



REPUBLIC OF THE PHILIPPINES
City of San Carlos, Negros Occidental

OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD HELD ON THE 24TH DAY OF SEPTEMBER 2018 AT 9:00 A.M. AT THE SP SESSION HALL, THIS CITY

PRESENT:

Hon. RENATO Y. GUSTILO,	City Vice-Mayor/Presiding Officer
“ BENITO Y. GUSTILO, JR.,	SP Member
“ CHRISTOPHER PAUL S. CARMONA,	SP Member
“ MARI-CAR O. QUISUMBING,	SP Member
“ JOSE CARLOS L. VILLARANTE,	SP Member
“ VICTORIANA C. CABILI,	SP Member
“ MARK E. CUI,	SP Member
“ CLINT S. MANSUETO,	SP Member
“ WILMER L. YAP,	SP Member
“ JONIE S. UY,	SP Member
“ ALEXANDER Y. ONGTIAOBOK,*	SP Member
“ JB SPRING C. BACURNAY,	SP Member (SK Representative)

* - came late

ON OFFICIAL BUSINESS:

Hon. ANTHONY S. WEE,	SP Member (LnB President)
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ORDINANCE NO. 18-48

AN ORDINANCE AMENDING ORDINANCE NO. 14-04, ENTITLED “AN ORDINANCE PROMOTING A 100% SMOKE-FREE ENVIRONMENT IN SAN CARLOS CITY, NEGROS OCCIDENTAL, BANNING OF TOBACCO ADVERTISEMENT, RESTRICTING ACCESS TO TOBACCO PRODUCTS, IMPOSING PENALTIES FOR VIOLATIONS THEREOF, AND FOR OTHER PURPOSES” BY ADDING PROVISIONS THEREOF AND FOR OTHER PURPOSES

Introduced by Hons. VILLARANTE, CABILI, QUISUMBING & YAP

Section 1. Section 4 (q) of Ordinance No. 14-04 is hereby amended by adding a phrase, to read as follows:

q) *Tobacco Advertising, Promotion and Sponsorship* – refers to any form of commercial communication, contribution to any event, recommendation, activity or individual or action with the aim, effect or likely of advertising, promoting or sponsoring a tobacco product or tobacco use either directly or indirectly, including but not limited to, any message or image promoting smoking, tobacco use, tobacco products, brand names or tobacco company names or any promotional materials or structure that contains these, such as, but not limited to, posters, streamers, signages, standees, billboards, flyers, umbrellas, parasols, CDs, film, caps, t-shirts, sweatshirts, visors, backpacks, sunglasses, writing implements, towel, mugs, candies, stickers and the like.

Section 2. Section 6 is hereby inserted immediately following Section 5 of said ordinance to read as follows:

Section 6. Restrictions and Banning on Sponsorships

6.1 No sponsorship shall be provided for:

- a) an event or activity which bears a tobacco product brand name, unless there is reasonable basis to believe that all persons who compete, or otherwise taken an active part, in the sponsored events or activities, are persons eighteen (18) years of age or older;
- b) a team or individual bearing a tobacco product name, unless all persons under eighteen (18) years of age or older;

- c) a sponsored event or activities reasonably believed to be particular appeal to persons under eighteen (18) years old;
- 6.2 Tobacco brand sponsorship shall be prohibited except where there is a reasonable basis to believe that:
- a) the sponsored event or activity will not be of particular appeal to persons under eighteen (18) years old;
 - b) the sponsored event or activity will not receive exposure, other than as news item, on television or radio of the internet, unless such exposure complies with the provisions of this act governing tobacco marketing through those media; and
 - c) the principal activity associated with the sponsorship does not require above-average physical fitness for someone of the age group of those taking part.
- 6.3 all persons authorized to bear tobacco product advertisement, logos and brand names at sponsored events shall be at least eighteen (18) years old;
- 6.4 all forms of advertising associated with or ancillary to sponsorship shall comply with the marketing provisions of the Ordinance.
- 6.5 **Banning and Sponsorship.** Cigarette and tobacco companies are hereby prohibited from sponsoring any sport, concert, cultural art or event, as well as individual and team athletes, artists or performers where such sponsorship shall require or involve the advertisement or promotion of any cigarette or tobacco company, tobacco product or tobacco use, name, logo or trademarks, and other words, symbols, designs, colors or other depictions commonly associated with or likely to identify a tobacco. Provided further, that no manufacturer may register a tobacco brand name as a company name after the passage of the Ordinance.

Section 3. Succeeding sections following Section 6 of said ordinance are hereby correspondingly and numerically amended and numbered appropriately.

Section 4. Repealing Clause – All ordinances, rules and regulations or part thereof, in conflict with or inconsistent with the provision of this ordinance are hereby repealed or modified accordingly.

Section 5. Separability Clause – If any provision of this Ordinance is declared unconstitutional or illegal, the same shall not affect the validity and effectivity of the other provisions hereof.

Section 6. Effectivity Clause - This ordinance shall take effect on the day after the compliance of the required 10-day posting of the approved ordinance in the bulletin at the entrance of the City Hall and in at least two (2) conspicuous places within San Carlos City. The posting shall have commenced not later than five (5) days after the approval of this Ordinance.

ENACTED: September 24, 2018, by the affirmative votes of Hons. GUSTILO, CARMONA, QUISUMBING, VILLARANTE, CABILI, CUI, MANSUETO, YAP, UY, ONGTIAOBOK and BACURNAY

I HEREBY CERTIFY to the correctness of the foregoing ordinance which was duly enacted by the Sangguniang Panlungsod during its regular session held at the SP Session Hall, this city on September 24, 2018.

mch-26
MA. CECILIA SUZETTE C. BINGHAY
Secretary to the Sangguniang Panlungsod

**ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:**

Renato Y. Gustilo
RENATO Y. GUSTILO
City Vice-Mayor / Presiding Officer

APPROVED ON 01, OCT 2018, 2018

Gerardo P. Valmayor Jr.
GERARDO P. VALMAYOR JR.
City Mayor