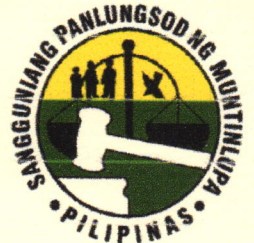




REPUBLIKA NG PILIPINAS
PAMAHALAAN LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Telephone no. 861-0181/Fax: 862-6473
Email address: sangguniangpanlungsod2k19@gmail.com



ORDINANCE NO. 2020-179

AN ORDINANCE AMENDING ORDINANCE NO. 05-045, OTHERWISE KNOWN AS "AN ORDINANCE TO CURTAIL THE SALE, TRANSFER, DISTRIBUTION, MANUFACTURE AND/OR PRODUCTION OF PIRATED, COUNTERFEIT OR FAKE GOOD, ARTICLES OR SERVICES, AND FOR OTHER PURPOSES" TO INCLUDE THE OPTICAL MEDIA BOARD LICENSE AS A MANDATORY REQUIREMENT IN THE ISSUANCE OF BUSINESS PERMIT FOR THOSE ENGAGED IN THE BUSINESS OR ACTIVITIES OF IMPORTATION, EXPORTATION, ACQUISITION, SALE OR DISTRIBUTION OF OPTICAL MEDIA, MANUFACTURING EQUIPMENT, PARTS AND ACCESSORIES AND MANUFACTURING USED OR INTENDED FOR USE IN THE MASTERING, MANUFACTURE OR REPLICATION OF OPTICAL MEDIA IN THE CITY OF MUNTINLUPA.

- Sponsored by:
- Hon. Coun. Mark Lester M. Baes*
 - Hon. Coun. Atty. Raul R. Corro*
 - Hon. Coun. Alexson V. Diaz*
 - Hon. Coun. Louisito A. Arciaga*
 - Hon. Coun. Allan Rey A. Camilon*
 - Hon. Coun. Ting Niefes*
 - Hon. Coun. Stephanie G. Teves*
 - Hon. Coun. Ivey Rhia A. Tadea*
 - Hon. Coun. Engr. Marissa C. Rongavilla*
 - Hon. Coun. Francis Ian T. Bagatsing*
 - Hon. Coun. Engr. Mamerto T. Sevilla, Jr.*
 - Hon. Coun. Engr. Arlene D. Hilapo*
 - Hon. Coun. Cornelio M. Martinez*
 - Hon. Coun. Walter A. Arcilla*
 - Hon. Coun. Kenichi D. Takagi, Jr.*

WHEREAS, it is the Vision of the City of Muntinlupa to be "**one of the leading investment hubs in the country**" and has consistently proven its dedication to create and sustain a healthy, robust and dynamic economic atmosphere full of opportunities for investors, entrepreneurs and businessmen by ensuring ease of doing business and protecting the rights of business owners and consumers alike;

WHEREAS, piracy and counterfeiting of intellectual property rights not only cause economic prejudice and demoralization among legitimate businessmen and establishments which offer products and services dependent on intellectual property protection, but also undermine the City's strategy for growth and development and result in unrealized revenues and taxes;

WHEREAS, the City Government adheres to the policy of the national government to curb the proliferation and introduction into commerce of pirated, counterfeit or fake goods, articles or services, and the commission of other acts that violate the intellectual property rights as protected by law;





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Page 2

Ordinance No. 2020-179

WHEREAS, the state policy to enhance the enforcement of intellectual property rights requires the determined and active support of the local government at its grass-roots level;

WHEREAS, the City of Muntinlupa enacted into law City Ordinance No. 05045 on April 21, 2005 which aimed to curtail the sale, rental, transfer, distribution, manufacture and/or production of pirated, counterfeit or fake goods, articles and services and has actively enforced said ordinance to protect its business owners and consumers;

WHEREAS, Department of Interior and Local Government (DILG) Memorandum Circular No. 2011-056 dated April 27, 2011 and DILG Memorandum Circular No. 2020-124 dated September 21, 2020 require the submission of the Optical Media Board (OMB) license prior to the release of business permits to optical media establishments by local government units;

WHEREAS, there is a need to amend City Ordinance No. 05-045 to include the aforementioned requirement to secure an OMB license prior to the issuance of business permits to comply with the directives of the DILG and to facilitate the regulation and monitoring of optical media establishments by the OMB;

NOW THEREFORE, BE IT ENACTED, by the 9th Sangguniang Panglungsod in session assembled that:

SECTION 1. Optical Media Board License as Mandatory Requirement. **Section 2 of Muntinlupa City Ordinance No. 05-45** shall now read as follows:

“The Optical Media Board License shall be a mandatory requirement in the issuance of Business Permit/ Mayor’s Permit for those engaged in the business or activities of importation, exportation, acquisition, sale or distribution of optical media, manufacturing equipment, parts and accessories and manufacturing used or intended for use in the mastering, manufacture or replication of optical media, pursuant to Section 13 of Republic Act No. 9239.”

SECTION 2. The previous **Section 2** of Ordinance 05-045 shall now become **Section 3** and shall read as follows:

“Any breach or violation of the conditions as set forth in the preceding sections shall be grounds for the non-issuance of business permit in case of non-submission of the OMB license, and/or revocation or suspension of the business permit or licenses for a period of not more than ten (10) days for the first violation; thirty (30) days for the second violation; and cause the cancellation thereof for the third and subsequent violations.”





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Page 3
Ordinance No. 2020-179

SECTION 3. The previous Section 3 of Ordinance 05-045 shall now become Section 4 and all subsequent sections shall likewise be renumbered/adjusted accordingly.

SECTION 4. Separability Clause. If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provisions or parts not affected thereby shall continue to be in full force and effect.

SECTION 5. Repealing Clause. All other ordinances, resolutions, and executive orders, which are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 6. Publication. This Ordinance shall be published pursuant to the requirements of the Local Government Code and shall be posted by the Public Information Office (PIO) in the Official Website of the City Government of Muntinlupa and in all available social media platforms.

SECTION 7. Effectivity. This ordinance shall take effect immediately upon its approval. Copies of this Ordinance shall be furnished to the Office of the Mayor, Office of the City Administrator, City Legal Office, City Health Office, Business Permit and Licensing Office, Public Information Office and the different Chambers of Commerce in Muntinlupa City for their information and immediate dissemination to all covered business establishments.

ENACTED, by the 9th Sangguniang Panlungsod of Muntinlupa, this 1st day of December, 2020, on its 73rd Regular Session.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO
Member

COUN. ALEXSON V. DIAZ
Member

(ABSENT)
COUN. PATY KATY C. BONCAYAO
Member

COUN. LOUISITO A. ARCIAGA
Member

COUN. ALLAN REY A. CAMILON
Member

COUN. TING NIEFES
Member

COUN. STEPHANIE G. TEVES
Member

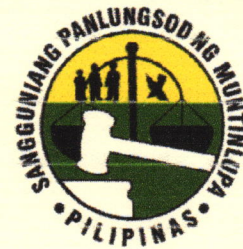
COUN. IVEE RHIA A. TADEFA
Member





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Page 4
Ordinance No. 2020-179

DISTRICT 2:

COUN. FRANCIS IAN T. BAGATSING
Member

COUN. ENGR. MARISSA C. RONGAVILLA
Member
COUN. MARK LESTER M. BAES
Member

(MATERNITY LEAVE)
COUN. MA. DHE SIREE G. AREVALO
Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member
COUN. ENGR. ARLENE D. HILAPO
Member
COUN. CORNELIO M. MARTINEZ
Member
COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman
COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
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:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: 09 DEC 2020

Norie/9th SP

