



Republic of the Philippines  
City of Roxas  
Office Of The Sangguniang Panlungsod



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG PANLUNGSOD OF THE CITY OF ROXAS, HELD AT THE SP SESSION HALL ON JANUARY 31, 2023.

PRESENT: Hon. Teresa H. Almalbis ... Vice Mayor I  
Presiding Officer  
Hon. Victor Federico B. Acepcion ... Sanggunian Member I  
Hon. Jaime Cortes M. Altavas ... Sanggunian Member I  
Hon. John Paul J. Arcenas ... Sanggunian Member I  
Hon. Paul Ivan R. Baticados ... Sanggunian Member I  
Hon. Reynaldo C. Magallanes ... Sanggunian Member I  
Hon. Albert Gregory Y. Potato ... Sanggunian Member I  
Hon. Herbert S. Chu ... Sanggunian Member I  
Hon. Earl C. Sicad ... Sanggunian Member I  
Hon. Fernando Luis A. Viterbo ... Sanggunian Member I  
Hon. Moreno A. Gonzaga ... Sanggunian Member I  
Hon. Virgilio A. Santos, Jr. (ABC Rep) ... Sanggunian Member I  
Hon. Kriza V. Fernando (SK Rep) ... Sanggunian Member I

ABSENT:  
None

ORDINANCE NO. 003 - 2023

AN ORDINANCE PRESCRIBING A FEE FOR THE ISSUANCE OF A CERTIFICATE OF DETENTION FOR PERSONS DEPRIVED OF LIBERTY (PDL) CONFINED IN BJMP-MANNED JAIL FACILITY IN THE CITY OF ROXAS

Authored by : Hon. Albert Gregory Y. Potato

Severally Seconded by: Hon. Victor Federico B. Acepcion, Hon. John Paul J. Arcenas, Hon. Herbert S. Chu, Hon. Earl B. Sicad and Hon. Fernando Luis A. Viterbo

WHEREAS, **Section 129 of Republic Act No. 7160**, otherwise known as the Local Government Code of 1991 provides that each local government unit shall exercise its power to create its own sources of revenue and to levy taxes, fees and charges subject to the provisions herein, consistent with the basic policy of local autonomy. Such taxes, fees and charges shall accrue exclusively to the local government units;

WHEREAS, Article 100 (a)(5)(XV) of the Implementing Rules and Regulations of R.A. 7160 states that the Sangguniang Panlungsod/Bayan, as the legislative body of the city/municipality shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city/municipality and its inhabitants pursuant to Section 16 of the Code and in the proper exercise of the corporate powers of the city/municipality as provided in Rule 1X of this Rules, and shall establish and provide for the maintenance and improvement of jails and detention center, institute sound jail management programs, and appropriate funds for the subsistence of detainees and convicted prisoners in the city/municipality;

WHEREAS, the BJMP is one of the government agencies that merely masticates the treasury for the upkeep of jails and the maintenance and safekeeping of inmates as it has no power or institutional ways and means of generating its own source of revenue. Verily, the BJMP neither contributes to the national treasury nor to the local government units, hence, a liability where government money is continuously being funneled out without return of investment;

WHEREAS, in order to improve the conditions of our less fortunate constituents who are detained in jails, it is apposite that a legislative fiat be enacted to help augment the meager operational budget of the BJMP for expenses not provided in the General Appropriation Act or those expense item not provided in the national budget;

NOW THEREFORE, BE IT ENACTED by the Sangguniang Panlungsod of Roxas City, in session assembled, that:

*Exh 1*

*[Handwritten signature]*

**SECTION 1. TITLE** - This ordinance shall be known as the “An Ordinance Prescribing a Fee for the Issuance of Certificate of Detention for PDL’s Confined in BJMP Manned Jail Facilities in the City of Roxas”.

**SECTION 2. SCOPE** – This ordinance shall govern the issuance of Certificate of Detention for all Persons Deprived of Liberty (PDL) confined in a BJMP – Manned Jail Facility, situated within the territorial jurisdiction of Roxas City, and other concerned individuals who wish to secure a copy thereof for whatever legal purpose it may serve.

**SECTION 3. DEFINITION OF TERMS –**

- a). City – refers to the City of Roxas;
- b). BJMP - refers to the Bureau of Jail Management and Penology;
- c). BJMP-Manned Jail Facility - refers to jail facility managed and supervised by the Bureau of Jail Management and Penology (BJMP) within the territorial jurisdiction of the City of Roxas;
- d). Certificate of Detention – refers to the certificate being issued certifying the actual physical confinement of a person deprived of liberty (PDL) or “inmate” in the BJMP-manned Jail facility for a particular period of time.
- e). Person Deprived of Liberty (PDL) – refers to a person charged of an offense or crime by virtue of which he is physically detained or confined in a jail or detention facility. This term includes persons serving sentence by final judgment.
- f). Certification Fee – refers to the amount collected by the City Government for the issuance of Certificate of Detention.

**SECTION 4. CERTIFICATION FEE.** An amount of Two Hundred Pesos (₱200.00) shall be paid to the Office of the City Treasurer for the issuance of a Certificate of Detention.

Fifty Percent (50%) of the aforesaid fee shall accrue to the General Fund of the city while the other fifty percent (50%) shall accrue as Trust Fund of the BJMP or for the maintenance and other operating expenses of their office.

**SECTION 5. EXEMPTION** – A PDL so declared by the court as indigent shall avail of the Certificate of Detention free of charge.

**SECTION 6. PROCEDURE FOR SECURING A CERTIFICATE OF DETENTION:**

- a). A PDL or his representative or any other party who wishes to secure a certificate of detention or an authenticated copy thereof, for any legal purposes shall first seek from the warden or his/her authorized representative a verification slip stating that the PDL for whose name the certificate is sought to be issued was actually or is presently confined or detained in the said jail facility;

*Final*

*b.f*

- b) After securing the verification slip, payment shall be made at the City Treasurer's Office, who in turn shall issue an official receipt as proof of payment;
- c) The Jail Warden or his/her authorized representative shall cause the printing and issuance of the Certificate of Detention to be signed by the Jail Warden or his authorized representative, for the concerned PDL upon presentation of the official receipt issued by the treasurer's office.

**SECTION 7. SEPARABILITY CLAUSE.** If for any reason, any part or provision of this ordinance shall be held unconstitutional or invalid, other parts or provisions hereof shall continue to be in full force and effect.

**SECTION 8. EFFECTIVITY** – This ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation in the City of Roxas and posting in a conspicuous place in the City Jail, the City Hall and other conspicuous place in the City.


Unanimously Approved.

----- oo0oo -----

I hereby certify that this Ordinance was duly passed and approved by the Sangguniang Panlungsod of Roxas City on the date herein stated.

  
DINO C. BELUSO  
SP Secretary

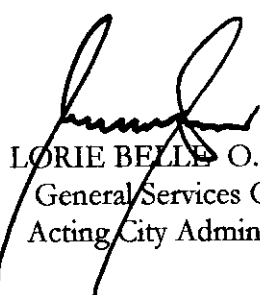
ATTESTED:

  
TERESA H. ALMALBIS  
Vice Mayor I  
Presiding Officer

APPROVED: 06 FEB 2023

  
RONNIE T. DADIVAS  
City Mayor

ATTESTED:

  
LORIE BELLE O. USISON  
General Services Officer  
Acting City Administrator