



Republic of the Philippines
CITY COUNCIL
City of Manila

REGULAR SESSION NO. 57

10TH CITY COUNCIL

Begun and held in the City Council on Thursday,
the twenty-fifth day of August, Two Thousand Sixteen

ORDINANCE NO. 8520

AN ORDINANCE PROHIBITING THE SELLING TO, ORDERING/REQUESTING TO SELL TO, AND SENDING A MINOR IN ERRAND TO BUY WINE, LIQUOR OR ANY ALCOHOLIC BEVERAGES FROM ANY STORE, MALL, BAR, RESTAURANT, EATERY OR ANY COMMERCIAL ESTABLISHMENT IN THE CITY OF MANILA, AND PRESCRIBING PENALTIES THEREOF

PRINCIPAL AUTHORS: **HON. RICARDO A. ISIP, JR., HON. CASIMIRO C. SISON**, Majority Floor Leader, **HON. ERNESTO G. DIONISIO, HON. JOEL M. PAR**, Hon. Terrence F. Alibarbar, Hon. Bernardito C. Ang, Hon. Arlene Maile I. Atienza, Hon. Krystle Marie C. Bacani, Hon. Laris T. Borromeo, Hon. Ruben F. Buenaventura, Hon. Antonio G. Capistrano, Hon. Carlos C. Castañeda, Hon. Louisito N. Chua, Hon. Niño M. dela Cruz, Hon. Jesus M. Fajardo, Hon. Ma. Asuncion G. Fugoso, Hon. Martin V. Isidro, Jr., Hon. Rodolfo N. Lacsamana, Hon. Macario M. Lacson, Hon. Moises T. Lim, Hon. Peter M. Ong, Hon. Roberto R. Ortega, Jr., Hon. Bimbo Eduardo V. Quintos XVI, Hon. Ramon M. Robles, Hon. Edward M. Tan, Hon. Irwin C. Tieng, Hon. Christian Paul L. Uy, Hon. Rolando M. Valeriano, Hon. Joel T. Villanueva, Hon. Anna Katrina P. Yupangco, Hon. Manuel M. Zarcal, Hon. Salvador H. Lacuna and **HON. MARIA SHEILAH "Honey" LACUNA-PANGAN, MD, FPDS**, Vice-Mayor and Presiding Officer

Be it ordained by the City Council of Manila, in session assembled, *THAT*:

SECTION 1. DECLARATION OF POLICY. – It is hereby declared the policy of the City of Manila to promote and protect the physical and moral well-being of the youth from any form of vice detrimental to their health, safety and intellectual growth and development, and pursue at all time the general welfare of the residents.

SEC. 2. DEFINITION OF TERMS:

- a. **Minor** – refers to any individual below eighteen (18) years of age.
- b. **Liquor** – any liquid substance that contains intoxicating alcoholic qualities and effect when drunk which shall include but not limited to any kind of wine, whisky, brandy, rum, gin, vodka or any local alcoholic beverages like tuba, bahalina and lambanog, beer, and/or any form of mixture or concoction thereof and other alcoholic beverages.
- c. **Commercial Establishment** – includes store, mall, bar, restaurant, eatery and any business entity owned by proprietor or corporation doing business in the City of Manila with or without business permit.
- d. **Offenders** – include Store owner, manager or any employee or crew of store or any commercial establishment who sells to any minor who is to be considered as child at risk; and for any person who sends a minor in errand to buy/purchase liquor and/or alcoholic beverages from a store.

SEC. 3. PROHIBITED ACTS AND RESPECTIVE PENALTIES. – It shall be unlawful for:

1. Store owner, manager or any employee or crew of store or commercial establishment engaged to sell liquor or alcoholic beverages defined under this Ordinance to minor.
2. Any person who sends a minor in errand to buy/purchase liquor and/or alcoholic beverages from a store.

Any minor caught with prohibited substance under this Ordinance shall be treated under the following manner:

- a. If apprehended by Barangay authorities, the minor offender after being processed shall be released to his/her parents or guardian by the officer concerned upon signing of undertaking by the parents or guardian that their child or ward will not repeat commission of the infraction.
- b. If apprehended by Police authorities, the minor offender after being processed shall be released by MDSW officer to his/her parents or guardian by upon signing of undertaking by parents or guardian that their child and ward will not repeat commission of the infraction.

Further, any person, proprietor and incorporator who is engaged in the business of selling, conveying and dispensing with liquor and any mixture thereof to minor, and upon conviction shall be punished as follows:

1. **For First Offense** – the offender shall pay a fine of Two Hundred Pesos (PhP. 200.00).

2. **For Second Offense** – the offender shall pay a fine of Five Hundred Pesos (PhP. 500.00).
3. **For Third Offense** - the offender shall pay a fine of not less than One Thousand Pesos (PhP. 1,000.00) or imprisonment of six (6) months or both upon the discretion of the court plus revocation of business permit.

Any person of sufficient age and discretion who requests/orders a minor to buy liquor from any commercial establishment, and sends a minor to buy liquor from any commercial establishment upon conviction shall be punished as follows:

1. **For First Offense** – the offender shall pay a fine of Two Hundred Pesos (PhP. 200.00).
2. **For Second Offense** – the offender shall pay a fine of Five Hundred Pesos (PhP. 500.00).
3. **For Third Offense** - the offender shall pay a fine of not less than One Thousand Pesos (PhP. 1,000.00) or imprisonment of six (6) months or both upon the discretion of the court.

SEC. 4. Confiscation and disposal of seized alcoholic substance from child at risk shall be publicly disposed of by the law enforcement authorities.

SEC. 5. The drafting of Implementing Rules and Regulations of this Ordinance shall be headed by the Manila Department of Social Welfare with coordination of the City Legal Department, and other agencies concerned as the need arises.


SEC. 6. SEPARABILITY CLAUSE. - If any part, section or provision of this Ordinance shall be held invalid, illegal or unconstitutional, such part, section or provision not affected thereby shall remain in full force and effect.

SEC. 7. REPEALING CLAUSE. – All ordinances, rules and regulations or part thereof inconsistent hereof are hereby repealed or modified accordingly.

SEC. 8. EFFECTIVITY CLAUSE. - This Ordinance shall take effect fifteen (15) days after the date of posting on a bulletin board located in public places or publication in a newspaper of general circulation.

This Ordinance was finally enacted by the City Council of Manila on February 9, 2017.

PRESIDED BY:


MARIA SHEILAH "Honey" LACUNA-PANGAN, MD, FPDS
Vice-Mayor and Presiding Officer
City Council, Manila

ATTESTED:


LUCH R. GEMPIS, JR.
City Government Department Head III
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON 21ST FEBRUARY 2017.


JOSEPH EJERCITO ESTRADA
Mayor
City of Manila

ATTESTED:


EDWARD S. SERAPIO
City Government Department Head III
(Secretary to the Mayor)

RNF:rb/jvl/cpf/eee