



Republic of the Philippines  
Province of Agusan del Sur  
**MUNICIPALITY OF TRENTO**

**OFFICE OF THE SANGGUNIAN BAYAN**  
*THIRTEENTH SANGGUNIAN BAYAN*

**EXCERPT FROM THE MINUTES OF THE 35<sup>TH</sup> REGULAR SESSION OF THE HONORABLE SANGGUNIAN BAYAN OF TRENTO HELD AT THE SB SESSION HALL, TRENTO, AGUSAN DEL SUR ON APRIL 25, 2017**

PRESENT:	Hon. Felimon S. Marte	Municipal Vice Mayor
	Hon. John Arbee A. Agcopra	Sangguniang Bayan Member
	Hon. Edcil Marie D. Pagayon	(Temporary Presiding Officer)
	Hon. George G. Diel	Sangguniang Bayan Member
	Hon. Permita B. Lamberto	Sangguniang Bayan Member
	Hon. Rose P. Mabunga	Sangguniang Bayan Member
	Hon. Edgar C. Abiao	Ex-Officio Member (ABC President)

ABSENT: NONE

ON OFFICIAL BUSINESS: NONE

**"MUNICIPAL ORDINANCE NO. 020**  
**Series of 2017**

**AN ORDINANCE CREATING THE TRENTO AIDS COUNCIL AND PROVIDING FOR ITS POWERS AND FUNCTIONS, SUBJECT TO ALL LAWS AND EXISTING LEGAL RULES AND REGULATIONS**

**Author: HON. ROSE P. MABUNGA**

- WHEREAS, Acquired Immuno Deficiency Syndrome (AIDS) is a condition that, to date, has no known cure and recognizes no territorial, social, political and economic boundaries. The gravity of the HIV-AIDS threat demands strong action today;
- WHEREAS, the United Nations Millenium Development Goal No. 6 is to combat HIV/AIDS, Malaria and other diseases, among which is to halt and prevent the spread of HIV/AIDS by 2015;
- WHEREAS, the United Nations Development Program (UNDP) believes that there is a pressing need to establish and strengthen "coordinating mechanisms" for HIV/AIDS at local levels to curb the spread of virus;
- WHEREAS, Section 10, Article II of the 1987 Philippine Constitution states that "the State values the dignity of every human person and guarantees full respect for human rights";
- WHEREAS, Section 15, Article II of the 1987 Philippine Constitution states that "the State shall promote the right to health of the people and instil health consciousness among them";
- WHEREAS, RA 8504 otherwise known as the Philippine AIDS Prevention and Control Act of 1998 states that the State shall promote public awareness about the causes, modes of transmission, consequences and means of prevention, and control of HIV/AIDS through a comprehensive nationwide educational and information campaign organized and conducted by the State;
- WHEREAS, Section 23, Article IV of RA 8504 states that "Local Government Units, in coordination and in cooperation with concerned government agencies, non-government organizations, persons with HIV/AIDS and groups most at risk of HIV infection shall provide community-based HIV/AIDS prevention and care services";
- WHEREAS, due to the steady increase of HIV/AIDS cases for the past years, there is a need to give importance to the situation and allocate more resources in preventing and controlling the spread of the virus to the population;
- WHEREAS, to better grasp the situation locally, there is a need to create a Local AIDS Council which will be formulating and supervising a comprehensive and integrated HIV/AIDS prevention and control program for the municipality;

NOW THEREFORE, BE IT ENACTED, AS IT IS HEREBY ENACTED, BY THE SANGGUNIANG BAYAN OF TRENTO, AGUSAN DEL SUR, BY VIRTUE OF THE POWERS VESTED IN IT BY LAW, IN SESSION ASSEMBLED THAT:

**Section 1. TITLE.** This ordinance shall be known as the "Trento AIDS Prevention and Control Ordinance".

**Section 2. SCOPE.** This ordinance shall apply to the protection of People Living with HIV (PLHIV), prevention and control of STI/HIV/AIDS prevalence in the Municipality of Trento.

**Section 3. DEFINITION OF TERMS.** For the purposes of this Ordinance, the following terms shall be understood to mean as:

**Acquired Immuno Deficiency Syndrome (AIDS)** refers to a condition characterized by a combination of signs and symptoms, caused by HIV contracted from another person which attacks and weakens the body's immune system, making the afflicted individual susceptible to other life threatening infections.

**AIDS Medium Term Plan (AMTP)** is an important milestone in the national response to the HIV/AIDS problem in the Philippines. It aims to prevent the further spread of HIV infection in the Philippines, in line with the country's commitment to the millennium development goals.

**Human Immunodeficiency Virus (HIV)** refers to the virus which causes AIDS.

**Sexually Transmitted Infections (STI)** is a disease that may be acquired through the transfer of organisms from person to person during sexual contact. This includes but not limited to HIV, syphilis, gonorrhoea, Chlamydia trachomatis, human papillomavirus, genital herpes, chancroid, genital mycoplasmas, hepatitis B, trichomoniasis, enteric infections and ectoparasitic diseases.

**Person/People Living with HIV (PLHIV)** refers to individual/s whose HIV test indicates, directly or indirectly, that he/she is infected with HIV.

#### **Section 4. FUNCTIONS AND POWERS OF TRENTO AIDS COUNCIL.**

1) **COMPOSITION OF THE TRENTO AIDS COUNCIL.** The Trento AIDS Council shall be composed of the following:

Chairman	-	Municipal Mayor
Co Chairman	-	SB Chairman of the Committee on Health
Vice Chairman	-	Municipal Health Officer
Members	-	SB Chairman of the Committee on Women and Family
		SB Chairman of the Committee on Trade and Industry
		President, Liga ng mga Barangay
		President, SK Federation
		DepEd District Supervisors
		MLGOO
		Municipal Social Welfare and Development Officer
		PNP, Children & Women's Desk Office
		Business Sector Representative
		Non-Government Organization

2) **POWER AND FUNCTIONS OF THE COUNCIL.** The Trento Aids Council shall have the following powers and functions.

- a) Prepare, formulate policies and strategies, and implementing rules and regulations consistent with RA 8504 in the prevention and control of STI/HIV/AIDS within the Municipality of Trento;
- b) Prepare short term, medium term and long term plans consistent with the AIDS MEDIUM TERM PLAN for the prevention and control of STI/HIV/AIDS.
- c) Determine means of controlling the prevalence of STIs and identify possible sources of STIs in the Municipality of Trento;
- d) Identify strategies and provide skill training programs which will help the most-at-risk populations;
- e) Identify and prepare remedies to problems in program coordination, gaps in policy guidelines, and be able to recommend to the Sangguniang Bayan the

enactment of laws that will assist in controlling and preventing the spread of HIV/AIDS/STI;

- f) Evaluate the efficacy and make recommendation regarding the utilization of local resources for the prevention and control of HIV/AIDS in Trento;
- g) Coordinate activities and strengthen working relationship between government and non-government agencies involved in the campaign against HIV/AIDS;
- h) Coordinate and cooperate with foreign and international organizations on data gathering, research and treatment concerning HIV/AIDS;
- i) Encourage owners/operators/managers of registered entertainment establishments, sauna and massage parlors, call center agencies to actively participate in the prevention and control of STI/HIV/AIDS;
- j) Ensure that education and information services in the promotion of prophylactic, reproductive health, prevention and control of HIV/AIDS reach the different communities through various public information campaigns as well as education campaigns from the primary to tertiary levels;
- k) Perform all other tasks and functions related to overall objective in the prevention and control of HIV/AIDS/STI in the Municipality of Trento.

3) **STRUCTURE.** The Trento AIDS Council shall be divided into three (3) different Committees performing specific roles as follows:

#### **3.1 Committee on Information, Education and Communication**

- a. Initiate skills training and advocacy programs, and develop strategies to benefit people at risk of STI/HIV/AIDS and other stakeholders;
- b. Conduct regular seminar on STI/HIV/AIDS in all educational institutions with primary, secondary and tertiary levels, and produce relevant modules or education materials;
- c. Ensure the conduct of education and information activities on Reproductive Health in the private sector, NGOs and the general public;
- d. Design, produce, mobilize and distribute IEC (information, education and communication) materials on STI/HIV/AIDS;
- e. Develop a communication plan for Trento AIDS Council; and
- f. Network and coordinate with the media, church-based organizations and other sectors.

#### **3.2 Committee on Research, Surveillance and Monitoring**

- a. Implement, monitor and evaluate the five (5) HIV/STI prevention policies:
  - (1) 100% condom use,
  - (2) Compulsory HIV/STI education,
  - (3) Universal access to STI healthcare,
  - (4) Regular STI screening and
  - (5) Non-hiring of minors.
- b. Conduct studies as to the cause(s) of STI/HIV/AIDS incidence in the municipality;
- c. Prepare short term, medium term and long term plans for STI/HIV/AIDS prevention and control programs;
- d. Monitor compliance to existing local ordinances;
- e. Recommend the closure of any establishment found in violation of prohibited acts mentioned in this Ordinance and the Labor and Sanitation Laws; and
- f. Conduct and/or facilitate an annual HIV Serologic and Behavioral Surveillance in the municipality.

#### **3.3 Committee on Care and Support**

- a. Hospital-based Services – Establish HIV/AIDS Core Team and develop capabilities through trainings on pre and post test counselling.
- b. Community-based Services – Strengthen knowledge, attitude, skills and practices of health workers and develop their capabilities through reorientation and updates.

- c. Social Hygienic Clinic – Strengthen STI services and management to include reproductive health; provide drugs/medicines for STI cases.

- 4) **MEETING.** The Trento AIDS Council will be meeting once every quarter of the year or as often as may be necessary.

**Section 6. PROHIBITION AGAINST DIVULGING OF CONFIDENTIAL INFORMATION OF PERSONS LIVING WITH HIV/AIDS/STI.** Any person working on 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 is strictly prohibited.

**Section 7. PROHIBITION AGAINST MISLEADING INFORMATION.** Misinformation on HIV/AIDS/STI prevention and control through false and misleading advertising and claims in any of the tri-media or the promotional marketing of drugs, devices, agents or procedures without prior approval from the Department of Health (DOH) and the Bureau of Food and Drugs (BFAD) and the requisite medical and scientific basis, including markings and indications in drugs and devices or agents, purporting to be a cure or a fail-safe prophylactic for HIV/AIDS/STI infection is strictly prohibited.

**Section 8. PROHIBITION ON COMPULSORY HIV/AIDS/STI TESTING.** Compulsory HIV/AIDS/STI testing as a precondition to employment, admission to educational institutions, the exercise of freedom of abode, entry or continued stay in the city, or the right to travel, the provision of medical service or any other kind of service or the continued enjoyment of said undertakings shall be deemed unlawful.

**Section 9. UNSAFE PRACTICES AND PROCEDURES.** Any person who knowingly or negligently causes another to get infected with HIV/AIDS/STI in the course of his/her profession through unsafe or unsanitary practice or procedure is prohibited.

**Section 10. PENALTIES FOR VIOLATION OF CONFIDENTIALITY.** Any violation of medical confidentiality as provided in Section 6 of this Ordinance shall suffer the penalty of imprisonment of six (6) months to one (1) year, without prejudice to administrative sanctions such as fines and suspension or revocation of the violator's license to practice his/her profession, as well as the cancellation or withdrawal of the license to operate any business entity in the municipality (hospitals, laboratories and clinics).

**Section 11. PENALTIES FOR VIOLATION OF MISLEADING INFORMATION.** Any violation of misleading information as provided in Section 7 of this Ordinance shall suffer the penalty of imprisonment of two (2) months to one (1) year, without prejudice to administrative sanctions such as fines and suspension or revocation of professional or business license.

**Section 12. PENALTIES FOR DISCRIMINATORY ACTS AND POLICIES.** All discriminatory acts and policies as provided in Section 8 of this Ordinance shall be punishable with a penalty of imprisonment of six (6) months to one (1) year and a fine not exceeding Two Thousand Five Hundred Pesos (Php2,500.00). In addition, licenses/permits of schools, hospitals and other institutions found guilty for committing discriminatory acts and policies described in this Ordinance shall be revoked.

**Section 13. PENALTIES FOR UNSAFE PRACTICES AND PROCEDURES.** Any violation of medical practices and procedures as provided in Section 9 of this Ordinance shall suffer the penalty of imprisonment of six (6) months to one (1) year, without prejudice to administrative sanctions such as but not limited to, fines and suspension or the revocation of license to practice his/her profession. The permit or license of any business entity whether hospitals, laboratory or clinics may be cancelled or withdrawn if said establishments fail to maintain such safe practices and procedures required by law.

**Section 14. APPROPRIATION.** Operational Cost for Trento AIDS Council is Two Hundred Thousand Pesos (Php200,000.00) under the Other Maintenance and Operating Expenses of the Office of the Mayor.

**Section 15. IMPLEMENTING RULES AND REGULATIONS.** Within Sixty (60) days from its first convention, the Local AIDS Council shall, in consultation with the concerned offices, departments, associations, agencies, public and private organizations and non-government organizations, formulate and recommend to the Mayor the appropriate rules and regulations necessary to effectively implement any or all of the provisions of this ordinance.


**Section 16. REPEALING CLAUSE.** All ordinances and other municipal issuances, or part or parts thereof, which are inconsistent with the provisions of this Ordinance is hereby repealed or modified.

**Section 17. EFFECTIVITY CLAUSE.** This Ordinance shall take effect after fifteen (15) days from its publication in a newspaper of local circulation.


**SO ORDAINED / ENACTED.**

ADOPTED this 25<sup>th</sup> day of April, 2017.


CERTIFIED CORRECT:

  
**JOAN B. ESTORES**  
Administrative Aide IV  
Temporary Secretary to the Sanggunian

ATTESTED BY:

  
**JOHN ARBEE A. AGCOPRA**  
SB Member  
Temporary Presiding Officer

APPROVED:

  
**WILLIAM B. CALVEZ, CE**  
Municipal Mayor  
June 10, 2017