

- c. "**PERSONS LIABLE**" - refers to natural person, or in case of juridical persons, its President or General manager, primarily liable for the violation and who shall bear and suffer the penalties imposed under this Ordinance.
- d. "**PERMANENT STAY**" - refers to a duration of stay in Boracay island for more than six (6) months for reason of employment, business interest, practice of profession and/or other related livelihood endeavor.
- e. "**MALAYNON**" - refers to one who was born in the Municipality of Malay or whose parent is born in the Municipality of Malay or whose spouse is a Malaynon as herein defined.
- f. "**BONAFIDE RESIDENT**" - refers to one who has been residing in the Municipality of Malay by reason of employment, business enterprise or practice of profession for five (5) years, prior to the approval and implementation of this ordinance, and a registered voter of the Municipality of Malay and has casted vote for last three (3) consecutive elections.

SECTION 4. - **REGULATORY POLICY.** Except for Malaynons and Bonafide Residents of Malay, it shall be mandatory of any person to secure a working permit from LGU Malay before engaging in any activities in Boracay Island by reason of employment, business interest, practice of profession or any other livelihood endeavor.

It shall, likewise, be prohibited for any entity, natural or juridical, to hire, employ or engage the services of any person, worker, artisan, professional, craftsmen or domestic helper who are not holders of working permits issued by LGU-Malay.

SECTION 5. - **REQUIREMENTS. PROCUREMENT OF WORKING PERMIT.** Applicants for the procurement of Working Permit shall submit the following as condition precedent for processing and approval thereof:

- a) Accomplished Appropriate Application Form/s.
- b) NSO Certified Copy of Certificate of Live Birth.
- c) Barangay Clearance from place of origin.
- d) Police Clearance from place of origin.
- e) Certificate of Employment where the applicant presently work in Boracay - for employees only
- f) Barangay Clearance - Barangay where practice of profession, business interest or other livelihood endeavor is situated.
- g) Health Certificate issued by Municipal Health Office of Malay.
- h) Drug Test Certificate from MHO Malay or MHO Malay accredited Testing Center.
- i) Two (2) Passport-size Photographs
- j) Complete name/identity and address of landlord, board house operator where the applicant is staying or intends to stay or reside during the duration of employment, practice of profession, business engagement or other livelihood endeavor.
- k) Application Fee of ₱250.00.

SECTION 6. - **PROCESSING DURATION. WORKING PERMIT.** The Local Government of Malay shall have fifteen (15) days from date of filings to act on the application of such working permit and/or settlement clearance, failure to act within the aforesaid period, said working permit/settlement clearance being applied shall be deemed issued and the same shall be valid for one (1) year from issuance thereof.

SECTION 7. - **SPECIAL WORK PERMIT. STAFF. PROMOTIONAL EVENTS.** Any entity, natural or juridical, who shall host or engage in any promotional event or activity in Boracay shall secure a special work permit for its staff or employees validity of which shall only be for the entire duration of the approved event or activity. Payment of ONE HUNDRED PESOS (P100.00) per staff member/employee and submission of drug test certificate are conditions precedent for the processing and approval of the said special work permit.

SECTION 8. - **PRESENTATION OF WORK PERMIT.** Any person who is issued a work permit and corresponding identification card shall at all times carry the same in his person and shall present the same upon demand by the local government unit authorities of the Municipality of Malay, Aklan which shall include but not limited to the Barangay Chairman or deputized agent, police officers assigned to the Municipality of Malay, Aklan, the Municipal Mayor or his deputized agent.

SECTION 9. - **PENALTIES.** Any person who violates any provision of this ordinance shall be fine TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00) or shall suffer imprisonment of no more than thirty (30) days or both at the discretion of the Court.

If the violator is a corporation, person, corporate entities, cooperatives, or partnership who violates this provision, the same shall suffer a fine of TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00) and its respective president, general manager, board of directors or partners shall suffer an imprisonment of no more than thirty (30) days.

SECTION 10. - **REPEALING CLAUSE.** All ordinances, orders, rules and regulations inconsistent herewith are hereby amended or modified accordingly.

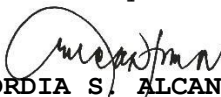
SECTION 11. - **EFFECTIVITY.** This Ordinance shall take effect fifteen (15) days after its approval and proper publication.

ENACTED. OCTOBER 22, 2008.

APPROVED. NOVEMBER 12, 2008.

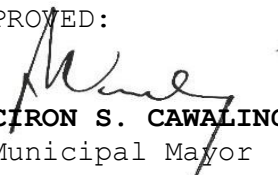
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I HEREBY CERTIFY to the correctness of the afore-quoted Municipal Ordinance.


CONCORDIA S. ALCANTARA
Secretary to the Sangguniang Bayan

ATTESTED:


JOHN P. YAP
Municipal Vice Mayor
Presiding Officer

APPROVED:

CECIRON S. CAWALING
Municipal Mayor