

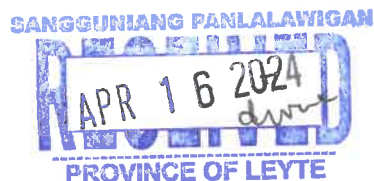
Item No.: 02

Date: 23 2024 APR

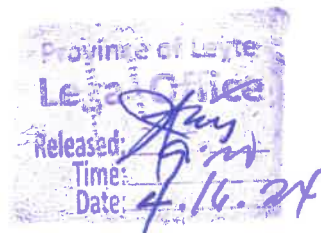
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Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
April 15, 2024



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 1 series of 2024 of the Sangguniang of Bayan of Tunga, Leyte with the following comments/recommendations:

1. That the ordinance seeks to create the Persons with Disability Affairs Office (PDAO) of the Municipality of Tunga, Leyte;
2. That as of the latest data and census, Tunga is classified as a 6th class municipality;
3. That Rule 4 of the IRR of R.A. 10070 (MAGNA CARTA FOR DISABLED PERSONS, AS AMENDED) states that;

Section 5. The Persons with Disabilities Affairs Office (PDAO) shall be established in all provinces, cities, and first (1st), second (2nd) and third (3rd) class municipalities under the office of the governor, city or municipal mayor, respectively. The PDAO may be a department, division or section.

Section 6. The Sangguniang Panlalawigan / Panlungsod/Bayan shall pass an Ordinance creating the PDAO organizational structure, staffing pattern and its annual appropriation to carry out its functions.

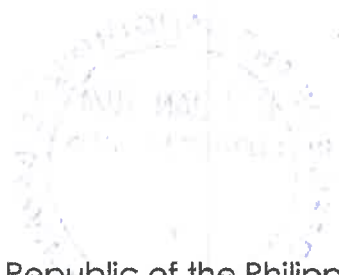
In 4th, 5th, and 6th class municipalities, the municipal mayor shall designate or appoint a Focal Person to perform the functions of PDAO.

4. Considering the foregoing, it is the opinion of this office that a focal person be designated to perform the functions of the PDAO, instead of the creation of the whole office.

Furthermore, the opinions rendered herein are without prejudice to opinions rendered by higher authorities.


ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer ✓

PLD



Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-0-

Province of Leyte
Legal Office
Received: *[Signature]*
Time: 7:05 PM
Date: 08/08/2024

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
08 April 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 01, series of 2024** of **TUNGA, LEYTE**, entitled: **An Ordinance Establishing The Persons With Disability Affairs Office (PDAO) Of The Municipality Of Tunga, Leyte.**

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

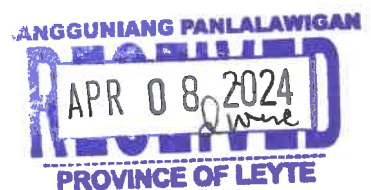


REPUBLIC OF THE PHILIPPINES
Province of Leyte
MUNICIPALITY OF TUNGA
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

April 8, 2024

HON. LEONARDO JAVIER JR.
Vice-Governor/Presiding Officer
Sangguniang Panlalawigan
Province of Leyte



Thru: THE SECRETARY TO THE SANGGUNIAN

Sir:


Respectfully submitting herewith eighteen (18) copies of the following together with its supporting documents for review and approval:

1. **Supplemental Budget No. 1 C.Y. 2024 of the Municipality of Tunga, Leyte**
2. **Municipal Ordinance No. 01, Series of 2024 – AN ORDINANCE ESTABLISHING THE PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO) OF THE MUNICIPALITY OF TUNGA, LEYTE.**
3. **Municipal Ordinance No. 02, Series of 2024 – AN ORDINANCE INSTITUTIONALIZING A DRUG-FREE WORKPLACE POLICY IN THE LOCAL GOVERNMENT UNIT OF TUNGA AND APPROPRIATING FUNDS FOR THE IMPLEMENTATION THEREOF.**

Please acknowledge receipt hereof.

Thank you.

Very truly yours,


NAOMI C. ARCALLANA
Secretary to the Sanggunian



REPUBLIC OF THE PHILIPPINES
Province of Leyte
MUNICIPALITY OF TUNGA
-oOo-

SANGGUNIANG PANLALAWIGAN
APR 08 2024
PROVINCE OF LEYTE

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN, TUNGA, LEYTE HELD ON MARCH 25, 2024 AT THE SB SESSION HALL.

PRESENT:

- | | |
|-----------------------------|---|
| Hon. Egidio G. Baac | - Municipal Vice-Mayor/Presiding Officer |
| Hon. Martiniano F. Requeiz | - SB Member |
| Hon. Edmundo O. Labarda | - SB Member |
| Hon. Joselito L. Arintoc | - SB Member |
| Hon. Lemuel G. Ponferrada | - SB Member |
| Hon. Marietta A. Catalo | - SB Member |
| Hon. Rex S. Ergina | - SB Member |
| Hon. Jose Capoporo A. Uribe | - SB Member |
| Hon. Severino B. Sari | - SB Member |
| Hon. Florentina A. Obsequio | - Ex-Officio Member/ABC President |
| Hon. Leo Van C. Delgado | - Ex-Officio Member/SK Federation President |

ABSENT:

None

MUNICIPAL ORDINANCE NO. 01
Series of 2024

AN ORDINANCE ESTABLISHING THE PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO) OF THE MUNICIPALITY OF TUNGA, LEYTE.

Sponsored by: Hon. Lemuel G. Ponferrada
Hon. Martiniano F. Requeiz

Co-Sponsored by: Hon. Edmundo O. Labarda
Hon. Joselito L. Arintoc
Hon. Marietta A. Catalo
Hon. Rex S. Ergina
Hon. Jose Capoporo A. Uribe
Hon. Severino B. Sari
Hon. Florentina A. Obsequio
Hon. Leo Van C. Delgado

R

WHEREAS, pursuant to Republic Act No. 10070, otherwise known as "An Act of Institutional Mechanism to Ensure the Implementation of Programs and Services for Persons With Disabilities", the Municipal Government of Tunga is mandated to create and establish an office that will cater to the needs of Persons with Disabilities;

Jova

[Handwritten signatures and initials]

WHEREAS, Article 13, Section 2 of the Constitution includes persons with disability as one of the priority sectors to be given access to essential goods and services at affordable cost;

WHEREAS, Article 13, Section 13 of the Constitution further provides that the State shall establish "a special agency for disabled persons for their rehabilitation, self-development and self-reliance and their integration into the mainstream of society;

WHEREAS, toward this end, the Congress of the Philippines enacted in 1992 R.A. 7277, otherwise known as the Magna Carta for Disabled Persons directing national and local government agencies to implement programs and services to ensure the full participation of PWDs in all aspects of community;

WHEREAS, Title 2, Article 3, Section 447, the Sangguniang Bayan is mandated by the Local Government Code of 1991 (R.A. 7160) to "Provide for the care of disabled persons, paupers, the aged, the sick persons of unsound mind, abandoned minors, juvenile delinquents, drug dependents, abused children and youth below eighteen (18) years of age, and subject to availability of funds, establish and provide for the operation of centers and facilities for them;

WHEREAS, the establishment of the said office shall be a bridge and liaison of Persons with Disabilities to the mainstream of the society;

WHEREAS, the creation of this office will ensure the promotion of the welfare of Persons With Disabilities;

WHEREFORE, on motion of Hon. Lemuel G. Ponferrada, unanimously seconded, be it;

NOW THEREFORE, BE IT RESOLVED, AS IT IS HEREBY RESOLVED BY THE SANGGUNIANG BAYAN OF THE MUNICIPALITY OF TUNGA IN SESSION DULY ASSEMBLED, THAT:

SECTION 1. TITLE. This ordinance shall be known as "An Ordinance Establishing the Persons With Disability Affairs Office (PDAO) of the Municipality of Tunga."

SECTION 2. FUNCTIONS OF THE OFFICE

- a. Formulate and implement policies, plans and programs for the promotion of the welfare of Persons With Disabilities (PWDs) in coordination with the concerned national and local government agencies;
- b. Coordinate the implementation of the provisions of R.A. 10070, Batas Pambansa Blg. 344, otherwise known as the Accessibility Law, and other relevant laws at the local level;
- c. Represent PWDs in meetings of local development councils and other special bodies;
- d. Recommend and enjoin the participation of Non-Government Organizations (NGOs) in the implementation of all disability-related laws and policies;

- e. Gather and compile relevant data on PWDs within their localities;
- f. Disseminate information, which shall include, but not limited to, programs and activities for PWDs, statistics on PWDs, including children with disability, and training and employment opportunities for PWDs;
- g. Submit progress reports to the Office of the Municipal Mayor on the implementation of programs and services for the promotion of the welfare of PWDs in the Municipality;
- h. Ensure the policies, plans and programs for the promotion of the welfare of PWDs are funded by both the national and local government;
- i. Monitoring fundraising activities conducted for the benefits of PWDs;
- j. Seek donations in cash or in kind from local or foreign donors and implement and approved work plan for PWDs in accordance with existing laws and regulation; and
- k. Perform such other functions as may be necessary for the promotion and protection of the welfare of the PWDs;

SECTION 3. MEETING OF THE PDAO

The Officers and Members of the PDAO shall regularly meet at least once a month to discuss matters and make proper recommendations to improve the welfare and benefits of PWDs in the Municipality.

SECTION 4. QUALIFICATIONS OF THE PERSON WITH DISABILITY AFFAIRS OFFICER OR FOCAL PERSON

The PDAO herein established shall be headed by a PWD Affairs Officer as a Focal Person who must possess the following qualifications:

1. A Filipino Citizen;
2. A resident of the Municipality of Tunga for at least one (1) year;
3. Able to read and write;
4. Must be a bonafide member of a duly accredited PWD organization.

SECTION 5. MANNER OF APPOINTMENT

The nominees for the Head of the PDAO or Focal Person shall be chosen and recommended in a general assembly by and among the organization of PWDs in the Municipality. The list of nominees shall be submitted to the Sangguniang Bayan, which in turn shall choose the three (3) nominees to be forwarded to the Office of the Municipal Mayor.

SECTION 6. TERM OF OFFICE OF THE PDAO OR FOCAL PERSON

The Head of PDAO or Focal Person shall have a term of three (3) years and may be reappointed for another term based on the Sangguniang Bayan selection process. In case

of vacancy due to death, a new appointee who has undergone the process of selection shall serve the remaining term.

SECTION 7. COMPENSATION OF THE PDAO OR FOCAL PERSON

The initial compensation of the PDAO Head for the first year of the implementation of this ordinance shall not be lower than One Thousand Pesos (P 1,000.00) per month.

SECTION 8. FUNDING

The budgetary requirements of the PDAO shall be included in the Municipal Government Annual Plan and Budget.

SECTION 9. SUPERVISION OVER PDAO OR FOCAL PERSON

The supervision of PDAO or Focal Person shall be lodged to the Local Chief Executive.

SECTION 10. SEPARABILITY CLAUSE

Should any provision, section or part of this ordinance be declared as invalid by any court of competent jurisdiction, such judgment shall not affect or impair the remaining provisions, sections or parts hereof which shall continue to be in full force and effect.

SECTION 11. REPEALING CLAUSE

All ordinances, rules and regulations or any part thereof found in conflict or inconsistent with any provisions of this ordinance are hereby repealed and modified accordingly.

SECTION 12. EFFECTIVITY CLAUSE

This ordinance shall take effect fifteen (15) days after posting the same in the Bulletin Board at the entrance of the Municipal Hall and two (2) other conspicuous places in the Municipality.

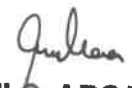
ENACTED by the Sangguniang Bayan, in session assembled this 25th day of March 2024 at Tunga, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing Municipal Ordinance.



ATTESTED:


EGIDIO G. BAAC
Municipal Vice Mayor/Presiding Officer


NAOMI C. ARCALLANA
Secretary to the Sanggunian

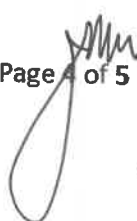


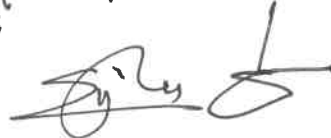






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MARTINIANO F. REQUIEZ
SB Member



EDMUNDO O. LABARDA
SB Member



JOSELITO L. ARINTOC
SB Member



LEMUEL G. PONFERRADA
SB Member



MARIETTA A. CATALO
SB Member



REX S. ERGINA
SB Member



JOSE CAPOPORO A. URIBE
SB Member



SEVERINO B. SARI
SB Member



FLORENTINA A. OBSEQUIO
Ex-Oficio/ABC President



LEO VAN S. DELGADO
Ex-Oficio/SK Fed. President

APPROVED:



REINBERT C. COSTELO
Municipal Mayor
Date: 04-05-2024



REPUBLIC OF THE PHILIPPINES
Province of Leyte
MUNICIPALITY OF TUNGA
-oOo-


OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that *Municipal Ordinance No. 01, S. 2024* entitled: ***“AN ORDINANCE ESTABLISHING THE PERSONS WITH DISABILITY AFFAIRS OFFICE (PDAO) OF THE MUNICIPALITY OF TUNGA, LEYTE”***, has been posted in three (3) conspicuous places within the municipality and shall remain posted for three (3) consecutive weeks.

Issued this 8th day of April, 2024 at Tunga, Leyte.


NAOMI C. ARCALLANA
Secretary to the Sanggunian