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DILG RO XIII

DILG 13 Legal Opinion No. 2016-013

May 31, 2016

JOVITA S. UMAPAS  
 Municipal Vice Mayor  
 Marihatag, Surigao del Sur

*file*

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 DILG - REGION XII  
 RECORDED  
 DATE: JUN 17 2016  
 TIME: 10:19 AM  
 BY: PA

Dear Vice Mayor Umapas:

This refers to your letter seeking legal opinion whether a *Jet Ski* is a proper vehicle for rescue purposes and if it can be utilized for rent.

Based on our fact-finding investigation, under your Municipal Risk Reduction Fund for CY 2014, the procurement of rescue equipment, particularly two (2) units air propeller rescue boat and accessories, is funded in the amount of Php 730,000. The LGU purchased the two units air propeller boat (*Jet Ski*) from Suki Trading Corporation in the amount of P770,000 under check number 1713018 dated October 16, 2015. The same *Jet Ski* has not been improvised or improved. We believe that this instant request for legal opinion is brought about by the request of Hon. Alan Pelenio, Municipal Mayor, to the Sangguniang Bayan, to adopt a legislation fixing the rates and other policies on the use of the jetski as revenue generation.

To answer your question, we begin with the following questions: What is a *Jet Ski*? Is it a boat? Is it air-propelled?

Technically, a *Jet Ski* is one of the fastest and most maneuverable boats. It is properly called a personal water craft. It moves along by squirting a high-powered jet of water behind it. The power of the water squirting backward pushes the PWC forward ([www.explainthatstuff.com](http://www.explainthatstuff.com)).

So, is it a proper rescue vehicle? Because a *Jet Ski* is one of the fastest and most maneuverable boats, it is used by the marines and lifeguards. Thus, it may be a rescue vehicle.

We note that the purchase of such equipment is for the purpose of utilizing them rescue vehicles; thus, may not be for rent for recreation, competition or doing tricks, among others.

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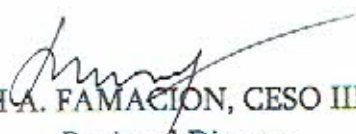
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Finally, we noticed some discrepancies between the allocation for the purchase of the jetski and the amount paid to the supplier.

This opinion is rendered without prejudice to any contrary opinion of competent higher authorities and the courts.

Thank you very much and God bless!

Truly yours,

  
LILIBETH A. FAMACION, CESO III  
Regional Director

cc: *Pedrito P. Alacaba*  
*Provincial Director*  
*DILG - Surigao del Sur*  
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