



Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag

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OFFICE OF THE SANGGUNIAN BAYAN



EXCERPT FROM THE MINUTES OF THE 66th REGULAR SESSION OF THE 5th SANGGUNIAN BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON March 3, 2006.

OFFICERS/MEMBERS	POSITION	PRESENT	ABSENT	OB	OL
Hon. Nacienceno M. Pacalioga, Jr.	Vice Mayor	/			
Hon. Onofre E. Paculaba	SB Member	/			
Hon. Nita T. dela Torre	SB Member	/			
Hon. Reynante G. Borling	SB Member	/			
Hon. Donald P. Real	SB Member	/			
Hon. Domingo M. Gingco	SB Member	/			
Hon. Teofilo O. Oclaret	SB Member	/			
Hon. Michael F. Morpos	SB Member	/			
Hon. Dexter D. Retes	SB Member	/			
Hon. Julius G. Jamero	SB Member	/			
Hon. Mayfher L. Tangalin	SB Member	/			
Mrs. Jessyl B. Palon	SB Secretary	/			

Ordinance No. 2, s. 2006

AN ORDINANCE ADOPTING R.A. 9178 KNOWN AS THE BARANGAY MICRO BUSINESS ENTERPRISES (BMBEs) ACT OF 2002, IMPOSING REGISTRATION FEE OF ONE THOUSAND PESOS (P1,000) TO ALL REGISTERED BMBEs AND PROVIDING PENALTIES IN CASE OF VIOLATION THEREOF.

Be it ordained by the Sangguniang Bayan of Dumingag, Zamboanga del Sur in session assembled that:

Section 1. TITLE. This ordinance shall be called as the "Barangay Micro Business Enterprises (BMBEs) Law of Dumingag."

Section 2. DECLARATION OF POLICY. It is hereby the declared policy of the government to hasten the country's economic development by encouraging the formation and growth of barangay micro business enterprises which effectivity serve as seedbeds of Filipino entrepreneurial talents, and integrating those in the information sector with the mainstream economy, through the rationalization of bureaucratic restrictions, the active intervention of the government specially in the local level and the granting of incentives and benefits to generate much-needed employment and alleviate poverty.

Section 3. DEFINITION OF TERMS. As used in this ordinance, the following terms shall mean:

- Barangay Micro Business Enterprise (BMBE)** - refers to any business entity or enterprise engaged in the production, processing or manufacturing of products or commodities, including agro-processing, trading and services, whose total assets including those arising from loans but exclusive of the land on which the particular business entity's office, plant and equipment areas situated, shall be not more than three million pesos (P3,000,000) subject to review and upward adjustment by the SMED Council as mandated under R.A.6977 as amended by R.A 8289. A BMBE shall include any individual owning such business entity/enterprise, partnership, cooperative, corporation, association or other entity incorporated and/or organized and existing under Philippine laws; and registered with the Office of the Municipal Treasurer.
- Services** - shall exclude those rendered by any one, who is duly licensed by the government after having passed a government licensure examination in connection with the exercise of one's profession
- Certificate of Authority** - refers to the certificate issued granting the authority to the registered BMBE to operate and be entitled to the benefits and privileges accorded thereto
- Assets** - refers to all kinds of properties, real or personal owned by the BMBE
- Registration** - refers to the inclusion of BMBE in the BMBE Registry of the municipality
- Financing** - refers to all borrowings of the BMBE from all sources after registration

Section 4. REGISTRATION AND FEES. The Office of the Municipal Treasurer shall register the BMBEs and issue a Certificate of Authority to enable the BMBE to avail of the benefits. Any such application shall be processed within fifteen (15) working days upon submission of complete documents, otherwise the BMBEs shall be deemed registered. The Municipal Mayor may appoint a BMBE Registration Officer who shall be under the Office of the Municipal Treasurer

a. Who are Eligible to Register

Any person, natural or juridical, cooperative or association, having the qualifications...

1. Have an asset size of not more than three million pesos (P3,000,000) excluding land, before applying for BMBE registration;
2. Engaged in the business activities as defined in Section 2 paragraph b.

b. Requirements for Registration

The applicant for BMBE registration shall submit the duly filled up application (BMBE Form 1) in triplicate, signed by the owner or manager of the entity applying for registration.

c. Procedures for registration

1. An applicant for BMBE shall go to the Office of the Municipal Treasurer where the business is located
2. The applicant shall accomplish BMBE Form 01 in triplicate and submit to the office of the Municipal Treasurer
3. The Municipal Treasurer shall evaluate the application. Application shall be processed within fifteen (15) working days upon the submission of complete documents. Otherwise, the BMBEs shall be deemed registered
4. A registered BMBE shall be issued a Certificate of Authority as proof of registration, which will be effective for a period of two (2) years, renewable for a period of two (2) years for every renewal

d. Fees and Charges

The Municipal Treasurer shall issue the Certificate of Authority promptly upon payment of the registration fee of one thousand pesos (P1,000).

e. Transfer of Ownership

The BMBE shall report to the municipality of any change in the status of its ownership structure, and shall surrender the original copy of the BMBE Certificate of Authority for notation of the transfer.

Section 5. INCENTIVES AND BENEFITS. Application of the following incentives and benefits shall be based on the stipulations provided in R.A. 9187:

- a. Exemption from income tax
- b. Exemption from the Coverage of the Minimum Wage Law
- c. Credit Delivery
- d. Technology Transfer, Production and Management Training and Marketing Assistance
- e. Trade and Investment Promotion

Section 6. INFORMATION DISSEMINATION. The Office of the Municipal Treasurer, in coordination with the Philippine Employment Service Office (PESO), the Department of Local and Interior Government (DILG) and the Municipal Planning and Development Office (MPDO) shall ensure the proper and adequate information dissemination of the contents and benefits of this ordinance to the general public especially to its intended beneficiaries specifically in the barangay level.

Section 7. PENALTY. The fine imposed by the national as provided in Section 13 of R.A. 9187 shall apply for those person who shall willfully violate any provision of this ordinance or who shall in any manner commit any act to defeat any provision of this ordinance.

Section 8. IMPLEMENTING AGENCY. The Office of the Municipal Treasurer shall be the implementing agency of this ordinance. It shall submit an annual report to the Municipal Mayor on the status of its implementation. The Office of the Municipal Mayor through the recommendation of the Municipal Treasurer shall formulate particular guidelines for proper implementation of this ordinance.

Section 9. SEPARABILITY CLAUSE. If any provision or part hereof, is held invalid or unconstitutional, the remainder of the provision not otherwise affected shall remain valid and subsisting.

Section 10. REPEALING CLAUSE. Existing laws, resolutions and executive orders that are inconsistent with the provision of this ordinance are hereby modified, superseded or repealed accordingly

Section 11. EFFECTIVITY CLAUSE. This ordinance shall take effect upon the approval of the Sangguniang Panlalawigan and after 15 days from the date copy hereof is posted in the bulletin board at the entrance of the municipal hall and at least two (2) other conspicuous places in the Poblacion and published in a newspaper of general circulation in the province.

APPROVED UNANIMOUSLY.
Enacted: March 10, 2006

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:

NACIANCENO M. PACALIOGA, JR.
Municipal Vice Mayor

JESSYL B. PALON
Secretary to the Sanggunian

APPROVED: 03/13, 2006

EDGARDO G. JAMERO
Municipal Mayor

