



Republic of the Philippines
City of Bago

OFFICE OF THE SANGGUNIANG PANLUNGSOD

ORDINANCE NO. 21-14

BAGO CITY 4Ps CASH CARD PROTECTION ORDINANCE OF 2021.

WHEREAS, Section 4 of RA 11310 otherwise known as An Act Institutionalizing the Pantawid Pamilyang Pilipino Program (4Ps) established a National Poverty Reduction Strategy and a Human Capital Investment Program that provides conditional cash transfer to poor households for a maximum period of seven years, to improve health, nutrition and education aspect of their lives;

WHEREAS, 4Ps is also a women-empowerment program providing direct financial grant to qualified households with young children under the guardianship of housewives giving the latter available financial resources for education and livelihood in order to overcome excessive economic disparity within the community, however, in some cases the father or any responsible adult member can stand as guardian in the absence of the mother;

WHEREAS, Section 6 of RA 11310 identified farmers, fisher folks, homeless families, indigenous peoples, those in the informal settler sector, and those in geographically isolated and disadvantaged areas including those in areas without electricity as automatic eligible beneficiaries of the law;

WHEREAS, for one to qualify for entitlement to 4Ps he must be:

- a. Classified as poor and near-poor based on the Standardized Targeting System and the poverty threshold issued by the Philippine Statistics Authority (PSA) at the time of selection,
- b. Have members who are aged zero (0) to eighteen (18) years old or have members who are pregnant at the time of registration, and
- c. Willing to comply with the conditions specified by RA 11310;

WHEREAS, the schemes for the cash transfer to qualified beneficiaries are as follows:

1. Php300 per month per child for a maximum of ten months per year – for every child enrolled in daycare and elementary;
2. Php500 per month per child for a maximum of ten months per year – for every child enrolled in junior high school;
3. Php700 per month per child for a maximum of ten months per year – for every child enrolled in senior high school;
4. Php750 per month for a maximum of twelve months per year – for health and nutrition grant.

WHEREAS, the Department of Social Welfare and Development (DSWD) issued the Pantawid Pamilya Cash Card to qualified beneficiaries as a tool used to extend government assistance;

WHEREAS, out of the registered and active 4Ps beneficiaries in the City, there are grantees that have been involved in cash card pawning to which the Provincial Grievance Committee had validated and confirmed this act of beneficiaries either to government employees, private individuals, groups or local business establishments, which defeats the intention of the government to break the inter-generational cycle of poverty;

WHEREAS, the DSWD through the National Advisory Committee (NAC) adopted Resolution No. 4 series of 2020 which laid down the procedural guidelines in handling cash-card-pawning misbehavior and their sanctions based on the context, merit, and gravity of the case; and

WHEREAS, after thorough deliberation, this august body is of the consensus to discourage and eliminate the recorded incidence and avoid future occurrences, making imperative the passage of this ordinance.

NOW THEREFORE, on motion of SP Member Ma. Femmy A. Martir, unanimously seconded by SP Members present, **BE IT ORDAINED** by the Sangguniang Panlungsod of Bago City in session assembled, that:

SECTION 1. TITLE. This ordinance shall be known and cited as **“BAGO CITY 4Ps CASH CARD PROTECTION ORDINANCE OF 2021”**.

SECTION 2. DEFINITION OF TERMS. As used in this ordinance, the following terms shall have their corresponding meaning;

- a. 4Ps – Pantawid Pamilyang Pilipino Program
- b. Beneficiaries – refer to the active household registered with 0-18 years old children
- c. Cash Card – government issued Cash Card for 4Ps beneficiaries
- d. Collateral – any security put up by a borrower to ensure that the debt will be paid through the Pantawid Cash Card.
- e. Misbehavior – refers to a grievance against the conduct of a beneficiary, including those who persuade them, that is perceived by the community to be inappropriate.
- f. Pawning – to leave the card to the loan financier as a security for money or goods borrowed.
- g. Pawnee – an individual or business establishment who engages in the business of loan.
- h. Pawner – an individual beneficiary who loans money at an additional rate interest using 4Ps cash card as collateral.
- i. Private individual – individual financier or any person offering loan to 4Ps beneficiaries.
- j. Group/Financier – any association, cooperative or business entity offering loan or lending money with interest.
- k. NAC – National Advisory Council
- l. P/CAC – Provincial/City Advisory Committee
- m. GRS – Grievance Redress System which serves as guide for implementer who are directly involved in the implementation on how to handle and resolve grievances that inevitably emerges.

SECTION 3. PROHIBITED ACTS. Cash Card Pawning as stipulated in NAC Resolution No. 4 Series of 2020 of the Pantawid Pamilyang Pilipino Program (4Ps) is prohibited under this ordinance. Furthermore, it shall be considered a misbehavior for a beneficiary and any individual, group or establishment to use or accept 4Ps cash card as loan collateral.

SECTION 4. PENALTY. The following fines shall be imposed upon anyone committing the prohibited acts as mentioned in the preceding Section.

- a. For Pantawid Pamilyang Pilipino Program beneficiaries:
 - i. First Offense – Counseling by the worker with written warning from the head of the Provincial Operations Office and blocking of Cash Card account.

- ii. Second Offense – Counseling by the Social Welfare Officer 3 and written warning from the Regional Director while the grant for the erring household shall be suspended/not released for one (1) payment or for a period of two (2) months.
 - iii. Third Offense – Delisting of the erring household under Grievance Redress System (GRS) Fraud duly approved by the Regional Director and tagging to be facilitated by the Regional Grievance Officer. Said delisting is Non-Appealable.
- b. Accepting of the cash card as collateral by any government official/employee, private individual, group or business establishment:
- i. First Offense – a written notice shall be issued by the Advisory Committee duly acknowledged by the Pawner and the Pawnee.
 - ii. Second Offense –
 - a. For government official/employees – a written warning with attachment to individual service record and a fine of three thousand pesos (PhP3,000.00) per cash card pawned
 - b. For private individual, group or establishment – a fine of three thousand pesos (PhP3,000.00) per cash card pawned and suspension of business permit for 6 months.
 - i. Third Offense –
 - a. For government official/employees – administrative (RA 6713 and other related laws, rules and regulations) sanctions and criminal prosecution, and a fine of five thousand pesos (PhP5,000.00) per cash card pawned.
 - b. For private individual, group or establishment – a fine of five thousand pesos (PhP5,000.00) per cash card pawned and cancellation of business permit.

SECTION 5. ENFORCEMENT. The City Advisory Committee shall be created to spearhead and ensure the implementation of the ordinance, with the following composition:

Chairperson:	City Mayor
Vice Chairperson:	Local Social Welfare and Development Officer
Members:	SPM Chairman, Committee on Health
	SPM Chairman, Committee on Social Services
	Local Health Officer
	DepEd Representative
	NGOs/POs Representative
	President – Liga ng Barangay
	PNP
	DSWD City Link

SECTION 6. PROCEDURES. The following procedures shall be adopted in the enforcement of this Ordinance:

- a. Any report from the field regarding violations of this ordinance shall be duly verified and confirmed by the assigned worker of DSWD for the program;
- b. Upon verification and confirmation, a formal written report shall be submitted to the Committee for appropriate action.
- c. The Committee shall convene and create a validation team to verify the formal reports from the field with facts and evidences.
- d. The validating team shall make a report with corresponding recommendation/s which shall be submitted to the Committee for appropriate action.

SECTION 7. DISPOSITION OF FINES. All fines collected in the enforcement of this Ordinance shall be deposited in a Special Account in the General Fund and may be utilized only for the programs and activities of the 4Ps subject to the usual auditing and accounting rules and procedures.

SECTION 8. SEPARABILITY CLAUSE. Should any provision hereof be declared unconstitutional or invalid, the same shall not affect the validity of the others thereby so declared shall remain in full force and effect.

SECTION 9. REPEALING CLAUSE. All other provisions of existing ordinance, resolutions and executive issuances inconsistent with this Ordinance are hereby repealed, amended or modified accordingly.

SECTION 10. EFFECTIVITY. This Ordinance shall take effect upon approval and prescribed posting and publication.

Enacted unanimously, May 5, 2021.

I hereby certify to the correctness of the foregoing Ordinance which was duly enacted by the Sangguniang Panlungsod during its Regular Session held on May 5, 2021.

VICENTE D. MESIAS

City Environment and Natural Resources Officer I/
Secretary to the Sangguniang Panlungsod-Designate

ATTESTED:

RAMON D. TORRES

City Vice Mayor-Presiding Officer

Approved _____ *2021.*

APPROVED:

NICHOLAS M. YULO

City Mayor