

WHEREAS, the growing number of martial arts schools in the city is an indication of the growing popularity of martial arts and thus the need for the city government to regulate their operations;

WHEREAS, there is a need to regulate the operation of these schools in order to prevent the proliferations of illegal martial arts schools in the city;

WHEREAS, regulating the operation of martial arts schools will also benefit operators or owners of these establishments and will encourage business men in the city to put up shops that caters to the growing needs of martial arts aficionados and health buffs. It will also encourage healthy competitions among them, thus improving their services to their clientele;

NOW THEREFORE, on motion of City Councilor Rosalita T. Nuñez duly seconded by City Councilors _____, be it –

RESOLVED, as it is hereby resolved, to adopt the following ordinance.

ORDINANCE NO. ____
Series of 2017

AN ORDINANCE REGULATING THE OPERATION OF MARTIAL ARTS SCHOOLS IN THE CITY OF GENERAL SANTOS, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES

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Be it enacted by the Sangguniang Panlungsod of General Santos that:

Section 1. **Short Title** – This ordinance shall be known as “An Ordinance Regulating Martial Arts Schools in General Santos City.”

Section 2. **Scope** – This Ordinance shall regulate all Martial Art Schools operating and teaching the techniques and way of martial arts in General Santos City.

Section 3. **Definitions of Terms** – For the purpose of this ordinance, the following terms are defined:

- a) **Authorized Instructor** – refers to a person authorized by the registered association or registered club or gym to teach and impart the techniques of martial arts to another person.
- b) **Clubs or Gyms** – refer to schools of martial arts.
- c) **Martial Arts** – refers to self-defense sports of codified practices and traditions to strengthen the mind, body, and spirit including competition, physical health and fitness, all practiced in a safe, clean environment.
- d) **Martial Arts Instructor** - refers to a fitness worker who teaches others the techniques and movements of martial arts.

- e) ***Martial Arts Schools*** – refer to martial art clubs or gyms where the training, practice and sparring of martial arts techniques are done. These do not include schools governed by Department of Education (DepEd) and Commission on Higher Education (CHED).
- f) ***Master*** – refers to duly certified and experienced senior martial artist.
- g) ***Registered Martial Arts School*** – refers to a duly registered school by the Securities and Exchange Commission (SEC) or the Department of Trade and Industry (DTI) and the Bureau of Internal Revenue (BIR).
- h) ***Unauthorized Instruction*** – refers to private instruction conducted by a person to any individual or group of persons other than martial art school without the authority from the mother school.

Section 4. **Prohibitions.** – The following acts are absolutely prohibited in the operation of martial arts school:

- a) No business permit
- b) No SEC or DTI and BIR registration
- c) No body gears or protective equipment
- d) Minors without parent’s consent
- e) Students without a “Physically Fit to Practice Martial Arts Certificate” issued by a physician
- f) Trainings and sparring without the supervision of authorized instructor
- g) No First-Aid Kit
- h) Unauthorized instruction

Section 5. **Training and Sparring.** – All Martial Arts Schools in General Santos City are hereby required to observe the following guidelines during training and sparring:

- a) All trainings and sparrings shall be done in the club or gym supervised by authorized instructor or an authorized senior student.
- b) Training and sparring may be allowed outside of the club, gym or school, provided, there is a permission from the club master or instructor.
- c) All trainings and sparrings shall have body gears or protective equipment depending on the kind of martial art style.
- d) Students below 18 years old shall be required to submit parent’s consent.
- e) All students shall be required to submit a “Physically Fit to Practice Martial Arts Certificate” issued by a physician.

Section 6. **Application and Compliance for Business Permit to Operate Martial Arts School.** - An application for permit to operate a martial arts school shall be filed with the Business Permits and Licenses Office and comply to the documentary requirements set forth by the said office.

Section 7. **Business Permits Fees and Charges.** – Business Permit fees and other charges shall be paid to the City Treasurer or his duly authorized deputies.

Section 8. **Posting of Business Permit.** – The Business Permit shall be posted at a conspicuous place of the business establishment.

Section 9. **Revocation of Business Permit.** – The following are grounds for revocation of a Business Permit to operate martial arts school:

- a) Violation of conditions set forth by the business permits and licenses office;
- b) When the place where such martial art school becomes a nuisance after the result of the investigation so warrant;

Section 10. **Penal Clause.** – In violation of Sections 4 and 5 of this ordinance, the Martial Arts School shall be penalized as follows:

First Offense	Issuance of Citation Ticket by the Permits & Licenses Division
Second Offense	A fine of ₱ 2,000.00
Third Offense	Revocation of business permit

Section 11. **Citation Ticket.** – A citation ticket shall be issued to violators of the provisions of this Ordinance. The citation ticket shall state, among others, the name and address of the violator, the specific violation committed and the corresponding administrative penalties.

Section 12. **Repealing Clause** – All previous ordinances and provisions inconsistent with this ordinance shall be deemed repealed or modified accordingly.

Section 13. **Separability Clause** – If for any reason any part or provision of this ordinance shall be held unconstitutional or invalid, other parts or provisions thereof which are not affected thereby shall continue to be in full force and effect.

Section 14. **Effectivity** – This ordinance shall take effect 15 days after its publication in a newspaper or general circulation in General Santos City.

Drafted by:

ANTONIO A. PADILLA
Local Legislative Staff Assistant III
July 14, 2017

Reviewed by:

Approved by:

ROSALINDA L. MONDIDO
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