



cagayan
de Oro

Republic of the Philippines
CITY OF CAGAYAN DE ORO
OFFICE OF THE CITY COUNCIL

(088) 857-2258; 857-4029; 857-4032; 857-4035
www.cdeo-sanggunian.online



ORDINANCE NO. 14008-2021

AN ORDINANCE PROHIBITING THE HARVESTING, GATHERING, BUYING, SELLING, AND MUTILATING OF MATURED AND YOUNG LEAF SHEATHS OF ABACA PLANTS (*Musa Textiles Nee*) FOR COMMERCIAL PURPOSES; PROVIDING PENALTIES FOR VIOLATION THEREOF; AND FOR OTHER PURPOSES

Whereas, Executive Order No. 502 issued on February 2, 2006 by former President Gloria Arroyo has banned the harvesting, gathering, buying, selling, and mutilating of matured and young leaf sheaths of abaca plants (*Musa Textiles Nee*) for commercial purposes;

Whereas, the abaca plant is indigenous to the Philippines and is producing the natural fiber known worldwide as Manila Hemp, which is used in industrial production of pulp and paper, fibrecraft, and cordage applications both for local and foreign markets. It is estimated to contribute P4.5B revenue for the country and providing direct and indirect employment to an estimated 1.5 million Filipinos;

Whereas, the unabated harvesting, gathering, buying, selling, and mutilation of its matured and young leaf sheaths known locally as "bakkak" or "umbak" for commercial purposes may result in its extinction. Moreover, such activities have been found to aggravate further the spread of abaca viral diseases particularly the abaca bunchy-top, abaca mosaic and the abaca bract, and other microorganisms;

Whereas, it is imperative to prohibit the harvesting, gathering, buying, selling, and mutilation of abaca *bakkak* or *umbak* in order to conserve this plant species;

NOW, THEREFORE:

BE IT ORDAINED by the 19th City Council (*Sangguniang Panlungsod*) of Cagayan de Oro in session duly assembled that:

SECTION 1. TITLE. – This Ordinance shall be known and cited as the Abaca Regulation Ordinance of 2019.

SECTION 2. COVERAGE. - The Ordinance shall cover all areas where abaca is already planted, or are yet to be planted with.

SECTION 3. DEFINITION OF TERMS. – Whenever used in this Ordinance the following terms shall be construed to mean as follows:

- a) **"Abaca Plant"** refers to the plant scientifically known as *Musa textiles Nee* and belongs to the family Musaceae. It is similar to banana in appearance except that the leaves are upright, pointed, narrower and more tapering than the leaves of bananas.
- b) **"Umbak or Bakkak"** or similar terms being used in different locations shall refer to the abaca leaf sheaths or overlapping leaf sheaths, which are tightly laid one upon the other to form a solid mass commonly called as the stalk or stem of the abaca.
- c) **Commercial Purposes** - means the selling of abaca leaf sheaths for any fee, rate, charge or other consideration, or directly or indirectly in connection with any business, or other undertaking intended for profit.

SECTION 4. PROHIBITION. – It shall be unlawful for any person, natural or juridical, to harvest, gather, buy, sell, mutilate or transport, or cause such acts to be done, for



commercial purposes of matured and young abaca leaf sheaths known locally as "bakbak" or "umbak" or any local term thereof.

SECTION 5. PENALTY. – (A) Any person, natural or juridical, found violating the provisions of this Ordinance, in addition to the confiscation of "bakbak" or "umbak", shall be penalized by a fine of not less than ₱3,000.00 but not more than ₱5,000.00 or imprisonment of not less than six (6) months but not more than one (1) year, or both such fine and imprisonment at the discretion of the court.

(B) The offender may, however, opt to settle his/her liability administratively by paying the following administrative fines within 72 hours from apprehension:

- a) First offense - ₱1,000.00 fine;
- b) Second Offense - ₱3,000.00 fine; and
- c) Third & subsequent offenses - ₱5,000.00 fine;

without prejudice to the confiscation of the abaca leaf sheaths.

Failure to pay the said fine after the lapse of seventy-two (72) hours period, the City Legal Officer shall forward or file the appropriate complaint or information at the Office of the City Prosecutor or the Municipal Trial Courts in Cities in the City of Cagayan de Oro.

If the offender is a corporation, partnership or association, the penalty shall be imposed upon the officer or officers thereof responsible for the offense.

SECTION 6. IMPLEMENTING OFFICE. - The Agricultural Productivity Office (APO), this City, shall implement the provision of this Ordinance and shall coordinate with the Fiber Industry Development Authority (FIDA) and with all the Barangays including the Philippine National Police, Philippine Ports Authority, Bureau of Customs, and other government instrumentalities.

SECTION 7. IMPLEMENTING RULES AND REGULATIONS. - The Agricultural Productivity Office (APO), this City, shall formulate the implementing guidelines for the effective implementation of this Ordinance, which shall be issued by the City Mayor through an Executive Order.

SECTION 8. REPEALING CLAUSE. - All executive orders, rules regulations and other issuances or parts thereof, which are inconsistent with provisions of this Ordinance, are hereby repealed or modified accordingly.

SECTION 9. EFFECTIVITY. - This Ordinance shall take effect after fifteen (15) days following its publication in a local newspaper of general circulation.

UNANIMOUSLY APPROVED.

AUTHOR: COUNCILOR JAY R. PASCUAL

- Present:
- 1st District: - Councilor Edna M. Dahino - Councilor Roger G. Abaday
 - Councilor Jay R. Pascual - Councilor Lordan C. Suan
 - Councilor Reuben R. Daba - Councilor George S. Goking
 - Councilor Zaldy O. Ocon - Councilor Romeo V. Calizo
 - 2nd District: - Councilor Joyleen Mercedes L. Balaba - Councilor Maria Lourdes S. Gaane
 - Councilor Ian Mark Q. Nacaya - Councilor Teodulfo E. Lao, Jr.
 - Councilor Suzette G. Magtajas-Daba - Councilor Edgar S. Cabanias
 - Councilor Enrico D. Salcedo - Councilor Jocelyn B. Rodriguez



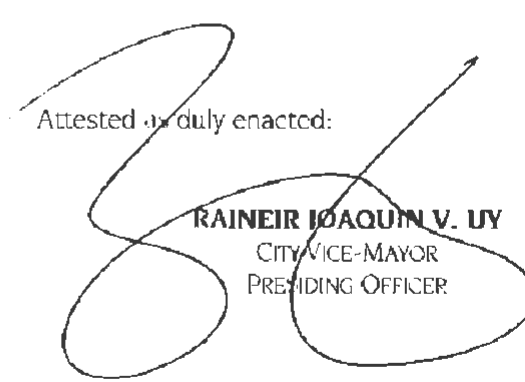
Ex-Officio: - Councilor Yan Lam S. Lim

Councilor John Michael L. Seno

ENACTED this 11th day of January 2021 in the City of Cagayan de Oro.

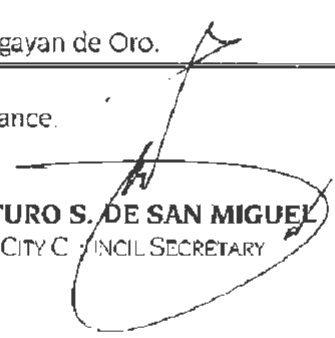
I hereby certify to the correctness of the foregoing Ordinance.

Attested as duly enacted:



RAINEIR JOAQUIN V. UY
CITY VICE-MAYOR
PREMIDING OFFICER


ARTURO S. DE SAN MIGUEL
CITY COUNCIL SECRETARY



Approved:


OSCAR S. MORENO
CITY MAYOR

Attested:


TEODORO A. SABUGA-A, JR.
ACTING CITY ADMINISTRATOR