

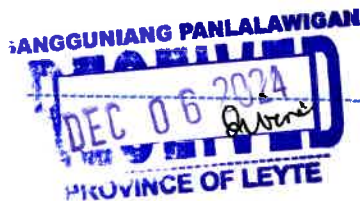
Item No.: 02

Date: 11 2024 DEC



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

November 15, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2024-19 of the Sangguniang Bayan of Tanauan, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 2024-19 entitled: "A Revised Ordinance regulating and setting guidelines in availing the AICS in the Municipality of Tanauan, Leyte."

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance to its power for it is within the powers of the Local Council to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution¹. Hence, we recommend for the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

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

¹ (Constantino vs. Desierto, 288 SCRA 654)

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte



OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
06 November 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2024-19 of the Municipality of Tanauan, Leyte**, entitled: **A Revised Ordinance regulating and setting guidelines in availing the Assistance In Crisis Situation (AICS) in the Municipality of Tanauan, Leyte, and providing funds therefor.**


ANDRE S. SANICO
Provl. Govt. Asst. Dept Head

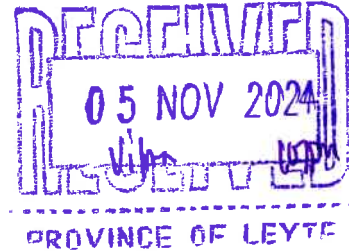


Republic of the Philippines
Province of Leyte
TANAUAN
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

THE SECRETARY
Sangguniang Panlalawigan
Province of Leyte
Capitol Building
Tacloban City

October 28, 2024
SANGGUNIANG PANLALAWIGAN



Sir/Madam;

Respectfully submitting herewith 16th SB **ORDINANCE NO. 2024-19**, "A revised ordinance regulating and setting guidelines in availing the assistance in crisis situation (AICS) in the Municipality of Tanauan, Leyte and providing funds therefor", for your appropriate action.

Sponsored by: Hon. Josie M. Creer
Co-sponsors: Hon. Ma. Martina L. Gimenez
Hon. Cherry Anne T. Fiel

Trusting that you will accord this matter with your kindest attention.

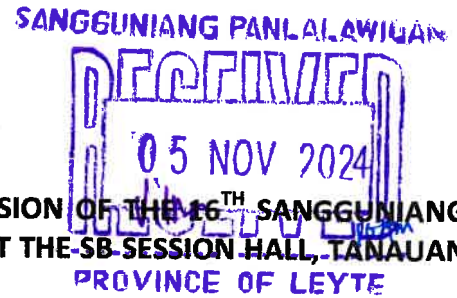
Thank you.

Truly yours,


Atty. Miamor D. Natividad
OIC - Sangguniang Bayan Secretary

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Republic of the Philippines
Province of Leyte
TANAUAN
-oOo-

SANGGUNIANG BAYAN



EXCERPT FROM THE MINUTES OF THE 113th REGULAR SESSION OF THE 16th SANGGUNIANG BAYAN OF TANAUAN, LEYTE, HELD ON OCTOBER 14, 2024, AT THE SB-SESSION HALL, TANAUAN TOWN HALL, TANAUAN, LEYTE.

PRESENT:

HON. JAN ELMER V. MAGDALAGA	OIC Vice Mayor/temporary presiding
HON. MAE JANE ANGELIE M. MORABE- BORAIS	Sangguniang Bayan Member
HON. MARK EFREN E. MERILO	-do-
HON. PAUL EMMANUEL R. CINCO	-do-
HON. JOSIE M. CREER	-do-
HON. ATTY. ISAGANI S. ESPADA	-do-
HON. QUINTIN T. OCTA, JR., D.M.D.	-do-
HON. CHERRY ANNE T. FIEL	-do-
HON. EFREN C. MERILO	-do-/Liga Fed. Pres.
HON. KYLE C. MESIAS	-do-/ SK Fed. Pres.

ABSENT :

HON. ARCHIE LAWRENCE R. KAPUNAN (on leave) Municipal Vice – Mayor

ORDINANCE NO. 2024 – 19

A REVISED ORDINANCE REGULATING AND SETTING GUIDELINES IN AVAILING THE ASSISTANCE IN CRISIS SITUATION (AICS) IN THE MUNICIPALITY OF TANAUAN, LEYTE, AND PROVIDING FUNDS THEREFOR.

Sponsored by: Hon. Josie M. Creer
Co –Sponsors: Hon. Ma. Martina L. Gimenez
Hon. Cherry Anne T. Fiel

BE IT ENACTED BY THE SANGGUNIANG BAYAN OF TANAUAN, LEYTE IN REGULAR SESSION ASSEMBLED THAT:

WHEREAS, it is unequivocally provided for under Section 305(b) of the Local Government Code of 1991 that Local Government funds and monies shall be spent solely for public purposes;

WHEREAS, to maximize the dispensation of such public funds, rules and guidelines must therefore be formulated taking into consideration the existing tenets set forth by COA regulations;

WHEREAS, to fully cater to the needs of the underprivileged and oppressed in the Municipality, in line with the general welfare clause of the Philippine Constitution, financial assistance henceforth must be afforded to them.

SECTION I. TITLE. This Ordinance shall be known as "THE REVISED ORDINANCE REGULATING AND SETTING GUIDELINES IN AVAILING THE ASSISTANCE IN CRISIS SITUATION (AICS) IN THE MUNICIPALITY OF TANAUAN, LEYTE."

SECTION II. DEFINITION OF TERMS. For the purpose of this Ordinance, the following terms shall be defined as follows:

- a. **AICS** - Assistance to Individuals in Crisis Situation. The Assistance to Individuals in Crisis Situation (AICS) program, a social safety net or a stop-gap mechanism under the Department of Social Welfare and Development (DSWD) that supports the recovery of individuals and families from unexpected crisis such as illness or death of a family member and other crisis situations.
- b. **Beneficiaries** - refer to individuals and/or families who are indigent, vulnerable, disadvantaged or are otherwise in crisis situation based on the assessment of the social welfare.
- c. **Crisis Situation** - refers to a condition whereby an individual or group of persons are faced with a different and stressful situation resulting to the impairment of his/her psychosocial functioning thereby needing series of interventions to prevent further exposure to vulnerabilities, exploitation and abuse.
- d. **Financial and/or Material Assistance** - refers to the provision of monetary support in the form of outright cash and/or guarantee letter, coupon, check or voucher that has monetary value, which covers but not limited to, assistance to burial, transportation, medical, educational, other support services and allied assistance or physical aid such as food, clothing and general assistive devices.
- e. **Indigent** - a person who has no visible means of income; or whose income is insufficient for family subsistence; or whose family income is Php12, 000.00 a month or lower as identified by the MSWDO.
- f. **Indigency** - refers to the state of being impoverished or living in poverty. It is a condition where individuals or communities lack the resources and means to meet their basic needs such as food, healthcare, education and a decent standard of living.

SECTION III. BENEFICIARIES OF THE AICS PROGRAM. Only qualified beneficiaries of the AICS Program shall receive financial and/or material assistance based on the assessment of the MSWDO social workers in accordance with the parameters that is established in the guidelines by this Ordinance.

SECTION IV. TYPE, KIND AND AMOUNT OF FINANCIAL ASSISTANCE. The type, kind and amount of financial assistance to be provided to beneficiaries shall be based on the assessment and recommendation of the social workers or authorized personnel, duly approved by the authorized official or officials of the Municipal Social Welfare and Development Office (MSWDO).

SECTION V. GUIDELINES ON THE AVAILMENT OF AICS FUNDS.

1. Availment of AICS should be limited only to bona fide INDIGENT RESIDENTS OF TANAUAN, LEYTE, except for those individuals' seeking assistance for Dialysis and Cancer Patients ALL RESIDENTS can avail.
2. For those individuals that are seeking AICS but have already received Municipal Level Assistance or DSWD AICS can no longer avail for the Municipal AICS to avoid duplicity of claims.

The bottom of the page contains several handwritten signatures and initials in black and blue ink. On the left, there is a signature that appears to be 'Mina' with 'Mina' written below it. To the right of this are several other signatures, including one that looks like 'M. Alen' and another that looks like 'M. Garcia'. There are also some initials and scribbles scattered across the bottom.

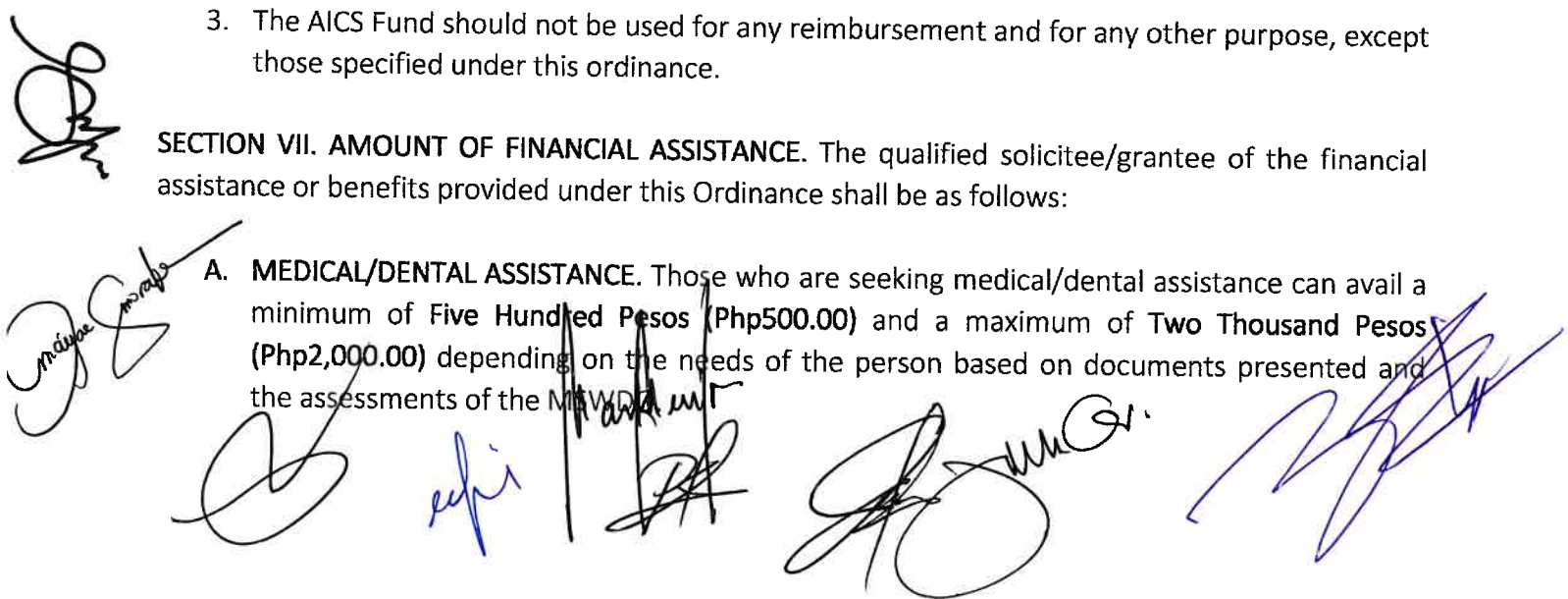
3. AICS Funds should only be intended for medical/dental, medical assistance for dialysis, burial assistance, food subsistence and calamity financial assistance, to all bona fide indigent residents of Tanauan, Leyte.
4. AICS Fund should not be utilized for any other purpose except for medical/dental, medical assistance for dialysis, burial assistance and food subsistence and calamity financial assistance.
5. The MSWD Office which is the implementing office/unit thru the MSWD Officer shall have a logbook where all the disbursements of AICS Fund shall be recorded for transparency purposes of the said fund and for future reference.

SECTION VI. REQUIREMENTS FOR AVAILMENT OF AICS FUNDS.

1. The bona fide indigent residents of Tanauan, Leyte seeking financial assistance at LGU Tanauan, Leyte thru AICS funds, should present:
 - a.) Solicitation Letter/Assessment report of a Social Worker;
 - b.) Personal Identification Card, in the absence of Personal Identification Card, a Barangay Certification from the Barangay where the solicitee resides, issued by their Barangay Chairman or his/her representative and such Barangay Certification should be exempted from any fees;
 - c.) Latest Medical/Dental prescription coming from his/her attending physician/dentist for those who are seeking medical/dental assistance;
 - d.) Latest Dialysis prescription coming from his/her attending physician for those who are seeking dialysis assistance and letter requesting for a transport vehicle to the dialysis center;
 - e.) Death certificate of the deceased person, in the case of those seeking burial assistance; and
 - f.) Indigent constituents of this municipality seeking assistance for food subsistence should submit Personal Identification Card or Barangay Certification.
2. Availment of medical/dental assistance, medical assistance for dialysis and food subsistence should be granted only every after THREE MONTHS (3 months) from the last availment of such financial assistance.
3. The AICS Fund should not be used for any reimbursement and for any other purpose, except those specified under this ordinance.

SECTION VII. AMOUNT OF FINANCIAL ASSISTANCE. The qualified solicitee/grantee of the financial assistance or benefits provided under this Ordinance shall be as follows:

- A. **MEDICAL/DENTAL ASSISTANCE.** Those who are seeking medical/dental assistance can avail a minimum of Five Hundred Pesos (Php500.00) and a maximum of Two Thousand Pesos (Php2,000.00) depending on the needs of the person based on documents presented and the assessments of the MSWD Officer.



- B. **MEDICAL ASSISTANCE FOR DIALYSIS.** Those who are seeking medical assistance for persons undergoing Dialysis can avail **Five Thousand Pesos (Php5,000.00)** and a Transportation Vehicle for transport to the Dialysis Center upon request of the Patient.
- C. **BURIAL ASSISTANCE.** For burial assistance, an amount of **Five Thousand Pesos (Php5,000.00)** should be given to the bereaved family in a form of a check, payable directly to the Funeral Parlor of their choice so that an official receipt should be issued by the funeral parlor in favor of the LGU, Tanauan, Leyte for liquidation purposes.

REQUIREMENTS IN AVAILING BURIAL ASSISTANCE:

1. For purpose of issuing the checks, a complete name of the Funeral Parlor, or complete name of the operator to whom the check will be issued of the said funeral parlor of their choice;
 2. Funeral Contract;
 3. Death Certificate; and
 4. Certificate of Indigency
- D. **CALAMITY FINANCIAL ASSISTANCE.** The availment of Calamity Financial Assistance in the Amount of **Ten Thousand Pesos (Php10,000.00)** for household thru AICS whose houses/residences are totally damaged by man-made or natural calamities such as, but not limited to typhoon, flash flood, earthquakes and fire, subject for compliance by the beneficiary of the following:

REQUIREMENTS IN AVAILING CALAMITY FINANCIAL ASSISTANCE:

1. Certification from the barangay that said would-be beneficiary is a bona fide resident in their barangay indicating further that their houses are totally damaged;
2. Certification from the MDRRMO determining the cause of damage either man-made or natural calamities such as, but not limited to typhoon, flash flood, earthquakes or fire;
3. Copy of the Resolution declaring the entire Municipality of Tanauan, Leyte as State of Calamity, except in cases of fire, a certification from the Bureau of Fire Protection;
4. Certification from MSWDO that their Office has thoroughly validated the would-be beneficiaries to ensure that what was totally damaged was their houses; and
5. Pictures of the totally damaged houses.

- ❖ Provided that, partially damaged houses are not qualified to avail the Financial Calamity Assistance thru AICS.

- E. **FOOD SUBSISTENCE ASSISTANCE.** An indigent constituent of this municipality seeking assistance for food subsistence can avail the amount of **Four Hundred Pesos (Php400.00)** and should submit Personal Identification Card or Barangay Certification.

SECTION VIII. APPROPRIATION. The funding requirement for the financial assistance/benefits provided under this Ordinance shall be included in the Annual Appropriations and in the Supplemental Appropriations of the municipality, as may be deemed necessary. Provided further, that the allocation for Medical Assistance for Dialysis shall be initially set at Php1,000,000.00 and may be increased in the succeeding years depending on the financial capacity of the Local Government Unit and as may be deemed necessary.

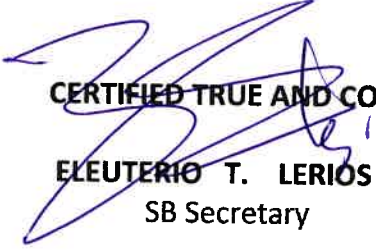
SECTION IX. SEPARABILITY CLAUSE. If for any reason/s, any part or provision of this Ordinance is held unconstitutional or inconsistent with any national law, other provisions not affected thereby shall continue to be in full force and effect.

SECTION X. REPEALING CLAUSE. Ordinance Nos. 2016-01 and 2020-02 are hereby expressly repealed and such other ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed, amended or modified accordingly.

SECTION XI. EFFECTIVITY: This Ordinance shall take effect immediately upon its approval.

ENACTED : 14 OCTOBER 2024.

CERTIFIED TRUE AND CORRECT:


ELEUTERIO T. LERIOS
SB Secretary

ATTESTED:


HON. JAN ELMER V. MAGDALAGA
OIC Vice Mayor/ temporary Presiding


HON. MAE JANE ANGELIE M. MORABE-BORAIS
SB Member


HON. PAUL EMMANUEL R. CINCO
SB Member


ATTY. ISAGANI S. ESPADA
SB Member


HON. CHERRY ANNE T. FIEL
SB Member


HON. MARK EFREN E. MERILO
SB Member


HON. JOSIE M. CREER
SB Member


HON. QUINTIN T. OCTA, JR.
SB Member


HON. EFREN C. MERILO
SB Member/ Liga President


HON. KYLE C. MESIAS
SB Member/ St. Fed. President

APPROVED:


HON. MA. GINA E. MERILO
Municipal Mayor

Date: 10-28-2024



Republic of the Philippines
Province of Leyte
TANAUAN
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OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that ORDINANCE NO. 2024-19, "A REVISED ORDINANCE REGULATING AND SETTING GUIDELINES IN AVAILING THE ASSISTANCE IN CRISIS SITUATION (AICS) IN THE MUNICIPALITY OF TANAUAN, LEYTE AND PROVIDING FUNDS THEREFOR", has been posted in the bulletin boards at the following: Entrance of the Municipal Hall, Office of the Sangguniang Bayan and Public Market beginning October 29, 2024 and shall remain posted for a minimum of three consecutive weeks.

This certification is issued in compliance with the pertinent provisions of R.A. 7160.

Issued: October 29, 2024


ATTY. MIAMOR D. NATIVIDAD
OIC - Sangguniang Bayan Secretary