

Item No.: 03

Date: 16 2025 SEP



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

Province of Leyte
Legal Office

Atty. Jose Raymund A. Acol
Date: 9.2.25

PROVINCIAL LEGAL OFFICE

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

SEP 03 2025

Date:

By: J. Acol

2nd INDORSEMENT

August 20, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2025-16 of the Sangguniang Bayan of Tanauan, Leyte.

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

- Ordinance No. 2025-16 entitled: “ **AKAP Ordinance of 2025.**”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office opines that the subject Ordinance is, in general, within the legislative authority of the Sangguniang Bayan under Sections 447(a)(1)¹ of the Local Government Code of 1991 (R.A 7160). 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

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
22 July 2025



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2025-16 of the Municipality of Tanauan, Leyte**, entitled: **An Ordinance prescribing the localized policies and guidelines for the rice assistance under the Ayuda Para Sa Kapos Ang Kita Program (AKAP) in the Municipality of Tanauan, Leyte and for other purposes.**

A handwritten signature in black ink, appearing to read "Florinda" followed by a stylized surname.

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



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



Sir/Madam;

Respectfully submitting herewith 16th **SB Ordinance No. 2025-16, "An Ordinance Prescribing the Localized Policies and Guidelines for the Rice Assistance Under the Ayuda Para Sa Kapos Ang Kita (AKAP) in the Municipality of Tanauan, Leyte and for other Purposes"**, for your appropriate action.

Author: Hon. Quintin T. Octa, Jr., D.M.D.

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

Thank you.

Truly yours,



ELEUTERIO T. LERIOS
Sangguniang Bayan Secretary

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Republic of the Philippines
Province of Leyte
TANAUAN
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16th SANGGUNIANG BAYAN

SANGGUNIANG PANLALAWIG
RECEIVED
21 JUL 2025
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PROVINCE OF LEYTE

ORDINANCE NO. 2025-16

“AN ORDINANCE PRESCRIBING THE LOCALIZED POLICIES AND GUIDELINES FOR THE RICE ASSISTANCE UNDER THE AYUDA PARA SA KAPOS ANG KITA PROGRAM (AKAP) IN THE MUNICIPALITY OF TANAUAN, LEYTE AND FOR OTHER PURPOSES”

Author: Hon. Quintin T. Octa Jr., D.M.D.

WHEREAS, the state shall promote a just and dynamic social order thereby uplifting its citizens and marginalized sectors from poverty through policies that provide adequate social services, promote full employment, a rising standard, and an improved quality of life for all. The State further recognizes the need to foster social justice as provided for in Article XIII of the ‘1987 Constitution,

WHEREAS, pursuant to of Republic Act 11795 or the 2024 General Appropriations Act, the amount of Twenty-Six Billion Seven Hundred Million Pesos (26,700,000,000.00) appropriated herein under the Ayuda sa Kapos ang Kita Program (AKAP) shall be used to implement and provide financial assistance to minimum wage earners falling under the category of low-income that were severely affected by rising inflation,

WHEREAS, the Department of Social Welfare and Development has started to implement the AKAP, which is timely initiative of the government to assist the near-poor segment of the population, responding to the economic difficulties of low-income earners;

WHEREAS, the AKAP is the government’s proactive approach in shielding vulnerable Filipinos, who are low income earners and at risk of slipping back into poverty because of economic fluctuations and crisis;

WHEREAS, the rising cost of living and fluctuating prices of basic commodities, including rice, have disproportionately affected low-income families and marginalized sectors, necessitating government intervention to ensure that basic food needs are met:

WHEREAS, rice is staple food of the Filipino population, and ensuring its accessibility and affordability is crucial to maintaining food security, promoting public health, and sustaining social stability;

WHEREAS, DSWD Memorandum Circular No. 30 provides that AKAP may also be implemented through the Local Government Units (LGUs). These LGUs may refer to the Provincial, Municipality, City, or Barangay Level that is capable and prepared to assist the DSWD in the implementation of the program. The assistance provided to qualified beneficiaries through the LGUs shall be called “Rice Assistance” as it shall be used for purchasing rice to meet the nutritional requirements of beneficiaries for sustenance;

WHEREAS, in the desire of the Local Government Unit of Tanauan, Leyte to alleviate our constituents’ situations and shield low-income earners from the effects of inflation and market fluctuations through the implementation of the Rice Assistance under the Ayuda para sa Kapos ang Kita Program (AKAP);

[Handwritten signatures and initials at the bottom of the page]

WHEREAS, Republic Act 7160 or the Local Government Code of 1991, consistent with local autonomy and decentralization, the provision for the delivery of basic services and facilities shall be devolved from the National Government to provinces, cities, municipalities, and barangays so that each LGUs shall be responsible for a minimum set of services and facilities following established national policies, guidelines and standards.

NOW THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED BY THE SANGGUNIANG BAYAN OF THE LOCAL GOVERNMENT UNIT OF TANAUAN, LEYTE, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, IN SESSION ASSEMBLED, that:

SECTION 1. TITLE. This ordinance shall be known as the AN ORDINANCE PRESCRIBING THE LOCALIZED POLICIES AND GUIDELINES FOR THE RICE ASSISTANCE UNDER THE AYUDA PARA SA KAPOS ANG KITA PROGRAM (AKAP) IN THE MUNICIPALITY OF TANAUAN, LEYTE AND FOR OTHER PURPOSES., or otherwise known as **AKAP Ordinance of 2025.**

SECTION 2. PURPOSE. This Ordinance is aimed in institutionalizing local support by providing mechanism in the implementation of the Ayuda para sa Kapos and Kita Program (AKAP) in the Local Government Unit of Tanauan, Leyte to improve the living conditions of the vulnerable constituents, especially the low-income earners through rice subsidy, through the following:

- a. Identify the AKAP recipients of the rice subsidy;
- b. Prescribe the qualifications of the recipients, and the amount of rice subsidy per family;
- c. Provide guidance to LGU Department Heads and Barangay Functionaries on the criteria and mechanics of entitlement of rice subsidy in and its process of the availment.

SECTION 3. QUALIFICATION OF BENEFICIARIES

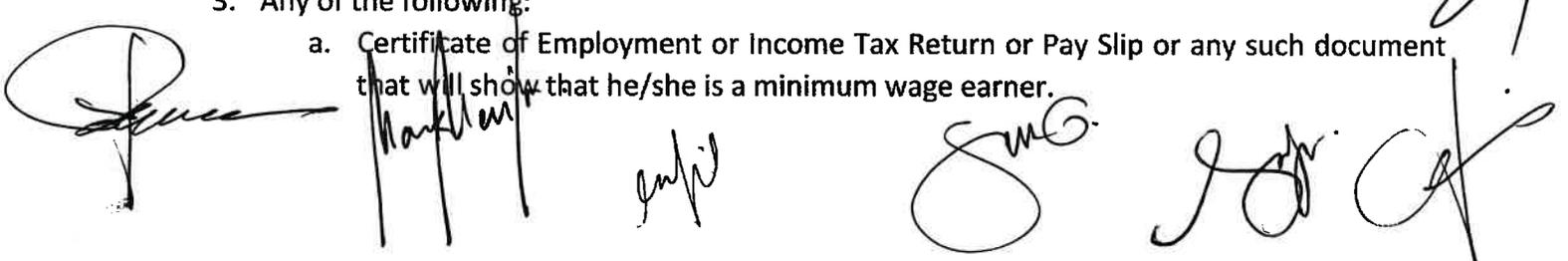
The assistance may be extended once every three (3) months to all qualified and deserving families who must be bonafide resident of the Municipality of Tanauan, Leyte, shall possess the following eligibility requirements to be able to avail the AKAP Rice Subsidy, to wit:

- a. Minimum Wage Earners – workers in the private sector paid the statutory minimum wage, or to an employee in the public sector with compensation income of not more than the statutory minimum wage in the non-agricultural sector where he/she is assigned.
- b. Low Income Earners – those whose income from economic activities, either in the formal or informal sector, is insufficient to cover living expenses or basic needs, and those.
- c. Vulnerable sectors specifically the senior citizens and solo parents subject to the guidelines of DSWD.

SECTION 4. DOCUMENTARY REQUIREMENTS

The following documentary requirements shall be complied with to be able to qualify as beneficiaries of AKAP, to wit;

1. Any valid identification card/ in the case Senior Citizen I.D is needed instead.
2. Barangay Resident Certificate or COMELEC registration card
3. Any of the following:
 - a. Certificate of Employment or Income Tax Return or Pay Slip or any such document that will show that he/she is a minimum wage earner.

The bottom of the page features several handwritten signatures in black ink. From left to right, there are approximately seven distinct signatures, some appearing to be initials or full names in cursive script. The signatures are positioned below the list of requirements.

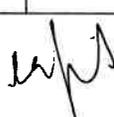
- b. Any of the following documents issued within the last three (3) months that may aid in the determination whether the beneficiary is a low-income earner:
 - i. Certification from his/her direct employer, indicating the length of service, and monthly income, including the full name, and signature of the employer, certified by any barangay or Local Social Welfare and Development Office (SWDO) Authorized Officials/ any Registered Social Worker, as in the case of domestic workers, individuals who are directly employed individuals like house helpers, babysitters, caretakers, construction workers/laborers, personal drivers, personal assistants, etc.; or
 - ii. Certification issued by any government offices (national, Regional, or local level) recognizing certain sectors or groups (i.e, farmers, fisherfolk, etc.); or
 - iii. Certification from the association's president/head, or their authorized representative, as in the case of public utility vehicle drivers; or
 - iv. Small Business permit/certification issued by the barangay captain or their authorized representative, as in the case of small business owners; or
 - v. Social Case Summary or Social Case Study Report issued by the LSWDO/any Registered Social Worker certifying that per home visitation or validation, the individual is a low-income earner; or
 - vi. Certificate of Attestation indicating the name, age, occupation, and address of the beneficiary issued by the Barangay or any Registered Social Worker.

4. In the case of Senior Citizens and Solo Parents minimal requirements are required in availing the AKAP-RICE program:

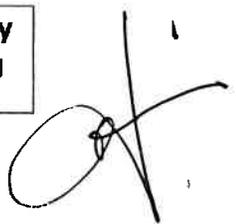
- a. Any valid identification card OSCA I.D and MSWD issued identification card is preferred.
- b. Certificate of Attestation indicating the name, age, occupation and address of the beneficiary issued by the barangay.

SECTION 5. POLICY and OPERATIONAL GUIDELINES

- a. The rice subsidy shall be given to the beneficiaries who have met the qualifications under Section 3 thereof;
- b. Rice Subsidy shall be given in the form of a physical voucher or a digital voucher issued through a digital platform that the LGU may develop, to be claimed from the registered rice retailers of their choice within the jurisdiction of the Local Government Unit of Tanauan;
- c. The total amount of rice subsidy shall be **50% of 25 kilo rice of the suggested retail price to be determined by the Local AKAP Advisory Committee**, using the following computation, to wit:

If the Suggested Retail Price	50% of the Subsidy for 25 Kilos	Amount of the Subsidy to be Paid by the LGU
		





P50.00	12.5	P625.00
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(If the beneficiary opted to buy a much lower price than the SRP, this means he will get more than 12.5 kilo subsidy.)

- d. The number of beneficiaries shall be determined depending upon the availability of funds from the Department of Social Welfare and Development;
- e. Change in the amount and continuation/discontinuation of the provision of the rice subsidy shall be subject to the availability of funds from DSWD.

SECTION 6. ELIGIBILITY OF RICE RETAILERS

There shall be an accreditation of rice retailers who are eligible to supply/sell to the beneficiaries and shall collect payment thereafter from the Local Government Unit of Tanauan. The following are the eligibility requirements, to wit:

1. Local Business Permit
2. BIR Certificate of Registration
3. Sworn Statement of Capitalization
4. Any public or official document showing that they have been in the rice retailing industry for not less than 5 years.

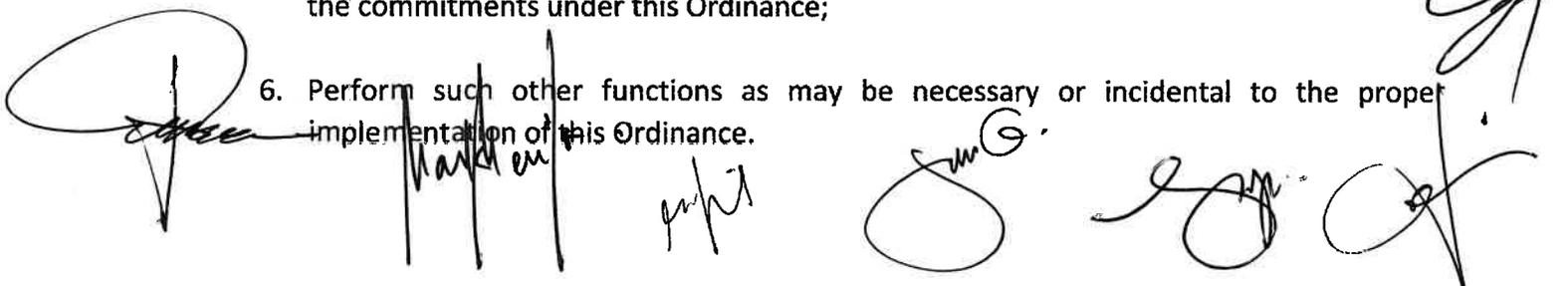
SECTION 7. LEAD OFFICE

The Local Social Welfare and Development Office (LSWDO) shall serve as the implementing body of the program. It shall establish an arrangement of line of authority, communications, and the roles and responsibilities of the different departments in the Local Government Unit of Tanauan, including the Barangay Local Government Unit, in the implementation of the program.

In the implementation of this Ordinance, the LSWDO shall perform the following functions:

1. Select and use an appropriate, effective and cost-efficient method to identify and select qualified beneficiaries;
2. Identify and select the target beneficiaries on the basis of a uniform, objective and transparent selection process as indicated in Section 3 of this Ordinance;
3. Coordinate with different national agencies and barangay local government units, including organizations from the private sector to ensure full implementation of this Ordinance;
4. Set up participatory monitoring and evaluation systems and methodologies on the selection of beneficiaries, accreditation of the rice retailers and processing of the downloading of the funds as well as the payment of the obligations to the rice retailers;
5. It shall also coordinate with the AKAP Advisory Committee to verify compliance on a monthly basis, and recommend measures and policies for the responsive delivery of the commitments under this Ordinance;

6. Perform such other functions as may be necessary or incidental to the proper implementation of this Ordinance.



7. The Local Social Welfare and Development Officer should assign a casual or permanent employee from MSWD office who will be responsible of releasing vouchers to the beneficiaries to insure accountability in case of irregularities that will arise in the implementation of the program.

SECTION 8. AKAP MUNICIPAL ADVISORY COMMITTEE

An Advisory Committee shall be created to provide policy directions on the program implementation to ensure the availability and provision of necessary support services. The Municipal Advisory Committee shall have the following members:

Chairperson :Local Chief Executive
Vice Chairperson :Chairman Committee On Finance

MEMBERS:

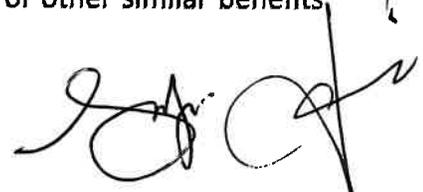
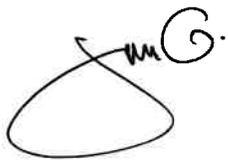
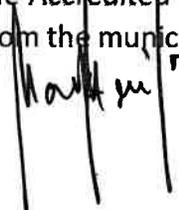
Municipal Treasurer
Municipal Social Welfare and Development Officer
Chairman Committee on Economic Enterprise
Municipal Accountant or its representative
Municipal Agriculturist or its representative
Representative from the Department of Trade and Industry

The Advisory Council shall have the following functions:

- a. Meet regularly to promote coordination, enhance the implementation of the program and address program implementation issues;
- b. Determine and set the Suggested Retail Price (SRP) of the Rice per kilo and update the SRP every three (3) months as basis for the computation of 50% of the subsidy;
- c. Recommend to the Local Chief Executive measures and policies for the responsive delivery of the commitments under this Ordinance and integration with the general poverty reduction strategy of the Local Government Unit;
- d. Review the monitoring reports and submit necessary policy recommendations to improve and strengthen the program, if necessary.
- e. Imposed Administrative sanction to LGU employees who will be proven committed irregularities in the implementation of the AKAP - RICE program.

SECTION 9. PENAL PROVISION

- a. Any LGU employees who will be caught and proven upon investigation by the MSWDO of some irregularities, the MSWDO should recommend the AKAP Municipal Advisory committee for a necessary administrative actions base on Civil Service Commission existing rules and regulations.
- b. Accredited Rice Retailers who will violate the guidelines in the implementation of this program will cause cancellation of their accreditation.
- c. Beneficiaries who will ask for cash instead of Rice Assistance in connivance with the Accredited Rice Retailers shall not be eligible to avail of other similar benefits from the municipality.



SECTION 10. APPROPRIATION – The amount necessary to carry out the provisions of this Ordinance shall be charged and coming from the National Government through the Department of Social Welfare and Development as authorized in the current and subsequent General Appropriations Act.

SECTION 11. SEPARABILITY CLAUSE – Should any provision of this Ordinance be found unconstitutional by a court of law, such provision shall be served from the remainder of this Ordinance, and such action shall not affect the enforce ability of the remaining provisions of this Ordinance.

SECTION 12. REPEALING CLAUSE – All ordinances, resolutions, and orders which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

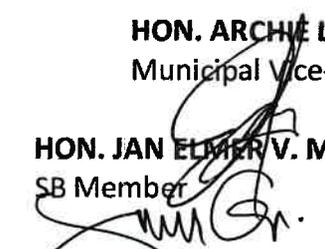
SECTION 13. DISSEMINATION – Let copies of this Ordinance, through the Municipal Information Office, be furnished all concerned for their information and guidance.

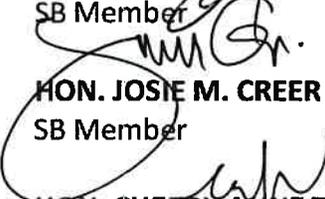
SECTION 14. EFFECTIVITY – This Ordinance shall take effect immediately upon review and approval of the Sanggunian Panlalawigan of the Province of Leyte.

Approved: 16 June 2025.

ATTESTED:


HON. ARCHIE LAWRENCE R. KAPUNAN
Municipal Vice-Mayor/Presiding Officer


HON. JAN ELMER V. MAGDALAGA
SB Member

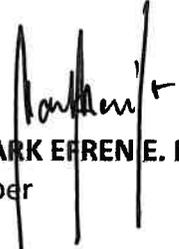

HON. JOSIE M. CREER
SB Member

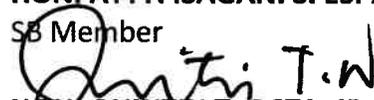

HON. CHERRY ANNE T. FIEL
SB Member

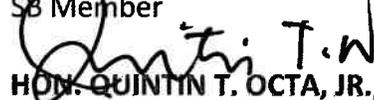

HON. EFREN C. MERILO
SB Member/ABC Fed. Pres.

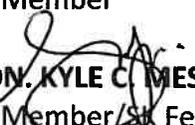
CERTIFIED TRUE AND CORRECT:


DANTE B. CUMPIO
Board Secretary 1/OIC-SB-Secretary


HON. MARK EFREN E. MERILO
SB Member


HON. ATTY. ISAGANI S. ESPADA
SB Member


HON. QUINTIN T. OCTA, JR., D.M.D.
SB Member


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

On leave:

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

HON. PAUL EMMANUEL R. CINCO – On official travel

Approved:


HON. MA. GINA E. MERILO
Municipal Mayor
Date: 07-10-2025



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

C E R T I F I C A T I O N

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that SB ORDINANCE NO. 2025-16, "AN ORDINANCE PRESCRIBING THE LOCALIZED POLICIES AND GUIDELINES FOR THE RICE ASSISTANCE UNDER THE AYUDA PARA SA KAPOS ANG KITA PROGRAM (AKAP) IN THE MUNICIPALITY OF TANAUAN, LEYTE AND FOR OTHER PURPOSES", have been posted in the bulletin boards at the following: Entrance of the Municipal Hall, Office of the Sangguniang Bayan and Public Market beginning July 14, 2025 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: July 14, 2025


ELEUTERIO T. LERIOS
Sangguniang Bayan Secretary