

Itom No.: 04

Data: JUN 2 7 2023

Republic of the Philippines PROVINCE OF LEYTE Palo, Leyte



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

June 15, 2023



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 4 series of 2023 of the Municipality of Tolosa, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160.

The Provincial Legal Office is of the opinion that the ordinance creating these help desk offices is in line with Section 447 (5) (xvii) of the Local Government Code and further codified in R.A. 9994, also known as the Expanded Senior Citizens Act of 2010.

ATTY JOSE RAYMUND A. ACOL
Asat. Provincial Legal Officer

Republic of the Philippines PROVINCE OF LEYTE Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT 14 June 2023

cince of Leyte

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed ORDINANCE NO. 4, series of 2023 of the Municipality of TOLOSA, LEYTE, entitled: An Ordinance Establishing A "Senior Citizens And Persons With Disabilities (PWDs) Help Desk" In Every Barangay In The Municipality Of Tolosa And Allocating Funds Thereof.

Secretary to the Sanggunian



Republic of the Philippines Province of Legge Municipality of Tolosa

Office of the Bangguniang Bayan

PROVINCE OF LEYTE

1st Andorsement
May 24, 2023

Respectfully forwarded to the Sangguniang Panlalawigan, Province of Leyte, Municipality of Palo, the herein attached RESOLUTION NO. 04-74-2023, Re: A RESOLUTION TO ENACT ORDINANCE ESTABLISHING A "SENIOR CITIZENS AND PERSONS WITH DISABILITIES (PWDs) HELPDESK" IN EVERY BARANGAY IN THE MUNICIPALITY OF TOLOSA AND ALLOCATING FUNDS THEREOF, Attendance of Regular Session and Certification of Posting.

For review and approval.

Issued this **24th** day of **May 2023** at Tolosa, Leyte, Philippines.

Please acknowledge receipt hereof.

CONSUELO R. LUMBRE
Sangguniang Bayan Secretary

N,MPRM



Republic of the Philippines Province of Leyte Municipality of Tolosa

Office of the Sangguniang Bayan



HON, VIRMAN JESSIE O, PUNDAVELA

HON. IRENEO ROLANDO A. LUMBRE

Sangguniang Bayan Member

Sangguniang Bayan Member

EXCERPT FROM THE MINUTES OF THE 38TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF TOLOSA, HELD AT THE SESSION HALL ON APRIL 11, 2023, AT 1:00 P.M.

Ex-Officio Member/SK Fed. President

PRESENT:

Municipal Vice-Mayor (Presiding Officer) Hon. Menardo M. Mate Hon. Manny R. Martinez, RN, MPRM.-Sangguniang Bayan Member Hon. Edilberto R. Zabala, Jr. Sangguniang Bayan Member Hon. Manuel B. Balledo Sangguniang Bayan Member Hon. Felipe V. Canonigo III Sangguniang Bayan Member Hon. Virman Jessie O. Pundavela-Sangguniang Bayan Member Hon. Ireneo Rolando A. Lumbre -Sangguniang Bayan Member Hon. Rolly A. Cinco Sangguniang Bayan Member Hon. Melanie Felisa M. Vivero Ex-Officio Member/ABC President

ABSENT:

Hon. Angelo R. Lumbre

Hon. Felicito D. Beltran III Sangguniang Bayan Member

RESOLUTION NO. 04-74-2023

A RESOLUTION TO ENACT ORDINANCE ESTABLISHING A "SENIOR CITIZENS AND PERSONS WITH DISABILITIES (PWDs) HELPDESK" IN EVERY BARANGAY IN THE MUNICIPALITY OF TOLOSA AND ALLOCATING FUNDS THEREOF

WHEREAS, due to various issues/concerns and having unresolved issues/concerns of older persons and PWDs in Tolosa, Leyte the Senior Citizens Helpdesk would be created;

WHEREAS, on R.A. 9994 or the Expanded Senior Citizens Act 2010 and the Senior Citizens Code of Tolosa, the law states in Section 6; the function of the Office of the Senior Citizens Affairs "(a) To plan, implement and monitor yearly work programs in pursuance of the objectives of this Act; "(b) To draw up a list of available and required services which can be provided by the senior citizens; "(c) To maintain and regularly update on a quarterly basis the list of senior individual, establishments, business entity, institution, or agency refusing to comply with the privileges under this Act before the Department of Justice (DOJ), the Provincial Prosecutor's Office, the regional or the municipal trial court, the municipal trial court in cities, or the municipal circuit trial court; "(d) To serve as a general information and liaison center for senior citizens; "(e) To monitor compliance of the provisions of this Act particularly the grant of special discounts and privileges to senior citizens; "(f) To report to the mayor, any individual. establishments, business entity, institutions or agency found violating any provision of this Act; and: "(g) To assist the senior citizens in filing complaints or charges against any individual, establishments business entity, institution, or agency refusing to comply with the privileges under this Act before the Department of Justice (DOJ), the Provincial Prosecutor's Office, the regional or the municipal trial court, the municipal trial court in cities, or the municipal circuit trial court."

WHEREAS, the Senior Citizens Helpdesk aims to help assist the Senior Citizens and PWDs in filling complaints or charges against any individual, establishments, business entity, institution, or agency refusing to comply with the privileges under R.A. 9994 or the Expanded Senior Citizens Act of 2010.

WHEREAS, the Senior Citizen desk-in-charge is tasked to monitor and assist the concerns and complaints of the senior citizens in their Barangay, particularly on social pension and other related concerns shall be reported to the Office of the Senior Citizens Affairs for appropriate action.

NOW, THEREFORE, the Local Government Unit of the Municipality of Tolosa, Leyte hereby ordains and decrees;

> Page | 1 "An Ordinance Establishing a SCs & PWDs Helpdesk in every Barangay in the Municipality of Tolosa'

HON. MENARDO M, MATE Municipal Vice Mayor



FELISA M. VIVERO Mgguniang Bayan Member ABC President ANIE HON.

HON. ROLL' Sangguniang B ROLL

HOW. ANGELO R. LUMBRE Sangguniang Bayan Member PP\$K President

HON. IRENEO ROLANDO A. LUMBRE Sangguniang Bayan Member

PUNICIAVELA

HON. VIRMAN JESSIE O.

Sangguniang Bayan Member

ORDINANCE NO. 04 Series of 2023

AN ORDINANCE ESTABLISHING A "SENIOR CITIZENS AND PERSONS WITH **EVERY BARANGAY HELPDESK"** IN DISABILITIES (PWDs) MUNICIPALITY OF TOLOSA AND ALLOCATING FUNDS THEREOF

WHEREAS, the Constitution declares that it is the duty of the family to take care of its elderly members while the State may design programs of social security for them and shall give full support to the improvement of the total well-being of the elderly and their full participation in society, considering that senior citizens are integral part of Philippine Society;

WHEREAS, it is a state policy that the State shall give full support to the improvement of the total well-being of Persons with Disabilities and their integration in the mainstream of society and toward this end, the State shall adopt policies ensuring the rehabilitation, self-development and self-reliance of Persons with Disabilities;

WHEREAS, the Magna Carta for Persons with Disabilities provides that local government units shall promote the establishment of organizations of Persons with Disabilities in their respective territorial jurisdictions and shall undertake the enhancement of health, physical fitness and the economic and social well-being of Persons with Disabilities;

WHEREAS, in response to the need to promote an efficient, accessible and responsive provision of local government services for the convenience and benefit of Senior Citizens or Elderly as well as Persons with Disabilities (PWDs), there is a need to establish a Senior Citizens and Persons with Disabilities (PWDs) Desk in every Barangay in the Municipality of Tolosa;

SECTION 1. TITLE- This Ordinance shall be known and cited as "An Ordinance Establishing a Senior Citizens and Persons with Disabilities (PWDs) Helpdesk in every Barangay in the Municipality of Tolosa."

SECTION 2. DEFINITION OF TERMS. For the purpose of this Ordinance, the following terms shall apply:

- 2.1 Senior Citizen or Elderly refers to any resident citizen of the Municipality of Tolosa Philippines at least sixty (60) years old;
- 2.2 Persons with Disabilities (PWDs) is a person suffering from restriction or different abilities, as a result of a mental, physical or sensory impairment to perform an activity in a manner or within the range considered normal for human being.

Disability shall mean (1) a physical or mental impairment that substantially limits one or more psychological, physiological or anatomical function of an individual or activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment. They are all individuals issued with Persons with Disability Identification Card from the Persons with Disabilities Affairs Department (PDAD);

- 2.3 Senior Citizens and PWDs Helpdesk a facility that would address any issue concerning the Senior Citizens or Elderly and PWDs situated within the premises of the barangay hall.
- 2.4 The definition of terms provided in Republic Act No. 7277, Republic Act No. 7432 and Republic Act No. 9257 as amended by Republic Act No. 9994, as far as applicable are hereby made part of this Ordinance.

SECTION 3. SCOPE AND COVERAGE - This Ordinance shall be enforced in all Barangays in the Municipality of Tolosa

SECTION 4. ESTABLISHMENT OF SENIOR CITIZENS AND PWDs HELPDESK IN EVERY BARANGAY.

4.1 CREATION OF THE SENIOR CITIZENS AND PWDs HELPDESK. A Senior Citizens and Persons with Disabilities (PWD's) Desk is hereby established in every barangay to assist the Municipal Social Welfare and Development Office (MSWDO), Office of the Senior Citizens Affairs and Persons with Disabilities Affairs Department in the effective and efficient delivery and implementation of services and programs for the upliftment of the well-being of persons with

> Page | 2 "An Ordinance Establishing a SCs & PWDs Helpdesk in every Barangay in the Municipality of Tolosa'

HON. MENARDO M. MATE Municipal Vice Mayor

CONSUELO R. LUMBRE SB Secretary

HON. EDHEBERTO-R. ZABALA, JR. Sangguniang Bayan Member

HON. MANUEL B. BALLEDO Sanggunian Bayan Member

HON. FELIPE V. CANONIGO III Sangguniang Bayan Member

disabilities and the elderlies. The Punong Barangay shall designate an area within the barangay hall for the Senior Citizens and PWDs desk. The Punong Barangay shall provide the necessary furniture and fixtures such as, but not limited to, tables, chairs, separate filing cabinet and log book for record-keeping of cases. Likewise, the Punong Barangay shall ensure that proper coordination with the Local Government Unit of Tolosa in relation to matters concerning Senior Citizens or Elderly and Persons with Disabilities.

SECTION 5. DESIGNATION OF SENIOR CITIZENS AND PWDs DESK OFFICER-IN-CHARGE.

- **5.1.** The Office of the Municipal Mayor shall appoint the HELPDESK OFFICER in every barangay thru the recommendation of the Municipal Social Welfare and Development Office with the coordination of the Office of the Senior Citizens Affairs (OSCA) and Office of Person with Disability (OPWD). Preferably the president of Senior Citizens Association or the President of Person with Disability Association in the barangay provided said association are duly accredited or registered by the Local Government Unit.
- **5.2.** The term of office of the Helpdesk Officer shall have a minimum of three (3) years, which shall start from his/her assumption to office, however, the same can be extended for another year upon the request of the Municipal Social Welfare and Development Office and the Office of the Senior Citizens Affairs (OSCA).
- **5.3.** The Helpdesk Officer can be removed/replaced by the appointing officer thru the request or recommendation of the Municipal Social Welfare and Development Office and the Office of Senior Citizens Affairs (OSCA) when it becomes apparent that she/he can no longer perform the task assigned to him/her.
- **5.4.** The Office of the Municipal Mayor shall encourage and see to it that the barangay official will provide the necessary facilities and assistance to the establishment of Senior Citizens and PWDs Helpdesk in every barangay in the Municipality of Tolosa.

SECTION 6. FUNCTIONS OF THE BARANGAY SENIOR CITIZENS AND PWDs HELPDESK - The Senior Citizen/PWDs Desk shall perform the following tasks:

- **6.1.** To accept complaints and issues of walk-in disabled and the elderly using the complaint form as per DILG Memorandum Circular 2006-77 to record and document the same;
- **6.2.** To assist and/or refer the disabled persons and the elderly issues to the appropriate/concerned agencies as well as to file and take to the appropriate/concerned agencies the complaint or issues for appropriate action;
- **6.3.** To follow up and monitor the development/resolution of the filed complaint or issues to the concerned agency;
- **6.4.** To give feedback to the concerned disabled persons and the elderly on the status of the filed complaints/issues;
- **6.5.** To assist disabled persons and the elderly in accessing necessary services within the barangay and Municipality;
- **6.6.** To coordinate with the Local Government Unit of Tolosa as far as implementation of programs and policies are concerned;
- **6.7.** To assist free of charge, Persons with Disabilities and the elderly in coordination with the Tolosa Municipal Police Station or the Municipal Prosecutor's Office and/or the Public Attorney's Office of the Department of Justice, as the case or situation may warrant, in the protection and promotion of the rights and privileges of PWDs under R.A. 7277 and Senior Citizens under Republic Act No. 7432, as amended by Republic Act No. 9257 and its Implementing Rules and Regulations with such other pertinent laws, as well as prosecution for violation or non-compliance of said rights and privileges;
- **6.8.** To assist, free of charge, Persons with Disabilities and the elderly, who may have meritorious and/or valid requests for assistance, claims, complaints or applications for employment or availment of benefits under R.A. 7277 and Senior Citizens under Republic Act No. 7432 as amended by Republic Act No. 9257, RA 9994 and its Implementing Rules & Regulations with local and

Page | 3

"An Ordinance Establishing a SCs & PWDs Helpdesk
in every Barangay in the Municipality of Tolosa"

HON. MENARDO M MATE

Municipal Vice Mayor

CONSUELO R. LUMBRE
SB Secretary

ERO HON. ROLLWE. C. Sangguniang Bayen M.

PUNDAM

HON. VIRMAN JESSIE O.

HON. IRENEO ROLANDO A. LUMBRE

Sangguniarlg Bayan Member

Sangguniang Bayan Member

MELANIE FELISA M. VIVERO
Sangguniang Bayan Member
ABC President

HON.

angguniang Bayan Member PPSK President national agencies, non-government organizations (NGOs) and other private or business entities thru proper referrals, follow-ups or queries to be made by the MSWDO/OSCA/PDAD, to the local or national agencies, NGOs and private or business entities concerned;

- **6.9.** To submit quarterly performance reports to the office of the Municipal Mayor and the Sangguniang Bayan for their information and guidance, status or action taken on the complaints/issues concerning Persons with Disabilities and the elderly as duly recorded;
- **6.10.** To do such other functions as the need may arise and as authorized by the Municipal Mayor and Sangguniang Bayan.

SECTION 7. MONITORING AND REPORTING

7.1. The Municipal Social Welfare and Development Office with the coordination of the Office of Senior Citizens Affairs (OSCA) shall directly supervise the Helpdesk Officer in every barangay and shall provide them training and seminars.

HON, VIRMAN JESSIE O, PUNBAVELA

HON. IRENEO ROUANDO A. LUMBRE

HON. ROLL Sangguniang Bay

M. VIVERO

ANIE FELISA

Same

HON.

angguniang Bayan Member PPSK President

guniang Bayan Member ABC President

Sangguniang Bayan Member

Sangguniang Bayan Member

- **7.2.** The Helpdesk Officer shall not be banned from receiving the Social Pension Fund of the National Government and other pecuniary consideration from other government entities during his/her tenure of office.
- **7.3.** The helpdesk Officer shall not be obliged to submit any daily time report; provided; he/she render public service in barangay at least every Monday and Thursday or more when necessary.
- **7.4.** The Helpdesk Officer shall submit a monthly accomplishment report to the Municipal Social Welfare and Development Office copy furnish the Office of the Senior Citizens Affairs (OSCA) and Person with Disability Affairs Office (PWDs), and shall be the basis for the release of his/her monthly financial assistance.
- **7.5.** Helpdesk Officer failure to submit three (3) consecutive monthly report be a ground for his/her replacement.
- **7.6.** The Municipal Social Welfare and Development Office with the assistance of the Office of Senior Citizens Affairs (OSCA) and Officer of Person with Disability (OPWD) shall submit annual monitoring report to the Office of the Municipal Mayor and to the Sangguniang Bayan of pertaining to the status, development and accomplishment of helpdesk officer in every barangay.

SECTION 8. ALLOCATION OF FUNDS FOR THE ESTABLISHMENT OF SENIOR CITIZENS AND PERSON WITH DISABILITIES HELPDESK

- **8.1.** The Senior Citizen and Person with Disabilities Helpdesk shall be established in every barangay in the Municipality of Tolosa
- **8.2.** The Helpdesk Officer shall be provided a monthly financial assistance in the amount of five hundred pesos (PhP500.00) for fiscal year 2023. The fund is currently incorporated in the Municipal Annual Allocation Gad Plan for Social Services.
- **8.3.** The financial assistance shall be increased to One Thousand Pesos (Php1,000.00) after a year and for the succeeding years to support his/her transportation and food needs. The amount shall be taken from the Municipal Annual GAD PLAN for Social Services.
- **8.4.** The Municipal Budget Officer shall annually allocate financial assistance for fifteen (15) Helpdesk Officer in the Municipality of Tolosa.
- **8.5.** The Financial Assistance may appear inadequate for Helpdesk Officer in their transportation and food needs; in relation to the task and responsibilities they are expected to do none the less, it would not diminish their passion or zeal to do good to their countryman.
- **8.6.** The one percent (1%) share of the Senior Citizen and person with Disabilities on the National Tax Allotment (NTA) shall be allowed to compensate for the accomplishment/purpose of this ordinance.

SECTION 9. Procedural Clause

Page | 4
"An Ordinance Establishing a SCs & PWDs Helpdesk
in every Barangay in the Municipality of Tolosa"

CONSUELO R. LUMBRE
SB Secretary

HON. MENARDO M MATE

Senior Citizens and PWDs helpdesk officer shall possess the minimum criteria in order to effectively perform his/her functions.

- a. A Filipino Senior Citizens and PWDs registered in the barangay within six (6) months.
- b. A member of Senior Citizens and PWDs Association
- c. Willing to undergo basic training or helpdesk function, laws and policies orientation pertaining to elderly and PWDs
- d. Possess a good leadership skill within the organization
- e. Physically and mentally healthy
- f. Able to read and write reports.

SECTION 10. Repealing Clause - Any ordinance or part or provision thereof which are inconsistent with any of the provision of this ordinance herewith are hereby repealed or modified accordingly.

SECTION 11. Separability Clause. - if any part section or provisions of this ordinance is declared invalid of contrary to existing Civil Service rules and pertinent laws, the part, sections or provisions not reflected thereby shall continue to be in force and effect.

SECTION 12. Effectivity Clause. This Ordinance shall take effect upon its approval.

Sangguniang Bayan Secretary

ATTESTED:

HON. MENARDO M. MATE Municipal Vice-Mayor Presiding Officer

(ABSENT)

HON. FELICITO D. BELTRAN III

Sangguniang Bayan Member

HON-EDILBERTO R. ZABALA. JR.

Sangguniang Bayan Member

HON. FELIPE V CANONIGO III

Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE

Sangguniang Bayah Member

HON. WELANIE FELISĂ M. VIVERO

Ex-Offido Member/ABC President

HON, MANNY R. MARTINEZ, RN., MPRM Sangguniang B

HON. MANUELLB. BALLEDO

Sangguniang Bayan Member

HON. VIRMAN JESSIE O. PUNDAVELA

Sangguniang Bayan Member

HON. ROLL CINCO

Sangguniang an Member

HON, ANGELO R. LUMBRE

Ex-Officio Member/SK Fed. President

APPROVED:

HON, ERWIN C. OCAÑA

Municipal Mayor



Republic of the Philippines **Province of Leyte Municipality of Tolosa

Office of the Wangguniang Bayan

MINUTES OF THE 38TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF TOLOSA, HELD AT THE SESSION HALL ON APRIL 11, 2023 AT 1:00 P.M.

PRESENT:

Hon. Menardo M. Mate Municipal Vice-Mayor (Presiding Officer) Hon. Edilberto R. Zabala, Jr. Sangguniang Bayan Member Hon. Manuel B. Balledo Sangguniang Bayan Member Hon. Manny R. Martinez, RN, MPRM.-Sangguniang Bayan Member Hon. Felipe V. Canonigo III Sangguniang Bayan Member Hon. Virman Jessie O. Pundavela-Sanggunlang Bayan Member Hon. Ireneo Rolando A. Lumbre -Sangguniang Bayan Member Hon. Rolly A. Cinco Sangguniang Bayan Member Hon. Melanie Felisa M. Vivero Ex-Officio Member/ABC President Hon. Angelo R. Lumbre Ex-Officio Member/SK Fed. President

ABSENT:

Hon, Felicito D. Beltran III - - Sangguniang Bayan Member

CALL TO ORDER. - The session was called to order by the Presiding Officer at 1:00 P.M.

NATIONAL ANTHEM, INVOCATION, TOLOSA HYMN. - Computer Generated.

ROLL CALL. - Roll call was done by the SB Secretary and one member was absent, Hon. Felicito D. Beltran III.

APPROVAL OF THE MINUTES OF THE PREVIOUS SESSION. — Minutes of the previous session were read. Having no comments and corrections, Hon. Angelo R. Lumbre moved for the approval of the previous minutes and seconded unanimously.

REFERENCE OF BUSINESS:

 Resolution Authorizing Hon. Erwin C. Ocaña, Municipal Mayor, to enter into and sign the memorandum of Agreement (MOA) with Leyte Normal University represented by University President, Dr. Evelyn B. Aguire to pool their resources together to promote quality education and training for the BSHM/BSTM/BS ENTREP Students of LNU from April 12, 2023 to June 30, 2023 in the Municipality of Tolosa, Leyte.

Hon. Manny R. Martinez moved to suspend the rule and read the letter of LNU requesting the Local Chief Executive to authorize to enter into Memorandum of Agreement for the OJT and added that it is timely since we lack personnel of SB, VM and read the MOA and they all start tomorrow and ends on June 30 and need for digitalizing and data banking and recommended to pass the resolution and moved to pass.

RESOLUTION NO. 04-73-2023

RESOLUTION AUTHORIZING HON. ERWIN C. OCAÑA, MUNICIPAL MAYOR, TO ENTER INTO AND SIGN THE MEMORANDUM OF AGREEMENT (MOA) WITH LEYTE NORMAL UNIVERSITY REPRESENTED BY UNIVERSITY PRESIDENT, DR. EVELYN B. AGUIRE TO POOL THEIR RESOURCES TOGETHER TO PROMOTE QUALITY EDUCATION AND TRAINING FOR THE BSHM/BSTM/BS ENTREP STUDENTS OF LNU FROM APRIL 12, 2023 TO JUNE 30, 2023 IN THE MUNICIPALITY OF TOLOSA, LEYTE

WHEREAS, Leyte Normal University is mandated to provide profession and special instruction, and to promote research and extension services, advanced studies and progressive leadership in education and related fields;

HON. MENARDO M. MATE

CONSUELO R. LUMBRE
SB Secretary

Page | 1 Minutes of the 37th Regular Session ON, ROLLY MINCO

PUNDA

HOM. VIRMAN JESSIE Q.

HON. IRENEO ROLANDO A. LUMBRE Sangguniang Bayan Member

Sangguniang Bayan Member

RELANIE FELLSA M. VIVERO angguniang Bava Member ABC President

HON.

GRANGELO R. LUMBRE ggun ang Bayan Member PPSK President III

WHEREAS, the Host Training Establishment encourages and supports all development efforts through the promotion of quality education and training;

WHEREAS, the Practicum students shall complete six hundred (600) hours of training under the Host Training Establishment, LGU Tolosa from April 12, 2023 to June 30, 2023

WHEREFORE, on motion of Hon. Manny R. Martinez, RN., MPRM, and duly seconded unanimously, be it:

RESOLVED, as it is hereby resolved, to authorize Hon. Erwin C. Ocaña, Municipal Mayor, to enter into and sign the memorandum of Agreement (MOA) with Leyte Normal University represented by University President, Dr. Evelyn B. Aguire to pool their resources together to promote quality education and training for the BSHM/BSTM/BS ENTREP Students of LNU from April 12, 2023 to June 30, 2023 in the Municipality of Tolosa, Leyte;

RESOLVED FINALLY, to furnish with a copy of this resolution to Hon. Erwin C. Ocaña, Municipal Mayor, Tolosa, Leyte and Dr. Evelyn B. Aguire, University President, Leyte Normal University, for their information and appropriate action;

APPROVED.

COMMITTEE REPORTS:

1. Report of the Committee on Health. Re: Resolution authorizing the Local Chief Executive to enter into and sign the Memorandum of Agreement with KAKAK Foundation, Incorporated/Mother Bles Birthing Clinic represented by Medical Director/Owner Sister Eloisa David OSB, RN, MD, MPH, to cater the maternal and reproductive health needs in the Municipality of Tolosa and nearby towns.

Hon. Manny R. Martinez, RN, MPRN reported that the Committee on Health conducted a committee meeting and the committee up to return the letter to the Local Chief Executive and read his letter since it require if there is an additional amendment especially that the Memorandum of Agreement is vague. The Sangguniang Bayan enacted an Ordinance so in terms of legality so the committee request so as to sustain the implementation and the MOA be revised and reiterated to return the letter and MOA to the LCE. He added that the request is beyond the responsibility of the LCE and not saying that the Sangguniang Bayan is against but to observe the legal proceedings.

SECOND READING:

- A. Unfinished Business
- **Business for the Day**

HON, MENARDOM, MATE

Municipal Vice-Mayor

None

THIRD READING:

Resolution to enact an Ordinance Establishing A "Senior Citizens and Persons with Disabilities (PWDs) Desk" in Every Barangay in the Municipality of Tolosa and Allocating Funds Thereof.

Hon. Manuel B. Balledo moved to pass a resolution and enact an Ordinance.

The Presiding Officer asked who are infavor of the motion of Hon. Manuel B. Balledo.

The motion of Hon. Manuel B. Balledo was carried and moved to pass a resolution.

RESOLUTION NO. 04-74-2023

A RESOLUTION TO ENACT ORDINANCE ESTABLISHING A "SENIOR CITIZENS AND PERSONS WITH DISABILITIES (PWDs) HELPDESK" IN EVERY BARANGAY IN THE MUNICIPALITY OF TOLOSA AND ALLOCATING FUNDS THEREOF

WHEREAS, due to various issues/concerns and having unresolved issues/concerns of older persons and PWDs in Tolosa, Leyte the Senior Citizens Helpdesk would be created;

WHEREAS, on R.A. 9994 or the Expanded Senior Citizens Act 2010 and the Senior Citizens Code of Tolosa, the law states in Section 6; the function of the Office of the Senior Citizens Affairs "(a) To plan, implement and monitor yearly work programs in pursuance of the objectives of this Act; "(b) To draw up

CONSUELO R. LUMBRE

SB Secretary

Page | 2 Minutes of the 37th Regular Session

Sanggunlang Bayan

HON, VIRMAN JESS

HON. IRENEO ROLANDO A. LUMBRE Sangguniang Bayan Member

SA M. VIVERO Bayan Member

HOH

guning Bayan Member PPSK President

a list of available and required services which can be provided by the senior citizens; "(c) To maintain and

regularly update on a quarterly basis the list of senior individual, establishments, business entity, institution, or agency refusing to comply with the privileges under this Act before the Department of Justice (DOJ), the Provincial Prosecutor's Office, the regional or the municipal trial court, the municipal trial court in cities, or the municipal circuit trial court; "(d) To serve as a general information and liaison center for senior citizens; "(e) To monitor compliance of the provisions of this Act particularly the grant of special discounts and privileges to senior citizens; "(f) To report to the mayor, any individual. establishments, business entity, institutions or agency found violating any provision of this Act; and: "(g) To assist the senior citizens in filing complaints or charges against any individual, establishments business entity, institution, or agency refusing to comply with the privileges under this Act before the Department of Justice (DOJ), the Provincial Prosecutor's Office, the regional or the municipal trial court, the municipal trial court in cities, or the municipal circuit trial court."

WHEREAS, the Senior Citizens Helpdesk aims to help assist the Senior Citizens and PWDs in filling complaints or charges against any individual, establishments, business entity, institution, or agency refusing to comply with the privileges under R.A. 9994 or the Expanded Senior Citizens Act of 2010.

WHEREAS, the Senior Citizen desk-in-charge is tasked to monitor and assist the concerns and complaints of the senior citizens in their Barangay, particularly on social pension and other related concerns. shall be reported to the Office of the Senior Citizens Affairs for appropriate action.

NOW, THEREFORE, the Local Government Unit of the Municipality of Tolosa, Leyte hereby ordains and decrees:

2. Proposed Ordinance Establishing A "Senior Citizens and Persons with Disabilities (PWDs) Desk" In Every Barangay in the Municipality of Tolosa and Allocating Funds Thereof.

Hon. Manuel B. Balledo moved to enact an Ordinance.

ORDINANCE NO. 04 Series of 2023

AN ORDINANCE ESTABLISHING A "SENIOR CITIZENS AND PERSONS WITH DISABILITIES (PWDs) HELPDESK" BARANGAY IN **EVERY** IN THE MUNICIPALITY OF TOLOSA AND ALLOCATING FUNDS THEREOF

WHEREAS, the Constitution declares that it is the duty of the family to take care of its elderly members while the State may design programs of social security for them and shall give full support to the improvement of the total well-being of the elderly and their full participation in society, considering that senior citizens are integral part of Philippine Society;

WHEREAS, it is a state policy that the State shall give full support to the improvement of the total well-being of Persons with Disabilities and their integration in the mainstream of society and toward this end, the State shall adopt policies ensuring the rehabilitation, self-development and self-reliance of Persons with Disabilities;

WHEREAS, the Magna Carta for Persons with Disabilities provides that local government units shall promote the establishment of organizations of Persons with Disabilities in their respective territorial jurisdictions and shall undertake the enhancement of health, physical fitness and the economic and social well-being of Persons with Disabilities;

WHEREAS, in response to the need to promote an efficient, accessible and responsive provision st Jocal government services for the convenience and benefit of Senior Citizens or Elderly as well as Persons with Disabilities (PWDs), there is a need to establish a Senior Citizens and Persons with Disabilities (PWDs) Desk in every Barangay in the Municipality of Tolosa;

SECTION 1. TITLE- This Ordinance shall be known and cited as "An Ordinance Establishing" a Senior Citizens and Persons with Disabilities (PWDs) Helpdesk in every Barangay in the Municipality of Tolosa."

SECTION 2. DEFINITION OF TERMS. For the purpose of this Ordinance, the following terms shall apply:

2.1 Senior Citizen or Elderly - refers to any resident citizen of the Municipality of Tolosa Philippines at least sixty (60) years old:

HON, MEMARDO M. MATE Municipal Vice-Mayor

CONSULLO R. LUMBRE SB Secretary

Page | 3 Minutes of the 37th Regular Session Sancguniang

ELA

HON, VIRMAN JESSIE O, PUNDE

ANDO A. LUMBRE

HON, IRENEO ROL

Bayan Member

Sangguniang

Sangguniang Bayan

M. VIVERO Member ESA Iguniang Bayan 냺 Ш AMI HON

LUMBRE guniang Bayan Member BELO R.

2.2 Persons with Disabilities (PWDs) - is a person suffering from restriction or different abilities, as a result of a mental, physical or sensory impairment to perform an activity in a manner or within the range considered normal for human being.

Disability shall mean (1) a physical or mental impairment that substantially limits one or more psychological, physiological or anatomical function of an individual or activities of such individual; (2) a record of such an impairment; or (3) being regarded as having such an impairment. They are all individuals issued with Persons with Disability Identification Card from the Persons with Disabilities Affairs Department (PDAD);

- 2.3 Senior Citizens and PWDs Helpdesk a facility that would address any issue concerning the Senior Citizens or Elderly and PWDs situated within the premises of the barangay hall.
- 2.4 The definition of terms provided in Republic Act No. 7277, Republic Act No. 7432 and Republic Act No. 9257 as amended by Republic Act No. 9994, as far as applicable are hereby made part of this Ordinance.

SECTION 3. SCOPE AND COVERAGE - This Ordinance shall be enforced in all Barangays in the Municipality of Tolosa

SECTION 4. ESTABLISHMENT OF SENIOR CITIZENS AND PWDs HELPDESK IN EVERY BARANGAY.

4.1 CREATION OF THE SENIOR CITIZENS AND PWDs HELPDESK. A Senior Citizens and Persons with Disabilities (PWD's) Desk is hereby established in every barangay to assist the Municipal Social Welfare and Development Office (MSWDO), Office of the Senior Citizens Affairs and Persons with Disabilities Affairs Department in the effective and efficient delivery and implementation of services and programs for the upliftment of the well-being of persons with disabilities and the elderlies. The Punong Barangay shall designate an area within the barangay hall for the Senior Citizens and PWDs desk. The Punong Barangay shall provide the necessary furniture and fixtures such as, but not limited to, tables, chairs, separate filing cabinet and log book for record-keeping of cases. Likewise, the Punong Barangay shall ensure that proper coordination with the Local Government Unit of Tolosa in relation to matters concerning Senior Citizens or Elderly and Persons with Disabilities.

SECTION 5. DESIGNATION OF SENIOR CITIZENS AND PWDs DESK OFFICER-IN-CHARGE.

- **5.1.** The Office of the Municipal Mayor shall appoint the HELPDESK OFFICER in every barangay thru the recommendation of the Municipal Social Welfare and Development Office with the coordination of the Office of the Senior Citizens Affairs (OSCA) and Office of Person with Disability (OPWD). Preferably the president of Senior Citizens Association or the President of Person with Disability Association in the barangay provided said association are duly accredited or registered by the Local Government Unit.
- **5.2.** The term of office of the Helpdesk Officer shall have a minimum of three (3) years, which shall start from his/her assumption to office, however, the same can be extended for another year upon the request of the Municipal Social Welfare and Development Office and the Office of the Senior Citizens Affairs (OSCA).
- **5.3.** The Helpdesk Officer can be removed/replaced by the appointing officer thru the request or recommendation of the Municipal Social Welfare and Development Office and the Office of Senior-Citizens Affairs (OSCA) when it becomes apparent that she/he can no longer perform the task assigned to him/her.
- **5.4.** The Office of the Municipal Mayor shall encourage and see to it that the barangay official will provide the necessary facilities and assistance to the establishment of Senior Citizens and PWDs. Helpdesk in every barangay in the Municipality of Tolosa.

SECTION 6. FUNCTIONS OF THE BARANGAY SENIOR CITIZENS AND PWDs HELPDESK
- The Senior Citizen/PWDs Desk shall perform the following tasks:

6.1. To accept complaints and issues of walk-in disabled and the elderly using the complaint form as per DILG Memorandum Circular 2006-77 to record and document the same;

HON, MENARDO M. MATE Municipal Vice-Mayor

CONSULLO R. LUMBRE
SB Secretary

Page | 4 Minutes of the 37th Regular Session SIE O. P

HOM, VIRMAN J

INDO A. LUMBRE

HON. IRENEO ROL

FELISA M. VIVERO

HON.

Sangguniang Bayan Member PPSK President

gun and Bay Member

Sanggunlang Bayan Member

Sangg: niang

- **6.2.** To assist and/or refer the disabled persons and the elderly issues to the appropriate/concerned agencies as well as to file and take to the appropriate/concerned agencies the complaint or issues for appropriate action;
- **6.3.** To follow up and monitor the development/resolution of the filed complaint or issues to the concerned agency;
- **6.4.** To give feedback to the concerned disabled persons and the elderly on the status of the filed complaints/issues;
- **6.5.** To assist disabled persons and the elderly in accessing necessary services within the barangay and Municipality;
- **6.6.** To coordinate with the Local Government Unit of Tolosa as far as implementation of programs and policies are concerned;
- **6.7.** To assist free of charge, Persons with Disabilities and the elderly in coordination with the Tolosa Municipal Police Station or the Municipal Prosecutor's Office and/or the Public Attorney's Office of the Department of Justice, as the case or situation may warrant, in the protection and promotion of the rights and privileges of PWDs under R.A. 7277 and Senior Citizens under Republic Act No. 7432, as amended by Republic Act No. 9257 and its Implementing Rules and Regulations with such other pertinent laws, as well as prosecution for violation or non-compliance of said rights and privileges;
- **6.8.** To assist, free of charge, Persons with Disabilities and the elderly, who may have meritorious and/or valid requests for assistance, claims, complaints or applications for employment or availment of benefits under R.A. 7277 and Senior Citizens under Republic Act No. 7432 as amended by Republic Act No. 9257, RA 9994 and its Implementing Rules & Regulations with local and national agencies, non-government organizations (NGOs) and other private or business entities thru proper referrals, follow-ups or queries to be made by the MSWDO/OSCA/PDAD, to the local or national agencies, NGOs and private or business entities concerned;
- **6.9.** To submit quarterly performance reports to the office of the Municipal Mayor and the Sangguniang Bayan for their information and guidance, status or action taken on the complaints/issues concerning Persons with Disabilities and the elderly as duly recorded;
- **6.10.** To do such other functions as the need may arise and as authorized by the Municipal Mayor and Sangguniang Bayan.

SECTION 7. MONITORING AND REPORTING

- **7.1.** The Municipal Social Welfare and Development Office with the coordination of the Office of Senior Citizens Affairs (OSCA) shall directly supervise the Helpdesk Officer in every barangay and shall provide them training and seminars.
- **7.2.** The Helpdesk Officer shall not be banned from receiving the Social Pension Fund of the National Government and other pecuniary consideration from other government entities during his/her tenure of office.
- **7.3.** The helpdesk Officer shall not be obliged to submit any daily time report; provided; he/she render public service in barangay at least every Monday and Thursday or more when necessary.
- **7.4.** The Helpdesk Officer shall submit a monthly accomplishment report to the Municipal Social Welfare and Development Office copy furnish the Office of the Senior Citizens Affairs (OSCA) and Person with Disability Affairs Office (PWDs), and shall be the basis for the release of his/her monthly financial assistance.
- **7.5.** Helpdesk Officer failure to submit three (3) consecutive monthly report be a ground for his/her replacement.
- **7.6.** The Municipal Social Welfare and Development Office with the assistance of the Office of Senior Citizens Affairs (OSCA) and Officer of Person with Disability (OPWD) shall submit annual monitoring report to the Office of the Municipal Mayor and to the Sangguniang Bayan of pertaining to the status, development and accomplishment of helpdesk officer in every barangay.

SECTION 8. ALLOCATION OF FUNDS FOR THE ESTABLISHMENT OF SENIOR CITIZENS AND PERSON WITH DISABILITIES HELPDESK

HON. MENARDO M MATE CONS

CONSUELO R. LUMBRE
SB Secretary

Page | 5
Minutes of the 37th Regular Session

HON. ROLL/O CINCO Sangguniang & Member

HON, IRENEO ROLANDO A. LUMBRE

Se aggunlang Bayan Member

HON, VIRMAN JESSERO, PUNDEKELA

Sangguniang Bayan Member

NIE FELISA M. VIVERO uniang Bayan Member ABC President

HON. BLANTE FE

CANGEROR, LUMBRE Eguniang Sayan Member Down President

- 8.1. The Senior Citizen and Person with Disabilities Helpdesk shall be established in every barangay in the Municipality of Tolosa
- 8.2. The Helpdesk Officer shall be provided a monthly financial assistance in the amount of five hundred pesos (PhP500.00) for fiscal year 2023. The fund is currently incorporated in the Municipal Annual Allocation Gad Plan for Social Services.
- 8.3. The financial assistance shall be increased to One Thousand Pesos (Php1,000.00) after a year and for the succeeding years to support his/her transportation and food needs. The amount shall be taken from the Municipal Annual GAD PLAN for Social Services.
- 8.4. The Municipal Budget Officer shall annually allocate financial assistance for fifteen (15) Helpdesk Officer in the Municipality of Tolosa.
- 8.5. The Financial Assistance may appear inadequate for Helpdesk Officer in their transportation and food needs; in relation to the task and responsibilities they are expected to do none the less, it would not diminish their passion or zeal to do good to their countryman.
- 8.6. The one percent (1%) share of the Senior Citizen and person with Disabilities on the National Tax Allotment (NTA) shall be allowed to compensate for the accomplishment/purpose of this ordinance.

SECTION 9. Procedural Clause

Senior Citizens and PWDs helpdesk officer shall possess the minimum criteria in order to effectively perform his/her functions.

- a. A Filipino Senior Citizens and PWDs registered in the barangay within six (6) months.
- b. A member of Senior Citizens and PWDs Association
- Willing to undergo basic training or helpdesk function, laws and policies orientation pertaining to elderly and PWDs
- d. Possess a good leadership skill within the organization
- e. Physically and mentally healthy
- Able to read and write reports.

SECTION 10. Repealing Clause - Any ordinance or part or provision thereof which are inconsistent with any of the provision of this ordinance herewith are hereby repealed or modified accordingly.

SECTION 11. Separability Clause. - if any part section or provisions of this ordinance is declared invalid of contrary to existing Civil Service rules and pertinent laws, the part, sections or provisions not reflected thereby shall continue to be in force and effect.

SECTION 12. Effectivity Clause. This Ordinance shall take effect upon its approval.

Proposed Local Ordinance Strengthening Participatory Governance in the Municipality of Tolosa, Leyte through Empowerment of Civil Society Organizations and Establishing a People's Council.

Hon. Virman Jessie O. Pundavela said that he is the Chairman of the Committee on Cooperatives and moved to pass a resolution and moved to enact an Ordinance.

The Presiding Officer asked who are infavor of the motion of Hon. Virman Jessie O. Pundavela and moved to enact an Ordinance.

RESOLUTION NO. 04-75-2023

A RESOLUTION ENACTING ORDINANCE NO. 05, SERIES OF 2023, AN ORDINANCE STRENGTHENING PARTICIPATORY GOVERNANCE IN THE MUNICIPALITY OF TOLOSA, LEYTE THROUGH EMPOWERMENT OF CIVIL SOCIETY ORGANIZATIONS, ESTABLISHING A PEOPLE'S PRESCRIBING ITS POWERS AND FUNCTIONS, AND PROVIDING FOR THEIR PARTICIPATION IN THE LOCAL BODIES AND SIMILAR WORK **GROUPS**

HON, MENARDO M/MATE Municipal Vice Mayor

CONSUELO R. LUMBRE SB Secretary

Page | 6

Minutes of the 37th Regular Session

M. VIVERO LANIE FELISA M. VIV gunian Bayan Member ABC President

RO

HON.

HON, VIRMAN JESSTE OF PUNDAVELA

HON. IRENEO ROLANDO A. LUMBRE

Sanggunlang Bayan Member

Sangguniang Bayan Member

2

HON.

MORLO R. LUMBRE ngguniang Bayan Member PPSK President HON, MANNY R. M.

O PENDANTELA

HOM, VIRMAN

Sangguniang Bayan Member

WHEREAS, Article II, Section 23 of the 1987 Philippine Constitution provides that "The State shall encourage non-governmental, community-based, or sectoral organizations that promote the welfare of the nation."

WHEREAS, Article XIII Section 15 of the Philippine Constitution further provides that "The State shall respect the role of independent people's organizations to enable the people to pursue and protect, within the democratic framework, their legitimate and collective interests and aspiration through peaceful and lawful means."

WHEREAS, Section 16 of the same Article likewise provides that "The rights of the people and their organizations to effective and reasonable participation at all levels of social, political, and economic decision-making shall not be abridged."

WHEREAS, Article 62, Rule XIII of the Implementing Rules and Regulations of the Local Government Code of 1991 recognizes the role of people's organizations and tasks local government units (LGUs) with promoting the establishment and operation of people's organizations "to make them active partners in the pursuit of local autonomy."

WHEREAS, Article 64 of the same implementing rules and regulations provides for the procedures and guidelines or the selection of representatives of CSOs in local special bodies and the criteria for accreditation that shall guide the concerned Sanggunian on the a ccreditation of CSOs for the purpose of representation to the local special bodies.

WHEREAS, the DILG issued Memorandum Circular 2021-012 on the Establishment of Civil Society Organization Desk and institutionalization of People's Council in the Local Government Units.

NOW, THEREFORE, BE IT ORDAIND BY THE SANGGUNIANG BAYAN OF TOLOSA, LEYTE IN A REGULAR SESSION DULY ASSEMBLED, THAT:

ORDINANCE NO. 05 Series of 2023

AN ORDINANCE STRENGTHENING PARTICIPATORY GOVERNANCE IN THE MUNICIPALITY OF TOLOSA, LEYTE THROUGH EMPOWERMENT OF CIVIL SOCIETY ORGANIZATIONS, ESTABLISHING A PEOPLE'S COUNCIL, PRESCRIBING ITS POWERS AND FUNCTIONS, AND PROVIDING FOR THEIR PARTICIPATION IN THE LOCAL BODIES AND SIMILAR WORK GROUPS

SECTION 1. Declaration of Policy. It is the declared policy of the State to require all national agencies and officers, including local government units, to conduct periodic consultations with appropriate, non-governmental and people's organizations and other concerned sectors of the community before any project or program is implemented in their respective jurisdictions.

hat good governance entails development and strengthening of partnerships between the local government and civil society and people's organizations in empowering citizens, amplifying their voices, and encouraging them to occupy governance spaces.

Towards this end, the Local Government of Tolosa, Leyte aspires to strengthen the role of civil society and people's organizations in local governance, and ensure their participation at all levels of social, political, and economic decision-making.

SECTION 2. Definition of Terms. As used in this Ordinance:

- Municipality of Tolosa, Leyte Accredited Organizations organizations who complied with the requirements as set forth in this Ordinance and duly recognized as such by the Sangguniang Bayan of Tolosa, Leyte.
- b) Civil Society Organization (CSO) refers to any organized citizens' group who works to improve society and the human condition, including, people's organizations (POs), non-government, organizations (NGOs), non-profit associations, such as community groups, labor unions, indigenous groups, charitable organizations, falth-based organizations professional associations civic organizations, foundations, among others.
- c) Interest Groups any other organization or aggrupation of individuals, mandated, created, or duly recognized under existing laws, not belonging to any marginalized or disadvantaged groups, but otherwise forward causes and interest relevant to local and human development, including but not

Page | 7
Minutes of the 37th Regular Session

HON. MENARDO M MATE Municipal Vice-Mayor CONSUBLO R. LUMBRE
SB Secretary

HON, MANUEL B. BALLEDO Sangginang Bayan Member

HON A DILBERTO R. ZWBALA, JR

ggumar g Eayan Member

HON, FELIPEN, CANONIGO III
Sangguniang Bayan Member

HON

HOM.

EDMBERTO R. ZABALA, sangjunlang Bayan Membel

R

HON, IRENEO ROLÁNDO A, LUMBRE

Sangguniang Rayan Member

FLA

HON, VIRMAN TESSIE O. PURDAN

Sangguniany Bayan Member

Page | 8

Minutes of the 37th Regular Session

limited to professional organizations, faith-based organizations business, socio-economic groups, parent-teachers associations, social hobby groups, among others.

- d) Local Special Bodies refers to local special bodies including the Local Development Council, Local Health Board, Local School Board and Local Peace and Order Council, as well as other structures created under special law or rules such as Councils Committee Task Force, Working Groups, among others.
- e) Non-Government Organization (NGO) refers to an independent private and non-profit organization formed primarily to promote social economic development, among others.
- Tolosa, Leyte People's Council refers to a body composed of representatives of registered accredited CSOs and POs as set forth in this Ordinance.
- g) People's Organization (PO) refers to a bona fide cooperative or association of citizens, or association residents in a barangay or barangays, or a person belonging to a particular group of sector, established to promote public interest and with an identifiable leadership structure and membership. People's organizations are often formed among the disadvantaged sectors of society such as the farmer-peasant, artisanal fisher folk, workers in the formal sector and migrant workers in the informal sector, indigenous people and cultural communities, women, LGBTOI+ (lesbian, gay, bisexual, transgender, intersex, others), differently-abled persons, senior citizens, victims of calamities and disasters, youth and students, children, and urban poor.
- Registered or Accredited Organization refers to an organization that obtained registration of accredited by a National Government Agency such as the Securities and Exchange Commission, Cooperative Development Authority, Department of Labor and Employment, Department of Agriculture, Department of Agrarian Reform, National Housing Authority, Housing and Land Use Regulatory Board or any other national government agency or from a Local Government Unit having jurisdiction over this Municipality or within this Municipality that is empowered by law or policy to register or accredit such organizations.
- Sectors may refer to as the disadvantaged or marginalized sectors of the Philippine society, including, Farmer-peasant; Artisanal fisherfolk, Workers in the formal sector and migrant workers, Workers in the informal sector, indigenous peoples and cultural communities, Women, LGBTQI+, Differently-abled persons, Senior Citizens, Victims of calamities and disasters, Youth and students, Children, Urban poor, Cooperatives, Non-government organizations.

SECTION 3. Scope. This Ordinance shall govern Civil Society and People's Organizations' participation in ocal governance processes in the Municipality of Tolosa, Leyte including its accreditation, the accreditation procedure, the creation of People's Council, CSO and PO membership to the People's Council, among others.

SECTION 4. Accreditation and Recognition. In order to formally and openly encourage citizens to participate in local governance processes NGOs and POs shall comply with the accreditation requirements duided by provisions in Section 7-B and be recognized and declared as having been accredited by the Sangguniang Bayan of Tolosa, Leyte.

SECTION 5. Constitution of the Tolosa, Leyte People's Council

- 1. The Tolosa, Leyte People's Council is hereby constituted composed of all accredited CSOs/POs in Tolosa, Leyte.
- All accredited CSOs/POs shall compose the General Membership of the Tolosa, Leyte People's Council and enjoy such rights and privileges of a member of the People's Organization.
- 3. Not later than ninety (90) days upon effectivity of this Ordinance, the Tolosa, Leyte People's Council shall be constituted pursuant to the transitory provision in the herein succeeding paragraph.
- 4. The initial constitution of the Tolosa, Leyte People's Council shall be called by the DILG Field Officer, as provided by the Rules and facilitated by the Sangguniang Bayan Committee on Accreditation and the Chair of Committee on People's Participation and to be composed of a majority of all CSOs/POs listed in the Inventory of CSOs and POs: Provided, that said CSO or PO complied with the requirements as set forth in Section7-B of this Ordinance.
- Henceforth, the People's Council shall be convened with the assistance of the DILG Field Officer and Committee on Accreditation and the Chair of Committee on People's Participation at least twice for each calendar year upon call of the Chair of the People's Council acting on the

HON, MENARDO M. MATE Municipal Vice-Mayor

CONSUELO R. LUMBRE SB Secretary

HON MARKE Sanggun/ang Bayan Ø BALLEDO Member

HON, FELLIPE V. CANONIGO Sangguniang Bayan Member

HIL

nam Ravan Member

mandate pursuant to the succeeding Section of this Ordinance. It may likewise be convened upon request of a simple majority of all the People's Council members or upon request of the Sangguniang Bayan or of the Municipal Mayor.

SECTION 6. Power and Function of the People's Council

- 1. The People's Council is the representative of the people communities, sectors, and interest groups in the various local governance processes in the Municipality of Tolosa, Leyte.
- To convene itself at least twice for each calendar year and make up matters pertaining to its mandates including agenda-setting, programs and activities planning, reporting and updating representation and organizational concerns, among others.
- To exercise the sole power to designate its Representatives to the Local Development Council and assist in mobilizing full people participation thereto.
- 4. Finsure people's participation in the planning, implementing and monitoring of the projects, programs, and activities in the Municipality of Tolosa, Leyte.
- Ensure adequate, competent, appropriate, and law/rules-compliant, representation of CSOs/POs in local bodies.
- Exercise the sole power to elect from among its members and designate the CSO/PO representative/s to local bodies including the Municipality's representative/s to other bodies such as the provincial People's Council, among others, and subject to specific requirements as may be set under the law or rules for each of the CSO/PO representation.
- Enjoy such rights and privileges as People's Council representative/s in said local bodies as set in the specific law or rules governing the same.
- Participate, by itself and enjoy privileges as People's Councils representative/s in legislative committee/s, where people's participation or consultations are required by law, rules, or ordinance.
- Have ample time to access and study relevant information and documents prior to set meetings and deliberations of local special bodies for active and informed participation.
- Ensure that women and gender minorities, constitute at least 30% of CSOs/POs represented in the local special bodies.
- 11. Propose measures, legislations, or recommendations in furtherance of local development and submit the same for consideration of the local body, the Sanggunian, or the Executive Department.
- 12. Coordinate with the Local Sanggunian, the Executive Department, or the designated CSO/PO Office or Committee of the Sanggunian or the Executive Department in furtherance of its mandate.
- 13. Protect the autonomy of the People's Council by not allowing it to be influenced or used for purposes of partisan politics or religious purposes, without limiting the respective organization's protected freedoms.
- 14. Receive from the Sanggunian or Local Executive Department adequate financial and non-monetary support in furtherance of its mandate, as well as reasonable honorarium or allowances, subject to availability of funds and usual government accounting and audit procedures.
- 15. Raise such funds from its own effort, through legitimate means, to support its own activities, subject to accounting and audit procedures both internally and independently.
- 16. Adopt its internal rules; elect its officers, form working, sectoral, technical committees; and exercise other functions consistent with this Ordinance.
- 17. Ensure strict adherence to this Ordinance and other laws and rules governing participation and representation of CSOs in local government.

SECTION 7. Membership and Accreditation

A. Membership to the People's Council

HON. MENARDO M. MATE Municipal Vio Mayor



Page | 9 Minutes of the 37th Regular Session ROLL CINCO

HON. IRENEO ROLANDO A. LUMBRE

Sangguniang Bayan Member

PURCHELA

Sangguniang Bayan Member

HON, VIRMAN JASSPA

IIVERO HON

MELANIE ELIS/ M. VIVERO Sangguniang Bayan 'ember

HON.

HON, AMERICA R. LUMBRE

Sangguniang Bayan Member

ó

HOM. VIRMAN JESSTE

HON. IRENEO ROWANDO A. LUMBRE

Sangguniang Bayan Member

ž

Accredited and recognized CSOs/POs shall be the Members of the Tolosa, Leyte People's Council and may be represented into the Council by its President, Chairman, CEO, Executive Director, or its duly authorized representative pursuant to a recognized legal instrument as may be provided by law, rules, and/or regulations.

B. Minimum Requirements for Accreditation of CSOs and POs in the Municipality of Tolosa, Leyte

In Order for CSOs/POs to be accredited, the CSO/PO should comply with the following requirements, as may be applicable to it:

- For SEC-registered CSOs:
 - An updated General Information Sheet (GIS) as filed with SEC;
 - A copy of this Constitution, By-laws, and Articles of Incorporation;
 - Proof of activities held in pursuit of development objectives or of organization activities conducted within the jurisdiction of the Municipality of Tolosa, Leyte; and
 - Lists of its officers and members in good standing and their respective addresses, if not indicated in the updated GIS;
 - Sworn Statement that the CSO/PO is non-partisan, pursuant to the guidelines provided in DILG MC No. 2022-083
- ii. For organizations registered by this Municipality:
 - Proof of registration or accreditation as set forth in the appropriate rules and ordinances in effect prior to the affectivity of this ordinance;
 - A copy of its Constitution, By-laws, or any such organizational document;
 - Proof of activities held in pursuit of development objectives or of organizational activities conducted within the jurisdiction of the Municipality of Tolosa, Leyte; and
 - Lists of its officers and members in good standing and their respective addresses, if not indicated in the organizational document,
 - Sworn Statement that the CSO/PO is non-partisan, pursuant to the guidelines provided in DILG MC No. 2022-083
- For all other CSOs registered or accredited by a national government agency or provincial jii. or barangay government and conduct its operations, programs, and activities in this Municipality.
 - a. Proof of registration or accreditation as set forth in the appropriate rules and ordinances passed by the Province or Barangay.
 - A copy of its Constitution, By-laws, or any such organizational document;
 - Proof of activities held in pursuit of development objectives or of organization activities conducted within the jurisdiction of the Municipality of Tolosa, Leyte; and
 - Lists of its officers and members in good standing and their respective addresses, if not indicated in the organizational document.
 - Sworn Statement that the CSO/PO is non-partisan, pursuant to the guidelines provided in DILG MC No. 2022-083.
- Special Registration. If not yet formally registered, POs especially those belonging to the ív. marginalized sectors may be accredited and recognized by the Sanggunian provided they meet the following minimum requirements for membership in the People's Council and local special bodies.
 - a. Proof of activities held in pursuit of developmental objectives or of organization activities conducted within the jurisdiction of this Municipality;
 - Lists of its officers and members in good standing and their respective addresses if not indicated in the organization document; and
 - Description of the organization, including the mission and vision;
 - Sworn Statement that the CSO/PO is non-partisan, pursuant to the guidelines provided in DILG MC 2022-083.
 - Board Resolution signifying the intent of the CSO/PO of their application for registration.
- C. For purposes of the Accreditation during the first year of the effectivity of this ordinance

Page | 10 Minutes of the 37th Regular Session

HON, MENARDO M. MATE Mulicipal lice-Mayor

CONSUELO R. L'UMBRE SB Secretary

HOMET ILBERTO R. ZABALA, JR. In Member HON, MANUEL B. Sangguniang Bayan Member , BALLEDO HON, FELIPET, CANONIGO III Sangguriang

Bayar Member

Щ

HOM-EDINGERTO B.

ZABALA,

H

HON, MANUEL B.

BALLEDO

Sanggunlang Bayan Member

Sanggunlang Bayan Member

HON, VIRMAN JESSIE G. PUNDAVELA

ANDO A. LUMBRE

HON. IRENEO ROL

Sangguniang Bayan Member

Sangguniang Bayan Member

- Based on the inventory of all CSOs/POs registered by this Municipality as well as CSOs/POs sitting as representative of respective sectors or interest groups shall automatically be considered as members of the People's Council created under Section 5 hereof, subject to the submission of updated requirements as herein set forth, and written expression of interest to be accredited.
- ii. The said automatic membership may be withdrawn if, after due notice and the expiration of the given period to comply, as prescribed, the CSO/PO failed to submit the requirements set in the above preceding paragraph.
- Other CSOs/POs upon Call for Application may apply for Accreditation and comply with the succeeding requirements herein set forth.
- D. Accreditation Procedure Governing the Sangguniang Bayan Committee on Cooperatives and the Screening Committee on Accreditation.
 - The Accreditation of CSOs/POs in the Municipality of Tolosa, Leyte shall follow this general guidelines
 - a. Call for Accreditation by the Sangguniang Bayan Screening Committee to be chaired by the Local Legislative Staff.

Issuance of Notice/Call for Accreditation

- Orientation of CSOs/POs to be conducted by the screening Committee on Accreditation
- Submission of Expression of interest and Requirements for Accreditation

b. Accreditation Proper

- Evaluation of the Requirements by the Sangguniang Committee on Cooperatives.
- 2. Issuance of Notice of Completion or Deficiencies
- 3. Preparation of Resolution of Accreditation
- 4. Adoption and Approval of the Resolution
- 5. Issuance of Certificate of Accreditation with attached Resolution
- ii. In furtherance of full participation of CSOs/POs, non-accreditation shall not in any way be construed as limitation as to their participation in local governance processes. The CSO/PO representation to local bodies however shall be limited to accredited organizations. Rights, privileges, or benefits of accredited CSOs/POs, as far as practicable, may be extended to non-accredited CSOs/POs
- E. Principle of Continuing Accreditation This principle means two things:
 - i. At any time the issuance of the first batch of Accreditation, there shall be a continuing Call for Accreditation, by virtue of which, newly registered or non-accredited existing organizations may express their intent to be accredited and submit such requirements as provided herein.

The Accreditation Committee shall process said applications subject to these rules, and the Sangguniang shall henceforth act within a reasonable period, at least twice within a calendar year, on pending accreditation applications

ii. At the beginning of a new term of the Sanggunian, accredited organizations need not go through a new registration process and give the same set of requirements provided they submit a Board Resolution expressing their interest to continuously be a member and be an active member of the People's Council. A summary of the activities undertaken the past three (3) years shall be attached to the letter of resolution.

SECTION 8. Structure, Rules, Representation, Term of Office of the People's Council

Structure - The People's Council shall determine its own organizational structure, however, it
must at least have, a President, a Secretary of the Council, Treasurer, and an Auditor. The
President Shall, subject to delegation of authority or as may be adopted through the Council's
internal rules, exercise the executive functions herein set forth. All other structures and
positions may be created as determined by the Council.

HON. MENARDO M. MATE Municipal vice-Mayor CONSUELO R. LUMBRE
SB Secretary

Page | 11 Minutes of the 37th Regular Session

HON. FELIPE V. CANCINIGO Sangguniang Bayan Nember

E-CHANDAKE A

HON, VIRMAN JESS

HON, IRENEO ROLANDO A, LUMBRE

Sanggunlang Bayan Member

Sargguniang Bayan Member

2. Internal Rules

- a) The People's Council shall determine its own internal rules, however, membership to be Council shall be determined as provided under the Accreditation procedure.
- b) The power to remove a member from the roster of members shall not be exercised without observance to due process, with the concurrence of the majority of all members of the Council, and shall not take effect without concurrence of the Sanggunian Bayan Committee on Cooperatives.
- c) The power to remove a representative member CSO/PO may be subject to internal rules but shall not be exercised without observance to due process, with the concurrence of a majority of members of the Council present during a meeting called for that purpose, the concurrence of member CSO/PO, and the Sanggunian Bayan Committee on Cooperatives.

3. Consultation and Presentation

- a) It shall, at all times, provide for adequate consultation mechanisms for purposes of obtaining the views and suggestions of all parties or movements, organizations, and other non-accredited but legitimate CSOs: Provided, that no political party - national or local, **CSOs** employees' organizations or non-accredited nominated/designated by the Council for membership in the Local Special Bodies of the Municipality of Tolosa, Leyte.
- b) When there are other qualified CSO/PO member, in no case shall an organization or a representative of the People's Council be a member of more than one local special body of this Municipality.
- The following cannot be a member of the Council, or represent a member of Council, or represent the Council in any local bodies:
 - CSOs/POs that have not complied with the accreditation requirements and was not ĺ. included in the list of CSOs/POs issued with Certificate of Accreditation by virtue of an SB Resolution.
 - CSOs/POs that are disqualified to be represented in local bodies are provided by ii. law or rules.
 - Any person convicted of a crime of moral turpitude. III.
 - Any person who have been held administratively liable for offenses punishable with dismissal from public office.
 - Any person convicted of a crime with accessory penalty of disqualification from
 - Any person who is not a resident of the Municipality. vi.
 - Any person who is related up to third degree of sanguinity to the sitting Local Chief vii. Executive, Chair and/or Vice Chair of the local special body where conflict of interest may

Terms and Vacancy of Position and Removal from Office

- a) The People's Council as a body shall have a term of three (3) years, co-terminus with the Sanggunian recognizing it. For purposes of continuity, the People's Council may serve in a holdover capacity to perform the mandates as herein set forth but in no case shall it be beyond 1, year.
- b) Members of the People's Council sitting as representatives in special bodies shall have a term of three (3) Years. Co-terminus with the Loral Chief Executive. For purposes of continuity, representatives in local bodies may serve in a hold-over capacity to perform the mandates as herein set forth but in no case shall it be beyond 1 year.
- No CSO/PO shall be designated as the People's Council's Representative in a local special body for more than two terms, when another CSO/PO is qualified.
- d) No individual representing a CSO/PO so designated as the People's Council's Representative in a local body shall sit in the local body for more than two terms, when another individual from the same CSO/PO or another CSO/PO is qualified.

HON, FELZPE V. CANONIGO III Sangguniang Bayan Member

HON. MANUEL

ģ

BALLEDO

Sangguhlang Bayan Member

HON. MENARDO M.MATE Municipal Vice-Mayor

CONSUELO R. LUMBRE SE Secretary

Page | 12 Minutes of the 37th Regular Session

Z S

 All petitions for removal as member of the Council, as representative of the CSO/PO to the Council, or as representative of the Council in any of the local body shall be submitted to the President of the Council and should be acted upon within 30 days from receipt thereof.

The president and other officers may be removed from office, by a vote of no confidence of a majority of all members in any regular or special meeting convened with such purpose.

f) Filing in of vacancy due to death, incapacity, or removal from office of the representative of the People's Council in any special body shall be done either by designation of another representative from the same organization earlier designated or by designated a representative from another organization as may be affirmed by majority of the Council. In such cases, the organization and the representative shall serve the remaining period of the term of the deceased, incapacitated, or removed representative of the People's Council.

SECTION 9. Separability Clause- Should any provision herein declared unconstitutional or invalid by a court of competent jurisdiction, the same shall not affect the validity of the other provisions of this ordinance.

SECTION 9. Repealing Clause- All Ordinances, Resolutions, Rules and Regulations inconsistent with this ordinance are hereby amended, repealed or modified accordingly.

SECTION 10. Effectivity- This Ordinance shall take effect upon approval and compliance with the applicable statutory provisions.

SO ORDAINED/ ENACTED

OTHER MATTERS:

1. Hon, Melanie Felisa M. Vivero informed that the Sangguniang Bayan are all invited to attend the ABC Night.

Adjournment. - There being no further business. The Presiding Officer moved for the adjournment of the session. The session was adjourned at 4:00 P.M.

CONSULLO R. LUMBRE Sangguniang Bayan Secretary

ATTESTED:

Municipal Vice-Mayor Presiding Officer

(Absent)

HON. FELICITO D. BELTRAN III

Sangguniang Bayan Member

HON-EDILBERTO R. ZABALA JR. Sangguniang Bayan Member

HON. FELIPE V. CANONIGO III Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE Sangguniang Bayan Member

HON MELANIE FELISA M. VIVERO Ex-Officio Member/ABC President HON. MANNY R. MAITTINEZ, RN, MPRM Sangguniang Bayan Mayber

HON. MANUEL B. BALLEDO Sangguriang Bayan Member

HON. VIRMAN JESSIE O. PUNDAVELA

Bellelp

Sangguniang Bayan Member

HON. ROLLY CINCO Sangguniang Lavan Member

HON ANGELO R. LUMBRE Ex-officio Member/SK Fed. President

Page | 13



Republic of the Philippines Province of Legge Municipality of Tolosa

Office of the Sangguniang Sapan

ATTENDANCE SHEET

38TH Regular Session of the Sangguniang Bayan

SB Session Hall Venue

Hall April 11, 2023

Date

No.	Name	Designation	Signature
1	Hon. Menardo M. Mate	Municipal Vice-Mayor	(i)
2	Hon. Manny R. Martinez, RN, MPRM	Municipal Councilor	
3	Hon. Edilberto R. Zabala, Jr.	Municipal Councilor	
4	Hon. Manuel B. Balledo	Municipal Councilor	A Zen
5	Hon. Felipe V. Canonigo III	Municipal Councilor	\$/
6	Hon. Virman JessicO. Pundavela	Municipal Councilor	
7	Hon. Ireneo Rolando A. Lumbre	Municipal Councilor	-
8	Hon. Rolly A. Cinco	Municipal Councilor	4
9	Hon. Melanie Felisa M. Vivero	ABC President, Ex-Officio	11
10	Hon. Angelo R. Lumbre	SK Fed. President, Ex-Officio	Bu.
11			

CERTIFICATION

I hereby **CERTIFY** that those who have signatures above, have actually attended the **38TH Regular Session** of the Sangguniang Bayan of Tolosa, Leyte, held at the SB Session Hall on April 11, 2023.

CONSUELO R. LUMBRE
Sangguniang Bayan Secretary



Republic of the Philippines **Province of Legge** Municipality of Tolosa

Office of the Sangguniang Sayan

CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to CERTIFY that pursuant to paragraph (a) of Article 114 of RA 7160 Posting of Ordinance 04, Series of 2023, Re: AN ORDINANCE ESTABLISHING A "SENIOR CITIZENS AND PERSONS WITH DISABILITIES (PWDs) HELPDESK" IN EVERY BARANGAY IN THE MUNICIPALITY OF TOLOSA AND ALLOCATING FUNDS THEREOF, was posted in three (3) conspicuous places, with Penal Sanctions, the undersigned has complied the said provision last May 11, 2023.

This **Certification** is issued in compliance of Article 114 of RA 7160.

Given this 24th day of May 2023.

CONSUELO R. LUMBRE
Sangguniang Bayan Secretary