

Item No.: 19

Date: 29 2025 APR



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Released: Apr 29
Time: 12:00
Date: 4-24-25

2nd INDORSEMENT

April 4, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 3 series of 2025 of the Sangguniang Bayan of Villaba, Leyte.

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

- Ordinance No. 3 series of 2025 entitled: **"An Ordinance providing special protection to Senior Citizens and PWDs, in the Municipality of Villaba, Leyte against grievance related acts and imposing penalties for any violations thereof"**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Sections 447(a)(1)¹ and (a)(1)(iii)² of the Local Government Code of 1991 (R.A 7160) in relation to RA 9994³ and RA 10754⁴. 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

¹ (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, and shall:

(1) Approve ordinances and pass resolutions necessary for an efficient and effective municipal government

² (iii) Approve ordinances imposing a fine not exceeding Two thousand five hundred pesos (P2,500.00) or an imprisonment for a period not exceeding six (6) months, or both in the discretion of the court, for the violation of a municipal ordinance;

³ "Expanded Senior Citizens Act of 2010".

⁴ "An Act Expanding the Benefits and Privileges of Persons with Disability (PWD),"

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

Provincial Legal Office
Received: *[Signature]*
Date: 2-19-25

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
14 March 2025

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 03, S. 2024** of the **Municipality of Villaba, Leyte**, entitled: **An Ordinance providing special protection to Senior Citizens and Persons with Disabilities (PWDs) in the Municipality of Villaba, Leyte against grievance related acts and imposing penalties for any violations thereof.**

[Signature]
FLORINDA JILLS UYVICO
Secretary to the Sanggunian



March 14, 2025

THE SANGGUNIANG PANLALAWIGAN MEMBERS

New Provincial Government Complex
Campetic, Palo, Leyte

Thru: **LEONARDO M. JAVIER, JR.**
Vice Governor/Presiding Officer

Hon. Sangguniang Panlalawigan Members:

We respectfully transmit herewith fifteen (15) copies of:

MUNICIPAL ORDINANCE NO. 03, S-2025 - entitled: "AN ORDINANCE PROVIDING SPECIAL PROTECTION TO SENIOR CITIZENS AND PERSONS WITH DISABILITIES (PWDs) IN THE MUNICIPALITY OF VILLABA, LEYTE AGAINST GRIEVANCE RELATED ACTS AND IMPOSING PENALTIES FOR ANY VIOLATIONS THEREOF,"

for your review and approval.

Best regards.

Very truly yours,


MC QUIRJE P. UMPAD, J. D.
Secretary to the Sangguniang Bayan

Copy Furnished:

1. LOCAL CHIEF EXECUTIVE OFFICE
 2. MUNICIPAL TREASURY OFFICE
 3. MUNICIPAL ACCOUNTING OFFICE
 4. MUNICIPAL BUDGET OFFICE
- Local Government Unit
Villaba, Leyte



MUNICIPAL ORDINANCE NO. 3, S. 2025

AN ORDINANCE PROVIDING SPECIAL PROTECTION TO SENIOR CITIZENS AND PERSONS WITH DISABILITIES (PWDs) IN THE MUNICIPALITY OF VILLABA LEYTE, AGAINST GRIEVANCE RELATED ACTS AND IMPOSING PENALTIES FOR ANY VIOLATIONS THEREOF

**Author: Hon. Rogelio J. Baay
SB Member**

PREFATORY STATEMENTS

As formally made known in the 1987 Constitution of the Philippines, per Section 11, Article II, the State values the dignity of every human person and guarantees full respect for human rights.


The Expanded Senior Citizen Act of 2010, Republic Act. No. 9994, recognizes senior citizens, or elderly, as integral part of the Philippine society, deserving utmost respect and full support and assistance from the government to ensure their overall health, safety and well-being.


Republic Act. No.9442, as amended by Republic Act No. 10754, mandates every local government unit to install health facilities, express lanes in commercial and government establishments, among others and apply, as well, legal consequences for violations thereof.

Local government units are also mandated to actively and fully implement national laws and policies and to initiate programs and activities to ensure that the rights of senior citizens and PWDs are respected and protected in their respective jurisdictions.

In view of the foregoing statements of principles, the Local Government of Villaba hereby designs a definite course of action against acts causing damage or injury to every senior citizen and PWD'S state of being happy, healthy or prosperous through the formulation of the following legislative measure, to wit:


DENNIS L. SY
Vice Mayor/Presiding Officer


FELIPE S. DASAS, SR
Sangguniang Bayan Member


MACARIO V. ESMAS
LNB President


VIOLETA T. SUMAPIOG
Sangguniang Bayan Member


ROQUE M. COMPRIA
Sangguniang Bayan Member


RILE CHRISTIAN G. VELOSO
SK Pederasyon President


MERIAM P. UMPAD
Sangguniang Bayan Member


NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member


MC QUIRIE P. UMPAD, J. D.
Secretary to the Sangguniang Bayan


ROGELIO J. BAAY
Sangguniang Bayan Member


ENGR. CARLOS G. VELOSO
Municipal Mayor

AN ORDINANCE PROVIDING SPECIAL PROTECTION TO SENIOR CITIZENS AND PERSONS WITH DISABILITIES (PWDs) IN THE MUNICIPALITY OF VILLABA, LEYTE, AGAINST GRIEVANCES-RELATED ACTS AND IMPOSING PENALTIES FOR ANY VIOLATIONS THEREOF

Be it ordained as the Sangguniang Bayan in regular assembled hereby ordained, that:

SECTION 1. SHORT TITLE. – This Ordinance shall be known and cited as “ The Special Protection Against Grievances-Related Acts Committed to Elderly and PWDs in the Municipality of Villaba”

SECTION 2. COVERAGE.- This Ordinance shall involve the senior citizen and PWD population within the territorial jurisdiction of the municipality.

Section 3. DEFINITION OF TERMS. – The terms are used in this ordinance shall mean as follows:

1. Differently abled persons-are those persons having physical impairments and differentiated needs and potentials, who are likewise referred to as persons with disabilities
2. Grievance Mechanism – the process or technique for achieving a result or resolution of any grievance or complaint
3. Harassment – an act creating an unpleasant or hostile situation for senior citizens and PWs, specially, by one's verbal or physical conduct
4. Persons with Disabilities (PWDs) – are persons who have long-term physical, mental, intellectual or sensory impairments which may hinder their full and effective motion and body functioning
5. Senior Citizen Helpdesk – the facility that addresses any issue concerning the senior citizens or PWDs and managed usually by an older person

SECTION 4. GRIEVANCE -RELATED ACTS INFLICTED ON SENIOR CITIZENS AND PWDs. – Grievance is a cause of distress affording reason for compliant or resistance. These grievance-related acts are abuses in multifarious forms perpetrated to the vulnerable Senior Citizens and persons with disabilities such as, but not limited to:

- a. **Discrimination** – a distinction, exclusion or restriction made on the senior citizens and PWDs which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise of their rights a human persons ;
- b. **Abandonment** – the act of handling over or putting in to someone's control. It is a way of leaving alone or giving up completely without making proper arrangement for health, safety and welfare;
- c. **Negligence** – an act of disregarding, leaving undone or being unattended to, especially, with carelessness or intent, wherein the other person suffers injury
- d. **Harassment** – whether sexual or non-sexual, whether it involves woman or men, is also a grievance- related act because of the elements of worry, impediment and continuous annoyance in it that create an unpleasant or hostile situation, especially, by one's verbal and physical conduct

DENNIS L. SY
Vice Mayor/Presiding Officer

FELIPE S. GASAS, SR
Sangguniang Bayan Member

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LNB President

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Sangguniang Bayan Member

ROQUE M. COMERA
Sangguniang Bayan Member

RILE CHRISTIAN G. VELOSO
SK Pederasyon President

MERIAM P. UMPAD
Sangguniang Bayan Member

NIEL ALBERT B. TINCOPQUEZ
Sangguniang Bayan Member

WILFRED P. UMPAD, J. D.
Secretary to the Sangguniang Bayan

ROGELIO J. BAAY
Sangguniang Bayan Member

ENGR. CARLOS G. VELOSO
Municipal Mayor

- e. **Violence** – an act that results in physical, sexual, emotional or psychological harm or suffering, including threats of such act, as coercion, arbitrary deprivation of liberty, whether occurring in public or private life;
- f. **Other Analogous Circumstances:**
 1. Shout, swear, humiliate, show disrespect through name-calling, ridicule, constant criticism, ignoring and other similar acts causing psychological, mental or emotional abuse;
 2. Failure to perform actuations necessary to maintain or preserve the life or health of the senior citizens or PWDs that would result in the deterioration of their pre-existing physical or mental condition;
 3. Refusal on the part of the transport or public utility vehicles, accommodation and other establishments to provide 20% discount on their services or on the purchase of goods as required under R.A.9994 in the case of senior citizens and R.A. 10754 in the case the PWDs;

The Local Government of Villaba strongly denounces the aforementioned grievance-related Acts and shall thereby deem the same punishable under this Ordinance and the existing pertinent laws.




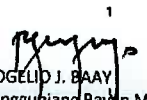

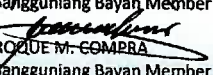
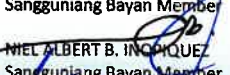
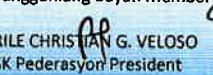
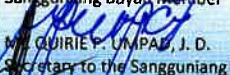

Section 5. GRIEVANCE MECHANISM. – A mechanism shall be installed in the Municipality for the purpose of facilitating the legal grievance procedure:

- a. Every Sangguniang Barangay Committee on Senior Citizens and PWDs, in coordination with the Barangay Senior Citizens Association in the BLGU, shall compose a special group that would identify, monitor and report cases of grievance against senior citizens and PWDs to the law enforcement office or the Villaba PNP Station.
- b. The Municipal Law Enforcers shall verify the report and apprehend, if positive, the concerned person for the filing of an appropriate case in the Municipal Court of Justice.
- c. The Senior Citizen Helpdesk shall assist the victim senior citizen and PDAO, or the PWD in the event that the case is to be filed in court.

Section 6. PENALTIES. - The person found committing any grievance-related act embodied in Section 4 of this Ordinance shall be penalized, as follows

- a. First Offense: a fine of two thousand pesos (PHP. 2,000.00) with an imprisonment of four (4) months;
- b. Second Offense: A fine of two thousand, three hundred pesos (PHP 2,300.00) with an imprisonment of (5) months;
- c. Third and subsequent Offenses: a fine of two thousand, five hundred pesos (Php. 2,500.00) with an imprisonment of six (6) months.

Section 7. REPEALING CLAUSE. – The provision of ordinances, resolutions, memoranda, executive orders and other local issuances inconsistent with this Ordinance are hereby repealed or modified accordingly.

 DENNIS L. SY Vice Mayor / Presiding Officer	 VIOLETA T. SUMAPIOG Sangguniang Bayan Member	 MERIAM P. UMPAD Sangguniang Bayan Member	 ROGELIO J. BAAY Sangguniang Bayan Member
 FELIPE S. CASAS, SR Sangguniang Bayan Member	 ROQUE M. COMPRA Sangguniang Bayan Member	 NIEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member	
 MACARIO V. ESMAS LNB President	 RILE CHRISTIAN G. VELOSO SK Pederasyon President	 MERI QUIRIE P. UMPAD, J. D. Secretary to the Sangguniang Bayan	
	 ENGR. CARLOS G. VELOSO Municipal Mayor		

Section 8. SEPARABILITY CLAUSE. – Should any portions of this Ordinance be declared unconstitutional by competent authority, the remaining portion not so affected shall continue to be in full force or effect.

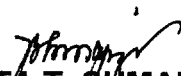
Section 9. EFFECTIVITY. – This Ordinance shall take effect upon approval and after this shall have been posted in three (3) conspicuous places in accordance with the guidelines in the Local Government Code of 1991.

Being moved for approval by the Hon. Rogelio J. Baay, this Ordinance was approved on February 3, 2025.



MC QUIRIE P. UMPAD, J.D.
Secretary to the Sanggunian

ATTESTED:


DENNIS L. SY
Vice Mayor/Presiding Officer



VIOLETA T. SUMAPIG
Sangguniang Bayan Member


FELIPE S. CASAS, SR
Sangguniang Bayan Member


MERIAM P. UMPAD
Sangguniang Bayan Member


NIEL ALBERT B. INOPIQUEZ
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ROQUE M. COMPRA
Sangguniang Bayan Member


MACARIO V. ESMAS
LNB President


ROGELIO J. BAAY
Sangguniang Bayan Member


RILE CHRISTIAN G. VELOSO
SK Pederasyon President

APPROVED:


ENGR. CARLOS G. VELOSO
Municipal Mayor

25 FEB 2025



COMMITTEE ON SENIOR CITIZENS

COMMITTEE REPORT - No. 2, S - 2025

SUBJECT:

Public Hearing on the Proposed Ordinance Providing Special Protection to Senior Citizens and Persons with Disabilities (PWDs) in the Municipality of Villaba, Leyte Against Grievance-Related Acts and Imposing Penalties for any Violations Thereof

FINDINGS AND RECOMMENDATIONS:

The invited persons found the Ordinance acceptable and worthy of implementation.

A moment later, the Chair opened the discussion by asking the members of the audience whether they have comments in reference to the provisions of said ordinance. The majority responded that senior citizens and PWDs really need special protection from all forms of grievance-related acts for their safety and well being. They proposed that the OSCA AND PDAO Officers in the Municipality should be empowered in order to address effectively this problem.

Submitted by:


HON. ROGELIO J. BAAY
Chairman Committee on Laws and Rules



Minutes of the Public Hearing conducted by the Committee on Senior Citizens and PWDs on January 31, 2025 at the New SB Session Hall at 1:00 p.m. on the proposed Ordinance Providing Special Protection to Senior Citizens and Persons with Disabilities (PWDs) in the Municipality of Villaba, Leyte Against Grievance-Related Acts and Imposing Penalties for any Violations Thereof

Member Present:

2. Hon. Roque Comprá

Member Absent:

2. Hon. Felipe Casas

The public hearing started at twenty (20) minutes passed 1:00 pm when the invited persons invited came and right there and them, they were given copies of the Ordinance for them to read the entire draft.

After that short while, the chair asked their opinion with regards to the provisions in the Ordinance. They said all are acceptable.

Certified Correct:

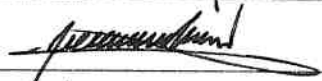
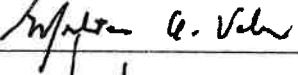


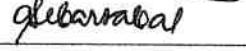

MC QUIRIE P. UMPAD
Secretary to the Sangguniang Bayan

Attested by:


HON. ROGELIO J. BAAY
Chairman Committee on Senior Citizens



ATENDANCE SHEET
Committee Meeting
January 31, 2025
10:00 A.M.
SB SESSION HALL

NAME	POSITION/ OCCUPATION	SIGNATURE
ROQUE M. COMANA	SB MEMBER	
MERLITA D. VELOSO	Mun. Administrator	
MR. FLOR M. PASTOR	MUNDO	
PMAS IAN SALVADOR JR	ACOP - PNP	
POPLANIE BETH S. EDARSABAL	CAD PNCO	

Prepared by:

HON. ROGELIO J. BAAY
Chairman

SANGGUNIAN BAYAN

Office of the Secretary to the Sanggunian

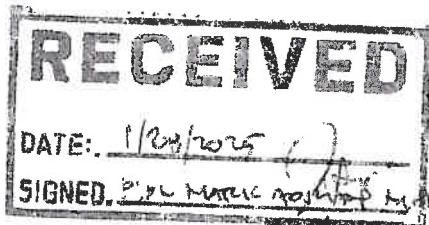
NOTICE OF THE PUBLIC HEARING

Notice is hereby given that a public hearing will be conducted by the Sangguniang Bayan Committee on Human Resource and Development, January 31, 2025 at 1:00 in the afternoon at the Sangguniang Bayan Session Hall, Legislative Building, New Municipal Compound, this Municipality in aid of legislation by Sangguniang Bayan Member Rogelio J. Baay, on the matter:

"AN ORDINANCE PROVIDING SPECIAL PROTECTION TO SENIOR CITIZENS AND PERSONS WITH DISABILITIES (PWD's) IN THE MUNICIPALITY OF VILLABA, LEYTE AGAINST GRIEVANCE-RELATED ACTS AND IMPOSING PENALTIES FOR ANY VIOLATIONS THEREOF."

The Senior Citizens Federation, Municipal Social Welfare and Development Officer (MSWDO), Human Resource and Management Officer (HRMO), Municipal Administrator, and a Representative from the PNP-Villaba are invited to attend.

Villaba, Leyte, January 28, 2025.



In public service,

MC QUIRIE P. UMPAD, J.D.
Secretary to the Sanggunian

Received by: *[Signature]* 1/28/25
M. FLORES M. TACLOBAN
MSWDO
1/28/25

Received by: *[Signature]*
MARVIN P. PARRA
USK Staff

