



Republic of the
Philippines Province of
Iloilo
Municipality of
Tigbauan

OFFICE OF THE SANGGUNIANG BAYAN

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EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE HONORABLE SANGGUNIANG BAYAN, TIGBAUAN, ILOILO HELD AT THE SB SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON OCTOBER 5, 2012 AT 9:40 IN THE MORNING.

PRESENT:

HON. ROEL T. JARINA,	Vice Mayor & Presiding Officer
HON. SUZETTE TENEFRANCIA-ALQUISADA,	SB Member
HON. ALFONSO C. BABIERA,	SB Member
HON. AGATON O. TUMABOTABO,	SB Member
HON. ELMER T. TORRATO,	SB Member
HON. LORETA LUNGAY-ARIAS,	SB Member
HON. MARLON R. TERUÑEZ,	SB Member
HON. NYSSA NICHOLA T. CALLOSA,	SKMF President

LATE:

HON. RICKY T. NULADA,	Pres., Liga Ng Mga Brgy.
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ABSENT:

HON. DENNIS T. VALENCIA,	SB Member (Forced Leave)
HON. JOSE DONEL T. TRASPORTO,	SB Member (Forced leave)

Municipal Ordinance No. 2012-002

ASSISTANCE FOR INDIVIDUAL IN CRISIS SITUATION (AICS) ORDINANCE

SPONSORED BY: HON. LORETA LUNGAY-ARIAS, Chairperson, Committee on Indigents & NGOs

SECONDED BY: Hon. Alfonso Babiera, Hon. Agaton Tumabotabo, Hon. Elmer Torrato, Hon. Marlon Teruñez, and Hon. Ricky Nulada

WHEREAS, the following provisions of R.A. 7160 of the Local Government Code of 1991 provides, to wit:

SECTION 16. General Welfare. – Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdiction, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

SECTION 17 par.(b)(2)(iv), “.....Social welfare services which include programs and projects on child and youth welfare, family and community welfare, women’s welfare, welfare of the elderly and disabled persons; community-based rehabilitation programs for vagrants, beggars, street children, scavengers, juvenile delinquents, and victims of drug abuse, livelihood and other pro-poor projects; nutrition services; and family planning services”;

SECTION 447 par.(a)(1)(iv), “.....Adopt measures to protect the inhabitants of the municipality from the harmful effects of man-made or natural disasters and calamities and to provide relief services and assistance for victims during and in the aftermath of said disasters or calamities and their return to productive livelihood following said events;

WHEREAS, the Department of Social Welfare and Development (DSWD) is an agency mandated to care, protect and rehabilitate the segment of the population which has the least in life, in terms of physical, mental and social well-being;

WHEREAS, in support to this devotion, the guidelines for the formulation of the Social Welfare and Community Development plans, policies and programs are laid down to guide the LGU in their planning, implementation, monitoring and evaluation activities and to ensure that social welfare and community development becomes a priority concern at the local level;

NOW THEREFORE, Be It Ordained by the Sangguniang Bayan of the Municipality of Tigbauan, Province of Iloilo that:

SECTION 1. This Ordinance shall known as the “**Assistance for Individual in Crisis Situation (AICS) Ordinance**”.

SECTION 2. DEFINITION OF TERMS:

1. **AICS** - Assistance for Individuals in Crisis Situation refers to the provision of limited assistance, cash or in kind to individual/families.
2. **Certificate of Residency** – a certificate being issued by the barangay where the claimant to be interviewed came from.
3. **Certificate of Eligibility** – a certificate being issued by the MSWDO to the claimant if he/she is eligible for the said assistance.
4. **Individual/s in Crisis** – families/individual/s who are hampered to function normally because of socio-economic difficulties.
5. **R.A. 9262** – An “*Act Defining Violence Against Women And Their Children, Providing For Protective Measures For Victims, Prescribing Penalties Therefore, And For Other Purposes*”
6. **Burial Assistance** – an assistance that can be granted before the schedule of interment even though he/she has already availed of the medical assistance in the same year.
7. **Medical Assistance** – an assistance that is given once a year to the immediate family members of the patient.
8. **Violence against women and their children** - refers to any act or a series of acts committed by any person against a woman who is his wife, former wife, or against a woman with whom the person has or had a sexual or dating relationship, or with whom he has a common child, or against her child whether legitimate or illegitimate, within or without the family abode, which result in or is likely to result in physical, sexual, psychological harm or suffering, or economic abuse including threats of such acts, battery, assault, coercion, harassment or arbitrary deprivation of liberty. It includes or is not limited to physical violence and sexual violence.
9. **Physical Violence** - refers to acts that include bodily or physical harm;
10. **Sexual violence** - refers to an act which is sexual in nature, committed against a woman or her child. It includes, but is not limited to:
 - a.) rape, sexual harassment, acts of lasciviousness, treating a woman or her child as a sex object, making demeaning and sexually suggestive remarks, physically attacking the sexual parts of the victim's body, forcing her/him to watch obscene publications and indecent shows or forcing the woman or her child to do indecent acts and/or make films thereof, forcing the wife and mistress/lover to live in the conjugal home or sleep together in the same room with the abuser;

- b.) acts causing or attempting to cause the victim to engage in any sexual activity by force, threat of force, physical or other harm or threat of physical or other harm or coercion;
- c.) Prostituting the woman or child.
- 11. **Psychological violence** - refers to acts or omissions causing or likely to cause mental or emotional suffering of the victim such as but not limited to intimidation, harassment, stalking, damage to property, public ridicule or humiliation, repeated verbal abuse and mental infidelity. It includes causing or allowing the victim to witness the physical, sexual or psychological abuse of a member of the family to which the victim belongs, or to witness pornography in any form or to witness abusive injury to pets or to unlawful or unwanted deprivation of the right to custody and/or visitation of common children.
- 12. **Children** - refers to those below eighteen (18) years of age or older but are incapable of taking care of themselves as defined under Republic Act No. 7610. As used in this Act, it includes the biological children of the victim and other children under her care.
- 13. **R.A. 7610** – Special Protection of Children Against Child Abuse
- 14. **Child Abuse** – refers to the maltreatment, whether habitual or not, of the child.

SECTION 3. GUIDELINES FOR AVAILMENT OF AICS

A. MEDICAL ASSISTANCE

- 1. *Supporting documents required:*
 - Medical Certificate or Certificate of Confinement (Original Copy)
 - Certificate of Residency (in the name of claimant to be interviewed from the barangay)
 - Certificate of Eligibility (MSWDO)
 - Social Case Study Report (MSWDO)
- 2. *Amount - **P5,000.00** (case to case basis)*

B. BURIAL ASSISTANCE

- 1. *Supporting documents required:*
 - Death Certificate (Original, carbon, Xerox copy)
 - Certificate of Residency (in the name of claimant to be interviewed from the barangay)
 - Certificate of Eligibility (MSWDO)
 - Social Case Study Report (MSWDO)
- 2. *Amount - **P3,000.00***

C. HOUSING ASSISTANCE (VICTIMS OF NATURAL/MAN-MADE DISASTER)

- 1. *Supporting documents required:*
 - Police Blotter Report (PNP)
 - Inspection Report (BFP or the MDRRC *as the case maybe*)
 - Certificate of Residency (in the name of claimant to be interviewed from the barangay)
 - Certificate of Eligibility (MSWDO)
 - Social Case Study Report (MSWDO)
- 2. *Amount - **P5,000.00** (case to case basis)*

D. VICTIMS OF (RA9262) – “VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (PHYSICAL AND SEXUAL)” AND VICTIMS OF (RA7610)- “SPECIAL PROTECTION OF CHILDREN AGAINST CHILD ABUSE” ASSISTANCE

- 1. *Supporting documents required:*
 - Police Blotter Report (PNP)
 - Medico Legal Certificate/Medical Certificate (Hospital)
 - Certificate of Residency (in the name of claimant to be interviewed from the barangay)

- Certificate of Eligibility (MSWDO)
- Social Case Study Report (MSWDO)

2. Amount - P3,000.00

SECTION 4. UTILIZATION AND SOURCE OF FUNDS

- a. The Source of Funds for Assistance to Individual in Crisis Situation (AICS) shall be from the amount appropriated for such purpose be it from the regular budget or supplemental budget as the case maybe.
- b. The disbursement of funds for Assistance to Individual in Crisis Situation (AICS) shall be in accordance and subject to usual accounting and auditing rules and procedures. Compliance with all existing laws, rules and regulations shall be the responsibility of the officials authorizing the disbursement of funds. Expenditures of funds in violation of the Local Government Code and other laws shall be a personal liability of the official or employee responsible therefore.

SECTION 5. SEPARABILITY CLAUSE. If, for any reason, any section or provision of this Ordinance is declared invalid or unconstitutional, other sections or provisions thereof which are not affected shall continue to be in full force or effect.

SECTION 6. EFFECTIVITY CLAUSE. The provisions of this Ordinance shall take effect upon its approval.

ENACTED. October 5, 2012.

I HEREBY CERTIFY that the foregoing Municipal Ordinance No. 2012-002 was approved by the Sangguniang Bayan.

MARLENE TAYO-NAVA
S.B. Secretary

ATTESTED:

ROEL T. JARINA
Vice Mayor & Presiding officer

APPROVED:

JAMES EXCELSIOR M. TORRES
Municipal Mayor

HON. ROEL T. JARINA, M.D.
Municipal Vice Mayor

Sangguniang Bayan Members:

HON. SUZETTE T. ALQUISADA, CPA-Lawyer
HON. DENNIS T. VALENCIA
HON. ALFONSO C. BABIERA
HON. AGATON O. TUMABOTABO

HON. JOSE DONEL T. TRASPORTO
HON. ELMER T. TORRATO
HON. LORETA LUNGAY-ARIAS
HON. MARLON R. TERUÑEZ, Ph.D.

HON. RICKY T. NULADA (LnB.Pres)
HON. NYSSA NICHOLA CALLOSA (SKMF-Pres)

*"Public office is a public trust. Public **Officials** must at all times be accountable to the people."*