Republic of the Philippines
CITY GOVERNMENT OF MUNTINLUPA
Sangguniang Panlungsod ng Muntinlupa

U.P. LAW CENTER
OFFICE of the NATIONAL ADMINISTRATIVE REGISTER
Administrative Rules and Regulations

REGISTERED
APR 25 2025
No. 2025 0473

ONAR Registration
TIME: _____ BY: _____

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TO THE SANGGUNIANG PANLUNGSOD
MUNTINLUPA CITY
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FROM THE ORIGINAL
DATE: 22 APR 2025 BY: Julia Siaboc

ORDINANCE NO. 2023-128

AN ORDINANCE REGULATING THE REGISTRATION OFLESSEES, WHETHER ALIEN OR FILIPINO, IN THE CITY OF MUNTINLUPA, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES

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Sponsored by: ***Hon. Coun. Alexson V. Diaz***
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Atty. Rachel Katriel Ann C. Arciaga
Hon. Coun. Ivee Rhia A. Tadefa
Hon. Coun. Allan Rey A. Camilon
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Hon. Coun. Engr. Mamerto T. Sevilla, Jr.
Hon. Coun. Engr. Marissa C. Rongavilla
Hon. Coun. Engr. Arlene D. Hilapo
Hon. Coun. Cornelio M. Martinez
Hon. Coun. Rodolfo W. Moldez, Jr.
Hon. Coun. Walter A. Arcilla
Hon. Coun. Kenichi D. Takagi, Jr.

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WHEREAS, **Section 6, Article II of the 1987 Constitution** provides that, ***"The liberty of abode and of changing the same within the limits prescribed by law shall not be impaired except upon lawful order of the court. Neither shall the right to travel be impaired except in the interest of national security, public safety, or public health, as may be provided by law;***

WHEREAS, the **Section 1 of Republic Act (R.A.) No. 562**, also known as the **"Alien Registration Act of 1950,"** states that, ***"Aliens residing in the Philippines shall, within thirty days after the approval of this Act, apply for registration, in the case of those residing in the City of Manila, at the Bureau of Immigration, and in the case of those residing in other localities, at the offices of the city or municipal treasurers, or at any other office designated by the President;"***

WHEREAS, Section 16 of Republic Act (R.A.) No. 7160, otherwise known as the "Local Government Code of 1991 (LGC)," provides that, ***"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 xxx maintain peace and order, and preserve the comfort and convenience of their inhabitants;"***

WHEREAS, Section 394(d), paragraphs **f** and **g** of the **LGC** *on the Power and Duties of the Barangay Secretary*, states that:

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"The Barangay Secretary shall:

(f) Keep an updated record of all inhabitants of the Barangay containing the following items of information: name, address, place and date of birth, sex, civil status, citizenship, occupation, and such other items of information as may be prescribed by law or ordinances;

(g) Submit a report on the actual number of Barangay residents as often as may be require by the Sangguniang Barangay;"

WHEREAS, the demographic profile of each barangay is indispensably necessary in the establishment of database which is vital to the Local Government in the formulation of programs that promote social justice, maintenance of peace and order, enhance economic prosperity, and preserve the comfort and convenience of the inhabitants;

WHEREAS, **Section 37 of R.A. No. 7279**, or the **"Urban Development and Housing Act of 1992 (UDHA),"** mandates that *"The Local Government Units shall set up an effective mechanism xxx to monitor trends in the movements of population from rural to urban, urban to urban, and urban to rural areas;"*

WHEREAS, in 2022, the **National Capital Region Police Office (NCPRO)** recorded a *crime solution efficiency* of 71% in Metro Manila covering the 4,984 index crimes including murder, homicide, physical injury, rape, robbery, theft, and vehicle theft; while, the **Philippine Drugs Enforcement Agency (PDEA)** reported the seizure of P30.9-billion worth of illegal drugs and arrested more than 53,000 drug suspects;

WHEREAS, **City Mayor Rozzano Rufino B. Biazon's 7K Agenda** includes **"Kapayapaan/Kaayusan,"** which focused on the continuous implementation of rules, regulations, and programs promoting city-wide peace and order and to consistently provide the Muntinlupeños with a safe and secured environment;

WHEREAS, the **Local Chief Executive** is one of the **Members of the "Mayor's for Peace"** whose objectives are to: (1) Realize a world without nuclear weapons; (2) Realize safe and resilient cities; and (3) Promote a culture of peace;

WHEREAS, while the **Alien Registration Act** is limited in scope and merely requires the Local Government for the registration of records of every alien residing within their respective localities, the **City Government of Muntinlupa** herein takes steps to implement registration and maintenance of record in furtherance of the implementation of stricter measures to reduce if not eradicate crimes and drug-related cases prevalent in the City;

NOW THEREFORE, BE IT ENACTED, by the **10th Sangguniang Panlungsod** in Session assembled that:

SECTION 1. ***Title.*** This Ordinance shall be known as the **"Lessee Registration Ordinance of 2023"**.

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SECTION 2. *Definition of Terms.* The following terms are defined for the purpose of this Ordinance:

(a) **Alien -** refers to any foreign national, not having Filipino Citizenship, visiting the Philippines for whatever legal purpose *or* temporarily residing in the Philippines.

(b) **Consent -** of the data subject refers to any freely given, specific, informed indication of will, whereby the data subject agrees to the collection and processing of personal information about and/or relating to him or her. Consent shall be evidenced by written, electronic or recorded means. It may also be given on behalf of the data subject by an agent specifically authorized by the data subject to do so.

(c) **Data-Sharing Agreement (or "DSA")** - refers to a contract, joint issuance, or any similar document which sets out the obligations, responsibilities, and liabilities of the personal information controllers involved in the transfer of personal data between or among them, including the implementation of adequate safeguards for data privacy and security, and upholding the rights of the data subjects: *provided,* that the only personal information controllers should be made parties to a data sharing agreement.

(d) **Data subject** - refers to an individual whose personal information is processed.

(e) **Lessor (or Landlord) -** refers to a person, natural or juridical, engaged in the business of leasing or letting property to another, whether or not he/she has the necessary permit or license.

(f) **Lessee (or Tenant) -** refers to a person who holds the lease of a property in the City of Muntinlupa with a lease period of at least six (6) months, whether continuous or staggered.

(g) **Owner** - refers to a person, natural or juridical, who is a registered owner of dormitories, boarding houses, apartments, bed spaces and rooms, and/or similar buildings/spaces available for lease.

(h) **Personal Information Controller (or "PIC")** refers to a natural or juridical person, or any other body, who controls the processing of personal data, or instructs another to process personal data on its behalf. The term excludes:

1. A natural or juridical person, or any other body, who performs such functions as instructed by another person or organization; or
2. A natural person who process personal data in connection with his or her personal, family, or household affairs.

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There is control if the natural or juridical person or any other body decides on what information is processed, or the purpose or extent of its processing.

(i) **Personal information processor** refers to any natural or juridical person qualified to act as such under this Act to whom a personal information controller may outsource the processing of personal data pertaining to a data subject.

(j) **Privacy Notice** refers to a statement describing how and why personal data is being collected from individuals and/or entities which includes the extent of processing of data.

(k) **Processing** refers to any operation or any set of operations performed upon personal information including, but not limited to, the collection, recording, organization, storage, updating or modification, retrieval, consultation, use, consolidation, blocking, erasure, or destruction of data.

SECTION 3. Duties and Obligations of the Lessors. The Lessors shall have the following duties and obligations in the collection and submission of data:

(a) The **Lessor** shall collect the following details and documents of each household from their **Lessee/s**:

i. Full name;
ii. Citizenship;
iii. Civil status;
iv. Photocopy of at least one (1) valid government identification card bearing the lessee's full name, picture, and signature; and
v. Photocopy of the Contract of Lease between the Lessor and the Lessee. In the absence of a Contract of Lease, the Lessor is still duty-bound to submit the above-mentioned items i-iv.

In case of an **Alien or Foreign National Lessee**, the Lessor shall require the following *additional documents*:

i. Photocopy of the Lessee's passport;
ii. Certificate of Registration issued by the Bureau of Immigration; and
iii. Visa, if applicable.

In case of **Lessee who is a Minor**, the parent or legal guardian shall have the duty and responsibility of registering them.

(b) The Lessor shall submit within *five (5) working days* the collected data and documents solely to the following Personal Information Processors (IPs):

i. Homeowners Association in cases of subdivisions, villages, townhomes, and other similarly situated properties.
ii. Barangay in all cases not falling under the Homeowners Association.

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(c) The Lessor shall submit to their respective Homeowners Association or Barangay, the collected details and documents once there are updates on the Contract of Lease with an existing or new Lessee.

(d) The Lessor shall issue and submit to their respective Homeowners Association or Barangay every three (3) months or as frequent as necessary upon the discretion of the Lessor, an **Affidavit or Attestation** that the leased properties are used for residential or for other legal purposes only.

Section 4. ***Duty of the Lessees.*** It shall be the duty of every Lessee who has entered into a Contract of Lease for a period of at least three (3) months, whether continuous or staggered, to register the data and documents pursuant to Section 3(b) of this Ordinance *upon execution of the Contract of Lease*.

Section 5. ***Implementing Authorities.*** The individuals/entities enumerated herein shall have the duties and responsibilities of a Personal Information Processor (PIP):

(a) **Homeowners Association (HOA)**

i. Only the incumbent Officers of the respective HOA, which has jurisdiction over the leased premises, shall be authorized to process the data and documents from the Lessors.

ii. The Homeowners Association, through a Resolution, shall designate or appoint a Compliance Officer for Privacy (COP) who is responsible for the transfer and processing of data and documents.

iii. The HOA COP or Authorized HOA Officer shall submit all the data and documents received and collected to its respective Barangay within *five (5) working days* from the receipt and completion thereof.

(b) **Barangay**

i. The Barangay Chairperson shall designate or appoint a Compliance Officer for Privacy (COP) who is responsible for the transfer and processing of data and documents received in relation to the implementation of this Ordinance. The Barangay COP may also be the Barangay Secretary or Barangay Population Worker.

ii. The Barangay shall submit all the data and documents received and collected to the Muntinlupa Population Development Office (MPDO) within *ten (10) working days* from the receipt and completion thereof.

(c) **Muntinlupa Population Development Office (MPDO)**

i. The MPDO shall have an oversight function over the other PIPs and their data processing.

ii.

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ii. The MPDO shall maintain a database or repository of data through a system that can be shared **solely** to the parties of the **Data-Sharing Agreement** entered into for the purpose of this Ordinance.

iii. The MPDO shall provide for the template of the form to be filled out by the Lessees, which shall include a **Privacy Notice** and **Consent of the Data Subject**.

iv. The MPDO shall facilitate and conduct the appropriate seminar and/or training to the PIPs for the implementation of this Ordinance which includes the manner, method, and extent of collection and processing of data.

v. The MPDO shall conduct an annual **Privacy Impact Assessment (PIA)** in coordination with the Data Privacy Committee of the City Government of Muntinlupa.

The **MPDO**, in coordination with the other implementing authorities, shall issue the necessary ***Implementing Rules and Regulations (IRR)*** within 90 days from the effectivity of this Ordinance.

Section 6. ***Data Privacy and Confidentiality.*** The PIPs shall enter into a **Data-Sharing Agreement** for the purpose of this Ordinance. Further, they shall abide to the following rules on the privacy and confidentiality of data and documents received and collected:

(a) Sole custody of the collected and received data and documents, which shall be available for inspection by authorized individuals and/or entities only in any of the following circumstances:

i. Data subject/owner has given his/her consent;
ii. Fulfillment of a valid contract;
iii. Compliance with legal obligation involving the data subject/owner;
iv. Protection of vitally important interest of the data subject/owner, including life and health;
v. In order to respond to national emergency, to comply with public order and safety, or to fulfill functions and mandates of public office; or
vi. Other legitimate purpose provided by law, rules, and regulations.

(b) Retain data and documents only as long as necessary as determined by the MPDO for the fulfillment of the purposes for which they were obtained or for the establishment, exercise or defense of legal claims, or for legitimate business purposes, or as provided by law.

(c) Observe utmost confidentiality and data integrity in consonance with the Data Privacy Act and other applicable laws, rules, and regulations. Otherwise, appropriate penal sanctions shall apply.

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Section 7. ***Budgetary Requirements.*** Expenses to be incurred for the implementation of this Ordinance, reasonable Honoraria for the implementing authorities, and all other related expenses, shall be charged against the **General Funds** of the **Muntinlupa Population Development Office**, subject to existing budgeting, accounting, and auditing rules and procedures.

Section 8. ***Penalties.*** The following penalties shall be imposed against the **Lessor** or the **Lessee** for any act or omission violating this Ordinance, without prejudice to other existing and applicable laws, rules, and regulations:

First Offense	:	***Fine of Three Thousand Pesos (PhP3,000.00)***
Second Offense	:	***Fine of Four Thousand Pesos (PhP4,000.00)***
Third/Succeeding Offenses	:	***Fine of Five Thousand Pesos (PhP5,000.00) and revocation of business permit***

In case of data breach occurring due to negligence, the PIPs or its responsible officials may be subject to penalties specified in **Sections 25-37, Chapter VII of the Data Privacy Act of 2012**.

SECTION 9. ***Publication and Dissemination.*** This Ordinance shall be published pursuant to the requirements of the Local Government Code and shall be posted in the Official Website of the City Government of Muntinlupa. The **Public Information Office (PIO)** shall disseminate copies of this Ordinance in all available social media platforms, as necessary.

SECTION 10. ***Separability Clause.*** If any portion of this Ordinance is declared invalid, the remainder of this Ordinance shall not be affected and shall remain valid and enforceable.

SECTION 11. ***Repealing Clause.*** All ordinances, rules and regulations, or part thereof, where provisions are in conflict or contrary to the provisions of this Ordinance are hereby repealed, amended, or modified accordingly.

SECTION 12. ***Effectivity***. This Ordinance shall take effect immediately upon its approval.

ENACTED, by the ***10th Sangguniang Panlungsod of Muntinlupa*** this **13th** day of ***November 2023,*** on its **70th** ***Regular Session.***

CONCURRED:

DISTRICT 1:

(ABSENT)
COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

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COUN. PATY KATY C. BONCAYAO
Member

COUN. ATTY. RACHEL KATRIEL ANN C. ARCIAGA
Member

COUN. IVEE RHIA A. TADEFA
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. JEDIDIAH R. PRESNEDI, LPT
Member

COUN. TING D. NIEFES
Member

DISTRICT 2:

COUN. MARK LESTER M. BAES
Member

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. LUVI P. CONSTANTINO
Member

COUN. ENGR. MARIERTO T. SEVILLA, JR.
Member

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. CORNELIO M. MARTINEZ
Member

COUN. RODOLFO W. MOLDEZ, JR.
Member

Sectoral Representative:

COUN. WALTER A. ARCILLA
President
Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.
President
Federation of Sangguniang Kabataan

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Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com

MUN Muntinlupa Nakakaproud

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I HEREBY CERTIFY, as to the correctness of the foregoing **Ordinance**

CECILIA C. LAZARTE
Secretary to the Sanggunian

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ROZZANO RUFINO B. BIAZON
City Mayor

Date: 21 NOV 2023

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