



Republic of the Philippines
 Province of Cavite
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
 Trece Martires City



EXCERPTS FROM THE MINUTES OF THE 6th REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF CAVITE HELD ON 21 FEBRUARY 2005 AT SESSION HALL, CAPITOL BUILDING, TRECE MARTIRES CITY

PRESENT:

Hon. Recto M. Cantimbuhan	Temporary Presiding Officer
Hon. Hermogenes C. Arayata III	Majority Floor Leader
Hon. Cesario R. del Rosario, Jr.	Minority Floor Leader
Hon. Eileen R. Beratio	Sanggunian Member
Hon. Hilda P. Mendoza	Sanggunian Member
Hon. Dencito P. Campaña	Sanggunian Member
Hon. Iluminada F. Silao	Sanggunian Member
Hon. Rafael S. Rodriguez	Sanggunian Member
Hon. Arleen C. Arayata	ABC Prov'. Fed. Pres.
Hon. Rodel R. Bacos	SB Prov'l. Fed. Pres.

ABSENT:

Hon. Juanito Victor C. Remulla, Jr	Vice-Governor
Hon. Alex L. Advincula	Sanggunian Member
Hon. Luis T. Pagtakhan	Sanggunian Member
Hon. Sophia Marie G. Pagtakhan	SK Prov'l. Fed. Pres.

PROVINCIAL ORDINANCE NO. 2005-01

AN ORDINANCE CREATING A BOARD THAT SHALL OVERSEE AND REGULATE THE OPERATION OF SECURITY AND INVESTIGATION AGENCIES IN THE PROVINCE OF CAVITE

*Sponsored by: Hon. Cesario R. del Rosario, Jr.
 Co-sponsored by: Hon. Recto M. Cantimbuhan*

WHEREAS, every local government unit is mandated by law to maintain peace and order in its territorial jurisdiction;

WHEREAS, the increasing number of complaints against security guards has now reached a very alarming level;

WHEREAS, the provincial government has to immediately address this problem before it reaches a critical level considering that security guards are fully armed even with high-powered firearms;

WHEREAS, to address this problem, the Province of Cavite has to require all security and investigation agencies operating within its territorial jurisdiction to set up or establish their office in the province of Cavite that will officially and legally represent their respective security agency;

Handwritten initials



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WHEREAS, since the Philippine National Police has the People's Law Enforcement Board (PLEB) that handles administrative complaints against erring policemen, the security guards and investigation agents/detectives who are equally armed must also have a local Board that shall handle complaints against them or their agencies;

NOW, THEREFORE, be it ordained by the Sangguniang Panlalawigan in session assembled that:

SECTION 1. TITLE. This ordinance shall be known as "AN ORDINANCE CREATING A BOARD THAT SHALL OVERSEE AND REGULATE THE OPERATION OF SECURITY AND INVESTIGATION AGENCIES IN THE PROVINCE OF CAVITE"

SECTION 2. DEFINITION OF TERMS. As used in this ordinance, the following shall mean:

- a. **SECURITY AGENCIES** – shall include all security agencies providing security services to public offices and/or private companies situated in the province of Cavite.
- b. **INVESTIGATION AGENCIES** – shall include detective agencies providing services to public offices and/or private agencies
- c. **BOARD** – shall refer to the Security and Investigation Agencies Board
- d. **AGENCY** – shall refer to security and investigation agencies

SECTION 3. CREATION AND COMPOSITION OF THE BOARD. There is hereby created a Private Security and Investigation Agencies Board under the Sangguniang Panlalawigan of Cavite to be composed of the following members:

- a. Chairman of the Board – Sangguniang Panlalawigan Representative duly elected by a majority of the members present representing a quorum;
- b. Members:
 - b.1 PNP Provincial Command Representative;
 - b.2 Non-Governmental Organization Representative
 - b.3 Private Business Sector Representative;
 - b.4 Representative from the local government unit concerned
 - b.5 Representative from the security and investigation agencies
- c. Two regular casual employees that will serve as staff of the Board.

SECTION 4. POWERS AND FUNCTIONS OF THE BOARD. The Board, which shall meet at least twice a month, shall have the following powers and functions:



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- a. to receive, evaluate, process and screen all applications for a "Clearance to Operate" a security and/or investigation agency in the province;
- b. to deputize the concerned local government units in order to effectively implement its functions;
- c. to conduct an investigation on the complaints against security agencies and its security guards as well as investigation agencies and their detectives/agents and to impose appropriate penalties if warranted; and
- d. to promulgate rules and regulations in order to carry out the objectives of this Ordinance.

SECTION 5. HONORARIA. The Chairman of the Board shall receive an honorarium of P1,000.00 per board meeting while the members shall receive P600.00 per board meeting.

SECTION 6. STANDARD REQUIREMENT FOR SECURITY AND INVESTIGATION AGENCIES. All security and investigation agencies deploying at least ten (10) manpower to the province, shall be required to have a permanent office in the province of Cavite, complete with communication tools and equipment and sufficient number of employees and officers that can effectively act on even the most delicate situation and are duly authorized by their respective agencies to give information to the Board or other government agencies when needed.

SECTION 7. PROCEDURE IN THE GRANTING OF CLEARANCE TO OPERATE

7.1 The Agency seeking to operate within the Province of Cavite shall submit the following documents to the Board for review and evaluation:

- a. Masterlist of names of security guards/detectives/agents to be deployed within the Province of Cavite with their respective bio data with passport size pictures;
- b. NBI clearance and PNP-SAGSD documents for each security guard;
- c. Copy of sample contract between the security and/or investigation agency and its client in Cavite
- d. Copies of SEC and DTI registration;
- e. Copy of the Manual on Standard Operating procedure being followed by the Agency in providing security and/or investigation services to its clients;
- f. Documents regarding firearms/armaments owned by the Agency; and
- g. License to Operate

7.2 Upon completion of the required documents, the Agency shall fill up an application form, and together with the pertinent documents, submit the same to the Secretary of the Board for review and for the issuance of a clearance to pay the corresponding processing fee to the Provincial Treasurer. The processing fee shall be Two Hundred Pesos (P200.00).



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7.3 Only applications with Official Receipt issued by the Provincial Treasurer shall be processed/evaluated by the Board.

SECTION 8. RESOLUTION OF APPLICATIONS. The Board shall resolve all applications for a Clearance to Operate within two (2) weeks from its filing and such "clearance" shall be a prerequisite for the issuance of a business permit by the local government unit where it seeks to operate.

SECTION 9. ISSUANCE OF IDENTIFICATION FOR DEPLOYMENT – The Board shall issue a sticker for each security guard/detective/agent of the accredited Agency to be deployed within its territorial jurisdiction which shall cost P100.00 each. The same shall be attached to the security guard's/detective's/agent's company identification card at all times while on duty. Failure to comply with the said requirement shall mean cancellation of the identification and the deployment of the security guard/detective/agent concerned.

SECTION 10. PROCEDURE IN THE DEPLOYMENT OF ADDITIONAL SECURITY GUARDS/DETECTIVES/AGENTS NOT INCLUDED IN THE MASTER LIST. The Accredited Agency shall submit a formal letter of introduction to the Board with the following documents;

- a. Bio-data of the security guard/detective/agent with passport size photo;
- b. NBI clearance;
- c. PNP-SAGSD documents;
- d. Official Receipt for processing fee;
- e. Clearance to Operate; and
- f. Business permit issued by the local government unit concerned.

SECTION 11. COMPLAINTS AGAINST SECURITY GUARDS/DETECTIVES/AGENTS, SCOPE. The Board shall have the authority to hear and decide cases/complaints against security guards/detectives/agents on account of discourtesy, arrogance and other misdemeanor involving violations of ordinances and commission on light offenses as described in Article 285 of the Revised Penal Code (other light threats) and determine the penalty therefore such as cancellation of his ID for deployment and/or payment of fine. This is without prejudice to the filing of the necessary complaint by the aggrieved individual to the proper court of justice.

SECTION 12. THE ROLE OF THE PHILIPPINE NATIONAL POLICE (PNP). The PNP is deputized to report to the Board any serious crime involving security guards/detectives/agents deployed within the territorial jurisdiction of the Province of Cavite. Such report will be used as basis for evaluating the accredited Agency's renewal of "Clearance to Operate".

SECTION 13. PENALTIES. The following violations shall be grounds for revocation of the Agency's "Clearance to Operate", or the imposition of fine not exceeding Five Thousand Pesos, depending on the gravity of the offense committed;



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- a. submission of fake/fictitious documents;
- b. deployment of guards not properly licensed by the PNP-SAGSD;
- c. failure to act on complaints against their own security guards;
- d. unlawfully giving protection/aid to erring security guards;
- e. failure to present the erring security guard during the Board's investigation/inquiry; and
- f. all other violations provided for in RA No. 5487, otherwise known as the Private Security Agency law.

SECTION 14. SEPARABILITY CLAUSE. If for any reason, any section or provision of this Ordinance shall be declared unconstitutional or invalid, no other section or provision shall be affected thereby.

SECTION 15. EFFECTIVITY CLAUSE. This ordinance shall take effect fifteen (15) days after its publication.

UNANIMOUSLY APPROVED.

I hereby certify to the correctness of the foregoing.


JOSE R. DE CASTRO, SR.
Provincial Board Secretary


HERMOGENES O. ARAYATA III
Majority Floor Leader


EILEEN R. BERATIO
Sanggunian Member


CESARIO R. DEL ROSARIO, JR.
Minority Floor Leader


HILDA P. MENDOZA
Sanggunian Member


DENCIO R. CAMPAÑA
Sanggunian Member


ILUMINADA F. SILAO
Sanggunian Member

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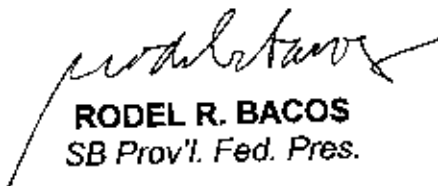
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RAFAEL S. RODRIGUEZ
Sanggunian Member


ARLEEN C. ARAYATA
ABC Prov'l. Fed. Pres.


RODEL R. BACOS
SB Prov'l. Fed. Pres.

ATTESTED:



RECTO M. CANTIMBUHAN
Temporary Presiding Officer

APPROVED:


AYONG S. MALIKSI
Provincial Governor

JRC/lmc