



Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE 24TH SPECIAL SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN HELD AT THE SP SESSION HALL, THE BUNKER, CAPITOL COMPOUND, BALANGA CITY, BATAAN ON NOVEMBER 10, 2021

PRESENT:

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

FIRST DISTRICT:

- Hon. Benjamin C. Serrano, Jr., Board Member
- Hon. Jomar L. Gaza J.D., Board Member
- Hon. Reynaldo T. Ibe, Jr., Board Member
- Hon. Godofredo B. Galicia, Jr., M.D., Board Member
- Hon. Maria Khristine G. Dela Fuente, Board Member

SECOND DISTRICT:

- Hon. Maria Margarita R. Roque, Board Member
- Hon. Manuel N. Beltran, Board Member
- Hon. Edgardo P. Calimbas, Board Member
- Hon. Jose C. Villapando, Sr., Board Member
- Hon. Romano L. Del Rosario, Board Member
- Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)
- Hon. Precious D. Manuel, Board Member (SKF President)

ABSENT:

- Hon. Doroteo M. Austria, Board Member (FABC President) (On Leave)
- Hon. Rosita N. Sison, Board Member (IPM Representative)

ORDINANCE NO. 21 Series of 2021

AN ORDINANCE PROVIDING FINANCIAL ASSISTANCE TO MEMBERS OF BARANGAY TANOD BRIGADES AND/OR THEIR BENEFICIARIES IN CASE OF HOSPITALIZATION FOR INJURIES SUSTAINED, OR DEATH WHILE IN LINE OF DUTY, AND ESTABLISHING A TRUST FUND FOR THE PURPOSE.

**Authored by: HON. JOMAR L. GAZA J.D.
Sponsored by: HON. DOROTEO M. AUSTRIA**

Section 1. Short Title. - This Ordinance shall be known as the "Bataan Barangay Tanod Hospitalization and Death Assistance Ordinance".

Section 2. Declaration of Policy. - The General Welfare Clause of the Local Government Code of 1991 mandates that every local government shall exercise powers essential to the promotion of the general welfare which shall include the maintenance of peace and order and the preservation of the

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Provincial Governor

"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"

Capitol Compound,
Balanga City,
Bataan, Philippines

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comfort and convenience of their inhabitants. In the barangay level, the Provincial Government of Bataan (PGB) relies on the members of the barangay tanod brigades for the maintenance of peace and order. These members of barangay tanod brigades, who receive only a meager allowance, are exposed to the risks and hazards not only from criminals and other lawless elements, but also from other work related injuries caused by accidents, natural disasters, pandemic and other calamities.

In connection with the foregoing, it is the policy of the PGB to strengthen the capability of the barangay tanod brigades and afford its members, who are frontliners in the fight against lawlessness, crime and the Covid-19 pandemic, with additional benefits and protection.

Section 3. Definition of Terms. - As used in this Ordinance, the following words or phrases are defined as follows:

- a. Assistance - the amount or cash granted to a barangay tanod or his beneficiary/claimant in case of hospitalization for injury sustained while in the line of duty or his/her death directly in connection with the discharge of his/her duties.
- b. Barangay Tanod - the registered member of the barangay tanod brigade, and certified as such by the Punong Barangay.
- c. Beneficiary/claimant - the concerned barangay tanod or the immediate member of his family in the following order: 1. spouse; 2. child; 3. parent; and 4. sibling, as certified by the Punong Barangay.
- d. Death - refers to the death of a barangay tanod in direct connection to the discharge of his duties or while in line of service, supported by a Death Certificate from the Local Civil Registrar.
- e. Hospitalization - confinement in a public or private hospital, due to injuries sustained by the barangay tanod while in line of duty.
- f. Trust Fund - an account specially established where funds are maintained or accumulated and shall be utilized exclusively for the financial assistance to members of the barangay tanod brigades in case of hospitalization for injuries sustained or death while in line of duty.

Section 4. Coverage. - All duly registered members of the barangay tanod brigade shall be entitled to financial assistance in case he or she is hospitalized for injuries sustained or dies while in the discharge of his duties or in line of service. A certificate shall be issued by the Punong Barangay stating the following:

- a. That the injured or deceased is a duly registered member of the barangay tanod brigade;
- b. The number of officially registered members of barangay tanod brigades in the barangay; and
- c. Particular facts surrounding the injury or death suffered by the barangay tanod while in the discharge of his duties or while in line of service.


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Section 5. Assistance. - Upon submission of the required documents as prescribed under Section 5 hereof, the beneficiary/claimant shall be entitled to the following:

- a. Hospitalization Assistance of ₱500.00 per day for hospitalization of at least 1 night, but not to exceed the total of ₱10,000;
- b. Death or Burial Assistance of ₱10,000.00;
- c. In case of hospitalization and eventual death, the barangay tanod and/or his beneficiary shall be entitled to both items A and B above.

Except when expressly prohibited by law or ordinance, or if the benefit is of the same nature provided by the Provincial Government, the benefits granted by this Ordinance shall be without prejudice to other benefits previously granted by the Provincial Government or by any other government agency or local government unit.

Section 6. Required Documents. - In order to avail of the Assistance under Section 5 hereof, the beneficiary/claimant shall present the following documents to concerned office/s of the PGB:

- a. Certification from the Punong Barangay, in accordance with Section 4 above;
- b. Barangay Tanod Identification Card;
- c. Police blotter report;
- d. Medical Certificate from the hospital stating the days of confinement and that the cause of hospitalization is work related;
- e. Death certificate, if applicable; and
- f. Others as may be required by concerned offices of the IPG.

Section 7. Violations. - The following shall be considered as violations of this Ordinance and shall be meted with the corresponding penalties:

- a. Any statement or certification issued by a Punong Barangay which is found to be deliberately or intentionally false or misleading and which caused the payment of Assistance to an unqualified individual under this Ordinance shall occasion the filing of appropriate administrative, civil and/or criminal charges against the same under the relevant laws of the Republic of the Philippines, with the PGB as the aggrieved party.
- b. Any person, agency or institution who shall issue a statement, certification or report which is found to be deliberately or intentionally false or misleading and which caused the payment of Assistance to an unqualified individual under this Ordinance shall occasion the filing of appropriate administrative, civil and/or criminal charges under the relevant laws of the Republic of the Philippines, with the PGB as the aggrieved party.

Section 8. Funding. - For the purpose of this Ordinance, starting with the year 2022, the amount of One Million Pesos (₱1,000,000.00) shall initially be appropriated and shall be utilized exclusively for the payment of Assistance to qualified members of the barangay tanod brigades, in accordance with the provisions hereof. The same amount or as may be adjusted on the basis of the historical need for the same and taking into consideration the funds of the PGB, shall be appropriated in the annual budget of succeeding years. The funding for these purposes shall be under Donations Account in the General Fund. For


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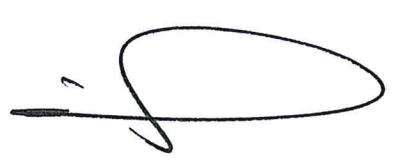


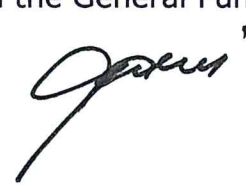


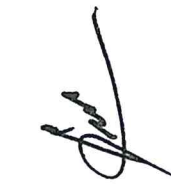




















purposes of monitoring and to make sure that funding will be earmarked for the purposes of this Ordinance, a separate ledger in the Books of Account of the PGB shall be maintained.

Section 9. Implementing Rules. - Within 60 days from approval of this Ordinance, the Sangguniang Panlalawigan Committees on Human Rights, Justice and Legal Matters, Barangay Affairs, and Peace and Order and Public Safety, in coordination with the Provincial Social Welfare and Development Office, shall draft the Implementing Rules and Regulations for the effective and efficient implementation of this Ordinance.

Section 10. Role of the Sangguniang Panlalawigan Committees. - In addition to the provisions of Section 8 above, the Sangguniang Panlalawigan Committee on Barangay Affairs shall be primarily responsible in monitoring the implementation of this Ordinance. When circumstances warrant, it shall recommend appropriate amendment thereto in coordination with the Committee Peace and Order and Public Safety, and the Committee on Finance, Budget, Appropriations and Ways & Means.


Section 11. Repealing Clause. - All Ordinances, Resolutions, Orders, Memoranda and Other Issuances inconsistent with this Ordinance are hereby altered, amended or repealed accordingly.

Section 12. Separability Clause. - In case any provision of this Ordinance shall be found to be invalid or unconstitutional, all other provisions not affected thereof shall remain in force and effect.

Section 13. Effectivity Clause. - This Ordinance shall take effect after compliance with the relevant requirements for posting and/or publication.


ENACTED and APPROVED: November 10, 2021.

APPROVED UNANIMOUSLY.


MARY ANN R. DE JESUS, MPA
OIC Secretary to the SP


BENJAMIN C. SERRANO, JR.
Board Member


JOMAR L. GAZA J.D.
Board Member


REYNALDO T. IBE, JR.
Board Member


GODOFREDO B. GALICIA, JR., M.D.
Board Member


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MARIA KRISTINE G. DELA FUENTE
Board Member


MARIA MARGARITA R. ROQUE
Board Member


MANUEL N. BELTRAN
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EDGARDO P. CALIMBAS
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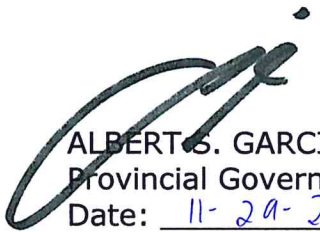

NOEL JOSEPH L. VALDECAÑAS
Board Member
(PCL President)

PRECIOUS D. MANUEL
Board Member
(SKF President)

ATTESTED:


MA. CRISTINA M. GARCIA
Vice Governor
(Presiding Officer)

APPROVED:


ALBERT S. GARCIA
Provincial Governor
Date: 11-29-2021









