



REPUBLIC OF THE PHILIPPINES
PROVINCE OF ILOILO
MUNICIPALITY OF PAVIA
-oOo-
OFFICE OF THE SANGGUNIANG BAYAN



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON JUNE 05, 2023 AT 9:00 A. M. IN THE SESSION HALL, MUNICIPAL BUILDING, PAVIA, ILOILO.

PRESENT

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| 1. Hon. Edsel G. Gerochi | - Municipal Vice-Mayor
Presiding Officer |
| 2. Hon. Jo Jan Paul J. Peñol | - Municipal Councilor |
| 3. Hon. Ariel B. Gerada | - -do- |
| 4. Hon. Jose Maria D. Trinañez | - -do- |
| 5. Hon. Leonardo L. Belasa | - -do- |
| 6. Hon. Daniel S. Fajardo, II | - -do- |
| 7. Hon. Roy H. Gorniceta, Sr. | - -do- |
| 8. Hon. Rhia B. Sotomil | - -do- |
| 9. Hon. Joshua Philippe B. Gumban | - -do- |
| 10. Hon. Hanson H. Guyos | - Liga President, Ex-Officio Member |
| 11. Hon. Kervin Matthew G. Zaldarriaga | - SK Fed. President, Ex-Officio Member |

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MUNICIPAL ORDINANCE NO. 2023-16

AN ORDINANCE CREATING THE PERSONS WITH DISABILITY AFFAIRS DIVISION (PDAD) UNDER THE MUNICIPAL SOCIAL WELFARE AND DEVELOPMENT OFFICE IN THE MUNICIPALITY OF PAVIA, ILOILO AND APPROPRIATING FUNDS THEREOF.

WHEREAS, Article 4.3 of the United Nation Convention on the Rights of Persons with Disabilities (UNCRPD) mandates the Philippine Government to closely consult with and actively involve persons with disabilities through their representative organizations in the development and implementation of legislation and policies to implement this international commitment;

WHEREAS, Article 13 of the same Constitution includes disabled persons as one of the priority sectors to be given access to essential goods and services at affordable cost and further provides that the State shall establish a special agency/office for disabled persons for their rehabilitation, self-development and self-reliance and their integration into the mainstream of the society;

WHEREAS, the 14th Congress of the Philippines enacted Republic Act No. 10070, entitled "An Act Establishing an Institutional Mechanism to Ensure the Implementation of Programs and Services for Persons with Disabilities in Every Province, City and Municipality, Amending Republic Act No. 7277, otherwise known as The Magna Carta for Disabled Persons," on April 6, 2010;

WHEREAS, it is declared policy of RA No. 7277 that persons with disabilities are part of the Philippine society, and thus the State shall give full support to the improvement of their total well-being and their integration into the mainstream of society. They have the same rights as other people to take their proper place in society. The main objective of RA 10070 is to ensure that policies, programs and services for persons with disabilities are implemented at local level for them to fully participate in building an inclusive society for all;

WHEREAS, Section 1 of RA No. 10070 mandates the creation of Persons with Disabilities Affairs Office (PDAO) in every province, city and municipality and designation of a Focal Person in the fourth (4th), fifth (5th) and sixth (6th) class municipalities who shall perform the functions of PDAO;

NOW, THEREFORE, BE IT ENACTED by the Sangguniang Bayan of Pavia in session assembled, that:

SECTION 1. SHORT TITLE. This Ordinance shall be known as the "PERSONS WITH DISABILITY AFFAIRS DIVISION (PDAD) ORDINANCE OF PAVIA."

SECTION 2. LEGAL BASIS. This Ordinance is based on the provisions of Republic Act No. 10070 entitled- AN ACT ESTABLISHING AN INSTITUTIONAL MECHANISM TO ENSURE IMPLEMENTATION ON PROGRAMS AND SERVICES FOR PERSONS WITH DISABILITIES IN EVERY PROVINCE, CITY AND MUNICIPALITY, AMENDING REPUBLIC ACT NO. 7277, OTHERWISE KNOWN AS THE -MAGNA CARTA FOR DISABLED PERSONS, AS AMENDED, AND FOR OTHER PURPOSES.

SECTION 3. CREATION OF PDAD. There shall be established a Persons with Disability Affairs Division (PDAD) under the Municipal Social Welfare and Development Office (MSWDO).

For the purpose of this Ordinance, Persons with disabilities (PWDs) is defined as those who have long-term physical, mental, intellectual, learning, orthopedic, psychosocial, visual, speech, language or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

SECTION 4. PDAD FUNCTIONS. The Office shall perform the following functions as stated in RA No. 10070:

- a) Formulate and implement policies, plans and programs for the promotion of the welfare of persons with disabilities in coordination with concerned national and local government agencies;
- b) Coordinate and implement the provisions of RA No. 10070, Batas Pambansa Blg. 344, otherwise known as the Accessibility Law, and other relevant laws at the local level;

- c) Represent persons with disabilities in meetings of local government councils and other special bodies;
- d) Recommend and enjoin the participation of Non-Government Organizations (NGOs) and People's Organization (POs) in the implementation of all disability-related laws and policies;
- e) Gather and compile relevant data on persons with disabilities in their localities;
- f) Disseminate information including, but not limited to programs and activities for persons with disabilities, statistics on persons with disabilities, including children with disability, and training and employment opportunities for persons with disabilities;
- g) Submit reports to the Office of the Mayor thru the Municipal Social Welfare and Development Office on the implementation of programs and services for the promotion of the welfare of persons with disabilities;
- h) Ensure that policies, plans and programs for the promotion of welfare of persons disabilities are funded by both the national and local government;
- i) Monitor fundraising activities being conducted for the benefit of persons with disabilities;
- j) Accept donations in cash or in kind from local or foreign donors to implement an approved work plan for persons with disabilities, in accordance with existing laws and regulations; and
- k) Perform such other functions as maybe necessary for the promotion and protection of the welfare of persons with disabilities.

SECTION 5. CREATION OF POSITIONS UNDER PDAD.

- a. The Persons with Disability Affairs Division (PDAD) shall have the following personnel:

Position Title	Salary Grade
Persons with Disability Affairs Officer III	18
Persons with Disability Affairs Assistant	8

- b. Appointment to the position shall be subject to the qualification requirements provided by the Civil Service Commission.

- c. The PDAO position shall be subject to the publication and posting requirements under Republic Act No. 7041 otherwise known as "An Act Requiring Regular Publication of Existing Vacant Positions in Government Offices, Appropriating Funds Therefor, and Other Purposes." All vacant positions shall be posted and announced in three (3) conspicuous places and published in the CSC Bulletin of Vacant Positions and official website of the concerned local government unit for at least fifteen (15) days. The announcements should indicate full details about the vacancy (position title, item number, the full qualification standards required, and the work station).
- d. Compliance with Republic Act No. 10524, An Act Expanding the Position Reserved for PWD, amending for the purpose of the 3rd Sentence of Section 5 in Title 2, Chapter 1 of Republic Act 7277, as amended, otherwise known as "Magna Carta for Persons with Disability", shall be observed and included in the publication. Qualified women with disabilities shall be encouraged to apply.

SECTION 6. BUDGETARY AND FINANCIAL REQUIREMENTS. Salaries and wages of personnel, maintenance and other operating expenses (MOOE) and Capital Outlay (CO) for PDAD shall be charged against the General Fund. The Municipal Government shall ensure that the necessary fund from any available local revenues is allocated for the implementation of this Ordinance for the benefit of PWDs in Pavia. Section 4 of RA 10070 mandates that LGUs shall ensure that the necessary fund from any local revenues is allocated for the implementation of the PDAO activities for the benefit of PWDs in their jurisdiction.

For the succeeding years of implementation, PDAD funding shall be included in the Municipal Annual Investment Program and Budget. The fund shall be used exclusively for the Persons with Disability Affairs Division (PDAD), including but not limited to its operational costs, implementation of programs, projects and activities that will promote the welfare of the PWDs and the provisions of basic services.

SECTION 7. REPEALING CLAUSE. All ordinances, rules and regulations or parts thereof in conflict with this Ordinance are hereby repealed or modified accordingly.

SECTION 8. SEPARABILITY CLAUSE. If any provision or part hereof is held invalid or declared unconstitutional, the other provisions which are not affected thereby shall continue to be in full force and effect.

SECTION 9. EFFECTIVITY. This Ordinance shall take effect fifteen (15) days following its posting in at least three (3) conspicuous places in the municipality and likewise in the official social media platforms and website of the LGU of Pavia.

ENACTED this 5TH day of June, 2023 at Pavia, Iloilo, Philippines.


(5)

I HEREBY CERTIFY to the correctness
of the above-quoted ordinance:



GENNYN G. GUMBAN

Secretary to the Sangguniang Bayan

ATTESTED BY:


HON. EDSSEL G. GEROCHI
Municipal Vice-Mayor
Presiding Officer

APPROVED:


HON. LAURENCE ANTHONY G. GORRICETA
Municipal Mayor