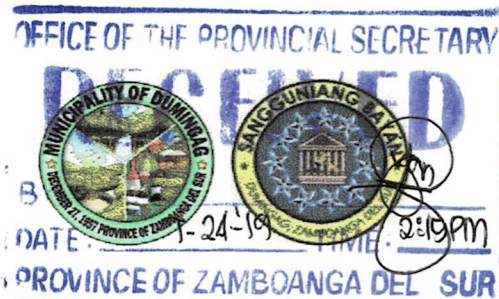


Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag
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Office of the Sangguniang Bayan



EXCERPT FROM THE MINUTES OF THE 1st REGULAR SESSION OF THE 10th SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON July 2, 2019.

OFFICERS/MEMBERS	POSITION	PRESENT	ABSENT	OB	OL
Hon. Mydell G. Pacalioga	Vice Mayor	—/—	—	—	—
Hon. Julius G. Jamero	SB Member	—/—	—	—	—
Hon. Lars Christian C. Tangalin	SB Member	—/—	—	—	—
Hon. Irish J. Mandao	SB Member	—/—	—	—	—
Hon. Tracy E. Morpos	SB Member	—/—	—	—	—
Hon. Paquito P. Duerme, Jr.	SB Member	—/—	—	—	—
Hon. Nilo B. Ledesma	SB Member	—/—	—	—	—
Hon. Jenny T. Arbitrario	SB Member	—/—	—	—	—
Hon. Francis Joeray T. Gumban	SB Member	—/—	—	—	—
Hon. Jerson L. Cabahug	Ex- Officio Member	—/—	—	—	—
Hon. Leonel C. Dinawanao	Ex- Officio Member	—/—	—	—	—

Municipal Ordinance No. 8, s. 2019

AN ORDINANCE PROMULGATING AND PRESCRIBING MEASURES FOR THE PREVENTION AND CONTROL OF HIV/AIDS IN THE MUNICIPALITY OF DUMINGAG, ZAMBOANGA DEL SUR AND FOR OTHER PURPOSES.

Be it ordained by the Sangguniang Bayan in session assembled that:

SECTION 1. TITLE.

This Ordinance shall be known as the “Dumingag HIV/AIDS Prevention and Control Ordinance.”

SECTION 2. DECLARATION OF POLICY.

Acquired Immune Deficiency Syndrome (AIDS) is a disease and/or condition that recognizes no territorial, social, political or economic boundaries, and for which there is no known cure and one of the common causes of death worldwide.

Pursuant to Republic Act No. 8504 otherwise known as the Philippine AIDS Prevention Act of 1998, and other laws and directives, the Municipality of Dumingag adheres to policies and principles that will promote access for both men and women to affordable and quality health care, prevent the spread of HIV/AIDS and other sexually transmitted diseases in the community, address relevant sexual/reproductive health issues, and ensure the protection of its constituents especially women and children from any health and social ills that would hamper their full development.

SECTION 3. OBJECTIVES.

The following are the objectives for the HIV/AIDS Prevention and Control in the Municipality of Dumingag:

- Reduce the transmission of HIV/AIDS among the Most at Risk Population and general population and mitigate its impact at the individual, family and community level; and

- Prevent and fight against stigma and discrimination in the society.

SECTION 4. DEFINITION OF TERMS.

As used in this ordinance, the following terms are defined as follows, to wit:

- a. **Acquired Immune Deficiency Syndrome (AIDS)** - a condition caused by HIV which attacks and weakens the body's immune system, making the afflicted individuals susceptible to other life-threatening infections;
- b. **HIV/AIDS Prevention and Control** - measures aimed at protecting non-infected persons from contracting HIV and minimizing the impact of the condition of persons living with HIV;
- c. **Human-Immuno Deficiency Virus (HIV)** - the virus which causes AIDS. Human-Immuno deficiency Virus spread only in certain body fluids from a person who has HIV. These fluids are blood, semen, pre-seminal fluids, rectal fluids, vaginal fluids, and breast milk;
- d. **Information Dissemination** - the process of relaying the policies, manner of prevention, causes and sources of infection of HIV/AIDS to the entirety of this municipality;
- e. **Information Material** - any written or printed material which educates the public, including tri-media, multimedia, or any source of information;
- f. **LGBTQ** - stands for Lesbian, Gay, Bisexual, Transgender, and Queer;
- g. **Manager/Operator/Owner** - an individual who has the direct control and supervision of the employees working within the establishment;
- h. **Medical Practitioner** - licensed Doctor of Medicine engaged in health work in hospitals, clinic, health stations, barangay health centers and the like;
- i. **Minor** - a person who is below eighteen (18) years of age. It includes one over eighteen (18) years old but is unable to fully take care of himself or protect himself because of a physical or mental disability or condition;
- j. **Person living with HIV** - an individual whose HIV test indicates that he/she is directly or indirectly infected with HIV; and
- k. **Reproductive Health** - state of a complete physical, mental and social well-being and not merely the absence of disease and infirmity in all matter relating to the reproductive system and its functions and processes.

SECTION 5. CREATION OF DUMINGAG HIV/AIDS PREVENTION AND CONTROL COUNCIL AND ITS FUNCTIONS.

The Dumingag HIV/AIDS Prevention and Control Council, hereinafter referred to as Council, is hereby created, its composition to be named by the Municipal Mayor in an Executive Order, as follows:

Chairman:
Members:

Municipal Mayor
SB Chairman on Committee on Health and Sanitation
Municipal Health Officer (MHO)

SB, Committee on Women and Children
Municipal Legal Officer (MLO)
Municipal Social Welfare and Development Officer (MSWDO)
Municipal Tourism Officer (MTOO)
Municipal Planning and Development Officer (MPDO)
Municipal Youth Development Office (MYDO)
Municipal Sanitation Inspector
Dumungag Organic Culture Office (DOCO)
Public Employment Service Officer (PESO)
Population Community Management Officer (POP.COM)
President, Liga ng mga Barangay (LnB)
President, Peksalabuken Subanen Dumungag Association (PSDA)
SK Federated Chairman
Local Chief PNP
Women's Desk Officer of the PNP
District Supervisor, Dep-Ed

Sectoral Representatives:

From Education Sector
From Business Sector
From Labor Sector
From LGBTQ Sector
Religious Sector
Others deemed necessary

5.1. Powers, duties and functions of Dumungag HIV/AIDS Prevention and Control Council.

The Council shall have the following powers, duties and functions:

- a. Formulate policies and strategies for the prevention and control of HIV/AIDS within the entire municipality;
- b. Prepare short-term, medium-term and long-term plans for the prevention and control of HIV/AIDS;
- c. Identify and prepare remedies to problems in program implementation, program coordination, and gaps in policy guidelines;
- d. Enhance local multi-sectoral response to HIV/AIDS concerns;
- e. Initiate livelihood skills training programs and develop strategies to benefit those with high-risk sexual behavior to HIV/AIDS;
- f. Conduct a yearly seminars and forums in all education institutions especially at secondary and tertiary level;
- g. Conduct studies relative to the prevention of HIV/AIDS incidence in the municipality;
- h. Conduct education and information activities on Reproductive Health, and HIV/AIDS prevention in the barangays;
- i. Shall design information, education and communication (IEC) materials appropriate to the needs and culture of groups being targeted in the campaign. Literature on HIV and AIDS shall preferably utilize the local dialect to encourage and facilitate easy understanding of terms and concepts; and

SECTION 6. INFORMATION AND EDUCATION CAMPAIGN (IEC).

- a. **Comprehensive HIV/AIDS Education.** Comprehensive education and information strategies shall be designed, integrated and adopted in various levels geared towards the purpose of providing substantial information and/or knowledge, improving attitudes and skills in the prevention and control of HIV and AIDS, in both public and private sectors.
- b. **In the Community.** The Dumingag HIV/AIDS Prevention and Control Council shall ensure that all barangays shall conduct an education and information campaign on HIV/AIDS prevention in coordination with the Municipal Health Office and/or Population Management Office for but not limited to the informal sector, out of school youth, youth organizations, dominated workplace, women groups, religious groups and other groups as maybe deemed necessary.
- c. **In School.** Education Sector both private and public, shall take the lead in information dissemination and popularization on the nature of HIV/AIDS and its prevention, utilizing standardized information provided by the Department of Health in all schools, colleges and universities and other indigenous learning system including non-formal system of education.
- d. **In 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 as a component of Reproductive Health. 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 and AIDS and to correct common misconceptions about these diseases. The training of health workers shall include discussions on HIV-related ethical issues such as confidentiality, informed consent and the duty to private treatment.
- e. **In the Workplace.** All government and private employees, workers, managers, and supervisors, shall be provided with standardized basic information and instruction on HIV and AIDS which shall include topics on confidentiality in the workplace and attitude towards infected employees and workers.
- f. **In Establishments.** All owners and/or managers of establishments, beauty parlors, barber shops, massage parlors, hotels, motels, lodging houses, dormitories, hospitals, doctor's clinics, dentist's clinics, midwife clinics, nursing homes, funeral homes and other establishments as may be deemed necessary, to attend seminars and forums on HIV/AIDS prevention conducted by the Municipal Health Office and Population Management Office.
- g. **In Religious Sector and Mass Media.** Church organizations and media are encouraged to assist in disseminating materials on the cause, modes of transmission, prevention, and consequences of HIV/AIDS infection in this municipality.
- h. **For Filipinos Going Abroad.** The Public Employment and Service Office (PESO) of Dumingag shall coordinate with the Department of Labor and Employment (DOLE) in the implementation of HIV/AIDS education among Filipinos going abroad. Pursuant to section 7 of R.A. 8504, otherwise known as the Philippine AIDS

Prevention and Control Act of 1998, HIV/AIDS education seminar shall be part of the Pre-Departure Orientation Seminar among Overseas Filipino workers.

- i. **Information Campaign for Tourist and Transients.** - Informational HIV/AIDS or materials on the cause, modes of transmission, prevention, and consequences of HIV/AIDS infection shall be adequately provided at all ports of entry or exit, restaurants, hotels and entertainment establishments in this municipality.

SECTION 7. PREVENTIVE MEASURES.

There is no presently vaccine to prevent contacting HIV. The best way to protect yourself from the consequences of HIV/AIDS is to avoid being contaminated by the virus. The following precautionary measures are recommended to reduce the risks of contamination such as but not limited to:

1. Use a condom during sexual intercourse (vaginal, anal, or oral);
2. Avoid sharing syringes;
3. Use disposable gloves when at risk of direct contact with blood;
4. For HIV positive women, consider giving birth by caesarian section;
5. For HIV positive women who are new mothers, consider feeding the baby with formula instead of breastfeeding; and
6. Other precautionary measure essential in preventing contamination is medical screening. If sexually active and have had unprotected sexual intercourse, it is advisable to have a blood test for HIV Screening.

SECTION 8. CREATION OF DUMINGAG HIV/AIDS PREVENTION AND CONTROL COMMITTEE AND ITS FUNCTIONS.

The Dumingag HIV/AIDS Prevention and Control Committee, hereinafter referred to as an implementing arm to the Council, is hereby created, its composition to be named by the Municipal Mayor in an Executive Order, as follows:

Chairman:

Municipal Health Officer (MHO)

Members:

Municipal Social Welfare and Development Officer (MSWDO)

Municipal Youth Development Office (MYDO)

Municipal Sanitation Inspector

Municipal Tourism Officer (MTOO)

Dumingag Organic Culture Office (DOCO)

Population Management Officer (POP.COM)

President, Liga ng mga Barangay (LnB)

SK Federated

Women's Desk Officer of the PNP

District Supervisor, Dep-Ed

Representative from LGBTQ Sector

8.1. Functions.

- To assist the conduct of information, education campaign in the municipality.
- To deal with special issues that are formed when required;
- Act as a nodal body responsible for programming to address HIV issues in the municipality;

- Provides as the framework to guide response to the HIV/ AIDS epidemic;
- Prevention of vulnerability to HIV infection in the society;
- Promotion of safe practices in healthcare system;
- Provision of care and support services for people living with HIV and AIDS; and
- Minimizing the impact of the HIV and AIDS epidemic.

SECTION 9. DUMINGAG SOCIAL HYGIENE CLINIC AND ITS FUNCTIONS.

There shall be a Social Hygiene Clinic under the Municipal Health Office which shall perform the following functions but not limited to:

- a. Be in the frontline in the delivery of HIV/AIDS prevention and control services;
- b. Provide education and information dissemination activities in the promotion of reproductive health, prevention and control of HIV/AIDS;
- c. Monitor and evaluate cases handled;
- d. Refer clients to other agencies for cases that need other health and social services such as livelihood projects, alternative home and scholarship;
- e. Ensure that children with STI/HIV and AIDS are given priority in treatment and are referred to concerned agencies for further assistance;
- f. Conduct HIV Antibody Test on a voluntary and regular basis. Further, pre and posttest counseling shall likewise be administered before any examination may be considered;
- g. Provide the council with quarterly and annual data on the status of HIV/AIDS;
- h. Spearheads activities in the commemoration of HIV/AIDS significant events; and
- i. Perform such other duties and functions as may be prescribed by law or ordinance.

9.1. Compulsory HIV Antibody testing. Compulsory HIV testing may be allowed only in the following instances:

- a. When there shall be lawful order by the competent court;
- b. When mandated by the National Law; and
- c. When complying with the provisions of Republic Act No. 7170, otherwise known as the "Organ Donation Act" and Republic Act No. 7719, otherwise known as the "National Blood Services Act".

9.2. Strengthening of the Dumingag Social Hygiene Clinic. The Municipal Government of Dumingag shall strengthen the Social Hygiene Clinic through the provision of adequate personnel, facilities and budget. It shall ensure provision of Comprehensive Reproductive Health Services and sexual health education, focused on the prevention and control of STI/HIV and AIDS, and ensuring ethical and quality care and information. The Dumingag Social Hygiene Clinic shall seek accreditation as HIV Testing Center from the Department of Health and shall set and maintain reasonable accreditation standards.

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SECTION 10. DISCRIMINATORY ACTS AND CONFIDENTIALITY OF INFORMATION.

10.1. Discriminatory Acts. Discrimination in any form and place of person perceived or suspected with HIV shall be addressed through the implementation of Republic Act 8504 "An act promulgating policies and prescribing measures for the prevention and control of HIV/AIDS in the Philippines, instituting a nationwide HIV/AIDS information and educational program, establishing a comprehensive HIV/AIDS monitoring system, strengthening the Philippine national aids council, and for other purposes."

10.2. Prohibition Against the Divulging of Confidential Information About Persons Living With HIV/AIDS. Any person working in the government or any NGO who shall have access to confidential information acquired by reason of his/her position in the implementation of this ordinance, and who shall divulge the same to the public, shall be sanctioned accordingly.

SECTION 11. HEALTH AND SUPPORT SERVICES.

The Dumingag HIV/AIDS Prevention and Control Council shall facilitate and/or coordinate the provision of support programs and services to all Dumigagnons with HIV/AIDS, including high-risk workers and service providers needing assistance, which shall include but not limited to the following: (a) basic health care services, (b) community-based care, (c) livelihood and skills development training (d) possible insurance coverage PhilHealth and (e) psychological-spiritual nurturing.

SECTION 12. HIV/AIDS AWARENESS ACTIVITIES.

12.1. This is hereby declared the 3rd Sunday of May of every year as HIV/AIDS Awareness Day, the focal point of the meaningful observance, to engage and participate in any activity conducted in regard to end the discrimination of those affected with HIV/AIDS in the society.

12.2. This is hereby declared the month of June of every year as Local LGBTQ Pride Month, to recognize the impact of LGBTQ people have had in this locality. The month-long celebration is a positive stance against discrimination and violence towards lesbian, gay, bisexual, transgender, and queer people to promote their self-affirmation, dignity, equality rights, increase their visibility as a social group, build community, and celebrate sexual diversity and gender variance.

12.3. Activities. HIV/AIDS Awareness activities enthusiastically celebrated by performing many different activities such as but not limited to:

- a. **Free Confidential and Anonymous HIV/AIDS Screening** - to lead and promote that HIV testing is part of the strategy to fight and prevent HIV/AIDS in the community and to know one's HIV status to enable people living with HIV to access treatment.
- b. **Annual HIV/AIDS Congress;**

- c. Fight against HIV/AIDS Campaign;
- d. Facilitating symposiums and forums;
- e. Peer Educator's Training;
- f. Peer Counselor's Training; and
- g. Sports Fest.

SECTION 13. APPROPRIATION.

The appropriation for the implementation of this ordinance shall be sourced from the Municipal's Annual Executive Budget and other appropriate budgetary appropriations, subject to all applicable laws, ordinances, rules and regulations.

SECTION 14. ENFORCEMENT AGENCY.

The provisions of this ordinance and its implementing rules and regulations shall be enforced by the Office of the Municipal Mayor through Municipal Health Office (MHO), Women's Desk Office of PNP and Population Management Officer with the cooperation of Municipal Social Welfare and Development Officer (MSWDO), Municipal Planning and Development Office (MPDO), Municipal Youth Development Office (MYDO), and Liga ng mga Barangay (LnB).

SECTION 15. PENAL PROVISIONS.

Any person who shall neglect to comply with Section 10 Discriminatory Acts and Confidentiality of Information of this ordinance promulgated shall be guilty of a misdemeanor and upon conviction shall be meted with the following penalties:

- **FIRST OFFENSE** - A fine of one thousand five hundred pesos (P1,500.00);
- **SECOND OFFENSE** - A fine of two thousand pesos (P2,000.00);
- **THIRD AND SUCCEEDING OFFENSES** - A fine of two thousand five hundred pesos (P2,500.00) or imprisonment of 6 months or both at the discretion of the court.

SECTION 16. IMPLEMENTING RULES AND REGULATIONS.

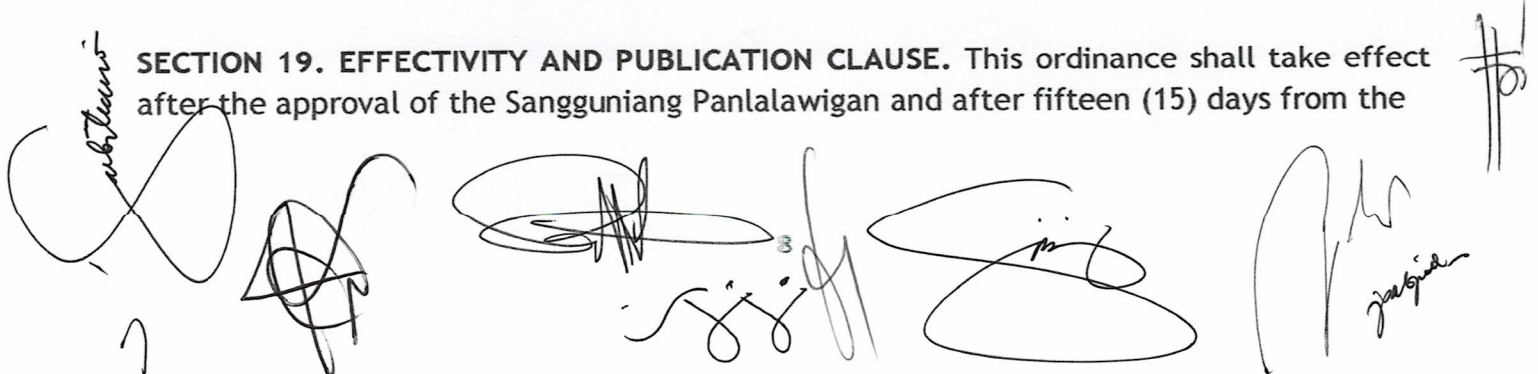
The Dumingag HIV/AIDS Prevention and Control Council shall formulate and establish necessary rules and regulations for the effective and efficient implementation of this ordinance, upon its approval.

SECTION 17. SEPARABILITY CLAUSE. If any portion of this ordinance is declared invalid or unconstitutional, other portions thereof not affected by such declaration shall remain in full force and effect.

SECTION 18. REPEALING CLAUSE. Any portion of an ordinance order or memorandum of local effect inconsistent with the provision/s of this ordinance is hereby repealed or modified accordingly.

SECTION 19. EFFECTIVITY AND PUBLICATION CLAUSE. This ordinance shall take effect after the approval of the Sangguniang Panlalawigan and after fifteen (15) days from the

subscribed



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date, a copy hereof is posted in the bulletin board at the entrance of the Municipal Hall and in at least two (2) other conspicuous places in the Poblacion.

Date Enacted: July 2, 2019

SANGGUNIAN BAYAN MEMBERS:

Hon. Julius G. Jamero

Hon. Irish J. Mandao

Hon. Paquito P. Duerme, Jr.

Hon. Jenny T. Arbitrario

Hon. Jerson L. Cabahug

Hon. Lars Christian C. Tangalin

Hon. Tracy E. Morpos

Hon. Nilo B. Ledesma

Hon. Francis Joeray T. Gumban

Hon. Leonel C. Dinawanao

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED

APPROVED: July 18, 2019


MYDELL G. PACALIOGA
Presiding Officer/Municipal Vice Mayor


JOAN V. PACALIOGA-ABEJUELA
Municipal Mayor


JESSYL B. PALON
Secretary to the Sanggunian

Not valid without Sanggunian seal