



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF BULALACAO

OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO HELD ON MAY 12, 2017 AT THE SANGGUNIANG BAYAN SESSION HALL.

PRESENT:

Hon. Edwin C. Aceron	Temporary Presiding Officer
Hon. Dexter R. Gonzales	Sangguniang Bayan Member
Hon. Dennes M. Faner	Sangguniang Bayan Member
Hon. Edezer F. Aceron	Sangguniang Bayan Member
Hon. Guillermo G. Salas, Jr.	Sangguniang Bayan Member
Hon. Elpidio N. Contreras, Jr.	Sangguniang Bayan Member
Hon. Teresita S. Bantugan	Sangguniang Bayan Member
Hon. Enrico C. Villas	Pangulo, Liga ng mga Barangay
Hon. Tulay M. Caring	IPM Representative

ABSENT:

Hon. Ramon G. Magbanua	Acting Municipal Mayor
Hon. German S. Acosta	Sangguniang Bayan Member-O.B.

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MUNICIPAL ORDINANCE NO. 17-05-185

AN ORDINANCE INSTITUTIONALIZING THE ESTABLISHMENT OF BARANGAY ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (AVAWC) DESKS IN FIFTEEN (15) BARANGAYS OF BULALACAO, ORIENTAL MINDORO, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES

Sponsors: SB Member DENNES M. FANER
SB Member DEXTER R. GONZALES
SB Member EDEZER F. ACERON

Co-Sponsor: SB Member ELPIDIO N. CONTRERAS, JR.

"WHEREAS, pursuant to Republic Act No. 9262 or the Anti-Violence Against Women and Their Children Act of 2004, it is the declared policy of the State and of the Local Government Unit of Bulalacao, Oriental Mindoro (LGU of Bulalacao) to exert efforts to address violence committed against women and their children in keeping with the fundamental freedoms guaranteed under the Constitution and the provisions of the Universal Declaration of Human Rights, the Convention on the Elimination of all Forms of Discrimination Against Women, Convention on the Rights of the Child and other international human rights instruments of which the Philippines is a party;

"WHEREAS, one of the initiatives of the LGU of Bulalacao in promoting and protecting the rights of children and women is the establishment of Barangay Anti-Violence Against Women and their Children (AVAWC) Desks in all the 15 barangays in Bulalacao pursuant to the provisions of RA 9262;

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"WHEREAS, Barangay AVAWC Desks are essential in providing support services, such as access to legal services, guided counselling sessions, referrals and/or rehabilitation programs, to abused women and children;

"WHEREAS, the Search for Best Barangay Anti-Violence Against Women and their Children (AVAWC) Desks should be institutionalized in order to continuously motivate the barangays to excel and ensure the sustainable implementation of the Barangay Anti-VAWC programs;

NOW THEREFORE, be it ordained by the Sangguniang Bayan of Bulalacao, Oriental Mindoro, that

Section 1. Title. - For brevity, this ordinance shall be known as the Barangay AVAWC Desks Ordinance of Bulalacao, Oriental Mindoro.

Section 2. Barangay Anti-Violence Against Women and their Children Desks.- All of the 15 barangay governments of the Municipality of Bulalacao shall establish and maintain a Barangay Anti- Violence Against Women. and their Children (AVAWC) Desks which operation should be financed by the barangay's Gender And Development (GAD) Fund and other fund sources as may be deemed necessary by the concerned barangay.

Section 3. The Barangay Anti-Violence Against Women and their Children Desks shall be primarily manned by an AVAWC Officer designated by the concerned Sangguniang Barangay. The AVAWC Desk shall be located within the barangay hall or near it. If there is no barangay hall, the AVAWC Desk may be put up near or where the Punong Barangay holds office. Its location must be situated in a place where the confidentiality, privacy and safety of the client will not be compromised. It must have a separate room where the intake interview can be conducted. If there is no room available for the AVAWC Desk, the concerned barangay shall find an enclosed area within the compound or the building where the barangay hall is located. If there is none, it is possible to use an enclosed area within the premises of another government institution. Another option is to have it in a private place approved by the Punong Barangay. The barangay shall have initiative and be creative in making sure that the privacy of the VAWC victim-survivor is upheld.

Section 4. Barangay Support. - It shall be the responsibility of the Punong Barangay to assign additional worker/s depending upon the volume of cases in the locality with remuneration chargeable against the Barangay Gender and Development (GAD) Fund and other sources as may be deemed necessary by the concerned barangay. It shall also be the responsibility of the Sangguniang Barangay to provide for the Barangay AVAWC Handbook and capacitate the personnel involve.

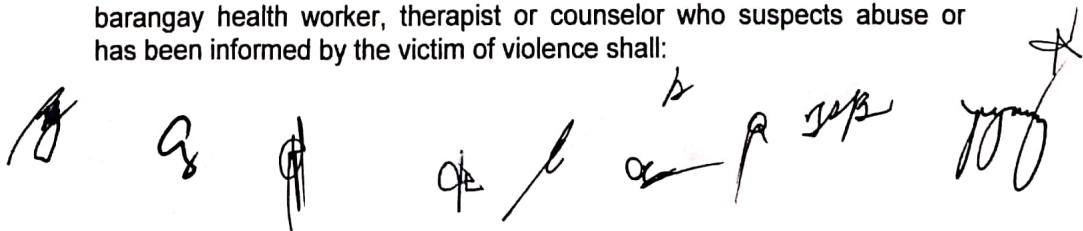
Section 5. Duties and Functions.

a. Duties and Functions of the Barangay AVAWC Desk.

a.1. Respond to gender-based violence cases brought to the barangay within the reglamentary period specified in the RA 9262;

a.2. Record the number of gender-based violence cases handled by the barangay and submit a quarterly report on all cases of VAWC to the Municipal Local Government Operation Office (MLGOO) and to the Municipal Social Welfare and Development Office (MSWDO);

- a.3. Keep VAWC case records confidential and secured, and ensure that only authorized personnel can access it;
- a.4. Assist victims of VAWC in securing Barangay Protection Order (BPO) and access necessary services;
- a.5. Develop the barangay's gender-responsive plan in addressing gender-based violence, including support services, capacity building and referral system;
- a.6. Coordinate with and refer cases to government agencies, non-government organizations (NGOs), institutions, and other service providers as necessary;
- a.7. Address other forms of abuse committed against women, especially senior citizens, women with disabilities, and other marginalized groups;
- a.8. Lead advocacies on the elimination of VAWC in the community; and
- a.9. Perform other related functions as may be assigned.
- b. **Duties and Functions of Barangay Officials and Law Enforcers.** - As stipulated in Section 30 of RA 9262, barangay officials and law enforcers shall have the following duties:
 - b.1. Respond immediately to a call for help or request for assistance or protection of the victim/s by entering the necessary dwelling whether or not a protection order has been issued and ensure the safety of the victim/s;
 - b.2. Confiscate any deadly weapon in the possession of the perpetrator or within plain view;
 - b.3. Transport or escort the victim/s to a safe place of their choice or to a clinic or hospital;
 - b.4. Assist the victim/s in getting personal belongings from the house;
 - b.5. Assist the barangay officials and other government officers and employees who respond to a call for help;
 - b.6. Ensure the enforcement of the protection orders issued by the Punong Barangay or by the courts;
 - b.7. Arrest the suspected perpetrator without a warrant when any of the acts of violence defined under RA 9262 is occurring, or when he/she has personal knowledge that any act of abuse has just been committed, and there is imminent danger to the life or limb of the victim/s as defined in RA 9262; and
 - b.8. Immediately call or ask for assessment or assistance from the Department of Social Welfare and Development (DSWD), MSWDO or accredited non-government organizations (NGOs).
- c. **Healthcare Provider Response to Abuse.** - Any healthcare provider, including but not limited to, an attending physician, nurse, clinician, barangay health worker, therapist or counselor who suspects abuse or has been informed by the victim of violence shall:



- c.1. properly document any of the victim's/victims' physical, emotional or psychological injuries;
- c.2. properly record any of the victim's/victims' suspicions, observations and circumstances of the examination or visit;
- c.3. automatically provide the victim/s free of charge a medical certificate concerning the examination or visit;
- c.4. safeguard the records and make them available to the victim/s upon request at actual cost; and
- c.5. provide the victim/s with immediate and adequate notice of rights and remedies provided under RA 9262, and services available to them.

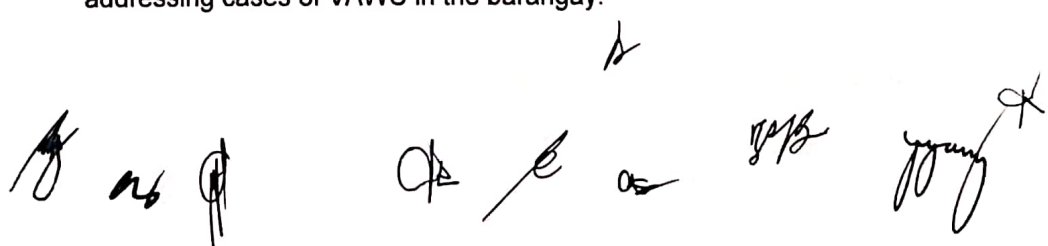
d. Duties of Other Government Agencies and LGUs. – Other government agencies and LGUs shall establish programs such as, but not limited to, education and information campaign and seminars or symposia on the nature, causes, incidence and consequences of such violence particularly towards educating the public on its social impacts. It shall be the duty of the concerned government agencies and LGUs to ensure the sustained education and training of their officers and personnel on the prevention of violence against women and their children under RA 9262.

Section 6. Prohibited Acts. – Any sangguniang barangay member including the punong barangay, or the court hearing an application for a protection order shall not order, direct, force or in any way unduly influence the applicant for a protection order to compromise or abandon any of the reliefs sought in the application for protection under RA 9262. Section 7 of the Family Courts Act of 1997 and Sections 410, 411, 412 and 413 of the Local Government Code of 1991 shall not apply in proceedings where relief is sought under Republic Act 9262. Failure to comply with this Section shall render the official or judge administratively liable.

Section 7. Persons Intervening Exempted from Liability.– In every case of violence against women and their children as defined in RA 9262, any person, private individual or police authority or barangay official, barangay tanod, barangay area social worker or designated barangay AVAWC personnel, who acting in accordance with law, responds or intervenes without using violence or restraint greater than necessary to ensure the safety of the victim, shall not be liable for any criminal, civil or administrative liability resulting therefrom.

Section 8. Search for Best Barangay AVAWC Desk.– The Search for Best Barangay AVAWC Desk, which shall be done from January to December of the year and culminates with an Awarding Ceremony every March of the subsequent year, is hereby institutionalized with the following criteria:

- a. Personnel (30%). This particular indicator measures the manner of designating the AVAWC Desk Person and the personal capacities and attributes that ensure a gender-sensitive and responsive manner of addressing cases of VAWC in the barangay.

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- b. Service Delivery (50%). As the issue of VAWC cases requires a holistic approach, this particular indicator gauges the mechanisms or specific services established by the barangay for women and children who are victim-survivors of VAWC cases. In particular, this will look into the following:
 - b.1. Physical facilities
 - b.2. Observance of protocol in handling VAWC cases in the barangay level as prescribed under applicable issuances particularly the JMC 2010-02; and
 - b.3. Reporting and Monitoring System
 - b.4. Filing of reported cases with the PNP as part of the advocacy prevention and awareness against VAW
- c. Advocacy and Fund Source (20%). This indicator assesses the concrete programs adopted by the barangay in order to engage not only the VAWC victim-survivors but more importantly, the community in the campaign against VAWC. This also looks into the allocated funds for operations of the barangay AVAWC Desk and for implementation of AVAWC programs and activities.

Section 9. Committee on Search for Best Barangay AVAWC Desk. A Search Committee is hereby instituted to be composed of the following:

Chairperson: Municipal Social Welfare and Development Officer

Co-Chairperson: Municipal Population Officer

Members: Chairperson, Sangguniang Bayan Committee on Women and Family Welfare

Chairperson, Sangguniang Bayan Committee on Social Welfare and Community Development

Pangulo, Liga ng mga Barangay

Chief, Municipal Police Station

MLGOO

Representative, Municipal Council for the Protection of Children

One representative from each Barangay Council for the Protection of Children

President, Bulalacao Women's Association

Municipal Health Officer

Representative from any religious group

Representative from the academe (to be appointed by the Mayor)

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Section 10. Awards. The Committee on Search for Best Barangay AVAWC Desks will decide, subject to budgetary constraints, on the amount of awards to be given in addition to the plaques of recognition.

Section 11. Awarding. The schedule of the awarding ceremony for the winners of the Search for Best Barangay AVAWC Desks shall be within the Women's Month Celebration.

Section 12. Repealing Clause. All resolutions, ordinances and executive issuances, or provisions thereof, which are inconsistent with any of the provisions hereof are hereby repealed, amended and/or modified accordingly.


Section 13. Separability Clause Should any provision of this ordinance be subsequently declared unconstitutional or ultra vires, the rest of the provisions not so declared shall remain to be in full force and effect.

Section 14. Effectivity Clause. This Ordinance shall take effect immediately after the approval of the Municipal Mayor. A copy of the approved ordinance shall be given to agencies, offices, and incumbents of positions mentioned herein and shall be posted in bulletin board at the entrance of the municipal hall and in barangay halls and in at least two (2) other conspicuous places in the Local Government Unit of Bulalacao.

ENACTED this 12th day of May, 2017. Bulalacao, Oriental Mindoro.


HON. DEXTER R. GONZALES
SB Member


HON. DENNES M. FANER
SB Member



HON. EDEZER F. ACERON
SB Member


HON. GUILLERMO G. SALAS, JR.
SB Member


HON. ELPIDIO N. CONTRERAS, JR.
SB Member


HON. TERESITA S. BANTUGAN
SB Member


HON. TULAY M. CARING
Indigenous People Mandatory Representative


HON. ENRICO C. VILLAS
Pangulo, Liga ng mga Barangay

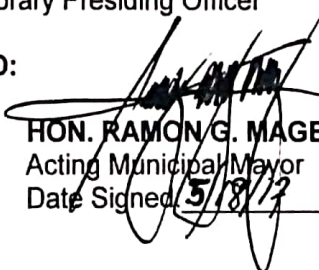
CERTIFIED TRUE AND CORRECT:


PERITA L. PAZ
Secretary to the Sanggunian

ATTESTED:


HON. EDWIN C. ACERON
SB Member/Temporary Presiding Officer

APPROVED:


HON. RAMON G. MAGBANUA
Acting Municipal Mayor
Date Signed: 5/18/17