



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City of Mandaluyong

ORDINANCE NO. 579, S-2014

ORDINANCE REQUIRING A GROUP PERSONAL ACCIDENT
INSURANCE AS A MANDATORY REQUIREMENT IN
THE APPLICATION FOR BUILDING PERMIT

EXPLANATORY NOTE

Ordinance No. 481, S-2011, otherwise known as an "Ordinance Prescribing a Comprehensive Public Liability Insurance as Additional Requirement in the Issuance of Building Permit" was enacted by this Sanggunian on October 24, 2011. This Ordinance is designed to promote public interest and welfare and the well-being of the residents of the City of Mandaluyong and to protect and safeguard life, health and property in connection with ongoing constructions that may cause injury, death or damage to property consistent with constitutional and statutory limitations.

The Comprehensive Public Liability Insurance required under Ordinance No. 481, S-2011 is intended to *"answer for death and injury to person and damage to property sustained and/or suffered by any person arising from the conduct of excavations or diggings, erection, construction, alteration of any building, structure or accessory facilities thereof subject of the Building Permit applied for"*.

Briefly said, the coverage under the prescribed Comprehensive Public Liability Insurance under Ordinance No. 481, S-2011 is limited to third parties. Workers of the person applying for a Building Permit to conduct excavations or diggings and the erection, construction, alteration, repair, moving, conversion or demolition of any building, structure or accessory facilities are excluded from its coverage.

Accidents in the construction industry happen every now and then resulting to injuries and even deaths to the workers and other employees of the contractor. It is sad to note that for the injuries, and even deaths, no mandatory compensation for the damage incurred and/or suffered by the workers and employees have been provided for by their respective employers.

Thus, the need for a legislation that will provide and guarantee the indemnification of construction workers and other employees actually involved in the construction project who may suffer injuries or die in the performance of their respective duties and functions in an ongoing construction project.

Thus, this Ordinance.

NOW, THEREFORE, BE IT ENACTED, by the Sangguniang Panlungsod, in session assembled:

- SECTION 1. TITLE. This Ordinance shall be known as *"An Ordinance Requiring a Group Personal Accident Insurance as a Mandatory Requirement in the Application for Building Permit."*
- SECTION 2. SCOPE AND COVERAGE. The provisions of this Ordinance shall apply to owners, developers, contractors, sub-contractors and Project Managers applying for a Building Permit to conduct excavations or diggings and to erect, construct, alter, repair, move, convert or demolish any building, structure or accessory facilities thereof.
- SECTION 3. In addition to the requirements of Ordinance No. 481, S-2011, no Building Permit shall be issued for the conduct of excavations or diggings, erection, construction, alteration, repair, moving, conversion or demolition of any building, structure or accessory facilities thereof subject of the Building Permit applied for without a Group Personal Accident Insurance.

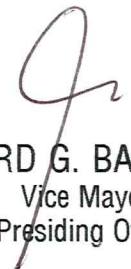
- SECTION 4. The Group Personal Accident Insurance mandated under this Ordinance shall indemnify the construction worker and other employee of the applicant, whether casual, contractual, temporary or permanent, actually involved in the Project subject of the application for Building Permit, who may sustain injuries or die in the course of their employment while in the performance of their duties.
- SECTION 5. The Group Personal Accident Insurance envisioned under this Ordinance shall have a coverage that will provide for a minimum indemnity of Fifty Thousand Pesos (P50,000.00) per employee in case of death or permanent disability and indemnification for injuries that do not cause death nor permanent disability.
- SECTION 6. The Group Personal Accident Insurance required under this Ordinance shall be secured from a reputable and established company duly licensed by the Insurance Commission.
- SECTION 7. Any person who shall conduct excavations or diggings and erect, construct, alter, repair, move, convert or demolish any building structure or accessory facilities thereof without the Group Personal Accident Insurance herein prescribed shall be punished with a fine of not less than Two Thousand Pesos (P2,000.00) but not more than Five Thousand Pesos (P5,000.00) or imprisonment of not less than one (1) month and one (1) day but not more than six (6) months, or both, at the court's discretion.
- SECTION 8. If the offender is a corporation or a partnership, the penalty prescribed above shall be imposed upon the President and/or the General Manager, in case of the former, or to the Managing Partner, in case of the latter.
- SECTION 9. This Ordinance shall take effect fifteen (15) days after publication in a newspaper of general circulation in the City of Mandaluyong.

ENACTED on this 27th day of October, 2014 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ENACTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


JIMMY D. LACEBAL
Sanggunian Secretary

PRESIDED BY:


EDWARD G. BARTOLOME
Vice Mayor &
Presiding Officer

APPROVED:


BENJAMIN DC. ABALOS, JR.
City Mayor

Date: NOV 03 2014

NOTA BENE: This Ordinance repeals Ordinance No. 504, S-2012 which was enacted on September 17, 2012.