



Republic of the Philippines
Province of Quezon
MUNICIPALITY OF POLILLO
-00000-

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 98th REGULAR SESSION OF
THE SANGGUNIANG BAYAN OF POLILLO, QUEZON HELD AT THE
SESSION HALL OF THE MUNICIPAL BUILDING OF
POLILLO, QUEZON ON JULY 30, 2018 AT 9:00 A.M.

PRESENT:

Honorable Rufino Rene Q. Marquita,	Municipal Councilor/ Acting Municipal Vice Mayor & Temporary Presiding Officer,
Honorable Rudy S. Pumarada,	Municipal Councilor,
Honorable Efren C. Atendido,	Municipal Councilor,
Honorable Joel V. Asis,	Municipal Councilor,
Honorable Hubert Bismarck A. Espiritu,	Municipal Councilor,
Honorable Walter P. Calleja,	Municipal Councilor,
Honorable Bella A. Correces,	Municipal Councilor,
Honorable Ian Kristoffer R. Del Moro,	President-PPSK/Ex-Officio.

ABSENT:

Honorable Loel F. Santoalla,	Municipal Vice Mayor/ Acting Municipal Mayor,
Honorable Ronald R. Madriñan,	President-PPLB/Ex-Officio (O.B.).

RESOLUTION NO. 136-2018


A RESOLUTION CREATING AN ORDINANCE INSTITUTIONALIZING THE ESTABLISHMENT OF BARANGAY ANTI- VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (AVAWC) DESKS IN THE TWENTY (20) BARANGAYS OF POLILLO, QUEZON, PROVIDING FUNDS THEREFORE AND FOR OTHER PURPOSES

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 Municipality of Polillo 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 Municipality of Polillo 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 20 barangays in Polillo, Quezon pursuant to the provisions of RA 9262 on March 8, 2004;

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


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Secretary of the Sangguniang Bayan I



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;

WHEREAS, Section 18 of Republic Act 9262 further stipulates the specified in the RA 9262 without justifiable cause shall render the official or judge administratively liable.”

NOW, THEREFORE, on motion from the Committee on Women, Children and Family/Social Services, through Chairman, Municipal Councilor Bella A. Correces, be it:

RESOLVED, as it is hereby resolved to create an Ordinance institutionalizing the establishment of Barangay Anti-Violence Against Women and their Children (AVAWC) desks in the twenty (20) barangays of Polillo, Quezon, providing funds therefore and for other purposes;

MUNICIPAL ORDINANCE NO. 131-2018

AN ORDINANCE INSTITUTIONALIZING THE ESTABLISHMENT OF BARANGAY ANTI- VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (AVAWC) DESKS IN THE TWENTY (20) BARANGAYS OF POLILLO, QUEZON, PROVIDING FUNDS THEREFORE AND FOR OTHER PURPOSES

Be it ordained by this Honorable Sangguniang Bayan in its regular session assembled that:


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

Section 2. Barangay Anti-Violence Against Women and their Children Desks.- All of the 20 barangay governments of the Municipality of Polillo, Quezon 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 a Registered Social Worker or an Area Worker of the Municipal Social Welfare and Development Office (MSWDO) deemed necessary by the concerned 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.


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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 personnel to assist the CSWDO worker 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.

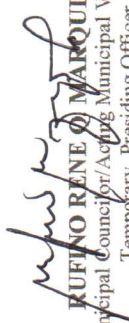
It shall also be the responsibility of the Barangay to provide for the Barangay VAWC Handbook and capacitate the personnel involve.

Section 5. Duties and Functions.-

a. Duties and Functions of the Barangay AVAWC Desk. -

1. Respond to gender-based violence cases brought to the barangay within the reglementary period specified in the RA 9262;
2. Record the number of gender-based violence handled by the barangay and submit a quarterly report on all cases of VAWC to the DILG Municipal Field Office and the Municipal Social Welfare Development Office (MSWDO);
3. Keep VAWC case records confidential and secured, and ensure that only authorized personnel can access it;
4. Assist victims of VAWC in securing Barangay Protection Order (BPO) and access necessary services;
5. Develop the barangay's gender-responsive plan in addressing gender-based violence, including support services, capacity building and referral system;
6. Coordinate with and refer cases to government agencies, non-government organizations (NGOs), institutions, and other service providers as necessary;
7. Address other forms of abuse committed against women, especially senior citizens, women with disabilities, and other marginalized groups;
8. Lead advocacies on the elimination of VAWC in the community; and;
9. Perform other related functions as may be assigned.


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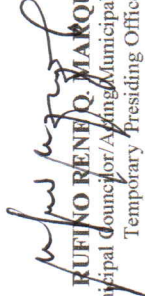

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- b. **Duties and Functions of the Barangay Officials and Law Enforcers.** - As stipulated in Section 30 of RA 9262, Barangay officials and law enforcers shall have the following duties:
1. Respond immediately to a call for help or request for assistance or protection of the victim by entering the necessary dwelling whether or not a protection order has been issued and ensure the safety of the victim/s;
 2. Confiscate any deadly weapon in the possession of the perpetrator or within plain view;
 3. Transport or escort the victim/s to a safe place of their choice or to a clinic or hospital;
 4. Assist the victim in removing personal belongings from the house;
 5. Assist the barangay officials and other government officers and employees who respond to a call for help;
 6. Ensure the enforcement of the Protection Orders issued by the Punong Barangay or the courts;
 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 as defined in RA 9262; and
 8. Immediately report the call for assessment or assistance of the Department of Social Welfare and Development, Social Welfare Department of LGUs 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:
1. Properly document any of the victim's physical, emotional or psychological injuries;
 2. Properly record any of the victim's suspicions, observations and circumstances of the examination or visit;
 3. Automatically provide the victim free of charge a medical certificate concerning the examination or visit;
 4. Safeguard the records and make them available to the victim upon request at actual cost; and
 5. Provide the victim immediate and adequate notice of rights and remedies provided under this Act, and services available to them.


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- 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. – A *Punong Barangay, Barangay Kagawad* 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 Exempt 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 commence from January to December of the year and culminates with an Awarding Ceremony every March of the subsequently year, is hereby institutionalized with the following criteria:

- a) Personnel (30%)


This particular indicator measures the manner of designating the AVAWC Desk Person and his/her personal capacities and attributes that ensure a gender-sensitive and responsive manner of addressing cases of VAWC in the barangay.

- 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:

1. Physical facilities
2. Observance of protocol in handling VAWC cases in the barangay level as prescribed under JMC 2010-2 and
3. Reporting and Monitoring System


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4. Filing of reported cases with the PNP as part of the advocacy prevention and awareness against VAWC

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 Anti-VAWC 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 Office (MSWDO) Head or Representative |
| Co-Chairperson | : | Municipal Population Management Office (MPMO) Head or Representative |
| Members | : | SB Chairperson,
Committee on Gender, Women, Family & Children and Social Services

President of the Association of the Punong Barangay

PNP Municipal Chief of Police or representative

DILG Officer or representative

Public Attorney's Office

Municipal Prosecutor's Office

Municipal Council for the Protection of Children (MCPC) Representative

Barangay Children Protection Committee Representative


Municipal Women's Federation President

Two(2)representatives fromNon-Government Organizations;

Municipal Health Representative;

Representative from religious sector (any religious institution); |


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

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.

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 accordingly repealed, amended and/or modified.

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 its posting at conspicuous places in the Municipality for at least three (3) consecutive weeks.

APPROVED UNANIMOUSLY.

July 30, 2018

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Pursuant to Section 54 and 469 of the Local Government Code of 1991, I hereby certify that **Resolution No. 136-2018 (Municipal Ordinance No. 131-2018)** was adopted by the Sangguniang Bayan on the date mentioned above.

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**ATTESTED AND CERTIFIED TO
HAVE BEEN DULY ADOPTED:**

Rufino Rene Q. Marquita
RUFINO RENE Q. MARQUITA
Municipal Councilor/
Acting Municipal Vice Mayor &
Temporary Presiding Officer

APPROVED:

Loel F. Santoalla
LOEL F. SANTOALLA
Municipal Vice Mayor/
Acting Municipal

Excerpted on:
August 6, 2018