

Item No.: 08
Date: 07 2025 OCT



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office
Date: 9: 25. 25

Sangguniang Panlalawigan
Province of Leyte

RECEIVED

Date: SEP 29 2025
By: [Signature]

2nd INDORSEMENT
September 15, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 21 series of 2025 of the Sangguniang Bayan of Tolosa, Leyte.

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

- Ordinance No. No. 21 series of 2025 entitled: “**An Ordinance promulgating policies and measures for the prevention and control of HIV/AIDS on the municipality of Tolosa.**”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)(5)(xii)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 (xii) Approve measures and adopt quarantine regulations to prevent the introduction and spread of diseases;

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-o0o-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
12 September 2025

Province of Leyte
Legal Office
[Signature]
9.12.25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 21**, series of **2025** of the **Municipality of Tolosa, Leyte**, entitled: **An Ordinance promulgating policies and measures for the prevention and control of HIV/AIDS in the Municipality of Tolosa.**

[Signature]
FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

The 12th Sangguniang Bayan (2025-2028)



Republic of the Philippines
Province of *Leyte*
Municipality of Tolosa

Office of the Sangguniang Bayan

1st Endorsement

September 11, 2025

SANGGUNIANG PANLALAWIGAN



Respectfully forwarded to the Sangguniang Panlalawigan, Province of Leyte, Municipality of Palo, the herein attached **RESOLUTION NO. 09-185-2025, Re: A RESOLUTION APPROVING THE ORDINANCE ENTITLED: "AN ORDINANCE PROMULGATING POLICIES AND MEASURES FOR THE PREVENTION AND CONTROL OF HIV/AIDS IN THE MUNICIPALITY OF TOLOSA"**, Attendance of Public Hearing and Certification of Posting.

For review and approval.

Issued this **11th** day of **September 2025** at Tolosa, Leyte, Philippines.

Please acknowledge receipt hereof.

DR. MANNY R. MARTINEZ, DPA., RN., USRN., MPRM.
[Signature]
Secretary to the Sangguniang Bayan
Municipal Gov't Department Head I

The 12th Sangguniang Bayan (2025-2028)



Republic of the Philippines
Province of Leyte
Municipality of Tolosa

Office of the Sangguniang Bayan

CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to **CERTIFY** that pursuant to paragraph (a) of Article 114 of RA 7160 Posting of **Ordinance 21, Series of 2025, Re: AN ORDINANCE PROMULGATING POLICIES AND MEASURES FOR THE PREVENTION AND CONTROL OF HIV/AIDS IN THE MUNICIPALITY OF TOLOSA**, was posted in three (3) conspicuous places, with Penal Sanctions, the undersigned has complied the said provision last September 8, 2025.

This **Certification** is issued in compliance of Article 114 of RA 7160.

Given this **11th** day of **September 2025**.

DR. MANNY R. MARTINEZ / DPA., RN., USRN., MPRM.
Secretary to the Sangguniang Bayan
Municipal Gov't Department Head I



Republic of the Philippines
Province of Leyte
Municipality of Tolosa

Office of the Sangguniang Bayan

**EXCERPT FROM THE MINUTES OF THE 10TH REGULAR SESSION
OF THE SANGGUNIANG BAYAN OF TOLOSA, HELD AT THE
SESSION HALL, ON SEPTEMBER 1, 2025 AT 1:00 P.M.**

PRESENT:

Hon. Elizabeth S. Eracho	-	-	Municipal Vice-Mayor (Presiding Officer)
Hon. Daphne Dayner B. Roa	-	-	Sangguniang Bayan Member
Hon. Purisima Z. Ocaña	-	-	Sangguniang Bayan Member
Hon. Jose Mari Idefonso C. Roa, Jr.	-	-	Sangguniang Bayan Member
Hon. Rolando B. Legaspi	-	-	Sangguniang Bayan Member
Hon. Ireneo Rolando A. Lumbré	-	-	Sangguniang Bayan Member
Hon. Manuel B. Balledo	-	-	Sangguniang Bayan Member
Hon. Felicito D. Beltran III	-	-	Sangguniang Bayan Member
Hon. Rouen Angely M. Tubongbanua	-	-	Sangguniang Bayan Member
Hon. Melanie Felisa M. Vivero	-	-	Ex-Officio Member/Liga President

ABSENT:

Hon. Catherine R. Benjamin	-	-	Ex-Officio Member/SK Fed. President
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RESOLUTION NO. 09-185-2025

A RESOLUTION APPROVING THE ORDINANCE ENTITLED: "AN ORDINANCE PROMULGATING POLICIES AND MEASURES FOR THE PREVENTION AND CONTROL OF HIV/AIDS IN THE MUNICIPALITY OF TOLOSA"

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the *Local Government Code of 1991*, empowers local government units to exercise powers necessary and appropriate for the promotion of the general welfare;

WHEREAS, the Sangguniang Bayan of Tolosa, Leyte has enacted an ordinance entitled:

"An Ordinance Promulgating Policies and Measures for the Prevention and Control of HIV/AIDS in the Municipality of Tolosa"

WHEREAS, said ordinance is consistent with national policies on HIV and AIDS prevention and treatment, including Republic Act No. 11166 or the *Philippine HIV and AIDS Policy Act*, and localizes its implementation through a multi-sectoral approach;

WHEREAS, upon thorough review and consultation, the ordinance has been found to be responsive to the health needs and rights of the residents of the Municipality of Tolosa;

NOW THEREFORE, on motion of Hon. Jose Mari Idefonso C. Roa, Jr. duly seconded unanimously;

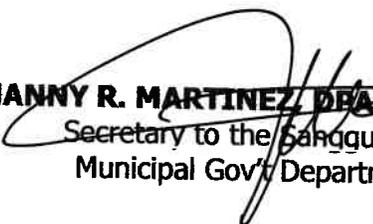
BE IT RESOLVED, as it is hereby resolved, to approve the ordinance entitled:

"An Ordinance Promulgating Policies and Measures for the Prevention and Control of HIV/AIDS in the Municipality of Tolosa"

RESOLVED FURTHER, that a copy of this resolution be forwarded to the Sangguniang Panlalawigan of Leyte for appropriate review and validation as provided by the Local Government Code;

APPROVED UNANIMOUSLY this **1st** day of **September, 2025** at the Sangguniang Bayan Session Hall, Tolosa, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing resolution, duly approved by the **12th** Sangguniang Bayan of Tolosa during its **10th** Regular Session held at the Session Hall on **September 1, 2025**.


DR. MANNY R. MARTINEZ, DPA, RN, USRN, MPRM.
Secretary to the Sangguniang Bayan
Municipal Gov't Department Head I

MOVANT:


HON. JOSE MARI ILDEFONSO C. ROA, JR.
Sangguniang Bayan Member

ATTESTED:


HON. ELIZABETH S. ERACHO, RCE.
Municipal Vice-Mayor
Presiding Officer

APPROVED:


HON. ERWIN G. OCAÑA
Municipal Mayor
Date: 9/4/25



Republic of the Philippines
Province of *Leyte*
Municipality of Tolosa

Office of the Sangguniang Bayan

SANGGUNIANG PANLALAWIGAN



**EXCERPT FROM THE MINUTES OF THE 10TH REGULAR SESSION
OF THE SANGGUNIANG BAYAN OF TOLOSA, HELD AT THE
SESSION HALL, ON SEPTEMBER 1, 2025 AT 1:00 P.M.**

PRESENT:

- | | | | |
|-------------------------------------|---|---|--|
| Hon. Elizabeth S. Eracho | - | - | Municipal Vice-Mayor (Presiding Officer) |
| Hon. Daphne Dayner B. Roa | - | - | Sangguniang Bayan Member |
| Hon. Purisima Z. Ocaña | - | - | Sangguniang Bayan Member |
| Hon. Jose Mari Idefonso C. Roa, Jr. | - | - | Sangguniang Bayan Member |
| Hon. Rolando B. Legaspi | - | - | Sangguniang Bayan Member |
| Hon. Ireneo Rolando A. Lumbré | - | - | Sangguniang Bayan Member |
| Hon. Manuel B. Balled o | - | - | Sangguniang Bayan Member |
| Hon. Felicito D. Beltran III | - | - | Sangguniang Bayan Member |
| Hon. Rouen Angely M. Tubongbanua | - | - | Sangguniang Bayan Member |
| Hon. Melanie Felisa M. Vivero | - | - | Ex-Officio Member/Liga President |

ABSENT:

- | | | | |
|----------------------------|---|---|-------------------------------------|
| Hon. Catherine R. Benjamin | - | - | Ex-Officio Member/SK Fed. President |
|----------------------------|---|---|-------------------------------------|

**ORDINANCE NO. 21
SERIES OF 2025**

**AN ORDINANCE PROMULGATING POLICIES AND MEASURES FOR
THE PREVENTION AND CONTROL OF HIV/AIDS
IN THE MUNICIPALITY OF TOLOSA**

Author: HON. JOSE MARI ILDEFONSO C. ROA, JR.

WHEREAS, since the first case of AIDS in the Philippines was reported in 1984, the documented HIV/AIDS epidemic has progressed to alarming levels;

WHEREAS, the potential for a rapid increase in new infections is high because of the country's thriving sex industry; high rates of sexually transmitted infections (STIs); inadequate access to STI treatment and poor health-seeking behavior; instances of casual sex among young people; emerging problem of injecting drug users, a high percentage of whom reportedly share needles, incorrect and inconsistent preventive measures, among others;

WHEREAS, the Sanggunian has recognized that efforts have to be localized through the Municipal AIDs Council and Barangay AIDS Council to make the response to the HIV/AIDS epidemic proactive and effective;

NOW THEREFORE on motion of Hon. Jose Mari Idefonso C. Roa, Jr. and severally seconded;

RESOLVED, as it is hereby resolved by the Sangguniang Bayan of Tolosa in session duly assembled to enact:

ARTICLE I

TITLE, POLICY AND DEFINITION OF TERMS

SECTION 1. TITLE - This Ordinance shall be known as the "TOLOSA HIV/AIDS ORDINANCE OF 2025 OF TOLOSA, LEYTE"

HON. ELIZABETH S. ERACHO, RCE.
Municipal Vice-Mayor

DR. MANNY R. MARTINEZ, DPA., RN., USRN., MPRM.
Secretary to the Sangguniang Bayan

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURISIMA Z. OCAÑA
Sangguniang Bayan Member

HON. JOSE MARI ILDEFONSO C. ROA, JR.
Sangguniang Bayan Member

HON. ROLANDO B. LEGASPI
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. ROUEN ANGELY M. TUBONGBANUA
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Ex-Officio Member
Liga President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

SECTION 2. DECLARATION OF POLICY - Acquired Immune Deficiency Syndrome (AIDS) is a sexually transmitted disease that recognizes no territorial, social, political and economic boundaries for which there is no known cure. The gravity of the AIDS threat demands strong community participation and active involvement, thus, the Municipality of Tolosa shall promote public awareness about the causes, modes of transmission, consequences, means of prevention and control of HIV/AIDS through a comprehensive education and information campaign organized by the local government down to the barangay level.

The Municipality of Tolosa shall promote value formation and employ scientifically proven approaches. The information and education campaign shall be carried out in schools, training centers, workplaces and communities.

SECTION 3. DEFINITION OF TERMS - As used in this Ordinance, the following terms are defined as follows:

- a) *Acquired Immune Deficiency Syndrome (AIDS)* - a condition characterized by a combination of signs and symptoms, caused by HIV contracted from another person's and which attacks and weakens and body's immune system, making the affected individual susceptible to other life-threatening infections.
- b) *Human Immunodeficiency Virus (HIV)* - refers to the virus which causes AIDS.
- c) *HIV/AIDS Prevention and Control* - refers to the measures aimed at protecting non-infected persons from contracting HIV and minimizing the impact of the condition of persons living with HIV.
- d) *HIV positive* - refers to the presence of HIV infection as documented by the presence of HIV or HIV antibodies in the sample being tested.
- e) *HIV negative* - denotes the absence of HIV or HIV antibodies upon testing.
- f) *HIV testing* - refers to any laboratory procedure done on an individual to determine the presence or absence of HIV infection.
- g) *HIV/AIDS monitoring* - refers to the documentation and analysis of the number of HIV/AIDS infection and the pattern of its spread.
- h) *Contact Tracing* - refers to the method of finding and counseling the sexual partner(s) of a person who has been diagnosed as having sexually transmitted disease.
- i) *Sexually Transmitted Infections (STIs)* - refers to any disease that can be acquired or passed through sexual contact.
- j) *Anonymous Testing* - refers to an HIV testing procedure whereby the individual being tested does not reveal his/her true identity.
- k) *HIV Transmission* - refers to the transfer of HIV from an infected person to an uninfected individual, most commonly through sexual intercourse, blood transfusion, sharing of intravenous needles and during pregnancy.
- l) *Informed Consent* - refers to a voluntary agreement of a person to undergo or be subjected to a procedure based on full information.
- m) *Medical Confidentiality* - refers to the relationship of trust and confidence created or existing between a patient or a person with HIV and his attending physician, consulting medical specialist, nurse, medical technologist and all other health workers or personnel involved in any counseling, testing or professional care of the former, it also applies to any person who, in any official capacity, has acquired such confidential information.
- n) *Pre-test Counseling* - refers to process of providing individual information on the biomedical aspects of HIV/AIDS and emotional support to any psychologist implications of undergoing HIV testing and the test result itself before he/she is subjected to the test.

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURISIMA Z. OCANA
Sangguniang Bayan Member

HON. JOSE MARI ILDEFONSO C. ROA, JR.
Sangguniang Bayan Member

HON. ROLANDO B. LEGASPI
Sangguniang Bayan Member

HON. TRENIO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. ROJEN ANGELY M. TUBONGBANUA
Sangguniang Bayan Member

HON. MELNIE FELISA M. VIVERO
Ex-Officio Member
Liga President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

HON. ELIZABETH S. ERACHO, RCE.
Municipal Vice-Mayor

DR. MANNY R. MARTINEZ, DPA, RN., USRN., MPRM.
Secretary to the Sangguniang Bayan

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Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

- o) *Post-test Counseling* - refers to the process of providing risk- education information and emotional support to a person who submitted to HIV testing at the time that the test result is released.
- p) *Prophylactic* - refers to any agent of device use to prevent the transmission of a disease.
- q) *Voluntary HIV Testing* – refers to HIV testing done on an individual who, after having undergone pre-test counseling, willingly submits himself/herself to such test.
- r) *Information Education and Communication (IEC) Materials* - refers to all forms of media materials for the purpose of information dissemination thereby educating the public.
- s) *Municipal AIDS Council (MAC)* - refers to the central advisory, planning and policy-making body for the comprehensive and integrated HIV/AIDS prevention and control program at the municipal level.
- t) *Barangay AIDS Council (BAC)* – refers to the central advisory, planning and policy-making body for the comprehensive and integrated HIV/AIDS prevention and control program at the barangay level.

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. ROJEN ANGELY M. TUBONGBANUA
Sangguniang Bayan Member

HON. MEJANIE FELISA M. VIVERO
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Liga President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

**ARTICLE II
EDUCATION AND INFORMATION**

SECTION 4. HIV/AIDS INFORMATION AND EDUCATION CAMPAIGN IN THE COMMUNITIES – The Local Government Unit in collaboration with the Municipal Health Office, shall conduct an education and information campaign on HIV/AIDS prevention and control down to the barangay level.

SECTION 5. HIV/AIDS INFORMATION AS A HEALTH SERVICE – HIV/AIDS education and information dissemination shall form part of the delivery of health services by health practitioners, workers and personnel. The knowledge and capabilities of all public health workers shall be enhanced to include skills for proper information dissemination and education on HIV/AIDS. It shall likewise be considered a civic duty of health providers in the private sectors to make available to the public such information necessary to control the spread of HIV/AIDS and to correct common misconceptions about this disease. The training of health workers shall include discussions on HIV - related ethical issues such as confidentiality, informed consent and the duty to private treatment.

SECTION 6. SEXUAL ABSTINENCE AND MUTUAL FIDELITY - Sexual abstinence and mutual fidelity shall be emphasized in all HIV/AIDS prevention and control strategies.

SECTION 7. HIV/AIDS GENDER SENSITIVE IEC MATERIALS AND EDUCATION MODULES - Information, education and communication (IEC) materials shall be appropriately designed to the needs of the identified groups being targeted in the campaign. Literatures on HIV/AIDS shall utilize the local dialect to encourage and facilitate easy understanding of terms and concepts. Modules on HIV/AIDS prevention and control shall be subjected to review by the Municipal AIDS Council.

SECTION 8. HIV/AIDS EDUCATION SCHOOLS - In the Municipality of Tolosa, the Municipal Health Office shall take the lead in information dissemination on the nature of HIV/AIDS and its prevention, utilizing standardized information in close Coordination with the Department of Education.

SECTION 9. EDUCATION IN THE WORKPLACE - Managers, Supervisors and employees in workplaces shall be provided with the standardized basic information and instruction on HIV/AIDS which shall include topics on confidentiality in the workplace and attitude towards infected employees and Workers.

SECTION 10. INFORMATION CAMPAIGN FOR TOURISTS AND TRANSIENTS - informational AIDS or material on the cause, modes of transmission, prevention, and Consequences of HIV infection shall be adequately provided at all entry and exit points and possible tourist destinations/places.

HON. ELIZABETH S. ERACHO, RCE.
Municipal Vice-Mayor

DR. MANNY R. MARTINEZ, DPA., RN., USRN., MPRM.
Secretary to the Sangguniang Bayan

**ARTICLE III
REFERRAL, TESTING AND COUNSELING**

SECTION 11. CONSENT AS A REQUISITE FOR HIV TESTING – There shall be no policy on compulsory HIV testing pursuant to the Republic Act 8504. However voluntary testing shall be encouraged among individuals with high risks for contracting HIV.

SECTION 12. REFERRAL SYSTEM - There shall be an appropriate referral system established and a proper authority shall likewise be recognized in the municipality. Referrals to testing centers, hospitals, clinics, and laboratories offering HIV testing services shall be done by the Municipal Health Officer.

SECTION 13. PRE-TEST AND POST-TEST COUNSELING - Pre-test and post-test counseling shall be conducted to persons who want to avail of the HIV/AIDS testing services. However, only trained individuals who shall meet the minimum standards set by the Department of Health on HIV/AIDS counselling and are duly accredited by the Municipal AIDS Council are allowed to do counselling services.

**ARTICLE IV
CREATION OF THE TOLOSA AIDS COUNCIL (MAC)**

SECTION 14. COMPOSITION OF THE TOLOSA AIDS COUNCIL - The Tolosa AIDS Council shall be composed of following:

- | | | |
|---|---|---------------|
| a) Municipal Mayor | - | Chairman |
| b) Municipal Health Officer | - | Vice-chairman |
| c) SB Chairman, Committee on Health | - | Member |
| d) ABC Chairman | - | Member |
| e) SB Chairman, Committee on Tourism | - | Member |
| f) SK Federation Pres. | - | Member |
| g) DOH Representative | - | Member |
| h) Municipal Planning and Development Officer | - | Member |
| i) Municipal Social Welfare and Development Officer | - | Member |
| j) Public Health Nurse | - | Member |
| k) School District Supervisor | - | Member |
| l) Parish Priest | - | Member |
| m) One (1) active Non-Government Organizations (NGOs) presently accredited by the municipality- | | Member |
| n) One (1) Overseas Filipino Worker/ Dependent OFW (OFW/DOFW) per accredited Organization by the MAC- | | Member |

1 - Sangguniang Bayan

The MAC may, from time to time, expand or reduce its membership as the need arises.

SECTION 15. POWERS AND FUNCTIONS - For the attainment of the aforesaid HIV/AIDS program, the Tolosa AIDS Council (MAC) shall be charged and vested with the following power and functions:

- Recommend to the Sangguniang Bayan policies, programs and plans on the prevention and control of HIV/AIDS.
- Establish, mobilize and strengthen linkages at the local, national, international government agencies and non-government organizations (NGOs) and other stakeholders involved in the HIV/AIDS prevention and control programs.
- Monitor the implementation of this code and other policies approved and adopted by MAC.
- Sourced-out funds from the national, international government agencies and non-government organizations (NGOs) where necessary for the implementation of the HIV/AIDS prevention and control program.

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURISIMA Z. OCAÑA
Sangguniang Bayan Member

HON. JOSE MARI ILDEFONSO C. ROA, JR.
Sangguniang Bayan Member

HON. ROLANDO F. LEGASPI
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Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Ex-Officio Member
Liga President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

- e) Formulate and submit project proposals to national and international agencies both government and private for the implementation of the HIV/AIDS program.
- f) Support the formation of Volunteer Groups as an arm for the prevention, control, information dissemination and education to the community.

SECTION 16. SECRETARIAT OF TOLOSA AIDS COUNCIL. The secretariat shall be designated by the Tolosa AIDS Council.

SECTION 17. FUNCTIONS OF THE SECRETARIAT OF THE TOLOSA AIDS COUNCIL
The secretariat of the Council shall perform the following functions:

- a) Coordinate the activities of the council.
- b) Shall keep all records of the council.
- c) Record minutes during meetings and document other activities of the council.
- d) Serve as the center of Communication on all matters pertaining to HIV/AIDS.
- e) Perform other secretariat functions, as may be assigned by the Chairman of the council.

SECTION 18. COMPENSATION AND REMUNERATION OF THE SECRETARIAT OF THE COUNCIL - Members and secretariat of the Tolosa AIDS Council shall perform their duties as such and shall be entitled to the necessary traveling expenses, allowances or honorarium chargeable against the funds of the MAC depending upon the availability of funds, and subject to existing accounting and auditing rules and regulations.

**ARTICLE V
CREATION OF THE BARANGAY AIDS COUNCIL (BAC)**

SECTION 19. COMPOSITION OF THE BARANGAY AIDS COUNCIL. The Barangay AIDS Council shall be composed of the following:

- | | | |
|---|---|---------------|
| a) Barangay Captain | - | Chairman |
| b) SB ² Chairman, Committee on Health | - | Vice-Chairman |
| c) SB ² Chairman, Committee on Tourism | - | Member |
| d) SK Chairman | - | Member |
| e) Public Health Midwife | - | Member |
| f) School Principal | - | Member |
| g) One (1) Overseas Filipino Worker /
Dependent OFW (OFW/DOFW)
per accredited Organization by the BAC | - | Member |
| h) One (1) Barangay Health Workers | - | Member |
| i) Purok Chairman of the Barangay | - | Member |
| j) Senior Citizens representative | - | Member |
| k) Religious Sector Representative | - | Member |
| l) Business or Private Sector Representative | - | Member |
| m) NGO Representative | - | Member |

2- Sangguniang Barangay

The BAC may, from time to time, expand or reduce its membership as the need arises.

SECTION 20. POWERS AND FUNCTIONS - The Barangay AIDS Council (BAC) shall have the following powers and functions:

- a) Recommend to the Sangguniang Barangay policies and programs for the prevention and control of HIV/AIDS at the barangay level.
- b) Recommend to the Sangguniang Barangay ordinances and resolutions relevant to the control and prevention of HIV/AIDS including policies for the care and support of people living with HIV/AIDS at the barangay level.
- c) Take the lead in undertaking communication campaign on HIV/AIDS prevention and control information, education and program at the barangay level.

Page 5 of 8
Tracking No. RD-09-2025-204

ORDINANCE No. 21, Series of 2025
ORDINANCE PROMULGATING POLICIES AND MEASURES FOR
THE PREVENTION AND CONTROL OF HIV/AIDS

HON. ELIZABETH S. ERACHO, RCE.
Municipal Vice-Mayor

DR. MANNY R. MARTINEZ, DPA, RN, USRN, MPRM.
Secretary to the Sangguniang Bayan

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURSIMA Z. OCAÑA
Sangguniang Bayan Member

HON. JOSE MAKI L. DEFONSO C. ROA, JR.
Sangguniang Bayan Member

HON. ROLANDO B. NEGASPI
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
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HON. FELICITO D. BELTRAN III
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Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Ex-Officio Member
Liga President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

- d) Monitor the implementation of this code and other policies approved and adopted by MAC/BAC.
- e) Accredite volunteer groups and organizations to the HIV/AIDS program at the barangay level.
- f) Promote the formation of Volunteer Groups that will serve as arm for the prevention, control, information dissemination and education to the community.

**ARTICLE VI
SUPPORT PROGRAMS AND SERVICES**

SECTION 21. COMMUNITY-BASED SERVICES - The Municipality in Coordination and cooperation with concerned government agencies and Civil Society Organizations (CSOs) shall provide community-based HIV/AIDS prevention and care services.

SECTION 22. LIVELIHOOD PROGRAMS AND TRAININGS - Trainings for livelihood and self-help programs shall be made accessible and available to all persons with HIV/AIDS. Persons infected with HIV/AIDS shall not be deprived of full participation in any livelihood and self-help programs for reason of their health condition.

SECTION 23. INTEGRATION OF HIV/AIDS PROGRAM TO THE MUNICIPAL/BARANGAY DEVELOPMENT PLAN - HIV/AIDS program shall be incorporated in the Municipal Development Plan and Barangay Development Plans for the formulation of a comprehensive, integrated and sustainable policy and program particularly but not limited to the prevention, control, information dissemination and education.

SECTION 24. ORGANIZING/STRENGTHENING OVERSEAS FILIPINO WORKERS AND DEPENDENTS (OFW/DOFW) - Organizing and strengthening of Overseas Filipino Workers and Dependents shall be pursued for database establishment in coordination with the MAC/BAC for the program implementation.

SECTION 25. CREATION OF VOLUNTEER GROUPS - HIV/AIDS support Volunteer groups duly accredited by the MAC/BAC shall undergo trainings on capacity building, counseling, trainers' training, IEC conceptualization, dissemination.

**ARTICLE VII
HIV/AIDS MONITORING**

SECTION 26. MONITORING PROGRAM AND REPORTING MECHANISMS - The Tolosa AIDS Council shall develop a comprehensive program and reporting procedures on the magnitude of and progression of HIV infection in the Municipality.

**ARTICLE VIII
CONFIDENTIALITY, RESEARCH INVESTIGATION,
DISCRIMINATORY AND PENAL PROVISIONS**

SECTION 27. CONFIDENTIALITY - All results of HIV testing and any Information gathered shall remain confidential and classified, and shall not be Used in any way to become basis or restriction for any employment, school attendance, freedom of abode or travel.

SECTION 28. RESEARCH INVESTIGATIONS - All research investigations related to HIV/AIDS should observe strict adherence to the ethical guidelines set by the Philippine National AIDS Council.

SECTION 29. DISCRIMINATORY ACTS - Discrimination of any form towards person or persons perceived or suspected with HIV (i.e. employment process, promotion, assignment or termination from work, schools, hospitals, health institution, travel and habitation) shall be unlawful.

SECTION 30. DIVULGING OF CONFIDENTIAL INFORMATION OF PERSONS WITH HIV/AIDS - Any person who divulges confidential information about the status of a person with HIV/AIDS shall be penalized hereunder.

Page 6 of 8
Tracking No. RO-09-2025-204
ORDINANCE No. 21, Series of 2025
ORDINANCE PROMULGATING POLICIES AND MEASURES FOR
THE PREVENTION AND CONTROL OF HIV/AIDS

HON. ELIZABETH S. ERACHO, RCE.
Municipal Vice-Mayor

DR. MANNY R. MARTINEZ, DPA., RN., USRN., MPRM.
Secretary to the Sangguniang Bayan

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURSIANA Z. OCANA
Sangguniang Bayan Member

HON. JOSE MARI TILDEFONSO C. ROA, JR.
Sangguniang Bayan Member

HON. ROLANDO B. LEGASPI
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. TUBONGBANUA ANGELY M. TUBONGBANUA
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Ex-Officio Member
Liga President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

SECTION 31. PENALTIES - Any person found guilty of violating any provisions of this Ordinance shall be penalized in accordance with the following, to wit;

- a) **First Offense** - a fine of 1,000.00 and/or an imprisonment of one (1) month, depending upon the discretion of the court.
- b) **Second Offense** - a fine of 2,000.00 and/or an imprisonment of three (3) months, depending upon the discretion of the court.
- c) **Third Offense** - a fine of 2,500.00 and/or an imprisonment of six (6) months, depending upon the discretion of the court.

**ARTICLE IX
FINAL PROVISION**

SECTION 32. SEPARABILITY CLAUSE - If for any reason, any section of provision of this Ordinance is declared unconstitutional or invalid, all other sections or provisions hereof which are not affected by such declaration shall continue to be in full force and effect.

SECTION 33. REPEALING CLAUSE All Ordinances, local issuances or rules, inconsistent with the provision of this Ordinance are hereby repealed or modified accordingly.

SECTION 34. EFFECTIVITY CLAUSE - This Ordinance shall take effect immediately upon approval and upon posting in three (3) Conspicuous places in the Municipality.

ENACTED: 1st day of September 2025

I HEREBY CERTIFY to the correctness of the foregoing Ordinance which was duly enacted by the 12th Sangguniang Bayan of Tolosa during its 10th Regular Session held at the Session Hall on September 1, 2025

DR. MANNY R. MARTINEZ, DPA., RN., USRN., MPRM.
Secretary to the Sangguniang Bayan
Municipal Gov't Department Head I

ATTESTED:


HON. ELIZABETH S. ERACHO, RCE.
Municipal Vice-Mayor
Presiding Officer


HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

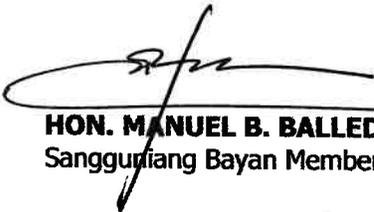

HON. PURISIMA Z. OCAÑA
Sangguniang Bayan Member


HON. JOSE MARI ILDEFONSO C. ROA, JR.
Sangguniang Bayan Member


HON. ROLANDO B. LEGASPI
Sangguniang Bayan Member



HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member



HON. MANUEL B. BALLEDO
Sangguniang Bayan Member



HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member



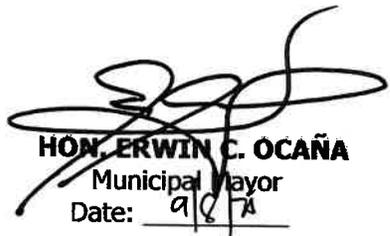
HON. ROUEN ANGELY M. TUBONGBANUA
Sangguniang Bayan Member



HON. MELANIE FELISA M. VIVERO
Ex-Officio Member/Liga President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member/SK Fed. President

APPROVED:



HON. ERWIN C. OCAÑA
Municipal Mayor
Date: 9/8/25



Republic of the Philippines
Province of *Leyte*
Municipality of Tolosa

Office of the Sangguniang Bayan

MINUTES OF THE 10TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF TOLOSA, LEYTE, HELD AT THE SESSION HALL, ON SEPTEMBER 1, 2025 AT 1:00 P.M.

PRESENT:

- | | | | |
|-------------------------------------|---|---|--|
| Hon. Elizabeth S. Eracho, RCE. | - | - | Municipal Vice-Mayor (Presiding Officer) |
| Hon. Daphne Dayner B. Roa | - | - | SB Member (Attended Virtually) |
| Hon. Purisima Z. Ocaña | - | - | Sangguniang Bayan Member |
| Hon. Jose Mari Idefonso C. Roa, Jr. | - | - | Sangguniang Bayan Member |
| Hon. Rolando B. Legaspi | - | - | Sangguniang Bayan Member |
| Hon. Ireneo Rolando A. Lumbré | - | - | Sangguniang Bayan Member |
| Hon. Manuel B. Balledo | - | - | Sangguniang Bayan Member |
| Hon. Felicito D. Beltran III | - | - | Sangguniang Bayan Member |
| Hon. Rouen Angely M. Tubongbanua | - | - | Sangguniang Bayan Member |
| Hon. Melanie Felisa M. Vivero | - | - | Ex-Officio Member/Liga President |

ABSENT:

- | | | | |
|----------------------------|---|---|-------------------------------------|
| Hon. Catherine R. Benjamin | - | - | Ex-Officio Member/SK Fed. President |
|----------------------------|---|---|-------------------------------------|

CALL TO ORDER. - The 10th Regular Session of the 12th Sangguniang Bayan of Tolosa, Leyte was formally convened on September 01, 2025, at exactly 1:00 in the afternoon. The session was presided over by the Honorable Elizabeth Saito Eracho, Municipal Vice Mayor and the duly designated Presiding Officer of the Sangguniang Bayan. She officially declared the session open and welcomed all members and guests present.

NATIONAL ANTHEM, INVOCATION. - The session commenced with the singing of the Philippine National Anthem. This was followed by an invocation, facilitated through a computer-generated prayer, allowing the body to reflect and seek guidance for a productive and meaningful session. The singing of the official municipal hymn, Hymno han Tolosa, concluded the ceremonial opening.

ROLL CALL. - The Secretary to the Sangguniang Bayan conducted the roll call to determine the presence of a quorum.

The following members were recorded as present:

- Hon. Elizabeth Saito Eracho – Vice Mayor / Presiding Officer
- Hon. Daphne Dayner Babar Roa – SB Member
- Hon. Purisima Zabala Ocana – SB Member
- Hon. Jose Mari Idefonso C. Roa, Jr. – SB Member
- Hon. Rolando Baylon Legaspi – SB Member
- Hon. Ireneo Rolando A. Lumbré – SB Member
- Hon. Manuel Bolito Balledo – SB Member
- Hon. Felicito Dela Cruz Beltran III – SB Member
- Hon. Rouen Angely Marcial Tubongbanua – SB Member
- Hon. Melanie Felisa Merida Vivero – Liga President
- Hon. Catherine Robis Benjamin – PPSK - **Absent**

With all the members physically present, the body was confirmed to have a quorum, allowing the legislative session to proceed accordingly.

APPROVAL OF THE MINUTES OF THE PREVIOUS SESSION. - As part of the regular order of business, the approval of the minutes of the previous session was duly taken up. To facilitate the smooth flow of the proceedings, Hon. Felicito D. Beltran III, respectfully moved for the suspension of the reading of the minutes, citing that the same had been electronically

HON. ELIZABETH S. ERACHO, RCE. DR. MANNY R. MARTINEZ, DPA., RN.(US,PH), MPRM.
Municipal Vice-Mayor Secretary to the Sangguniang Bayan

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURISIMA Z. OCAÑA
Sangguniang Bayan Member

HON. JOSE MARI ILDEFONSO C. ROA, JR.
Sangguniang Bayan Member

HON. ROLANDO B. LEGASPI
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. ROUEN ANGELY M. TUBONGBANUA
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Ex-Officio Member
Liga President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

Approved this 1st day of September, 2025, at the Municipality of Tolosa, Leyte.

5) Report of the Committee as a Whole Chaired by the Committee on Environmental Protection.

Re: Resolution Authorizing the Local Chief Executive to enter into and sign the Deed of Usufruct with the Representative by its District Commander, Capt. Jonathan M. Marfil, PCG, for the establishment of a Coast Guard Sub-Station in Barangay Telegrafo, Tolosa, Leyte.

Hon. Rouen Angely M. Tubongbanua reported that the committee meeting as a whole will be rescheduled on **September 5, 2025 (Friday) at 9:00 AM**. He requested the SB Office to invite a resource person, particularly from the MENRO, for further deliberation.

6) Report of the Committee as a Whole Chaired by the Committee on Appropriations. *Re: Barangay Ordinance of Barangay Malbog, Tolosa, Leyte. Entitled: Enacting Barangay Tax Ordinance No. 02, Series of 2024, Prescribing Fees on the Issuance of Permits, Clearance Certifications, Agreements, and Katarungang Pambarangay, and Other Fees Including the Use of Barangay Facilities to all Residents and Non-Residents of the Barangay.*

Hon. Rolando B. Legaspi reported that the committee meeting as a whole will be rescheduled on **September 5, 2025 (Friday) at 9:00 AM** for further deliberations.

SECOND READING:

A. Unfinished Business

- 1. Resolution Authorizing Hon. Erwin C. Ocaña, Municipal Mayor, to enter into and sign the Memorandum of Agreement with E&V Tubig Pag-asa Incorporated represented by its President, Marcus A. Pison, to connect families to a water service network with individual water meters and to operate (collection of the payments, maintenance, etc.) on a specific methodology adapted to the living conditions of the families in the Municipality of Tolosa, Leyte.

Hon. Jose Mari Idefonso C. Roa, Jr. requested the rescheduling of the committee meeting to **September 5, 2025 (Friday) at 9:00 AM**. He further directed the SB Office to request the presence of a resource person and to inform E&V Tubig Pag-asa, Inc. regarding the rescheduled meeting.

B. Business for the Day

- 1. Ordinance No. 1, S.2024 of Barangay Malbog, Tolosa, Leyte. *Entitled: An Ordinance Mandating the Strict Implementation of New Curfew Hours for Children from 10:00 O'clock in the Evening to 4:00 O'clock in the Morning of the Following Day, Prescribing the Proper Procedure for Their Apprehension and Custody Pursuant to Republic Act No. 9344 Otherwise Known as the Juvenile Justice and Welfare Act of 2006, as Amended, and for Other Purposes.*

Hon. Melanie Felisa M. Vivero requested that the deliberation of this barangay ordinance be deferred and instead scheduled for a committee meeting on **September 5, 2025 (Friday) at 9:00 AM**.

THIRD READING:

The Presiding Chair proceeded with the business under **Third Reading**.

The body took up the proposed measure entitled:

- 1. "An Ordinance Strengthening the STI, HIV, and AIDS Response, Reconstituting the STI, HIV and AIDS Council, Providing for its Power and Functions, Appropriating Funds Therefor, and Providing Penalties for Violations Thereof."

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURUSIMA Z. OCAÑA
Sangguniang Bayan Member

HON. JOSE MARI IDEFONSO C. ROA, JR.
Sangguniang Bayan Member

HON. ROLANDO B. LEGASPI
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELICITO B. BELTRAN III
Sangguniang Bayan Member

HON. ROUEN ANGELY M. TUBONGBANUA
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Ex-Officio Member
Liga President

(ABSENT)
HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

At this point, Hon. Jose Mari Idefonso C. Roa, Jr. rose and addressed the body, formally inquiring who among the honorable members' present were in favor of the passage of the ordinance. After due consideration and without any objection, the entire assembly signified their support through a unanimous vote. Recognizing the consensus, Hon. Jose Mari Idefonso C. Roa, Jr. moved for the approval of the measure, which was immediately seconded by one of the members.

RESOLUTION NO. 09-185-2025

A RESOLUTION APPROVING THE ORDINANCE ENTITLED: "AN ORDINANCE PROMULGATING POLICIES AND MEASURES FOR THE PREVENTION AND CONTROL OF HIV/AIDS IN THE MUNICIPALITY OF TOLOSA"

WHEREAS, Section 16 of Republic Act No. 7160, otherwise known as the *Local Government Code of 1991*, empowers local government units to exercise powers necessary and appropriate for the promotion of the general welfare;

WHEREAS, the Sangguniang Bayan of Tolosa, Leyte has enacted an ordinance entitled:

"An Ordinance Promulgating Policies and Measures for the Prevention and Control of HIV/AIDS in the Municipality of Tolosa"

WHEREAS, said ordinance is consistent with national policies on HIV and AIDS prevention and treatment, including Republic Act No. 11166 or the *Philippine HIV and AIDS Policy Act*, and localizes its implementation through a multi-sectoral approach;

WHEREAS, upon thorough review and consultation, the ordinance has been found to be responsive to the health needs and rights of the residents of the Municipality of Tolosa;

NOW THEREFORE, on motion of Hon. Jose Mari Idefonso C. Roa, Jr. duly seconded unanimously;

BE IT RESOLVED, as it is hereby resolved, to approve the ordinance entitled:

"An Ordinance Promulgating Policies and Measures for the Prevention and Control of HIV/AIDS in the Municipality of Tolosa"

RESOLVED FURTHER, that a copy of this resolution be forwarded to the Sangguniang Panlalawigan of Leyte for appropriate review and validation as provided by the Local Government Code;

APPROVED UNANIMOUSLY this 1st day of **September, 2025** at the Sangguniang Bayan Session Hall, Tolosa, Leyte.

**ORDINANCE NO. 21
SERIES OF 2025**

AN ORDINANCE PROMULGATING POLICIES AND MEASURES FOR THE PREVENTION AND CONTROL OF HIV/AIDS IN THE MUNICIPALITY OF TOLOSA

Author: HON. JOSE MARI ILDEFONSO C. ROA, JR.

WHEREAS, since the first case of AIDS in the Philippines was reported in 1984, the documented HIV/AIDS epidemic has progressed to alarming levels;

WHEREAS, the potential for a rapid increase in new infections is high because of the country's thriving sex industry; high rates of sexually transmitted infections (STIs); inadequate access to STI treatment and poor health-seeking behavior; instances of casual sex among young people; emerging problem of injecting drug users, a high percentage of whom reportedly share needles, incorrect and inconsistent preventive measures, among others;

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURISIMA Z. OCAÑA
Sangguniang Bayan Member

HON. JOSE MARI ILDEFONSO C. ROA, JR.
Sangguniang Bayan Member

HON. ROLANDO B. LEGASPI
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELICITO B. BELTRAN III
Sangguniang Bayan Member

HON. TUBONGBANUA
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Ex-Officio Member
Lipa President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

WHEREAS, the Sanggunian has recognized that efforts have to be localized through the Municipal AIDs Council and Barangay AIDS Council to make the response to the HIV/AIDS epidemic proactive and effective;

NOW THEREFORE on motion of Hon. Jose Mari Idefonso C. Roa, Jr. and severally seconded;

RESOLVED, as it is hereby resolved by the Sangguniang Bayan of Tolosa in session duly assembled to enact:

**ARTICLE I
TITLE, POLICY AND DEFINITION OF TERMS**

SECTION 1. TITLE - This Ordinance shall be known as the "TOLOSA HIV/AIDS ORDINANCE OF 2025 OF TOLOSA, LEYTE"

SECTION 2. DECLARATION OF POLICY - Acquired Immune Deficiency Syndrome (AIDS) is a sexually transmitted disease that recognizes no territorial, social, political and economic boundaries for which there is no known cure. The gravity of the AIDS threat demands strong community participation and active involvement, thus, the Municipality of Tolosa shall promote public awareness about the causes, modes of transmission, consequences, means of prevention and control of HIV/AIDS through a comprehensive education and information campaign organized by the local government down to the barangay level.

The Municipality of Tolosa shall promote value formation and employ scientifically proven approaches. The information and education campaign shall be carried out in schools, training centers, workplaces and communities.

SECTION 3. DEFINITION OF TERMS - As used in this Ordinance, the following terms are defined as follows:

- a) *Acquired Immune Deficiency Syndrome (AIDS)* - a condition characterized by a combination of signs and symptoms, caused by HIV contracted from another person's and which attacks and weakens and body's immune system, making the affected individual susceptible to other life-threatening infections.
- b) *Human Immunodeficiency Virus (HIV)* - refers to the virus which causes AIDS.
- c) *HIV/AIDS Prevention and Control* - refers to the measures aimed at protecting non-infected persons from contracting HIV and minimizing the impact of the condition of persons living with HIV.
- d) *HIV positive* - refers to the presence of HIV infection as documented by the presence of HIV or HIV antibodies in the sample being tested.
- e) *HIV negative* - denotes the absence of HIV or HIV antibodies upon testing.
- f) *HIV testing* - refers to any laboratory procedure done on an individual to determine the presence or absence of HIV infection.
- g) *HIV/AIDS monitoring* - refers to the documentation and analysis of the number of HIV/AIDS infection and the pattern of its spread.
- h) *Contact Tracing* - refers to the method of finding and counseling the sexual partner(s) of a person who has been diagnosed as having sexually transmitted disease.
- i) *Sexually Transmitted Infections (STIs)* - refers to any disease that can be acquired or passed through sexual contact.
- j) *Anonymous Testing* - refers to an HIV testing procedure whereby the individual being tested does not reveal his/her true identity.
- k) *HIV Transmission* - refers to the transfer of HIV from an infected person to an uninfected individual, most commonly through sexual intercourse, blood transfusion, sharing of intravenous needles and during pregnancy.

HON. BAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURISIMA Z. OCAÑA
Sangguniang Bayan Member

HON. JOSE MARI IDEFONSO C. ROA, JR.
Sangguniang Bayan Member

HON. ROLANDO B. LEGASPI
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. ROUEN ANGELO M. TUBONGBANUA
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Ex-Officio Member
Liga/President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

- l) *Informed Consent* - refers to a voluntary agreement of a person to undergo or be subjected to a procedure based on full information.
- m) *Medical Confidentiality* - refers to the relationship of trust and confidence created or existing between a patient or a person with HIV and his attending physician, consulting medical specialist, nurse, medical technologist and all other health workers or personnel involved in any counseling, testing or professional care of the former, it also applies to any person who, in any official capacity, has acquired such confidential information.
- n) *Pre-test Counseling* - refers to process of providing individual information on the biomedical aspects of HIV/AIDS and emotional support to any psychologist implications of undergoing HIV testing and the test result itself before he/she is subjected to the test.
- o) *Post-test Counseling* - refers to the process of providing risk- education information and emotional support to a person who submitted to HIV testing at the time that the test result is released.
- p) *Prophylactic* - refers to any agent of device use to prevent the transmission of a disease.
- q) *Voluntary HIV Testing* - refers to HIV testing done on an individual who, after having undergone pre-test counseling, willingly submits himself/herself to such test.
- r) *Information Education and Communication (IEC) Materials* - refers to all forms of media materials for the purpose of information dissemination thereby educating the public.
- s) *Municipal AIDS Council (MAC)* - refers to the central advisory, planning and policy-making body for the comprehensive and integrated HIV/AIDS prevention and control program at the municipal level.
- t) *Barangay AIDS Council (BAC)* - refers to the central advisory, planning and policy-making body for the comprehensive and integrated HIV/AIDS prevention and control program at the barangay level.

**ARTICLE II
EDUCATION AND INFORMATION**

SECTION 4. HIV/AIDS INFORMATION AND EDUCATION CAMPAIGN IN THE COMMUNITIES - The Local Government Unit in collaboration with the Municipal Health Office, shall conduct an education and information campaign on HIV/AIDS prevention and control down to the barangay level.

SECTION 5. HIV/AIDS INFORMATION AS A HEALTH SERVICE - HIV/AIDS education and information dissemination shall form part of the delivery of health services by health practitioners, workers and personnel. The knowledge and capabilities of all public health workers shall be enhanced to include skills for proper information dissemination and education on HIV/AIDS. It shall likewise be considered a civic duty of health providers in the private sectors to make available to the public such information necessary to control the spread of HIV/AIDS and to correct common misconceptions about this disease. The training of health workers shall include discussions on HIV - related ethical issues such as confidentiality, informed consent and the duty to private treatment.

SECTION 6. SEXUAL ABSTINENCE AND MUTUAL FIDELITY - Sexual abstinence and mutual fidelity shall be emphasized in all HIV/AIDS prevention and control strategies.

SECTION 7. HIV/AIDS GENDER SENSITIVE IEC MATERIALS AND EDUCATION MODULES - Information, education and communication (IEC) materials shall be appropriately designed to the needs of the identified groups being targeted in the campaign. Literatures on HIV/AIDS shall utilize the local dialect to encourage and facilitate easy understanding of terms and concepts. Modules on HIV/AIDS prevention and control shall be subjected to review by the Municipal AIDS Council.

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURISIMA Z. OCAÑA
Sangguniang Bayan Member

HON. JOSE MARI ALDEFONSO C. ROA, JR.
Sangguniang Bayan Member

HON. ROLANDO B. LEGASPI
Sangguniang Bayan Member

HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member

HON. MAUVEL B. BALLEDO
Sangguniang Bayan Member

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. TUBONGBANUA
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Ex-Oficio Member
Liga President

HON. CATHERINE R. BENJAMIN
Ex-Oficio Member
SK Federation President

SECTION 8. HIV/AIDS EDUCATION SCHOOLS - In the Municipality of Tolosa, the Municipal Health Office shall take the lead in information dissemination on the nature of HIV/AIDS and its prevention, utilizing standardized information in close Coordination with the Department of Education.

SECTION 9. EDUCATION IN THE WORKPLACE - Managers, Supervisors and employees in workplaces shall be provided with the standardized basic information and instruction on HIV/AIDS which shall include topics on confidentiality in the workplace and attitude towards infected employees and Workers.

SECTION 10. INFORMATION CAMPAIGN FOR TOURISTS AND TRANSIENTS - informational AIDS or material on the cause, modes of transmission, prevention, and Consequences of HIV infection shall be adequately provided at all entry and exit points and possible tourist destinations/places.

**ARTICLE III
REFERRAL, TESTING AND COUNSELING**

SECTION 11. CONSENT AS A REQUISITE FOR HIV TESTING - There shall be no policy on compulsory HIV testing pursuant to the Republic Act 8504. However voluntary testing shall be encouraged among individuals with high risks for contracting HIV.

SECTION 12. REFERRAL SYSTEM - There shall be an appropriate referral system established and a proper authority shall likewise be recognized in the municipality. Referrals to testing centers, hospitals, clinics, and laboratories offering HIV testing services shall be done by the Municipal Health Officer.

SECTION 13. PRE-TEST AND POST-TEST COUNSELING - Pre-test and post-test counseling shall be conducted to persons who want to avail of the HIV/AIDS testing services. However, only trained individuals who shall meet the minimum standards set by the Department of Health on HIV/AIDS counselling and are duly accredited by the Municipal AIDS Council are allowed to do counselling services.

**ARTICLE IV
CREATION OF THE TOLOSA AIDS COUNCIL (MAC)**

SECTION 14. COMPOSITION OF THE TOLOSA AIDS COUNCIL - The Tolosa AIDS Council shall be composed of following:

- | | | |
|---|---|---------------|
| a) Municipal Mayor | - | Chairman |
| b) Municipal Health Officer | - | Vice-chairman |
| c) SB Chairman, Committee on Health | - | Member |
| d) ABC Chairman | - | Member |
| e) SB Chairman, Committee on Tourism | - | Member |
| f) SK Federation Pres. | - | Member |
| g) DOH Representative | - | Member |
| h) Municipal Planning and Development Officer | - | Member |
| i) Municipal Social Welfare and Development Officer | - | Member |
| j) Public Health Nurse | - | Member |
| k) School District Supervisor | - | Member |
| l) Parish Priest | - | Member |
| m) One (1) active Non-Government Organizations (NGOs) presently accredited by the municipality- | - | Member |
| n) One (1) Overseas Filipino Worker/ Dependent OFW (OFW/DOFW) per accredited Organization by the MAC- | - | Member |

1 - Sangguniang Bayan

The MAC may, from time to time, expand or reduce its membership as the need arises.

SECTION 15. POWERS AND FUNCTIONS - For the attainment of the aforesaid HIV/AIDS program, the Tolosa AIDS Council (MAC) shall be charged and vested with the following power and functions:

HON. ELIZABETH S. ERACHO, RCE.
Municipal Vice-Mayor

DR. MANNY R. MARTINEZ, DPA, RN.(US,PH), MPRM.
Secretary to the Sangguniang Bayan

HON. BAPHINE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURISIMA Z. OCAÑA
Sangguniang Bayan Member

HON. JOSE MARI ALDEFONSO C. ROA, JR.
Sangguniang Bayan Member

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Ex-Officio Member
Liga President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

- a) Recommend to the Sangguniang Bayan policies, programs and plans on the prevention and control of HIV/AIDS.
- b) Establish, mobilize and strengthen linkages at the local, national, international government agencies and non-government organizations (NGOs) and other stakeholders involved in the HIV/AIDS prevention and control programs.
- c) Monitor the implementation of this code and other policies approved and adopted by MAC.
- d) Sourced-out funds from the national, international government agencies and non-government organizations (NGOs) where necessary for the implementation of the HIV/AIDS prevention and control program.
- e) Formulate and submit project proposals to national and international agencies both government and private for the implementation of the HIV/AIDS program.
- f) Support the formation of Volunteer Groups as an arm for the prevention, control, information dissemination and education to the community.

SECTION 16. SECRETARIAT OF TOLOSA AIDS COUNCIL. The secretariat shall be designated by the Tolosa AIDS Council.

SECTION 17. FUNCTIONS OF THE SECRETARIAT OF THE TOLOSA AIDS COUNCIL
The secretariat of the Council shall perform the following functions:

- a) Coordinate the activities of the council.
- b) Shall keep all records of the council.
- c) Record minutes during meetings and document other activities of the council.
- d) Serve as the center of Communication on all matters pertaining to HIV/AIDS.
- e) Perform other secretariat functions, as may be assigned by the Chairman of the council.

SECTION 18. COMPENSATION AND REMUNERATION OF THE SECRETARIAT OF THE COUNCIL - Members and secretariat of the Tolosa AIDS Council shall perform their duties as such and shall be entitled to the necessary traveling expenses, allowances or honorarium chargeable against the funds of the MAC depending upon the availability of funds, and subject to existing accounting and auditing rules and regulations.

**ARTICLE V
CREATION OF THE BARANGAY AIDS COUNCIL (BAC)**

SECTION 19. COMPOSITION OF THE BARANGAY AIDS COUNCIL. The Barangay AIDS Council shall be composed of the following:

- | | | |
|---|---|---------------|
| a) Barangay Captain | - | Chairman |
| b) SB ² Chairman, Committee on Health | - | Vice-Chairman |
| c) SB ² Chairman, Committee on Tourism | - | Member |
| d) SK Chairman | - | Member |
| e) Public Health Midwife | - | Member |
| f) School Principal | - | Member |
| g) One (1) Overseas Filipino Worker /
Dependent OFW (OFW/DOFW)
per accredited Organization by the BAC | - | Member |
| h) One (1) Barangay Health Workers | - | Member |
| i) Purok Chairman of the Barangay | - | Member |
| j) Senior Citizens representative | - | Member |
| k) Religious Sector Representative | - | Member |
| l) Business or Private Sector Representative | - | Member |
| m) NGO Representative | - | Member |

2- Sangguniang Barangay

The BAC may, from time to time, expand or reduce its membership as the need arises.

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURISMA Z. OCAÑA
Sangguniang Bayan Member

HON. JOSE MARI IDEFONSO C. ROA, JR.
Sangguniang Bayan Member

HON. ROLANDO B. EGASPI
Sangguniang Bayan Member

HON. IRENEO ROLLANDO A. LUMBRE
Sangguniang Bayan Member

HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELICITO D. BELTRAN III
Sangguniang Bayan Member

HON. ROJEN ANGRAY M. TUBONGBANUA
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Ex-Officio Member
Liga President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

SECTION 20. POWERS AND FUNCTIONS - The Barangay AIDS Council (BAC) shall have the following powers and functions:

- a) Recommend to the Sangguniang Barangay policies and programs for the prevention and control of HIV/AIDS at the barangay level.
- b) Recommend to the Sangguniang Barangay ordinances and resolutions relevant to the control and prevention of HIV/AIDS including policies for the care and support of people living with HIV/AIDS at the barangay level.
- c) Take the lead in undertaking communication campaign on HIV/AIDS prevention and control information, education and program at the barangay level.
- d) Monitor the implementation of this code and other policies approved and adopted by MAC/BAC.
- e) Accredite volunteer groups and organizations to the HIV/AIDS program at the barangay level.
- f) Promote the formation of Volunteer Groups that will serve as arm for the prevention, control, information dissemination and education to the community.

**ARTICLE VI
SUPPORT PROGRAMS AND SERVICES**

SECTION 21. COMMUNITY-BASED SERVICES - The Municipality in Coordination and cooperation with concerned government agencies and Civil Society Organizations (CSOs) shall provide community-based HIV/AIDS prevention and care services.

SECTION 22. LIVELIHOOD PROGRAMS AND TRAININGS - Trainings for livelihood and self-help programs shall be made accessible and available to all persons with HIV/AIDS. Persons infected with HIV/AIDS shall not be deprived of full participation in any livelihood and self-help programs for reason of their health condition.

SECTION 23. INTEGRATION OF HIV/AIDS PROGRAM TO THE MUNICIPAL/BARANGAY DEVELOPMENT PLAN - HIV/AIDS program shall be incorporated in the Municipal Development Plan and Barangay Development Plans for the formulation of a comprehensive, integrated and sustainable policy and program particularly but not limited to the prevention, control, information dissemination and education.

SECTION 24. ORGANIZING/STRENGTHENING OVERSEAS FILIPINO WORKERS AND DEPENDENTS (OFW/DOFW) - Organizing and strengthening of Overseas Filipino Workers and Dependents shall be pursued for database establishment in coordination with the MAC/BAC for the program implementation.

SECTION 25. CREATION OF VOLUNTEER GROUPS - HIV/AIDS support Volunteer groups duly accredited by the MAC/BAC shall undergo trainings on capacity building, counseling, trainers' training, IEC conceptualization, dissemination.

**ARTICLE VII
HIV/AIDS MONITORING**

SECTION 26. MONITORING PROGRAM AND REPORTING MECHANISMS - The Tolosa AIDS Council shall develop a comprehensive program and reporting procedures on the magnitude of and progression of HIV infection in the Municipality.

**ARTICLE VIII
CONFIDENTIALITY, RESEARCH INVESTIGATION,
DISCRIMINATORY AND PENAL PROVISIONS**

SECTION 27. CONFIDENTIALITY - All results of HIV testing and any Information gathered shall remain confidential and classified, and shall not be Used in any way to become basis or restriction for any employment, school attendance, freedom of abode or travel.

HON. ELIZABETH S. ERACHO, RCE.
Municipal Vice-Mayor

DR. MANNY R. MARTINEZ, DPA, RN (US,PH), MPRM.
Secretary to the Sangguniang Bayan

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURISMA Z. OCAÑA
Sangguniang Bayan Member

HON. JOSE MARI ILDEFONSO C. ROA, JR.
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HON. ROLANDO B. SEGASPI
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HON. IRENEO ROLANDO A. LUMBRE
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HON. MANUEL B. BALLEDO
Sangguniang Bayan Member

HON. FELICITO D. BELTRAN III
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HON. TUBONGBANUA M. TUBONGBANUA
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Ex-Officio Member
Liga President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

SECTION 28. RESEARCH INVESTIGATIONS - All research investigations related to HIV/AIDS should observe strict adherence to the ethical guidelines set by the Philippine National AIDS Council.

SECTION 29. DISCRIMINATORY ACTS - Discrimination of any form towards person or persons perceived or suspected with HIV (i.e. employment process, promotion, assignment or termination from work, schools, hospitals, health institution, travel and habitation) shall be unlawful.

SECTION 30. DIVULGING OF CONFIDENTIAL INFORMATION OF PERSONS WITH HIV/AIDS - Any person who divulges confidential information about the status of a person with HIV/AIDS shall be penalized hereunder.

SECTION 31. PENALTIES - Any person found guilty of violating any provisions of this Ordinance shall be penalized in accordance with the following, to wit;

- a) **First Offense** - a fine of 1,000.00 and/or an imprisonment of one (1) month, depending upon the discretion of the court.
- b) **Second Offense** - a fine of 2,000.00 and/or an imprisonment of three (3) months, depending upon the discretion of the court.
- c) **Third Offense** - a fine of 2,500.00 and/or an imprisonment of six (6) months, depending upon the discretion of the court.

ARTICLE IX FINAL PROVISION

SECTION 32. SEPARABILITY CLAUSE - If for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid, all other sections or provisions hereof which are not affected by such declaration shall continue to be in full force and effect.

SECTION 33. REPEALING CLAUSE All Ordinances, local issuances or rules, inconsistent with the provision of this Ordinance are hereby repealed or modified accordingly.

SECTION 34. EFFECTIVITY CLAUSE - This Ordinance shall take effect immediately upon approval and upon posting in three (3) Conspicuous places in the Municipality.

ENACTED: 1st day of September 2025

With all procedures duly observed, the Presiding Chair, Hon. Elizabeth S. Eracho, declared the ordinance as approved. The measure was thus officially passed on its third and final reading, further strengthening the municipality's legislative framework on public health and community protection.

RECALL

Following this, Hon. Jose Mari Idefonso C. Roa, Jr. requested the body to recall **Item No. 1** previously proposed by **Hon. Daphne Dayner B. Roa**.

During the discussion, Hon. Felicito D. Beltran III suggested that it would be prudent to conduct an **ocular inspection** scheduled on **September 5, 2025 (Friday)**, in order to provide the plenary with additional clarity, validation, and a solid basis for further deliberation on the matter. The suggestion was well received by the members.

Subsequently, Hon. Daphne Dayner B. Roa herself made a motion to formally lay the item on the table until such time that the proposed ocular survey shall have been conducted. The motion was duly seconded by the members present and, having carried without objection, the matter was accordingly deferred pending the inspection results.

OTHER MATTERS:

Under **Other Matters**, the body proceeded with the scheduled **Election for the PCL (Philippine Councilors League) Representative**.

HON. ELIZABETH S. ERACHO, RCE. DR. MANNY R. MARTINEZ, DPA, RN.(US,PH), MPRM.
Municipal Vice-Mayor Secretary to the Sangguniang Bayan

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member

HON. PURISIMA Z. OCAÑA
Sangguniang Bayan Member

HON. JOSE MARI IDEFONSO C. ROA, JR.
Sangguniang Bayan Member

HON. ROLANDO LEGASPI
Sangguniang Bayan Member

HON. IRENEO ROLANDO LUMBRE
Sangguniang Bayan Member

HON. MAKUEL B. BALLEDO
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HON. FELICITO D. BELTRAN III
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HON. MELANIE FELISA M. VIVERO
Ex-Officio Member
Ziga President

HON. CATHERINE R. BENJAMIN
Ex-Officio Member
SK Federation President

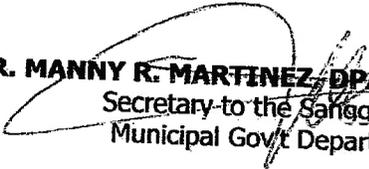
Hon. Jose Mari Idefonso C. Roa, Jr. initiated the process by moving for the nomination of Hon. Daphne Dayner B. Roa as the official PCL Representative. Hon. Daphne Dayner B. Roa accepted the nomination, thereby signifying her willingness to serve in said capacity.

The motion was seconded unanimously, and the Presiding Chair, Hon. Elizabeth S. Eracho, inquired from the plenary as to who were in favor of the said nomination. The members present unanimously expressed their affirmation, thereby confirming the confidence of the body in the capability and leadership of Hon. Daphne Dayner B. Roa.

Accordingly, the Presiding Chair declared Hon. Daphne Dayner B. Roa duly elected as the official PCL Representative of the Municipality of Tolosa, Leyte.

ADJOURNMENT. - There being no other matters left for deliberation, Hon. Jose Mari Idefonso C. Roa, Jr. moved for the adjournment of the session. With no objections raised from the members, the Presiding Chair, Hon. Elizabeth S. Eracho, formally declared the session adjourned at 3:00pm.

Prepared by:


DR. MANNY R. MARTINEZ DPA, RN, USRN, MPRM.
Secretary to the Sangguniang Bayan
Municipal Gov't Department Head I

ATTESTED:


HON. ELIZABETH S. ERACHO, RCE.
Municipal Vice-Mayor
Presiding Officer

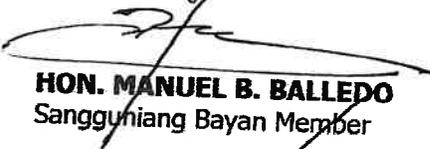

HON. DAPHNE DAYNER B. ROA
Sangguniang Bayan Member


HON. PURISIMA Z. OCAÑA
Sangguniang Bayan Member


HON. JOSE MARI ILDEFONSO C. ROA, JR.
Sangguniang Bayan Member


HON. ROLANDO B. LEGASPI
Sangguniang Bayan Member


HON. IRENEO ROLANDO A. LUMBRE
Sangguniang Bayan Member


HON. MANUEL B. BALLEDO
Sangguniang Bayan Member


HON. FELICITIO D. BELTRAN III
Sangguniang Bayan Member


HON. ROUEN ANGELY M. TUBONGBANUA
Sangguniang Bayan Member

HON. MELANIE FELISA M. VIVERO
Ex-Officio Member/Liga President

(ABSENT)
HON. CATHERINE R. BENJAMIN
Ex-Officio Member/SK Fed. President



Republic of the Philippines
 Province of Leyte
 Municipality of Tolosa
 Office of the Sangguniang Bayan

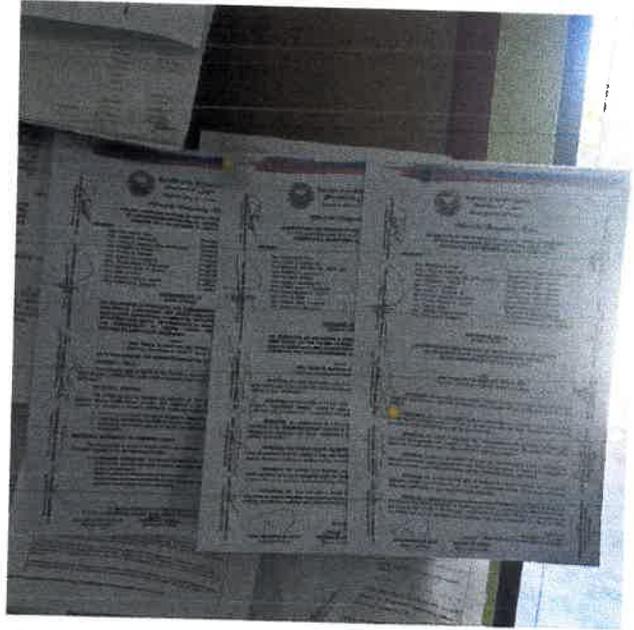
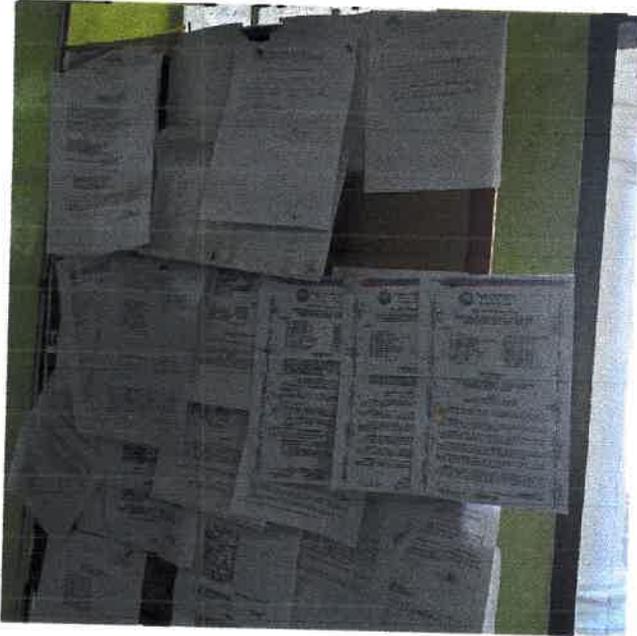
ATTENDANCE SHEET

Public Hearing

No.	Name	Address	Signature
1.	IRENEO ROLANDO A. LUMBRE	SB	
2.	FELICITO BOSTRAN III	SB	
3.	JOSE MARI JUDEPOMBO C. RIX JR	BUILAO BB	
4.	PURISIMA Z. OCAÑA	SB	
5.	ROLANDO R. LEGASPI	SB	
6.	Daphne-Dayven D. Ron	SB	
7.	NOLI U. PALADA	P. B.	
8.	MANUEL B. BALUERO	SB	
9.	JANNIE P. CINCO	no	
10.	PEMEL ROSALIA L. CINCO	TOLOSA PNP	
11.	ELIZABETH S. ERACHO	SB	
12.	LYDIA C. SWYOM	P. B.	
13.	AARON UAG P. TADU	CR CHAIRPERSON	
14.	CONRARD P. COLASITI	P. B.	
15.	AUNN G. NIRDA	P. B.	
16.	MAMA DESIREE B. KARAN	SK CHAIRPERSON	
17.	MELANIE FEUSA M. VIVERO	LIGA PRES	
18.	Victorio A. Abad	(Malbog (P. B.))	
19.	CATHERINE BENJAMIN	PERALPANO	
20.	RIZON D. LOUISODI	DO VS BAYUNDA	
21.	RICHARD A. CESTR	OLOT / P. B.	
22.	KEEN ADL R. MARGOS	Tanghar	
23.	JOICE MITA M. ADVINCULA	SAN ROQUE	
24.	DENNIS C. SABBALTE	SAN VICENTE	

25.	Zarah Janette M. Leyson	ASUNDO	<i>[Signature]</i>
26.	PERLO C. RAALDO	P.B.	<i>[Signature]</i>
27.	JIRO JASPER I. ACALA	SK	<i>[Signature]</i>
28.	MAECAN JRY O. ROA	SO	<i>[Signature]</i>
29.	Melinda A. Varga	SB	<i>[Signature]</i>
30.	DITANIL ABRO	SB	<i>[Signature]</i>
31.	JENNICA ORIBO	SB	<i>[Signature]</i>
32.	ANNE MEDIOLA	SB	<i>[Signature]</i>
33.	JALVE ORIBO	SB	<i>[Signature]</i>
34.	NUMERIANO K. NOVIO, JR.	Brig. Poblacion	<i>[Signature]</i>
35.	PJ G. ADVINCULA	Brig. Poblacion	<i>[Signature]</i>
36.	MA. FE C. ANJOC	TANGHAY	<i>[Signature]</i>
37.	LILA P. OSORON	ORMIGOSAN	<i>[Signature]</i>
38.	CHARVINA M. CANTAYAG	SAN ROQUE	<i>[Signature]</i>
39.	RAQUOL S. RAMIRO	DOFF BRIGADA	<i>[Signature]</i>
40.	Alicia B. Comora	San Roque	Alicia B. Comora
41.	Jocelyn K. Kelano	Doña Brigid	<i>[Signature]</i>
42.	Emelyn O. Virtudes	Tanghas	<i>[Signature]</i>
43.	Emelyn O. Virtudes	Tanghas	<i>[Signature]</i>
44.	Mary Ann V. Marilla	Cantaniwis	<i>[Signature]</i>
45.	Lialyn F. Tolibas	Tanghas	<i>[Signature]</i>
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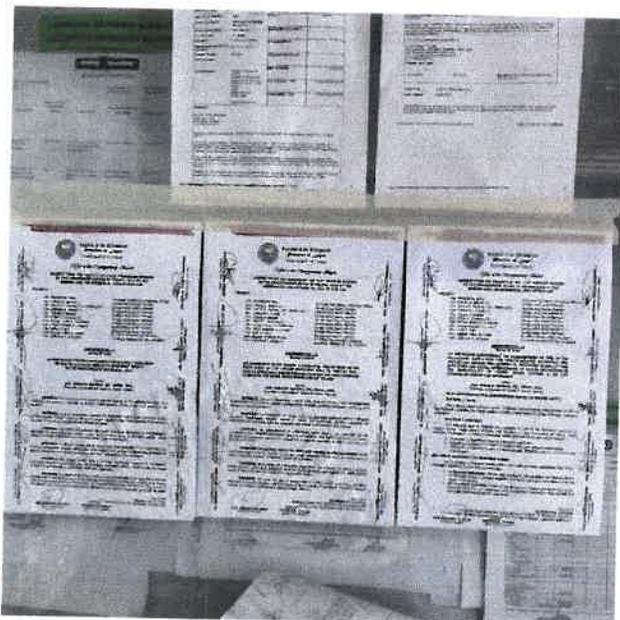
POSTING OF ORDINANCES 19, 20 and 21 Series of 2025



AT MUNICIPAL BUILDING



AT TOLOSA PUBLIC TERMINAL



AT TOLOSA PUBLIC MARKET