

Item No.: 08
Date: 02 2025 APR



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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Province of Leyte
Legal Office

Time: 3:14 PM
Date: 3.14.25



PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

March 7, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 170 of the Sangguniang Bayan of San Isidro, Leyte.

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

- Ordinance No. 170 entitled: **"An Ordinance providing financial incentive to qualified senior citizens of the Municipality, etc.."**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 5(h)(1)¹ of RA 9994². 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 the 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
Provincial Legal Officer *[Signature]*

¹ "(1) Social Pension

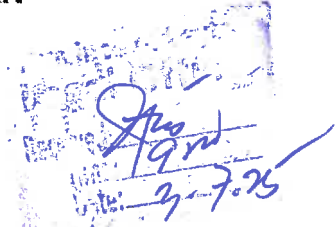
"Indigent senior citizens shall be entitled to a monthly stipend amounting to Five hundred pesos (Php500.00) to augment the daily subsistence and other medical needs of senior citizens, subject to a review every two (2) years by Congress, in consultation with the DSWD.

² ***Expanded Senior Citizens Act of 2010.***

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-000-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
06 March 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 170, series of 2023** of the **Municipality of San Isidro, Leyte**, entitled: **An Ordinance providing financial incentive to qualified senior citizens of the Municipality of San Isidro, Leyte reaching the age of eighty (80) years onwards to promote the well-being of senior citizens in the municipality and appropriating funds therefor.**



FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



BAGONG PILIPINAS

Republic of the Philippines
Region VIII
Province of Leyte
MUNICIPALITY OF SAN ISIDRO

16th Sangguniang Bayan

March 05, 2025

HON. LEONARDO M. JAVIER, JR.

Provincial Vice Governor
Legislative Bldg. Capitol Cmpd.
Tacloban City



Attn: The Honorable Members of the Sangguniang Panlalawigan/
Secretary to the Sangguniang Panlalawigan.

Honorable Ladies and Gentlemen:

Respectfully submitting herewith 16 copies of the **MUNICIPAL ORDINANCE NO. 170 SERIES OF 2023, "AN ORDINANCE PROVIDING FINANCIAL INCENTIVE TO QUALIFIED SENIOR CITIZENS OF THE MUNICIPALITY OF SAN ISIDRO, LEYTE REACHING THE AGE OF EIGHTY (80) YEARS ONWARDS TO PROMOTE THE WELL-BEING OF SENIOR CITIZENS IN THE MUNICIPALITY AND APPROPRIATING FUNDS THEREFOR."**, for review and appropriate action by the August Body.

I hope you find everything in order.

Thank you.

Respectfully yours,

MARIA CARINE R. VILLARINO
Secretary to the Sanggunian

Attachment:

- 16 copies M.O. no.170 s. 2023



BAGONG PILIPINAS

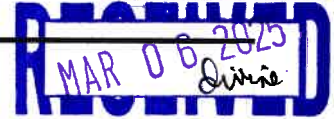
Republic of the Philippines
Region VIII

Province of Leyte

MUNICIPALITY OF SAN ISIDRO

16th Sangguniang Bayan

SANGGUNIANG PANLALAWIGAN



MUNICIPAL ORDINANCE No. 170
Series of 2023

AN ORDINANCE PROVIDING FINANCIAL INCENTIVE TO QUALIFIED SENIOR CITIZENS OF THE MUNICIPALITY OF SAN ISIDRO, LEYTE REACHING THE AGE OF EIGHTY (80) YEARS ONWARDS TO PROMOTE THE WELL-BEING OF SENIOR CITIZENS IN THE MUNICIPALITY AND APPROPRIATING FUNDS THEREFOR.

Sponsored by:

Hon. Wildegardo S. Enriquez and Hon. Cecilia L. Cabahug

Co-Sponsored by:

Hon. Rem Beryl Y. Veloso, Hon. Rolando C. Piamonte, Hon. Carmichael L. Villarino, Hon. Hospicio B. Apacible, Hon. Ailene L. Basilan and Hon. Dante R. Rodaje, and Hon. Jerold T. Lumapak

WHEREAS, Section 10 and 11 of the 1987 Philippine Constitution says,
¹⁰the State shall promote social justice in all phases of national development.
¹¹The State values the dignity of every human person and guarantees full respect for human rights;

WHEREAS, Section 4, Article XV of the same states that "That the family has the duty to care for its elderly members but the State may also do so through just programs of social security";

WHEREAS, likewise, it is mandated under Section 11 of Article XIII of the same constitution that the "State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women and children";

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WHEREAS, in accordance with the said provisions of the fundamental law of the land, Republic Act No. 7432, otherwise known as "Senior Citizens Law", Republic Act No. 9257, otherwise known as "Expanded Senior Citizens Act of 2003", and Republic Act No. 9994, otherwise known as "Expanded Senior Citizens Act of 2010 as amended by R.A. 9257". Were enacted and approved to primarily protect and promote the quality-of-life elder members of the society;

WHEREAS, Section 16 at the Local Government Code mandates that "Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers, necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare;

WHEREAS, senior citizens belong to a special sector that needs singular attention to promote their social, economic and spiritual well-being as they continue their in-retirement age;

WHEREAS, it is a fact that there are only few elderly persons who will reach the centenary age and mostly can no longer enjoy the cash incentives provided to them by the national government;

WHEREAS, this ordinance covers the provision of financial incentives to senior citizens 85 years old and above;

NOW, THEREFORE, BE IT ENACTED, by the Sangguniang Bayan of San Isidro, Leyte, in a regular session assembled, that:

SECTION I. TITLE. This Ordinance is entitled "An Ordinance Providing Financial Incentive to Qualified Senior Citizens of the Municipality of San Isidro, Leyte Reaching the Age of Eighty (80) Years Onwards to Promote the Well-Being of Senior Citizens in the Municipality and Appropriating Funds Therefor., also known as, "The 2023 Senior Citizens Incentive Benefits Ordinance of San Isidro"

SECTION II. DECLARATION OF PRINCIPLE AND POLICY. Every local government unit is mandated to promote the general welfare of all its constituents specially those belonging to the underprivileged and poor members of society. Not only belonging to the vulnerable sectors, senior citizens continued participations and involvement to gainful social and economic undertaking is indispensable. Thus, it is the policy of the Municipal Government of San Isidro, Leyte to promote the general welfare of all the residing therein.

As provided in the Constitution of the Republic of the Philippines, it is the declared policy of the State to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living and an improved quality

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of life. In the Declaration of Principles and State Policies in Article II, Sections 10 and 11, it is further declared that the State shall provide social justice in all phases of national development and that the State values the dignity of every human person and guarantees full respect for human rights.

"Article XIII, Section 11 of the Constitution provides that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost. There shall be priority for the needs of the underprivileged, sick, elderly, disabled, women and children. Article XV, Section 4 of the Constitution Further 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.

SECTION III. DEFINITION OF TERMS. For purposes of this ordinance, the following terms are hereby defined:

1. Qualified Senior Citizen – refers to those qualified indigent elderly who are born in San Isidro, Leyte or those who, while not born in the province, but have stayed in the municipality for an accumulated residency period of six (6) months.

2. Indigent Senior Citizens – refers to any elderly who is frail, sickly or with disability, and without **SSS/GSIS** pension or permanent source of income, compensation or financial assistance from his/her relative to support his/her basic needs, as determined by the Municipal Social Welfare and Development in consultation with the Office of Senior Citizens Affairs Office (OSCA) and Federation of Senior Citizens Association of the Philippines San Isidro Chapter.

3. Nearest Relative – refers to kin of qualified senior citizen in the following order of degree of kinship: children, siblings and grandchildren.

SECTION IV. GRANT OF FINANCIAL INCENTIVE TO QUALIFIED SENIOR CITIZENS AND THE CORRESPONDING AGE BRACKET. The Municipal Government of San Isidro, Leyte hereby grants financial incentive to qualified senior citizens in the amount equivalent to the following:

- a. *Eighty (80) – Eighty-Nine (89) years old* - One Thousand Pesos (P 1,000.00)
- b. *Ninety (90) – Ninety-Four (94) years old* -Two Thousand Pesos (P 2,000.00)
- c. *Ninety-five (95) – Ninety-Nine (99) years old* -Three Thousand Pesos (P 3,000.00)
- i. *One Hundred (100) years old and above* - Five Thousand Peso (P 5,000.00)

Qualified senior citizens aged Eighty (80) years onwards shall receive the incentive benefits annually, based on the designated bracketed amount.

SECTION V. REQUIREMENTS/CONDITIONS FOR ENTITLEMENT.

Qualified senior citizens may avail of the abovementioned financial incentive, the following requirements or condition shall be complied with:

1. The qualified senior citizens must be indigent registered at the Office of the Senior Citizens Affair (OSCA) of this municipality, under the supervision of the office of the Municipal Social Welfare and Development Officer, for proper identification and documentation;
2. The qualified senior citizens shall show proof of birth or residency prior to the date of entitlement;
3. The qualified senior citizens shall be a Filipino citizen.

SECTION VI. ADMINISTRATIVE PROVISIONS. The Municipal Social Welfare and Development Office shall be in-charged for the effective implementation of this Ordinance, as well as, in the formulation of its implementing Rules and Regulations.

Further, the MSWDO, shall devise a mechanism to verify the qualification of the concerned senior citizens in accordance with the provision of this Ordinance.

Furthermore, the MSWDO, shall formulate the procedure in awarding the financial incentive to recipient senior citizens.

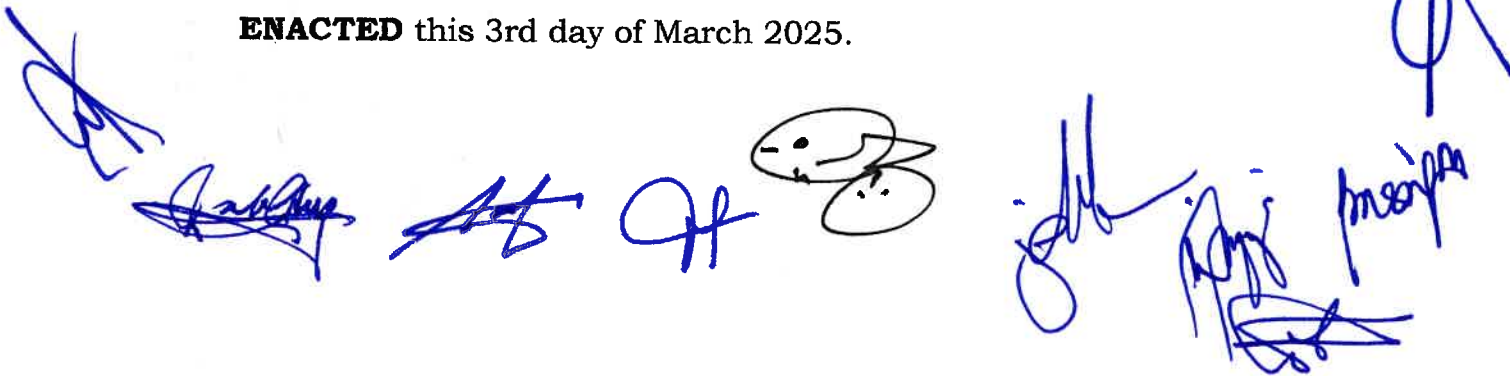
SECTION VII. APPROPRIATION. Sufficient amount of funds for the purpose shall be appropriated in the General Fund Annual Budget of the Municipality of San Isidro, Leyte, and every year thereafter, subject for review to ensure effective implementation of this ordinance.

SECTION VIII. TRANSITORY PROVISION. Within Thirty (30) days after the approval of the ordinance, the Executive Department through the MSWDO shall craft the necessary implementing Rules and Regulations (IRR). After the effectivity of the IRR, the first grant of financial incentive to all qualified senior citizens must be given within a quarter when IRR took effect.

SECTION IX. REPEALING CLAUSE. All existing ordinance, resolutions, local executive orders, and other rules and regulations which are inconsistent herewith are hereby repealed and/or modified accordingly.

SECTION X. EFFECTIVITY. This ordinance shall take effect upon approval and compliance with the posting and publication as required under Section 59 of the Local Government Code of 1991.

ENACTED this 3rd day of March 2025.



Handwritten signatures of officials, including the Mayor and Municipal Social Welfare and Development Officer, are present at the bottom of the page.

ENACTED BY:


CECILIO C. ECALLA
Municipal Vice Mayor
Presiding Officer


CONFORMED:



CECILIA L. CABAUG
SB Member



JEROLD T. LUMAPAK
SB Member


ROLANDO C. PIAMONTE SR.
SB Member



AILENE L. BASILAN
SB Member


CARMICHAEL L. VILLARINO
SB Member


DANTE R. RODAJE
SB Member

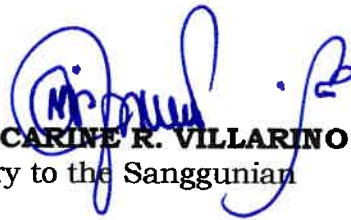

HOSPICIO B. APACIBLE
SB Member

REM BERYL Y. VELOSO
LnB President/Ex-officio Member
(absent)


WILDEGARDO S. ENRIQUEZ
SB Member


COURTNEY I. VIOLA
SK Fed. President

I hereby certify to the correctness of the foregoing Municipal Ordinance No. 170 s. of 2023 which was duly enacted and approved by the 16th Sangguniang Bayan of San Isidro, Leyte on its 130th Regular Session held on March 3, 2025.


MARIA CARINE R. VILLARINO
Secretary to the Sanggunian

APPROVED BY:


REMEDIÓ E. VELOSO
Municipal Mayor

Date approved: 03-04-2025



Republic of the Philippines
Region VIII
Province of Leyte
MUNICIPALITY OF SAN ISIDRO

16th Sangguniang Bayan

CERTIFICATION OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY THAT, **MUNICIPAL ORDINANCE NO. 170 SERIES OF 2023, "AN ORDINANCE PROVIDING FINANCIAL INCENTIVE TO QUALIFIED SENIOR CITIZENS OF THE MUNICIPALITY OF SAN ISIDRO, LEYTE REACHING THE AGE OF EIGHTY (80) YEARS ONWARDS TO PROMOTE THE WELL-BEING OF SENIOR CITIZENS IN THE MUNICIPALITY AND APPROPRIATING FUNDS THEREFOR."**, has been posted in three (3) conspicuous places of the Municipality on March 04, 2025 and shall remain posted within three consecutive week, in compliance to Art.114 of the Rules and Regulations Implementing the Local Government Code of 1991.

Issued this 5th day of March 2025 at San Isidro, Leyte.

MARIA CARINE R. VILLARINO
Secretary to the Sanggunian

Noted by:

HON. CECILIO C. ECALLA
Municipal Vice Mayor

cc:file
mcrv