

ORDINANCE NO. 8031

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF ORDINANCE NO. 7941, OTHERWISE KNOWN AS THE PUBLIC LIABILITY INSURANCE ORDINANCE OF 1998, ENUMERATING COVERED ESTABLISHMENTS, EXEMPTING CERTAIN ESTABLISHMENTS AND PERSONS THEREFROM AND FOR OTHER PURPOSES.

Be it ordained by the City Council of Manila, THAT:

SECTION 1. Section 1 of Ordinance No. 7941 is hereby amended to read as follows:

“SECTION 1. It is hereby declared a policy of Manila to promote the welfare and general well-being of the public by providing ample protection to victims of accidents and/or disasters occurring in business establishments in the conduct of their business, and in buildings and/or structures undergoing construction, repair, renovation and other similar activities. Towards this end, the City Government shall adopt measures in assuring that the victims of the accidents and/or disasters are reasonably compensated for death, injuries or damage to property sustained and the prompt and expedient indemnification of damages suffered by reason thereof.”

SEC. 2. Section 4 of the said Ordinance is hereby amended to read as follows:

“SECTION 4. In determining liability under this Ordinance the owners and/or operators of commercial or business establishments and/or buildings of like character and nature shall be held liable for damages suffered by customers and third parties arising from the conduct of business operations, as well as for negligent acts or omissions of employees, done within the scope of their employment. The liability for death, injuries and damage to property, suffered by the public in building structures under construction, renovation, repair or other similar undertakings shall be borne by the contractor or developer thereof, for the duration of such undertaking. PROVIDED, HOWEVER, That, for losses not resulting from the negligent acts or omissions of the employees and/or laborers of such contractor, no liability shall attach to the latter under this Ordinance.”

SEC. 3. Section 7 of the said Ordinance is hereby amended to read as follows:

“SECTION 7. The provisions of existing law to the contrary notwithstanding, the public liability insurance required under this Ordinance must be secured from a company duly-registered, licensed and authorized under the law to transact insurance business in the Philippines that have a main branch office located in Manila. The required public liability insurance shall be issued on a policy form approved by the Insurance Commission.”

SEC. 4. Section 8 of the said Ordinance is hereby amended to read as follows:

“SECTION 8. For the protection, information of the public, the Director of the Bureau of Permits and the Development Office or the City Building Office as the case maybe in coordination with the Insurance Commission, shall post or cause to be displayed such list of insurance companies in good standing in conspicuous places within the City Hall premises more specifically at the taxpayers lounge, where business and/or building permits are paid.”

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SEC. 5. Section 10 of the said Ordinance is hereby amended to read as follows:

“SECTION 10. Coverage and Exemptions. – For purposes of this Ordinance, the following establishments are hereby covered, to wit:

1. Hotels, motels, lodging houses or inns
2. Theaters
3. Country or leisure clubs, resorts, gaming halls or dance halls
4. Shopping malls or complexes, groceries, supermarkets, gasoline stations, dormitories, boarding houses, bus or transport stations, recruitment agencies, factories
5. Health parlors, such as massage and funeral parlors and the like
6. Restaurants, bars with at least 50 sitting capacity

Exempted herefrom, are the following establishments, to wit:

1. Sari-sari stores
2. Store and/or stall spaces for lease or concession, real estate lessor of detached apartment, warehouses and bodegas, water filling station, sub-lessees of any buildings
3. Billiard Halls with less than 5 tables, amusement parks or centers, recreation halls or entertainment centers, fitness parlors
4. Barber shops or beauty parlors and the like, not situated in shopping centers or similar establishments
5. Bakeries, flower shops and boutiques
6. All establishments with less than 100 square meters
7. Such other establishments of a similar character not likely to pose serious hazards to the general public: PROVIDED, That in case of businesses situated in a building already required to secure the subject public liability insurance, said businesses shall be exempted therefrom.”

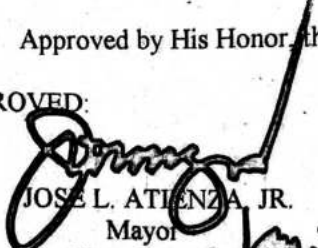
SEC. 6. All other establishments not covered by these amended provisions shall now be considered exempted.

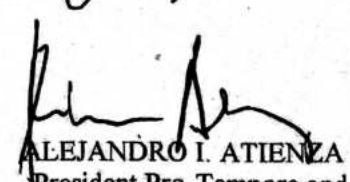
SEC. 7. This Ordinance shall take effect 15 days after publication in a newspaper of general circulation.

Originally enacted by the City Council of Manila on December 11, 2001 and modified and finally enacted today, January 8, 2002.


Approved by His Honor, the Mayor, on *January 25, 2002.*

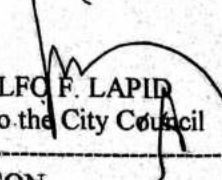
APPROVED:


 JOSE L. ATIENZA, JR.
 Mayor
 City of Manila
Jan. 24/02


 ALEJANDRO I. ATIENZA
 President Pro-Tempore and
 Acting Presiding Officer
 City Council, Manila

ATTESTED:


 EMMANUEL R. SISON
 Secretary to the Mayor


 RODOLFO F. LAPID
 Secretary to the City Council

Sponsored on the Floor by: HON. MARLON M. LACSON
 Majority Floor Leader