

## Office of the Sangguniang Bayan

# ORDINANCE NO. 2024-015

**AN ORDINANCE RESTRICTING FINANCIAL INSTITUTIONS, LENDING COMPANIES, USERERS AND INDIVIDUALS IN THE MUNICIPALITY OF SAN JOSE, PROVINCE OF CAMARINES SUR FROM ACCEPTING 4Ps CASH CARDS AND OTHER 4Ps DOCUMENTS AS COLLATERAL OR SECURITY FOR LOAN**

*Authors: Hon. Audie P. Concina and Hon. Domingo A. Tam Jr.*

**BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF SAN JOSE, CAMARINES SUR IN REGULAR SESSION ASSEMBLED:**

**SECTION 1. TITLE** – This Ordinance shall be known as “4Ps NO PAWNING-POLICY” of the Municipality of San Jose, Camarines Sur.

### **SECTION 2. DECLARATION OF POLICY.**

The Local Government Unit of San Jose, Camarines Sur commits to improve the socio-economic status of 4Ps beneficiaries so they may enjoy the better life. Money grants in the behavior and mind-set of beneficiaries.

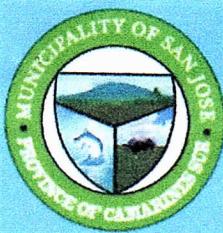
The Municipality of San Jose, Camarines Sur hereby reiterates the dual objectives of 4Ps Program as:

1. **Social Assistance** whereby those extremely poor families are given monetary support for their immediate needs; and
2. **Social Development** whereby the 4Ps is set to break the intergenerational poverty cycle by investing in human capital and affording health support and education of children eighteen (18) years and below.

**SECTION 3. DEFINITION OF TERMS.** The following terms shall mean as they are used in this ordinance as follows:

**3.1. 4Ps** – refers to **Pantawid Pamilyang Pilipino Program (4Ps)**, also known as Bridging Program for the Filipino Family, is human development measure of the National Government that provides conditional cash grants to the poorest of the poor, to improve the Health, Nutrition, and Education of children eighteen (18) years and below.

**3.2. 4Ps Parent Leader** – refers to a member of Pantawid Pamilyang Pilipino Program (4Ps) who is selected by a group of 4Ps member in the barangay to perform voluntary service and assist the implementation of 4Ps



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**3.3. Cash Card-** an electronic payment card that stores cash for various types of payments. Cash cards may include bank debit cards, prepaid debit cards, gift cards, and payroll cards.

**3.4. Cash Card Pawning –** the act of depositing the 4Ps cash card, ID and/or other 4Ps documents to the lenders as security for cash loan or credit on items/goods.

**3.5. Financial Institutions-** companies that deal with various financial and monetary transactions.

**3.6. Lending Companies-** entities focus solely on lending money. They charge interest on borrowed amounts and play a vital role in financing various needs, from personal expenses to business investments.

**3.7. Individual Lender –** refers to private individuals who grant loans to clients.

**3.8. MCCT –** refers to Modified Conditional Cash Transfer Program targeting families in the pockets of poverty, those in streets and in difficult situations who are in needs of social protection, mainstreaming them into the regular 4Ps program.

**3.9. RCCT-** refers to Regular Conditional Cash Transfer Program designed for families who are definitely poor, vulnerable and disadvantaged who are included in the enumeration of the National Household Targeting System (NHTS) or Listahanan.

**4.0. Middleman or Agent –** refers to private individuals who arranges cash card pawning and/or other similar transaction.

### SECTION 4. IMPLEMENTING OFFICE.

The Municipal Social Welfare and Development Office (MSWDO) in coordination with the Municipal Link and other government agencies concerned shall spearhead the overall implementation including the investigation and collection of evidences, recording of penalties and sanctions, preparation of reporting documents and filling of appropriate charges for the purpose of this ordinance. The said office shall also recommend to the office of the Municipal Mayor for any actions as may be deemed necessary for its implementation.

### SECTION 5. ROLES AND RESPONSIBILITIES.

The Barangay Officials shall perform the following duties and responsibilities for the purpose of this ordinance:



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1. Assist the Municipal Social Welfare and Development Office and Municipal Link on checking and monitoring the activities of 4Ps and MCCT beneficiaries in their respective jurisdiction related to the pawning of cash card and other related documents;
2. Coordinate and report to the Municipal Social Welfare and Development Office and Municipal Link for illegal activities related to cash card pawnin in their respective barangays;
3. To perform such other duties as may be deemed necessary.

### SECTION 6. DISPOSITION OF COMPAINT

**6.1. Filling of Complaint or Report.** The filling of complaint or report against any individual, businesses and financial institutions may be made by any person, groups and entity.

**6.2. Filling Office.** All reports and complaints relative to the pawning of 4Ps cash cards and other documents shall be made at the Municipal Social Welfare and Development Office.

**6.3. Evaluation.** The Municipal Social Welfare and Development Office shall be responsible for the evaluation of filed case/s in coordination with the Municipal Link of DSWD.

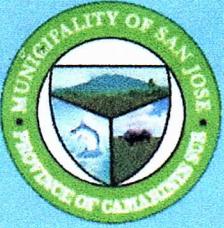
**6.4. Execution.** The execution of penal charges shall be made by the Office of the Local Chief Executive upon the recommendation of the Municipal Social Welfare and Development Officer.

### SECTION 7. PROHIBITED ACTS

**7.1.** It shall unlawful for any person, firm or entity engaged in the business of extending cash loans to any of the following;

1. Accepting 4Ps cash card or any 4Ps documents as collateral or security for cash loan or any form of indebtedness;
2. Collecting service fee or any other form of collection attributed to cash card pawning.
3. Collecting interest payment from 4Ps beneficiary for loans guaranteed by cash or any 4Ps documents; and
4. Acts as middleman or agent between the Lender and the Pawnee.

**7.2.** It shall be unlawful for a 4Ps/MCCT beneficiary, pursuant to section 3.1 of NAC Resolution No. 20 of 2014, to commit any of the following:



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1. Pawning the 4Ps cash card; and
2. Using 4Ps documents such as ID, *Kasunduan* and such others as loan collateral.

## **SECTION 8. OFFENSES AND PENALTIES.**

Management Progress whose details of violation have been established and duly proven by the Municipal Social Welfare and Development Office (MSWDO) and Municipal Link shall be meted the following penalties as following;

**8.1.** In violation to any of the provision in section 7.1 here of the following penalties shall be sanctioned to the violator as follows:

### **1. Individual lenders, Middleman/Agent:**

**First Offense:** A fine of One Thousand Pesos (Php 1,000.00) per loan grant;

**Second Offense:** A fine of One Thousand Five Hundred Pesos (Php 1,500.00) per loan grant;

**Third Offense:** A fine of Two Thousand Five Hundred Pesos (Php 2,500.00) per loan grant; or imprisonment of not exceeding six (6) months at the discretion of a competent court.

### **2. Lending Companies, Financial Institutions and other Local Business or Corporation:**

**First Offense:** A fine of One Thousand Five Hundred Pesos (Php 1,500.00) per loan grant;

**Second Offense:** A fine of Two Thousand Five Hundred Pesos (Php 2,000.00) per loan grant;

**Third Offense:** A fine of Two Thousand Five Hundred Pesos (Php 2,500.00) per loan grant; revocation of Mayor's Permit; and imprisonment of not exceeding six (6) months at the discretion of a competent court.

**8.2.** In violation to section 7.2 here of the 4Ps/MCCT household beneficiary shall be referred to the Municipal Social Welfare and Development Officer (MSWDO) and be dealt with in accordance with Section 3.2.1 of NAC



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**First Offense:** A Written warning from the Head of 4Ps Provincial Operator Offices of counseling with the 4Ps Municipal Link or the MSWDO, as may be necessary;

**Second Offense:** A fine of Two Written warning from the Development of Social Welfare and Development (DSWD) Regional Director and Counseling with the Social Welfare Officer III and suspension of cash grant (1) payment period;

**Third Offense:** Delisting of the beneficiary under the Grievance Redness System (GRS) Fraud duly approved by the DSWD Regional Director and tagging to be facilitated by the Regional Grievance Officers. The household's delisted status is non-appealable.

### **SECTION 9. COLLECTION AND ACCRUAL OF FINES.**

The payment of fines for violation of this Ordinance shall be made at the Municipal Treasury Office. All fines that are collected by the Municipal Treasurer's Office shall accrue to the general fund of the Local Government Unit of San Jose, Camarines Sur.

### **SECTION 10. SEPARABILITY CLAUSE.**

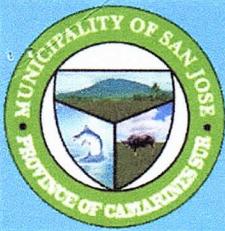
If for any reason, any section of this ordinance shall be held unconstitutional or invalid, other sections which are not affected thereby shall continue to be full force and effect.

### **SECTION 11. REPEALING CLAUSE:**

All laws, decrees, executive orders, administrative orders or part thereof inconsistent with the provisions of this ordinance are hereby amended or modified accordingly.

### **SECTION 12. EFFECTIVITY.** This ordinance shall take effect immediately upon its approval.

**ENACTED:** July 25, 2024.



Republic of the Philippines  
Province of Camarines Sur  
Municipality of SAN JOSE



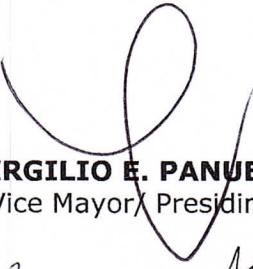
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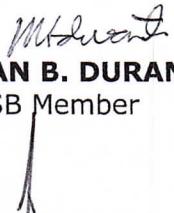
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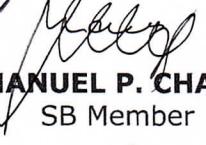
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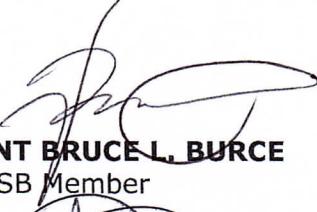
  
**MARY GRACE TOTANES- PANUELOS**  
Secretary to the Sanggunian

ATTESTED:

  
**VIRGILIO E. PANUELOS**  
Mun. Vice Mayor/ Presiding Officer

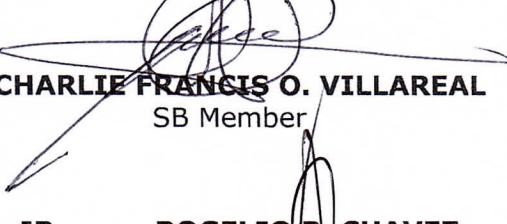
  
**MARSAN B. DURANTE**  
SB Member

  
**MANUEL P. CHAVEZ**  
SB Member

  
**VINCENT BRUCE L. BURCE**  
SB Member

  
**AUDIE P. CONCINA**  
SB Member

  
**BOBBY H. CUTAKIO**  
SB Member

  
**CHARLIE FRANCIS O. VILLAREAL**  
SB Member

  
**DOMINGO A. TAM, JR.**  
SB Member

  
**MARCIANO B. CHAVEZ, JR.**  
SB Member

  
**ROGELIO B. CHAVEZ**  
ABC Representative

  
**CHARM NINA C. VALENCIA**  
SK Representative

APPROVED:

  
**JEROLD B. PEÑA**  
Municipal Mayor