



GENERAL ORDINANCE NO. 43
Series of 2012

**AN ORDINANCE PROHIBITING THE USE OF BATTERY SOLUTION (SULFURIC ACID)
AS COAGULANTS IN THE PRESERVATION OF RUBBER LATEX IN THE MUNICIPALITY
OF TUNGAWAN, PROVINCE OF ZAMBOANGA SIBUGAY**

SPONSORED BY: HON. ALFREDO L. JAMORA
CO-SPONSORED BY: HON. IVAN N. BALANO

EXPLANATORY NOTE

WHEREAS, it is the purpose of this ordinance to protect our environment from hazardous elements in accordance with our existing laws on Clean-Air-Act and the fight against global climate change;

WHEREAS, the Municipality of Tungawan, Province of Zamboanga Sibugay, as an agricultural and fishery- based municipality with greener environment shall be protected in order that the agri-fishery potentials of the town could not be affected by unstable environmental condition and with this, it is the role of our government in this part of the region to ensure proper disposition of our chemical products for the safeguard of our rubber industry.

WHEREAS, the prohibition of the use of battery solution (SULFURIC ACID) as coagulants in the preservation and promotion of rubber latex to obtain the quality standard of our rubber raw materials is absolutely against the law of nature and of the society, therefore using battery solution as coagulant to rubber latex as commonly practice by some of the farmers in the province has resulted to producing sub-standard rubber products;

WHEREAS, it is the battle cry of the rubber Buying Companies/Stations to improve/maintain the quality aspect of rubber raw products in their areas of concerns for their costumer's satisfaction report said that volume of exported rubber products were sent back to the Philippines due to the diminishing of our rubber commodities;

WHEREAS, the ultimate effect of this unprofessional conduct of some of our farmers have basically reduced the good feature of our rubber products and its market purchasing cost-value and as well as the continual patronage of the buying public so, it is a proper and timely that this ordinance be a guiding of principles in the prohibition of the use of battery solution as substitute in the management of our rubber latex components.

Be it ordained by the 16th Legislative Council of Tungawan, Zamboanga Sibugay Province in its 74th Regular Session assembled that.

Section 1. **Title** - That has ordinance shall be known and referred to as "An Ordinance Prohibiting the Use of Battery Solution as Coagulant in the Preservation of Rubber Latex in the Municipality of Tungawan, Province of Zamboanga Sibugay".

Section 2. **Scope and Coverage** - This ordinance shall cover to all rubber tappers, rubber farmers, rubber buyers, and rubber processing plants throughout the Municipality of Tungawan, Province of Zamboanga Sibugay.

Section 3. **Definition of Terms** - When use in this ordinance, the following word or phrase shall mean:

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1. Rubber Latex - is a milky component generated from a rubber tree.
2. Coagulant – refers to a reacting agent/substance that transform liquid component to more or less solid component.
3. Battery Solution – means an acidic substance use as electrolyte in battery to generate chemical power.
4. Rubber Raw Materials – shall refer to unprocessed resources coming from a rubber tree.
5. Enforcers - a person or group of persons/organization with police power to implement/compels the implementation of administrative or legislative laws.

Section 4. **General Provisions**

1. All produced/finished commodities derived from rubber raw materials shall passed the required quality standard for recommendation in the local market.
2. All rubber coops or processing plants operating within the local government unit of Tungawan Province of Zamboanga Sibugay shall be regulated by this ordinance.
3. Specifically, the Barangay/Municipal officials in coordination with the rubber farmers associations shall check/monitor the implementation of this ordinance.

Section 5. **Penal Provisions** - Any person or group of persons violating this ordinance shall be sanctioned based on the following grounds.

1. First offense shall be imprisonment of one (1) month and/or a fine of P 40.00 per kilo of rubber lumps/latex. However, the total fine shall not be more than P 1,000.00
 - 1.1. Second offense shall be imprisonment of one (1) month and/or a fine of P 80.00 per kilo of rubber lumps/latex .However, the total fine shall not be more than P 1,500.00.
 - 1.2. Third or more offenses shall be imprisonment of one (1) month and/or a fine of P 500.00 per kilo of rubber lumps/latex .However, the total fine shall not be more than P 2,500.00.
2. Should the offenders compromised not to be prosecuted, or in lieu of prosecution the offender may opt to pay an administrative fine as follows:
 - 2.1 First offense shall be five hundred pesos (500.00)
 - 2.2 Second offense shall be One thousand Pesos (1000.00)
 - 2.3 Third offense shall be P 1,500.00 to be paid at the Municipal/Barangay Treasurer's office within 24 hours from apprehension.
3. The fine shall be shared as follows:
 - a.) Municipal LGU shall have 50% from the total penalty
 - b.) Barangay LGU shall have 20 % from the total penalty
 - c.) Enforcers shall have 30% from the total penalty

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Section 6. **Enforcement** - There shall be a duly authorized law enforcing bodies tasked to perform the implementation of this ordinance with the following compositions:

1. Municipal Enforcer
 - a.) Municipal Mayor
 - b.) SB Member-Chairperson of Committee on Agriculture
 - c.) SB Member-Chairperson of Committee on Peace and Order
 - d.) Municipal Agriculturist's Office
 - e.) Rubber Farmers Associations
 - f.) Chief of Police


2. Barangay Enforcers:
 - a.) Barangay Chairpersons
 - b.) Barangay kagawad-Chairperson of Committee on Agriculture
 - c.) Barangay kagawad-Chairperson of Committee on Peace and Order
 - d.) Rubber Farmers Associations
 - e.) Barangay Chief Tanod

The Municipal and The Barangay Treasurer are hereby authorized to establish a checkpoint to facilitate the proper implementation of this ordinance.

Section 7. **Separability Clause** – If any provision/section of this ordinance shall be declared unconstitutional or illegal upon review and by any court, such declaration shall not in any manner affect the other provisions, sections, or parts of this ordinance, which shall remain to be in full force and effect.


Section 8. **Effectivity** - This ordinance shall take effect immediately after the thirty (30) days posting of copies of this ordinance in conspicuous places in the town or after its publication to local newspaper with general circulation in the municipality.

APPROVED and ADOPTED this 27th day of March 2012 at Tungawan, Zamboanga Sibugay.

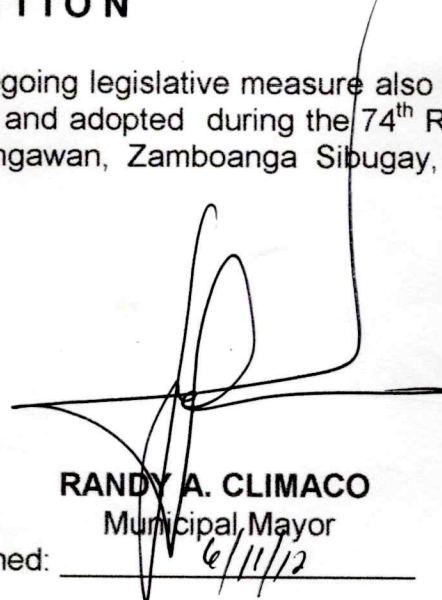

DANTE D. IBARRA
Secretary to the SB

CERTIFICATION

CERTIFIED and ATTESTED that the foregoing legislative measure also known as Draft Ordinance No. 16-16-11 was approved and adopted during the 74th Regular Session of the 16th Legislative Council of Tungawan, Zamboanga Sibugay, dated March 27, 2012, that I presided.


ABDURAUP A. ABISON
Municipal Vice Mayor
Presiding Officer

Approved:


RANDY A. CLIMACO
Municipal Mayor

Date Signed: 6/11/12