



CITY ORDINANCE NO. 440

June 28, 2007

AN ORDINANCE FOR THE DEVELOPMENT OF THE INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) INDUSTRY IN THE CITY OF BACOLOD AND FOR SUCH OTHER PURPOSES RELATED THERETO.

WHEREAS, the Information and Communication Technology (ICT) industry is a relatively young industry in the City of Bacolod, with a huge promise for investment and employment;

WHEREAS, while ordinarily business is governed by the principle of free enterprise, experience of the other local government units have shown that it is impossible for the industry to succeed without adequate protective measures in place;

WHEREAS, on the other hand, the City Council of Bacolod is also fully cognizant of the balancing principles of the Constitutional guarantee and protections against restraint of trade (Section 19, Article XII of the 1987 Constitution, Article 186 of the Revised Penal Code and Article 28 of the Civil Code), free enterprise, equal opportunity and full employment;

WHEREAS, the Honorable Evelio Leonardia, by virtue of Executive Order No. 8, Series of 2005 dated May 27, 2005, has created the Bacolod "Information Technology (I.T.) Focus Team", with a mandate to promote the ICT industry;

WHEREAS, the City of Bacolod is desirous of attracting more investors in this industry, but also wants to ensure that the industry would succeed under the direction and supervision of the ICT Council with the support of all the stockholders;

WHEREFORE, let it be ordained, as it is hereby ordained, by the Sangguniang Panlungsod, in session assembled that;

ARTICLE 1. DECLARATION OF POLICY. The City of Bacolod recognizes the Information and Communication Technology industry, as a developing industry with high potential for job generation, foreign and local investment, global connectivity and competitiveness.

ARTICLE 2. ESTABLISHMENT OF THE INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) COUNCIL OF THE CITY OF BACOLOD.

Section 1. There is hereby established an INFORMATION AND COMMUNICATIONS TECHNOLOGY COUNCIL of the City of Bacolod, to be composed of the following:

- Chairman : The Mayor or any officer he may so designate in his behalf
- Vice-Chairman : Chairman, SP Committee on Communications and Energy
- Members : Department of Trade and Industry (DTI)
Chair, SP Committee on Education
Chair, SP Committee on Trade and Commerce
Department of Education
Technical Education and Skills Development Authority (TESDA)
Commission on Higher Education (CHED)
Academe
Real Estate
Locators
Business Sector
Energy Sector
Telecommunication Sector

Section 2. Term of Office. Once composed, chosen, or designated, the term of office of the members of the ICT Council shall be coterminous with the City Mayor. In case of change of administration, their services shall continue until replaced by the new Mayor. The Mayor shall convene the council within thirty (30) days from the beginning of his term.

Section 3. Committees. There shall be the following committees in the Council, to be recognized and composed by it, including but not limited, to wit:

- a) Research, Infrastructure and Location
- b) Academe and Human Resource
- c) Government Support
- d) Publicity and Promotions
- e) Locators

Section 4. Sub-Committees. The Council shall have power to form as many sub-committees as it may be desire, either with members of the Council composing the same or enlisting the aid of willing private citizens or public employees.

ARTICLE 3. FUNCTIONS OF THE COUNCIL.


Section 1. General Functions. The Council shall the following general powers and functions:

- a. Propose and recommend guidelines and policies subject to the approval of the Mayor for the development of the ICT sector



- b. Research, compile, organize, study and analyze data as may be needful and relevant to the ICT industry, such as but not limited to availability of workforce or graduates to serve in the ICT industries; or in the alternative, access to such groups, entities, or institutions who have such data and retain the same for its purposes and information;
- c. Assist interested or potential as well as present ICT investors in the city;
- d. Provide data and advice to potential as well as existing ICT investors;
- e. Advise the city on the challenges and possible solution, as well as policies needed, to encourage and promote the industry;
- f. Encourage and support formation of associations in the industry;
- g. Do such other functions and duties as the City Mayor and/or the council may request or direct.

Section 2. Specific Functions to Assist Present and Potential Locators/Investors. Aside from its general functions aforesated, the Council shall assist present and potential investors or locators through the following:

- a. Organize the schools for the purpose of assisting them in the matter of screening and training their graduates to make them better prepared for the ICT industry
 - b. In coordination with the participating schools, set up a system retraining of graduates or applicants who may have been rejected upon first application
 - c. Set up or avail of, or otherwise network with existing system of cross referencing or recommending so that other players who might have a need for the services of certain applicants who are not needed by other firms can be referred to other firms
 - d. Set up a system for home-based hiring or home staying agents
 - e. Assist in helping improve the English and Technical skills at the elementary, high school and college levels in consortium with participating schools
 - f. Recommend, utilize existing or set up scholarship programs geared towards ICT-related jobs
 - g. Assist in setting up of a system whereby qualified elderly and PWD's (Person with Disabilities) can have access to ICT jobs
 - h. Assist investors in processing business related needs and concerns;
 - i. Do linkages and market studies
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- j. Encourage the set up with the national government and private sector of vocational government and private sector of vocational courses to ICT-related work.

ARTICLE 4. INCENTIVES TO INVESTORS AND LOCATORS. Investors can apply for incentives granted by the Local Investment Ordinance (C. O. 323 series of 2002). In addition, they shall be entitled to:

- a. Access to assistance from the City through the I. T. C. For such record or data as they may need for investing in the City such as access to records of graduates or students and such relevant record or data;
- b. Assistance in the achievement of industrial peace;
- c. Quick and relevant response to concern;
- d. Promotion or development of non-fiscal incentives.

ARTICLE 5. The ICT Council shall take pro-active measures that will help and protect the industry by means other than those mentioned in this Ordinance, by making recommendations to the Mayor and Sangguniang Panlungsod along this line. Once constituted, the council is hereby tasked to formulate Implementing Rules and Regulations as soon as possible to effect full compliance and implementation of this Ordinance.

ARTICLE 6. BUDGET. The City shall allocate a budget of at least Two Million Pesos (Php2,000,000.00) beginning with year 2007 for purposes of this ordinance.

ARTICLE 7. SEPARABILITY CLAUSE. Should any portion of this Ordinance be declared ultra vires unconstitutional by competent authority, the remainder not so affected shall continue to be in full force and affect insofar as it is susceptible to enforcement and application.

ARTICLE 8. EFFECTIVITY. This Ordinance shall take effect immediately as soon as approved.

CARRIED BY THE VOTE OF:

Affirmative:

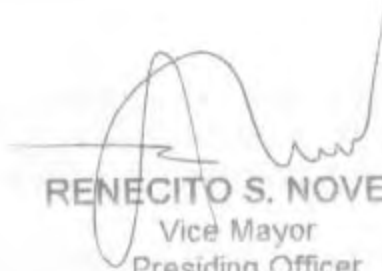
Councilors: Greg G. Gasataya, Ana Marie V. Palermo, Lyndon P. Cafia, Jocelle Batapa-Sigue, Homer Q. Bais, Jude Thaddeus A. Sayson, Napoleon A. Cordova, Elmer T. Sy, Reynold I. Iledan, Catalino T. Altsbo, Arturo V. Parreflo, Marx Louie S. de la Rosa.

Negative : None

Authors : Councilors Jocelle Batapa Sigue and Lyndon P. Cafia.

Official Leave: Councilor Dindo C. Ramos.

Absent : Councilor Al Victor A. Espino.
Passed : June 28, 2007 (156th Regular Session).
Comments: P a s s e d .


RENECITO S. NOVERO
Vice Mayor
Presiding Officer

ATTESTED:


ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: July 8, 2007.


EVELIO R. LEONARDIA
City Mayor

NTA/HPL/jbz

