



Republic of the Philippines  
**PROVINCE OF LEYTE**  
 Provincial Capitol  
 Tacloban City

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**PROVINCIAL LEGAL OFFICE**

Item No.: 01  
 Date: 17 2025 JUN

Province of Leyte  
 Legal Office  
*[Signature]*  
 5-28-25

Sangguniang Panlalawigan  
 Province of Leyte

**RECEIVED**

Date: 5/28/2025  
 By: NMA

**2<sup>nd</sup> INDORSEMENT**  
 May 26, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 5 series of 2025 of the Sangguniang Bayan of Barugo, Leyte.

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

- Ordinance No. 5 series of 2025 entitled: **“An Ordinance creating a coordinating and monitoring board for the Special Protection of Senior Citizens or Elderly and PWDs in the Municipality of Barugo, Leyte.”**

**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)<sup>1</sup> of the Local Government Code of 1991 (R.A 7160) in relation to RA 9994<sup>2</sup> and RA 10754<sup>3</sup>. 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.

*[Signature]*  
**ATTY. JOSE RAYMUND A. ACOL**  
*Provincial Legal Officer*

<sup>1</sup> (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

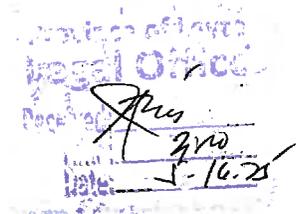
<sup>2</sup> "Expanded Senior Citizens Act of 2010".

<sup>3</sup> "An Act Expanding the Benefits and Privileges of Persons with Disability (PWD),"

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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

1<sup>ST</sup> INDORSEMENT  
16 May 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 05, series of 2025** of the **Municipality of Barugo, Leyte**, entitled: **An Ordinance creating a Coordinating and Monitoring Board to provide special protection to senior citizens or elderly persons and persons with disabilities (PWDs) against discrimination, abandonment, negligence, violence, and other similar acts in the Municipality of Barugo, providing their duties and responsibilities, and for other purposes.**

A handwritten signature in black ink, appearing to read "Florinda S. Uyvico".

**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian



OFFICE OF THE SANGGUNIANG BAYAN

May 14, 2025

HON. LEONARDO "SANDY" JAVIER, JR.  
Vice-Governor/Presiding Officer  
Sanggunian Panlalawigan  
Province of Leyte



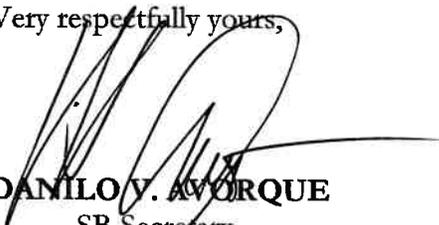
THRU: FLORINDA JILL S. UYVICO  
Secretary to the Sanggunian  
Province of Leyte

Sir:

Respectfully submitted to your good office for review the herein ORDINANCE NO. 05, 2025 ENTITLED "AN ORDINANCE CREATING A COORDINATING AND MONITORING BOARD TO PROVIDE SPECIAL PROTECTION TO SENIOR CITIZENS OR ELDERLY PERSONS AND PERSONS WITH DISABILITIES (PWD'S AGAINST DISCRIMINATION, ABANDONMENT, NEGLIGENCE, VIOLENCE, AND OTHER SIMILAR ACTS IN THE MUNICIPALITY OF BARUGO, PROVIDING THEIR DUTIES AND RESPONSIBILITIES, AND FOR OTHER PURPOSES.

Anticipating your favorable action on this matter.

Very respectfully yours,

  
DANILO V. AVORQUE  
SB Secretary

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*Barugo Padayon An Gugma!*

Municipal Hall, Burgos St. Poblacion District I Barugo, Leyte

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 Municipality of Barugo, Leyte

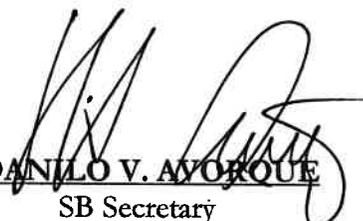


**OFFICE OF THE SANGGUNIANG BAYAN**

**CERTIFICATION OF POSTING**

THIS IS TO CERTIFY that Ordinance No. 05, S. 2025, RE: **AN ORDINANCE CREATING A COORDINATING AND MONITORING BOARD TO PROVIDE SPECIAL PROTECTION TO SENIOR CITIZENS OR ELDERLY PERSONS AND PERSONS WITH DISABILITIES (PWD'S AGAINST DISCRIMINATION, ABANDONMENT, NEGLIGENCE, VIOLENCE, AND OTHER SIMILAR ACTS IN THE MUNICIPALITY OF BARUGO, PROVIDING THEIR DUTIES AND RESPONSIBILITIES, AND FOR OTHER PURPOSES** was posted in three (3) conspicuous places in the Municipality of Barugo, Leyte in compliance with the provisions of RA 7160, otherwise known as Local Government Code of 1991.

This certification is issued this 14<sup>th</sup> day of May, 2025, for whatever legal purpose this may serve.

  
**DANILO V. AVOROUÉ**  
SB Secretary

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***Barugo Padayon An Gugma!***

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 Municipality of Barugo, Leyte



**OFFICE OF THE SANGGUNIANG BAYAN**

**EXCERPT FROM THE MINUTES OF THE MEETING OF THE 11<sup>TH</sup> SANGGUNIANG BAYAN OF BARUGO, LEYTE ON ITS 131<sup>ST</sup> REGULAR SESSION HELD ON THE 8<sup>TH</sup> DAY OF APRIL 2025, AT THE MUNICIPAL SESSION HALL, LEGISLATIVE BUILDING, BARUGO, LEYTE.**

- |          |                             |                                     |
|----------|-----------------------------|-------------------------------------|
| Present: | Hon. Josephine C. Tiu       | Municipal Vice Mayor                |
|          | Hon. Eduardo C. Calzita     | Presiding Officer                   |
|          | Hon. Nikkos Rhet V. Astorga | SB Member                           |
|          | Hon. Clinio A. Balais       | SB Member                           |
|          | Hon. Jeffrey P. Cañezal     | SB Member                           |
|          | Hon. Joemar Q. Acebo        | Liga Ng Mga Barangay President      |
| Absent:  | Atty. Don A. Dehayco        | SB Member (FL)                      |
|          | Hon. Wayne B. Avestruz      | SB Member (FL)                      |
|          | Atty. Jesus B. Cabanacan    | SB Member (FL)                      |
|          | Hon. Domingo E. Adrales     | SB Member (FL)                      |
|          | Hon. Eric C. Hingpis        | Pederasyon Ng Mga SK President (FL) |



**ORDINANCE NO. 05, S. 2025**

*(Author/ Sponsor: Hon. Edurdo C. Calzita, Co-Sponsors: Hon. Nikkos Rhet V. Astorga and Atty. Jesus B, Cabanacan)*

**AN ORDINANCE CREATING A COORDINATING AND MONITORING BOARD TO PROVIDE SPECIAL PROTECTION TO SENIOR CITIZENS OR ELDERLY PERSONS AND PERSONS WITH DISABILITIES (PWD'S AGAINST DISCRIMINATION, ABANDONMENT, NEGLIGENCE, VIOLENCE, AND OTHER SIMILAR ACTS IN THE MUNICIPALITY OF BARUGO, PROVIDING THEIR DUTIES AND RESPONSIBILITIES, AND FOR OTHER PURPOSES.**

**WHEREAS**, Article XV, Section 4 of the 1987 Philippine Constitution provides 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**, Republic Act No. 9994 or the Expanded Senior Citizens Act of 2010 which amended Republic Act No. 7432 recognizes senior citizens or elderly persons as integral members of society, deserving of utmost respect and full support and assistance from the government to ensure their overall health, safety, and well-being.

**WHEREAS**, Republic Act No. 7277 or the Magna Carta for Disabled Persons, as amended by republic Act No.9442, as further amended by Republic Act No. 10754, mandates the Statute to ensure the rehabilitation, self-development, and self-reliance of disabled persons and their integration into the mainstream of society;

**WHEREAS**, the same acts also provide for the statutory benefits and privileges accorded to senior citizens and PWDs, including the grant of discounts, exemptions from value-added tax(VAT) on selected goods and services, free medical services in government, health facilities, express lanes in commercial and government establishments, among others, as well as the legal consequences for violations thereof;

**WHEREAS**, 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;



## OFFICE OF THE SANGGUNIANG BAYAN

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Ordinance No. 5, 2025

**WHEREAS**, to this end, the Local Government of Barugo hereby formulates a policy against discrimination, abuse, abandonment, neglect, violence, and other acts detrimental to the well-being of the elderly and PWDs through the enactment of the foregoing ordinance;

**NOW, THEREFORE, BE IT ORDAINED** by the Sangguniang bayan of Barugo in session assembled that:

**Section 1. Title.** This Ordinance shall be known as an “Ordinance Creating a Coordinating and Monitoring Board for the Special Protection of Senior Citizens or Elderly Persons and Persons with Disabilities (PWDs) in the Municipality of Barugo.”

**Section 2. Declaration of Policy.** It is hereby declared the policy of the Municipality of Barugo to provide special protection to senior citizens, elderly persons, and PWDs from all forms of abuse consistent with the provisions of R.A. 9994, R.A. 7277, and other pertinent laws, through the establishment of institutional grievance mechanism.

**Section 3. Definition of Terms.** For purposes of this Ordinance, the terms and phrases enumerated in this Section shall be construed or interpreted to mean or refer to, as follows:

- a. **Abandonment** – the act of leaving or deserting elderly or PWD for a considerable period of time, without making proper arrangements for his/her health, safety, and welfare.
- b. **Abuse** – refers to repeated acts or treatments to senior citizens or PWDs that tend to demean, debase or degrade their intrinsic value or dignity, including physical, emotional, psychological, or economic harm;
- c. **Discrimination** – treatment or consideration of, or making a distinction in favor of or against senior citizens or PWDs.
- d. **Domestic Violence** – refers to acts or threats of violence against a senior citizen or PWD, excluding an act of self-defense, committed by any person or any relative within the 4<sup>th</sup> degree of affinity or consanguinity to the victim.
- e. **Negligence** – the failure to observe for the protection of the interests of another person that required degree of care, precaution, and vigilance which the circumstances justly demand, whereby such other person suffers injury.
- f. **Other Forms of Violence** -refers to acts or threats of violence, excluding an act of self-defense, committed by any person other than those mentioned under Section 3 (d).
- g. **Person with Disabilities (PWDs)** – refer to persons who have long-term physical, mental, intellectual, or sensory impairments which may hinder their full and effective participation in society on an equal basis with others.
- h. **Violence**- refers to a single or repeated act which causes harm or distress to a senior citizen or PWD.
- i. **Senior Citizens/Elderly Persons** – refer to a person who are at least sixty (60 years old of age and above.

### **Section 4. Prohibited Acts against Senior Citizens or Elderly Persons and PWDs.**

- (a) It shall be unlawful discrimination for transport services,(including Public Utility Jeepneys (PUJs), taxis, and other similar vehicles), medical institutions, drug stores, accommodations, and other establishments to refuse lawful discounts on the purchase of goods and services and 12% VAT exemption as enumerated under RA No. 9994, in the case of senior citizens, and RA 7277 as amended by RA 10754, in the case of PWDs.

 *ENB a/c*

*Barugo Padayon An Gugma!*

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 Municipality of Barugo, Leyte



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- (b) it shall be unlawful for any person to inflict harm or distress to senior citizens or PWDs through any of the following:
- I. use of the physical force resulting in bodily injury, physical harm, pain or impairment.
  - II. Shout, swear, scare, humiliate, show disrespect through name-calling. Ridicule, constant criticism, ignoring, or giving silent treatment and other analogous acts, thereby causing psychological, mental or emotional abuse;
  - III. Financial abuse through acts that make them financially dependent;
  - IV. Failure to perform acts necessary to maintain or preserve the life or health of senior citizens or PWDs that would result in the deterioration of pre-existing physical or mental conditions;
  - V. Abandonment as herein defined; and
  - VI. Other similar or analogous circumstances

**Section 5. Creation and Composition of the Municipal Coordinating and Monitoring Board.** The Municipal Coordinating and Monitoring Board is hereby created to be composed of the following:

Chairperson:

- Municipal Social Welfare and Development Officer (MSWDO)

Vice Chairman

- Municipal Local Government Operations Officer (MLGOO)

Members:

- President of the Federation of Senior Citizens Association of the Municipality of Barugo
- Business Processing and Licensing Officer (BPLO)
- Head, Office of the Senior Citizens Affairs Office (OSCA)
- Persons with Disability Affairs Officer (PDAO)
- Municipal Health Officer
- Liga ng mga Barangay
- All Barangay Senior Citizens Association (BASCA) Presidents
- Women and children Protection Desk Officer, Barugo Police Station
- President, Federated Persons with Disability Organization.

The OSCA Head and PDAO shall serve as focal persons to the Board for senior citizens and PWDs, respectively, whose duties are enumerated under Section 8 (b) hereof.

**Section 6. Functions of the Borad.** The Municipal Coordinating and Monitoring Board shall have the following functions:

1. Oversee and coordinate all projects and activities related to the welfare of elderly persons or senior citizens, and PWDs at the Municipality of Barugo and take appropriate steps to ensure compliance with established priorities, standards, and guidelines;
2. Ensure that every barangay has allocated at least one percent (1%) of their budget programs/projects related to elderly persons or senior citizens, and PWDs pursuant to Department of Social Welfare and Development (DSWD) and Department of Budget Management (DBM) Circular No. 2003-01 or the implementing Guidelines for Section 29 of the General Appropriations Act;
3. Collaborate with the Liga ng mga Barangay to dedicate a space in their Barangay Hall for the use of their elderly persons and senior citizens, and to establish Barangay Disability Affairs Office;

*[Handwritten signature]*

**Barugo Padayon An Gugma!**

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## OFFICE OF THE SANGGUNIANG BAYAN

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4. Coordinate with the Office of the Municipal Mayor to provide legal assistance to senior citizens and PWDs against persons or establishments who refuse to give lawful discounts on the purchase of goods and services and 12% Value-added Tax (VAT) exemption, among other privileges granted to them by law;
5. Monitor and coordinate with the Gender and Development (GAD) Focal Point System to ensure that gender equality programs and policies for women senior citizens and PWDs are properly and effectively implemented;
6. Lobby with the Sangguniang Bayan the enactment of appropriate anti-poverty programs for senior citizens and PWDs;
7. Report to the Municipal Mayor any individual, establishments, business entities, institutions, or agencies violating the provisions of RA No. 9994 and RA No. 7277, as amended by RA 9442, and other pertinent laws;
8. Assist senior citizens and PWDs in filing complaints or charges against any individual, establishments, business entities, institutions, or agencies who refuse to comply with the privileges under RA No. 7277, as amended by RA 9442, and those who commit abuse, discrimination, neglect, abandonment, violence, and other similar acts before the Office of the Prosecutor and/or the Public Attorney's Office (PAO), and in the appropriate court, ensure that all covered establishments display notices about the rights and privileges of senior citizens and PWD;
9. Perform such other functions that are necessary in the effective and successful enforcement or pertinent laws, rules, and ordinances related to senior citizens and PWDs.

**Section 7. Board Meeting.** The board shall meet every quarter or as often as necessary when called upon by the Chairperson or a majority of its members. The members of the Board shall receive no compensation but shall be entitled to travelling and other allowances as approved by the Board, when funds are available.

### **Section 8. Grievance Mechanism.**

(a) the Board shall establish a grievance mechanism to address concerns and complaints from senior citizens and PWDs. This mechanism shall include:

1. A dedicated hotline and online platform for reporting grievances;
2. A clear procedure of filing and processing complaints, including confidentiality and protection from retaliation for complainants;
3. Regular reporting and monitoring of grievances and resolutions to the Board and the Municipal Mayor.

(b) The focal persons of the Municipal Coordinating and Monitoring Borad shall have the following duties:

- I. Take initial steps in handling grievances of senior citizens and PWDs;
- II. Take custody of and maintain all records, data information, and other pertinent documents filed before the Board; and
- III. Coordinate with the Board to ensure that all complaints are logged, investigated, and resolved in a timely manner.
- IV. Other duties and responsibilities as may be authorized by the Board.

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Municipal Hall, Burgos St. Poblacion District I Barugo, Leyte



**OFFICE OF THE SANGGUNIANG BAYAN**

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**Section 9. Manual of Procedure.** The Board is hereby authorized to formulate a Manual of Procedure for local application to ensure the prompt and effective enforcement of RA No. 7277 as amended by RA No. 9442, other pertinent laws, and this Ordinance.

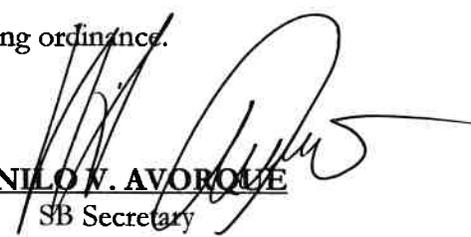
**Section 10. Separability Clause.** If for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid by any competent authority, such judgement or action shall not affect or impair the other sections or provisions thereof.

**Section 11. Repealing Clause.** All municipal Ordinances or parts thereof that are inconsistent with any provision of this ordinance are hereby repealed or modified accordingly.

**Section 12. Effectivity CLAUSE.** This Ordinance shall take effect immediately upon its approval, subject to the compliance of the necessary posting and publication requirements as provided for in the Local Government Code of 1991.

**UNANIMOUSLY APPROVED**, this 8<sup>th</sup> day of February 2025, in Barugo, Leyte.

**I HEREBY CERTIFY** to the correctness of this foregoing ordinance.

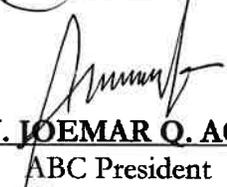
  
**DANILO N. AVOROUE**  
SB Secretary

  
**HON. EDUARDO C. CALZITA**  
SB Member

  
**HON. NIKKOS RHET V. ASTORGA**  
SB Member

  
**HON. JEFFREY P. CAÑEZAL**  
SB Member

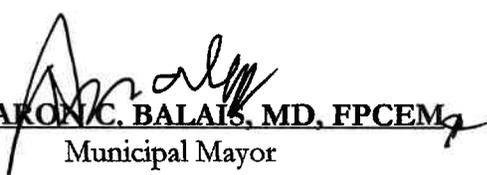
  
**HON. CLINIO A. BALAIS**  
SB Member

  
**HON. JOEMAR O. ACEBO**  
ABC President

**ATTESTED BY:**

  
**HON. JOSEPHINE C. TIU**  
Municipal Vice Mayor  
Presiding Officer

**APPROVED BY:**

  
**HON. ARON C. BALAIS, MD, FPCEM**  
Municipal Mayor