

EXCERPT FROM THE MINUTES OF THE CY 2024 – 26TH REGULAR SESSION OF THE HONORABLE SANGGUNIANg BAYAN, TIGBAUAN, ILOILO HELD AT THE SB SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON JUNE 26, 2024 AT 10:00 O’CLOCK IN THE MORNING

PRESENT:

HON. LUGEN T. ORTILANO,	-	Vice Mayor & Presiding Officer
HON. ADRIAN S. CAMPOSAGRADO-		SB Member & Temp. Presiding Officer
HON. NERI T. CAMIÑA	-	SB Member
HON. REYNALDO E. TUMABOTABO	-	SB Member
HON. JULIUS T. LEDESMA	-	SB Member
HON. NORBERTO T. TURALBA	-	SB Member
HON. JERRY T. TUARES	-	SB Member
HON. JOEL L. SAYSON	-	SB Member
HON. ANA ROWENA A. PERERA	-	SB Member
HON. GAYLORD T. TRASPORTO	-	Liga President
HON. FLORENCE JOY V. CABALONGA	-	SKMF President

ABSENT: N O N E

Resolution No. 2024-102

RESOLUTION GRANTING AUTHORITY TO ATTY. VIRGILIO T. TERUEL, MUNICIPAL MAYOR, FOR AND IN BEHALF OF THE MUNICIPALITY OF TIGBAUAN TO SIGN AND ENTER INTO AN AMENDED MEMORANDUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT-FIELD OFFICE VI (DSWD-FO VI) IN CONNECTION WITH THE SOCIAL PENSION FOR INDIGENT SENIOR CITIZENS

WHEREAS, in a letter dated June 24, 2024, the Local Chief Executive requested this Sangguniang Bayan for the URGENT passing of a *“Resolution Granting Authority To Atty. Virgilio T. Teruel, Municipal Mayor, For and In Behalf of the Municipality of Tigbauan To Sign And Enter Into An Amended Memorandum Of Agreement (MOA) with the Department Of Social Welfare And Development-Field Office VI (DSWD-FO VI) In Connection With The Social Pension For Indigent Senior Citizens”*;

WHEREAS, the said **Memorandum of Agreement** shall be made and entered into by, and between the following parties:

- The **DEPARTMENT OF SOCIAL WELFARE AND DEVELOPMENT (DSWD)**, a Government agency created pursuant to Republic Act No. 5416, through DSWD Field Office VI, herein represented by its **REGIONAL DIRECTOR, ATTY. CARMELO N. NOCHETE** and hereinafter referred to as the “DSWD FO VI”;
- The **MUNICIPAL GOVERNMENT UNIT OF TIGBAUAN** with official address at Tejero St., Barangay 9 Tigbauan, Iloilo, herein represented by its **MUNICIPAL MAYOR, ATTY. VIRGILIO T. TERUEL**, and hereinafter referred to as the “LGU OF TIGBAUAN, ILOILO”;

WHEREAS, Article XII, Section 1 of the 1987 Philippine Constitution states that, *“the goals of the national economy are a more equitable distribution of opportunities, income, and wealth; a sustained increase in the amount of goods and services produced by the nation for the benefit of the people; and an expanding productivity as the key to raising the quality of life for all, especially the underprivileged”*;

WHEREAS, pursuant to Republic Act No. 9994 or the Expanded Senior Citizens Act of 2010, the Social Pension for Indigent Senior Citizens (SPISC) is an additional government assistance aimed at: improving the living condition, augmenting capacity to meet daily subsistence and medical requirements; reducing incidence of hunger; and, preventing neglect, abuse or deprivation of indigent senior citizens;

WHEREAS, the Department of Social Welfare and Development (DSWD), as the lead agency for social protection, is mandated to work towards the achievement of improved capacity and opportunities of the poor, vulnerable, and disadvantaged individuals, families, and communities, to enable them to improve their quality of life;

WHEREAS, Under Section 2 (h) (1) of Republic Act No. 11916 or “An Act Increasing the Social Pension of Indigent Senior Citizens and Appropriating Funds Therefor, Amending for the Purpose Republic Act No. 7432 Entitled “An Act To Maximize The Contribution Of Senior Citizens To Nation-Building, Grant Benefits And Special Privileges, And For Other Purposes”, indigent senior citizens shall be entitled to a monthly stipend amounting to not less than One Thousand pesos (₱1,000.00) to augment the daily subsistence and other medical needs of senior citizens;

WHEREAS, pursuant to Republic Act No. 11975 or the General Appropriation Act for the Fiscal Year 2024 (GAA FY 2024), the amount of ₱49,807,085,000.00 appropriated herein shall be used for the monthly stipend of One Thousand Pesos (₱1,000.00) for the senior citizen beneficiaries, as determined by the DSWD;

WHEREAS, one of the modalities in implementing the program is through fund transfer to Local Government Units (LGU’s);

WHEREAS, the stakeholders identified fund transfer to LGUs as an efficient and effective mechanism in implementing the social pension for indigent senior citizen program in their respective LGU;

WHEREAS, for and in consideration of the foregoing premises, the parties agree to undertake the program under the following terms and conditions:

- I. ROLES AND RESPONSIBILITIES OF THE PARTIES**
- A. The Department of Social Welfare Development Field Office VI, in connection with the distribution of social pension and the liquidation of transferred funds, shall:**
 - 1. *Coordinate and conduct meetings/orientation to the LGU of Tigbauan with regards to Social Pension Program to ensure adequate understanding of the program before implementation;*
 - 2. *Facilitate the signing of the Memorandum of Agreement (MOA) to the LGU of Tigbauan;*
 - 3. *Prepare Certificate of Eligibility of the list of eligible Senior Citizen to receive social pension for Quarterly Fiscal Year (FY) 2024 and Cleanlist duly approved by the Regional Director as basis in the preparation of the payroll by the LGU of Tigbauan;*
 - 4. *Transfer the fund to the LGU of Tigbauan in accordance with COA Circular No. 94-013, dated December 13, 1994, and other applicable accounting and auditing rules observed by the Government, specifically:*
 - (a) Obligate the allotment for the project to be implemented based on the advice of allotment and/or memorandum of agreement or project proposal;*
 - (b) Issue a check in the name of the City Government of Tigbauan and shall be claimed by City treasurer or authorized representative; and*
 - (c) Maintain a subsidiary ledger of the cash transferred pertaining to the project.*
 - 5. *Provide LGU of Tigbauan master list of eligible senior citizen beneficiaries of social pension for FY 2024 based on the approved Certificate of Eligibility and project proposal as basis in the preparation of the payroll within 30 calendar days upon approval of the MOA. After the LGU of Tigbauan fully complied and submitted the required liquidation report for the Monthly/bi-weekly/Quarterly transfer of fund, the DSWD-VI will provide a master list of eligible senior citizen beneficiaries of social pension for the next Monthly/bi-weekly/Quarter FY 2024 based on the approved Certificate of Eligibility and project proposal as basis in the preparation of the payroll within 30 calendar days;*
 - 6. *Strictly monitor the distribution of assistance, disbursement, and utilization of funds by the LGU of Tigbauan during the actual conduct of pay-out;*

7. *Install grievance mechanism to address and document issues and concerns during pay-out in close coordination with the LGU of Tigbauan;*
8. *Mandatorily require the LGU of Tigbauan to submit the liquidation report of the transfer of fund within thirty (30) calendar days from the date of the last distribution or payout of stipend duly received by their Commission on Audit (COA) auditor with following attachment:*
 - (a) Certified True Copy of signed payroll;*
 - (b) Report of Checks (ROC) issued, Report of Disbursement (ROD) and Fund Utilization Report (FUR) duly certified and signed by the City Accountant and approve by the City Mayor duly received by City COA Auditor; and*
 - (c) Copy of Official receipt for any refund to DSWD- FO VI of unutilized balance.*

However, in the case of deficiencies noted in the post Audit of the liquidation report, the DSWD-FO VI shall make necessary adjustments in the books of accounts based on the Statement of Audit Suspensions, Disallowances and Charges (SASDC) issued by the LGU Auditor;

9. *Update database of Social Pensioner per submitted list of paid beneficiaries based on the payroll, with corresponding attachment submitted by LGU of Tigbauan;*
10. *Conduct validation and monitoring thru home visitation to beneficiaries who were unable to claim their social pension to determine their situation and/or waitlisted applicants to determine their eligibility to the program. New eligible beneficiaries will be included in the list to receive social pension on the succeeding semester subject to the availability of funds;*
11. *Provide technical assistance thru meetings/consultations with LGU staff relative to issues and concerns regarding the social pension implementation as the needs arises;*
12. *Reserved the right to withhold fund release to LGU of Tigbauan for the following reasons:*
 - (a) Unauthorized delay or deviation in the implementation of the program;*
 - (b) Non-compliance with the reportorial and liquidation requirements;*
 - (c) Refusal to allow DSWD-FO VI representative to inspect and audit the progress of program implementation;*
 - (d) Failure to produce financial records upon demand by the DSWD-VI; or*
 - (e) Any analogous situation that affects the timely and efficient implementation of the program.*
13. *Provide certificate of no unliquidated funds to LGU of Tigbauan after full compliance of liquidation report as per existing guidelines.*

B. The LGU of Tigbauan, in connection with the distribution of social pension and the liquidation of transferred funds, shall ensure:

1. *A Sangguniang Bayan (SB) Resolution is passed, authorizing the Municipal Mayor to enter into a Memorandum of Agreement with the Department of Social Welfare and Development- Field Office VI (DSWD- FO VI) for the implementation of Social Pension for Indigent Senior Citizen (SPISC) Program through transferred of funds. A Certified true copy from the of the SB resolution must be submitted to DSWD-FO VI as proof of such authorization;*
2. *The Municipal Treasurer or the authorized representative of LGU of Tigbauan shall claim the check from the DSWD- FO VI and shall issue an official receipt;*
3. *Facilitate the preparation and approval of payroll of eligible senior citizen beneficiaries to receive the social pension FY 2024 based on the approved master list issued by the DSWD- FO VI;*
4. *The Municipal Social Welfare and Development Office (MSWDO) or Office of the Senior Citizens Affairs (OSCA) shall set the schedule of payout and venue duly approved by the Municipal Mayor and, inform the Social Pension Program of DSWD- FO VI ten (10) calendar days prior the actual pay-out;*
5. *Facilitate the release of the stipend of Social Pension beneficiaries on a monthly basis regardless of the delivery scheme provided under M.C. No. 06, series of 2024. The conduct of monthly releasing of stipend may not be undertaken under the following circumstances, subject to the validation of the FO:*
 - (a) Majority of the beneficiaries are residing in Geographically Isolated and Disadvantaged Areas (GIDA);*
 - (b) The province/city/municipality is declared under state of calamity or under natural or human-induced crises such as armed conflict; and*
 - (c) Other unavoidable and uncontrollable circumstances and situations.*

6. To release the stipend on a bi-monthly or quarterly basis only should monthly releasing is not feasible;
7. OSCA and/or MSWDO shall mobilized the Senior Citizen Organizations (SCO) and Barangay Officials in the locality to help in the information dissemination on the schedule and venue of the Social Pension Pay-out;
8. LGU of Tigbauan shall take full responsibility and accountability in the proper disposition/disbursement of the fund transfer covering the 1st and 2nd semester based on the approved certificate of eligibility and project proposal of DSWD-FO VI for the implementation of Social Pension Program in accordance with existing accounting and auditing rules and regulations pursuant to the Commission on Audit Circular No. 94-013, dated December 13, 1994 and other applicable accounting and auditing manuals used by the Government, specifically:
 - (a) Issue an official receipt for every amount received from the DSWD- FO VI;
 - (b) Deposit the amount with its authorized depository bank; and
 - (c) Keep separate subsidiary record for the trust liability whether or not a separate bank account is maintained.
9. Distribute social pension Fifteen (15) calendar days upon receipt of the check. Specifically:
 - (a) To release the monthly social pension amounting to One Thousand Pesos (₱1,000.00) per month per beneficiary and will be released on a monthly, bi-monthly or quarterly basis as applicable;
 - (b) The social pension beneficiary shall present his/her OSCA ID or any valid government issued ID indicating the date of birth, in claiming the stipend during pay-out;
 - (c) In case the stipend will be claimed by an authorized representative, he/she shall present the following: (a) Original and photocopy of his/her valid ID or valid certification; (b) original and photocopy of social pensioner's valid ID with signature or thumbmark ; (c) authorization letter from the social pensioner indicating the name of the authorized representative and the reason/s of inability to personally claim his/her stipend with duly affix signature/thumb mark of the both beneficiary and the authorized representative, witness by the Punong Barangay/Kagawad, OSCA or MSWDO;
 - (d) In case the beneficiary died on any day the stipend shall be allowed to claim in behalf of the deceased beneficiary provided the following:
 - (i) original or certified true copy of death certificate of the beneficiaries issued by the Office of the Local Civil Registrar;
 - (ii) photocopy of the authorized nearest surviving relative's ID; and
 - (iii) Warranty and Release from Liability signed by the authorized representative.
10. The Disbursing Officer of LGU of Tigbauan shall conduct the actual pay-out with the assistance of the MSWDO staff, OSCA Staff and other departments that maybe mobilized during the activity;
11. Act on the grievances/complaints from individuals and other sources in close coordination with the SocPen Staff of DSWD- FO VI;
12. Submit accomplishment report indicating the number of beneficiaries paid and unpaid, including specific concerns/issues on the implementation of the social pension;
13. Liquidate every month/bi-month/quarterly the Transfer of funds within the period of Thirty (30) working days from the date of last distribution or payout of subsidy and shall submit liquidation report with the following attachments:
 - (a) Certified true copy of signed payroll;
 - (b) Report of Checks (ROC) issued, Report of Disbursements (ROD) and Fund Utilization Report (FUR) duly certified and signed by the City/Municipal Accountant and approved by the Municipal Mayor duly received by Municipal COA Auditor; and
 - (c) Copy of official receipt for any refund to DSWD- FO VI of unutilized balance.
14. The electronic copy and hard copy of list of senior citizen beneficiaries who did not appear during the payout activity or cannot be located in their declared residential addresses, and, list of deceased beneficiaries (with death certificate indicating the date of death) shall be included in the submitted liquidation report;
15. Refund every quarter to DSWD- FO VI any unused/unclaimed funds upon submission of the required liquidation report/s or within the period of five (5) calendar days from the submission of the liquidation report/s;
16. Allow DSWD-FO VI authorized persons/team to audit all financial records kept by the LGU of Tigbauan related to the program implementation for monitoring and record keeping purposes, or in compliance with government auditing rules and regulations.

II. DATA PRIVACY COMPLIANCE

DSWD-FO VI and LGU of Tigbauan shall ensure the confidentiality and integrity of personal information of the indigent senior citizens and shall observed in strict compliance with the provisions of Republic Act No. 10173 or the Data Privacy Act of 2012, and its Implementing Rules and Regulations.

Specifically, the **DSWD- FO VI** shall:

1. Process and transfer encrypted Social Pension Database limited to personal information of the Social Pension Beneficiaries such as Full name, birthdate, and complete address and the amount of stipend to be receive by the beneficiaries for the sole purpose to implement the Social Pension for Indigent Senior Citizen Program; Provided that only the LGU of Tigbauan, through its authorized staff can use password to access the Social Pension Database.

The LGU of Tigbauan shall:

Identify and designate authorized person/s within its organization to receive social pension database from DSWD-FO VI;

1. Commit to observe the strictest confidentiality concerning the personal data it shall collect, process, or access to in the performance of its duties and functions, and refrain from disclosing them to any other natural or juridical person, including among its workers and other staff, not expressly authorized to access the social pension database;
2. Agree that it will only use and access information available to it in the course of its duties, and not to engage in any activity that conflicts with the interest of the DSWD- FO VI, nor convey, sell or use any access to information available to it, and to provide information to others engaged in any activity that conflicts with the interest of the DSWD- FO VI;
3. Access, copy, or store data solely in the performance of its official responsibilities as stated in this MOA, limiting perusal of contents and actions taken to the least necessary to accomplish the task;
4. Copy or store data or information only with the DSWD- FO VI consent and only to complete a specified task, and only to copy and store user data enough to complete the specified task;
5. Not seek personal benefit or permit others to benefit personally from any data or information that has come to its knowledge;
6. Not authorize or permit any third person or entity to access and use any information contained in the Social Pension data base or records, without the express written consent of the latter;
7. Not to enter, change, delete or add data to any information system or file outside of the scope of its responsibilities;
8. Not cause to be included in any form, record or report any false, inaccurate or misleading entry pertaining to the Social Pension beneficiary's information system or records;
9. Not alter or delete or cause to be altered or deleted from any forms, records, report or information system any true and correct entry appearing in the information system and records of the DSWD-FO VI;
10. Not release the Social Pension beneficiaries data to any third person or entity other than what is required for the completion of its responsibilities stipulated in this MOA, and always with the consent of the DSWD- FO VI;
11. Not exhibit or divulge the contents of any record, file or information system to any person except as required for the completion of its responsibilities stipulated in the MOA;
12. Take every reasonable precaution to prevent the unauthorized access to forms, passwords, user identification, or other information that is used to access the Social Pension beneficiaries database or records;
13. Limit access to information contained in or obtained from the systems or records of the DSWD-FO VI only to authorized person/s; and
14. Be prohibited from using and accessing personal USB, electronic mail and social networking sites while accessing the Social Pension Data.

NOW, THEREFORE, on motion of HON. ANA ROWENA A. PERERA, Chairperson, Committee on Women, Family, Social Services and Indigents, and duly seconded by Hon. Neri T. Camiña, Hon. Reynaldo E. Tumabotabo, Hon. Julius T. Ledesma, Hon. Norberto T. Turalba,

Hon. Jerry T. Tuares, Hon. Joel L. Sayson, Hon. Gaylord T. Trasporto and Hon. Florence Joy V. Cabalonga;

BE IT RESOLVED, AS IT IS HEREBY RESOLVED, by the Sangguniang Bayan to Grant Authority to Atty. Virgilio T. Teruel, Municipal Mayor, for and in behalf of the Municipality of Tigbauan, to sign and enter into an Amended Memorandum of Agreement (MOA) with the Department of Social Welfare and Development-Field Office VI (DSWD-FO VI) in connection with the Social Pension for Indigent Senior Citizens;

RESOLVED FURTHER, to furnish copies of this Resolution to the Office of the Municipal Mayor, to the Municipal Social Welfare and Development Office, and to all concerned for their information and/or appropriate action.

APPROVED.

CERTIFIED CORRECT: 
MARLENE TAYO-NAVA
SB Secretary

ATTESTED: 
ADRIAN S. CAMPOSAGRADO
Vice Mayor & Presiding Officer

HON. LUGEN T. ORTILANO
Municipal Vice Mayor

Sangguniang Bayan Members:

HON. ADRIAN S. CAMPOSAGRADO
HON. NERI T. CAMIÑA
HON. REYNALDO E. TUMABOTABO

HON. JULIUS T. LEDESMA, O.D.
HON. NORBETO T. TURALBA
HON. JERRY T. TUARES, C.E.
HON. JOEL L. SAYSON

HON. ANA ROWENA ARIAS-PERERA, R.N. M.A.N.
HON. GAYLORD T. TRASPORTO, LNB President
HON. FLORENCE JOY V. CABALONGA, PPSK President