAY OF
SEPTEMBER, 2025**

PRESENT:

Hon. Genaro G. Alvarez, IV	Acting Vice Governor / Presiding Officer Pro Tempore
Hon. Laurence Marxlen J. de la Cruz	Member - 1 st District
Hon. Araceli T. Somosa	Member - 1 st District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 nd District
Hon. Arthur Christopher D. Marañon	Member - 2 nd District
Hon. Hope Marey B. Depasucat	Member - 3 rd District
Hon. Patricia Paula M. Alonso-Valderrama	Member - 4 th District
Hon. Nicholas M. Yulo	Member - 4 th District
Hon. Hadji P. Trojillo	Member - 5 th District
Hon. Jeffrey T. Tubola	Member - 6 th District
Hon. Richard Julius L. Sablan	Member - ABC Rep.
Hon. Mayvelyn L. Madrid	Member - SKF Rep.

ON ACTING CAPACITY AS GOVERNOR:

Hon. Jose Benito A. Alonso	Vice-Governor/Presiding Officer
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OFFICIAL BUSINESS:

Hon. Andrew Gerard L. Montelibano	Member - 3 rd District
Hon. Rita Angela S. Gatuslao	Member - 5 th District
Hon. Julius Martin D. Asistio	Member - PCL Rep.

RESOLUTION NO. 0908
Series of 2025

**RESOLUTION DECLARING MUNICIPAL ORDINANCE NO. 03, SERIES OF 2025
OF THE MUNICIPALITY OF PULUPANDAN, NEGROS OCCIDENTAL ENTITLED:
“AN ORDINANCE BANNING THE USE AND SELLING OF ELECTRONIC
CIGARETTES OR VAPES, AND OTHER TOBACCO PRODUCTS TO MINORS AND
PROVIDING PENALTIES FOR THEREOF” AS A VALID ENACTED ORDINANCE**

WHEREAS, Section 56 of the Local Government Code of 1991 expresses the reviewing power of the Sangguniang Panlalawigan 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. 03, Series of 2025 of the Municipality of Pulupandan, Negros Occidental entitled: “AN ORDINANCE BANNING THE USE AND SELLING OF ELECTRONIC CIGARETTES OR VAPES, AND OTHER TOBACCO PRODUCTS TO MINORS AND PROVIDING PENALTIES FOR THEREOF” was submitted for review by the Municipality of Pulupandan to the Sangguniang Panlalawigan of Negros Occidental;



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Page 2 of SP Resolution No. 0908, Series of 2025

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 Pulupandan to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;

WHEREAS, the enactment of the above-stated municipal ordinances finds legal grounding initially from the Local Government Code, specifically under Section 48, which provides that:

"Section 48. Local Legislative Power. - Local legislative power shall be exercised by the sangguniang panlalawigan for the province; the sangguniang panlungsod for the city; the sangguniang bayan for the municipality; and the sangguniang barangay for the barangay.

WHEREAS, the Municipal Ordinance acknowledges the fact that there is an increase in the prevalence of tobacco smoking among the youth, which necessitates the enforcement of measures to protect them from being initiated into cigarette smoking and tobacco use by prohibiting advertising and restricting access to tobacco products by minors.

WHEREAS, in the interest of protecting the youth from the dangers that tobacco and electronic cigarette smoking pose, and in line with the Constitutional mandates that protect the youth and the health of the people, to wit:

"Section 13. The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs."

"Section 15. The State shall protect and promote the right to health of the people and instill health consciousness among them."

WHEREAS, accordingly, this Ordinance establishes preventive measures and regulatory safeguards designed to limit the exposure of minors to tobacco and electronic cigarette products. It seeks to deter their early initiation into smoking by prohibiting the sale, distribution, and promotion of these products to persons below eighteen (18) years of age, and by strictly regulating advertising, sponsorship, and marketing practices that directly or indirectly target the youth. Through these measures, the Municipality underscores its commitment to promote a healthier environment, protecting the welfare of the younger generation, and promoting a smoke-free and health conscious community.

WHEREAS, the ordinance complies with the six (6) generally accepted principles for a valid ordinance, as adopted by the Sangguniang Panlalawigan of Negros Occidental under Resolution No. 1206, 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.*



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Page 3 of SP Resolution No. 0908, Series of 2025

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.*

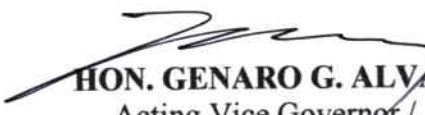
WHEREFORE, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr. and unanimously seconded by all the members present,

THE SANGGUNIANG PANLALAWIGAN RESOLVED, as it hereby resolves, to declare Municipal Ordinance No. 03, Series of 2025 of the Municipality of Pulupandan, Negros Occidental entitled: "AN ORDINANCE BANNING THE USE AND SELLING OF ELECTRONIC CIGARETTES OR VAPES, AND OTHER TOBACCO PRODUCTS TO MINORS AND PROVIDING PENALTIES FOR THEREOF" as a valid enacted Ordinance.


ADOPTED UNANIMOUSLY.

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:


HON. GENARO G. ALVAREZ, IV
Acting Vice Governor /
Presiding Officer Pro Tempore

ATTESTED:


ATTY. MAKI ANGEL O. ASCALON
Provincial Secretary

