



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

MUNICIPAL ORDINANCE NO.203

Series of 2003

AN ORDINANCE REGULATING THE ACTIVITIES OF MOBILE PHOTOGRAPHERS PRACTICING THEIR TRADE OR CALLING WITHIN THE TERRITORIAL JURISDICTION OF MALAY AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

SECTION 1. **RATIONALE.** Tourism in Malay has created a lot of livelihood opportunities not only to Malaynons but for non-Malaynons as well. One of the beneficiaries of those opportunities are the mobile photographers. To set standards for transactional activities in this regard, the Sangguniang Bayan formulates this ordinance.

SECTION 2. **MAYOR'S PERMIT REQUIREMENT.** It should be mandatory for all active mobile photographers practicing their trade or calling within the Municipality of Malay to secure the required Mayor's Permit from LGU-Malay. For purposes of this ordinance, the term active mobile photographer refers to those who record or take pictures of activities outside photography studios for a fee, in cash or in kind.

SECTION 3. **GENERAL REGULATORY POLICIES.** It is mandatory of all active mobile photographers practicing their trade or calling within the Municipality of Malay to observe the following regulatory policies:

- a) Only photographers with Mayor's Permit or license issued by LGU-Malay may engage in mobile photography trade or calling;
- b) No Mayor's Permit shall be issued to any photographer unless the following requirement are complied:
 - b.1) Membership and endorsement of a duly LGU-Malay accredited Photographers Association Cooperative or agrupation.
 - b.2) Police Clearance and Court Clearance - Municipality of origin.
 - b.3) Working Visa - for foreigners only.
 - b.4) Payment of appropriate fees and other LGU charges.

SECTION 4. **SPECIAL EXEMPTION.** Photographers brought by sponsors of a special event shall not be required to secure a Mayor's Permit to practice their trade or calling within the territorial jurisdiction of Malay. They however shall limit their professional engagement within the special event they were brought in for.

SECTION 5. **PROPER DEPORTMENT.** Photographers shall strictly observe the following:

- 1) Utmost courtesy, politeness, hospitality and honesty must be observed at all times when dealing with guests and/or clients;
- 2) Display of Identification Card must be done while conducting trade or calling;

- 3) Promotion of prostitution and prohibited drugs is strictly prohibited;
- 4) Conducting trade or calling while under the influence of alcohol, illegal drugs and/or intoxicating liquid or substance is strictly prohibited;
- 5) Taking lewd and/or excessively erotic pictures is prohibited.

For purposes of this ordinance, lewd and/or excessively erotic refers to pictures of nudity or lustful and carnal acts that are offensive to propriety.

SECTION 6. **PENALTY.** A photographer who violates any provision of this ordinance shall suffer the following penalties:

FIRST OFFENSE - A fine of no more than FIVE HUNDRED PESOS (₱500.00) and a stern warning; Confiscation of camera with the film subject of violation.

SECOND OFFENSE - A fine of no more than ONE THOUSAND PESOS (₱1,000.00) and suspension of Mayor's Permit or license for one (1) month; Confiscation of camera with the film subject of violation.

THIRD AND SUBSEQUENT OFFENSES - A fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) or imprisonment of no less than three (3) days but in no case more than thirty (30) days or both upon the discretion of the court. Cancellation of Mayor's Permit or license to engage in photography, trade or calling and confiscation of camera with the film object of violation.

SECTION 7. **AMENDMENT.** Any ordinance, rules and regulations, or parts thereof, provisions of which are in conflict with, or contrary to the provisions of this ordinance are hereby repealed, amended and modified accordingly.

SECTION 8. **DATE OF EFFECTIVITY.** This Ordinance shall take effect upon its approval and proper publication.

ENACTED. OCTOBER 15, 2003.

APPROVED. NOVEMBER 19, 2003.

CERTIFIED TRUE COPY:


CONCORDIA S. ALCANTARA
Secretary to the Sangguniang Bayan

APPROVED. SP RESOLUTION NO. 04-138, dtd. 6-18-04.

