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

OFFICE OF THE SECRETARY
TO THE SANGGUNIANG PANLUNGSOD
MUNTINLUPA, PILIPINAS
CERTIFIED TRUE COPY
FROM THE ORIGINAL
DATE 22 APR 2025 BY: Julie Siaboc

ORDINANCE NO. 2024-178

AN ORDINANCE PROVIDING GUIDELINES FOR THE ISSUANCE OF CERTIFICATE OF INDIGENCY BY ALL THE BARANGAY GOVERNMENTS FOR REDUCTION OF BAIL BOND FOR INDIGENT PERSONS ACCUSED OF A CRIMINAL CHARGE AND PERSONS DEPRIVED OF LIBERTY (PDL) IN THE CITY OF MUNTINLUPA AND FOR OTHER PURPOSES

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Sponsored by: ***Hon. Coun. Alexson V. Diaz***
Hon. Coun. Jedidiah R. Presnedi, LPT
Hon. Coun. Rodolfo W. Moldez, Jr.
Hon. Coun. Allan Rey A. Camilon
Hon. Coun. Atty. Raul R. Corro
Hon. Coun. Paty Katy C. Boncayao
Hon. Coun. Atty. Rachel Katriel Ann C. Arciaga
Hon. Coun. Ivee Rhia A. Tadefa
Hon. Coun. Ting D. Niefes
Hon. Coun. Mark Lester M. Baes
Hon. Coun. Francis Ian T. Bagatsing
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. Jonas Angelo L. Abadilla - SK President
Hon. Coun. Allen F. Ampaya – LPB President

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U.P. LAW CENTER
OFFICE of the NATIONAL ADMINISTRATIVE REGISTER
Administrative Rules and Regulations
REGISTERED
APR 25 2025
ONAR Registration NO. 2025-04-170
TIME: _____ BY: _____

WHEREAS, Section 9 of Article II of the 1987 Constitution (Constitution), declares that, ***"The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all";***

WHEREAS, Section 10 of Article II of the Constitution expresses that, ***"The State shall promote social justice in all phases of national development";***

WHEREAS, Section 11 of Article II of the Constitution declares that, ***"The State values the dignity of every human person and guarantees full respect for human rights";***

WHEREAS, Section 13 of Article III of the Constitution provides that, ***"All persons, except those charged with offenses punishable by reclusion perpetua when evidence of guilt is strong, shall, before conviction, be bailable by sufficient sureties, or be released on recognizance as may be provided by law. The right to bail shall not be impaired even when the privilege of the writ of habeas corpus is suspended. Excessive bail shall not be required";***

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WHEREAS, in 2013 the Philippine Government approved the Republic Act No. 10389 otherwise known as the "Recognizance Act of 2012". The aforementioned law declares under Section 2 that, ***"It is the declared policy of the State to promote social justice in all phases of national development, including the promotion of restorative justice as a means to address the problems confronting the criminal justice system such as protracted trials, prolonged resolution of cases, lack of legal representation, lack of judges, inability to post bail bond, congestion in jails, and lack of opportunity to reform and rehabilitate offenders;***

WHEREAS, Section 3 of Department of Justice (DOJ) Department Circular No. 011 dated February 20, 2023 provides that, ***"If the respondent claims to be indigent, and there being no evidence that respondent is either a habitual delinquent or recidivist, he or she shall submit to the investigating prosecutor documents evidencing the fact of indigency, such as, but not limited to, the Latest Income Tax Return or pay slip, or other suitable proof of income;***

1. *Certificate of Indigency from the Department of Social Welfare and Development; and/or*

2. *Certificate of Indigency/No Income from the Office of the Punong Barangay/Barangay Chairperson having jurisdiction over the residence of the respondent";*

WHEREAS, Section 2 of Republic Act 10173 otherwise known as the Data Privacy Act of 2012 declares that, ***"It is the policy of the State to protect the fundamental human right of privacy, of communication while ensuring free flow of information to promote innovation and growth. The State recognizes the vital role of information and communications technology in nation-building and its inherent obligation to ensure that personal information in information and communications systems in the government and in the private sector are secured and protected";***

WHEREAS, a letter was received by the Sangguniang Panlungsod of Muntinlupa from the City Peace and Order Council dated October 17, 2023 for a standard criteria or parameter on the issuance of a Certificate of Indigency;

WHEREAS, there is a need for Certificate of Indigency Guidelines for bail bond reduction purposes to provide a set standard processes, criteria, and parameters for the issuance thereof;

WHEREAS, the provision of Guidelines for the Issuance of Certificate of Indigency for Bail Bond Reduction is part of the **"7K Agenda"** under **"Katarungan"** and **"Kaunlaran"** of the Administration of *Mayor Rozzano Rufino B. Biazon*;

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the ***10th Sangguniang Panlungsod of Muntinlupa,*** in the session assembled that:

SECTION 1. ***Short Title.*** — This Ordinance shall be called the "Certificate of Indigency for Bail Bond Reduction Guidelines"

No 25-0473

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SECTION 2. *Certificate of Indigency* — The Certificate of Indigency issued in Muntinlupa City shall contain the required data provided in Section 4 of this Ordinance and may include additional data as provided in Section 5 of this Ordinance. All Certificates of Indigency issued for Bail Bond Reduction shall be authenticated in accordance with Section 7 of this Ordinance.

SECTION 3. *Issuance of Certificate of Indigency for Bail Bond Reduction* — The Certificate of Indigency for the purpose of Bail Bond Reduction shall be issued exclusively by the Barangay where the accused of a criminal charge or persons deprived of liberty is residing. The Certificate of Indigency shall be personally signed by any elected Barangay Official.

SECTION 4. *Required Data.* — The following data shall be visibly and legibly provided in the Certificate of Indigency:

1. *Control Number*
2. *Name of Requester*
3. *Address of Requester*
4. *Name of Indigent Person*
5. *Relation to Indigent Person*
6. *Purpose of Request*
7. *Date of Request*
8. *Name and Signature of Barangay Official*

SECTION 5. *Optional Data.* — The following data may be included as needed in the Certificate of Indigency:

1. *Transaction Number*
2. *Age of Requester*
3. *Name of Requiring Office*
4. *Validity Period*

SECTION 6. *Data Validation* — Data provided in the Certificate of Indigency may be validated through any of the following:

1. *Listahanan or National Household Targeting System for Poverty Reduction;*
2. *Community-Based Monitoring System;*
3. *Case Study by a Registered Social Worker;*
4. *Original Copy of Document providing proof of indigency; and*
5. *Other data gathering procedures allowed by law.*

SECTION 7. *Authentication.* — The Certificate of Indigency shall be authenticated by the use of the following:

1. ***Specimen Signature of Authorized Signatory***
2. ***Dry Seal of the Issuing Barangay***

SECTION 8. *Control Number.* — Each Barangay shall implement a system for a Control Number that shall be unique to each Certificate of Indigency issued.

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SECTION 9. ***Confidential Data.*** — Sensitive Personal Information and Privilege Information shall be handled in accordance with the Republic Act 10173 otherwise known as the Data Privacy Act. Sensitive personal information refers to personal information:

1. ***About an individual's race, ethnic origin, marital status, age, color, and religious, philosophical or political affiliations;***

2. ***About an individual's health, education, genetic or sexual life of a person, or to any proceeding for any offense committed or alleged to have been committed by such person, the disposal of such proceedings, or the sentence of any court in such proceedings;***

3. ***Issued by government agencies peculiar to an individual which includes, but not limited to, social security numbers, previous or current health records, licenses or its denials, suspension or revocation, and tax returns; and***

4. ***Specifically established by an executive order or an act of Congress to be kept classified***.

SECTION 10. ***City Government Coordination.*** — The Social Services Department (SSD) shall closely coordinate with the Barangays for the implementation of this Ordinance. Additionally, the Social Services Department of the City Government shall conduct an orientation to all Barangay Governments of Muntinlupa regarding the proper assessment procedures and proper assessment tools applicable to those who are applying for a Certificate of Indigency who must be a member of their Barangay's jurisdiction.

SECTION 11. ***Implementing Rules and Regulations.*** — The Social Services Department (SSD) together with the Association of Barangay Captains (ABC), Community Affairs and Development Office (CADO), Management Information Systems Office (MIS), and other concerned offices as identified by the Social Services Department shall formulate the implementing rules and regulations of this Ordinance within ninety (90) days after its approval.

SECTION 12. ***Mandatory Usage of Uniform Intake Sheet.*** — All Barangay Governments must uniformly use the Intake Sheet from the Social Services Department of the City Government as one of the assessment tools in order to standardize the process of indigency assessment.

SECTION 13. ***Transitory Provision***. — To enable each Barangay to fully update their current system, a grace period of three (3) months shall be provided after the conduct of orientation by the Social Services Department of the City Government to all the Barangay Governments.

SECTION 14. ***Repealing Clause.*** — All Ordinances, issuances, rules and regulations inconsistent with the provisions of this Ordinance are hereby repealed, amended, rescinded and/or modified accordingly.

People's Center Building, Putatan, Muntinlupa City, Philippines 1773
Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com

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SECTION 15. ***Separability Clause.*** — If any provision of this Ordinance shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SECTION 16. ***Effectivity Clause.*** — This Ordinance shall take effect upon approval of the City Mayor.

ENACTED, by the ***10th Sangguniang Panlungsod of Muntinlupa,*** this **15th** day of **April, 2024**, on its **91st Regular Session.**

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

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. ENGR. MAMERTO T. SEVILLA, JR.
Member

COUN. ENGR. MARISSA C. RONGAVILLA
Member

COUN. ENGR. ARLENE D. HILAPO
Member

COUN. CORNELIO M. MARTINEZ
Member

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COUN. RODOLFO W. MOLDEZ, JR.
Member

Sectoral Representative:

COUN. ALLEN F. AMPAYA
President
Liga ng mga Barangay

COUN. JONAS ANGELO L. ABADILLA
President
Federation of Sangguniang Kabataan

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: 19 APR 2024

Norie/10th SP