



Republic of the Philippines
Province of Misamis Occidental
MUNICIPALITY OF CALAMBA
OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALAMBA, MISAMIS OCCIDENTAL HELD AT THE SB SESSION HALL ON MARCH 9, 2020.

PRESENT:

| | |
|----------------------------------|--------------------------------|
| Hon. ANTONIO N. LAWAS, SR. | Municipal Vice Mayor/Presiding |
| Hon. JESUS C. ENERIO | Sangguniang Bayan Member |
| Hon. EMMANUEL M. CALE, M.D. | Sangguniang Bayan Member |
| Hon. REZIE C. LEONARDO | Sangguniang Bayan Member |
| Hon. RODRIGO T. GARCIA | Sangguniang Bayan Member |
| Hon. DENNIS M. BUNAO | Sangguniang Bayan Member |
| Hon. CARIDAD C. LANSANG | Sangguniang Bayan Member |
| Hon. JOSEPH C. MALAYAO | Sangguniang Bayan Member |
| Hon. CHERRY F. MAGSAYO | Sangguniang Bayan Member |
| Hon. KEN ALLEN B. LAWAS | FABC Pres./Ex-Officio Member |
| Hon. MA. ANGEL PRINCESS C. CANDA | FSK Pres./Ex-Officio Member |
| Hon. LUCIANO O. DUMANHOG | IP's Rep./Ex-Officio Member |

ORDINANCE NO. 06-s.2020

Authored by: Hon. Emmanuel M. Cale

AN ORDINANCE PROMULGATING POLICIES AND MEASURES FOR THE PREVENTION AND CONTROL OF STI, HIV AND AIDS IN THE MUNICIPALITY OF CALAMBA, STRENGTHENING THE MUNICIPALITY OF CALAMBA, MISAMIS OCCIDENTAL STI/HIV AND AIDS COMMITTEE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES.

Be it ordained by the Sangguniang Bayan of Calamba, Misamis Occidental that:

ARTICLE I

TITLE OF THE ORDINANCE

SECTION 1. Short Title. – This Ordinance shall be known as the “The Municipality of Calamba STI/HIV and AIDS Ordinance of 2020.”

ARTICLE II

DECLARATION OF POLICY

SECTION 2. Declaration of Policy. – Acquired Immune-Deficiency Syndrome (AIDS) is a disease the recognizes no territorial, social, political and economic boundaries for which there is no known cure. The gravity of the AIDS threat demands strong local government action today, thus:

- (a) The Municipal Government shall promote public awareness about the causes, modes of transmission, consequences, means of prevention and control of STI, HIV and AIDS through a comprehensive Municipal-Wide educational and information campaign organized and conducted by the Municipality. Such campaigns shall promote value formation and employ scientifically proven approaches, focus on the family as a basic social unit, and be carried out in all schools and training centers, workplaces, and communities. This program shall involve affected and infected individuals and groups, including people living with HIV/AIDS.

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- (b) The Municipal Government shall extend to every person suspected or known to be infected with HIV and AIDS full protection of his/her human rights and civil liberties. Towards this end, compulsory HIV testing shall be considered unlawful unless otherwise provided by National Law; the right to privacy or individual with HIV shall be guaranteed; discrimination, in all its forms subtleties, against individual with HIV or person perceived or suspected to having HIV shall be considered inimical to individual and national interest, and provision of basic health and social services for individual with HIV shall be assured.
- (c) The Municipal Government shall promote utmost safety and universal precautions in practices and procedures that carry the risk of HIV transmission.
- (d) The Municipal Government shall positively address and seek to eradicate conditions that aggravate the spread of HIV infection, including but not limited to, poverty, gender inequality, prostitution, marginalization, drug and ignorance.

ARTICLE III

DEFINITIONS OF TERMS

SECTION 3. Definition of Terms. – As used in this Ordinance, the following terms are defined as follows:

- (a) Acquired Immune Deficiency Syndrome (AIDS) – a condition characterized by a combination of signs and symptoms, causes by HIV contracted from other persons and which attaches and weakens the body's immune system, making the afflicted individual susceptible to other life-threatening infections.
- (b) Anonymous Testing – refers to an HIV testing procedures whereby the individual being tested does not reveal his/her true identity. An identifying number or symbol to substitute for the names and allows the laboratory conducting the test and person on whom the test is conducted to match the test results with the identifying number or symbol.
- (c) Compulsory HIV Testing – refers to the HIV testing imposed upon a person attended or characterized by the lack of consent, use of physical force, intimidation or any form of compulsion.
- (d) Contact Tracing –refers to the method of finding and counselling the sexual partner(s) of a person who has been diagnosed as having sexually transmitted infection.
- (e) Human Immunodeficiency Virus (HIV) – refers to the virus which causes AIDS.
- (f) HIV/AIDS Monitoring – refers to the documentation and analysis of the number of HIV/AIDS infection and the pattern of its spread.
- (g) HIV/AIDS Prevention and Control – refers to the measures aimed at protecting non-infected persons from contracting HIV and minimizing the impact of the condition of persons living with HIV and AIDS.
- (h) HIV Positive – refers to the presence of HIV infection as documented by the presence of HIV or HIV antibodies in the sample being tested.
- (i) HIV Negative – denotes the absence of HIV or HIV antibodies upon HIV testing.
- (j) HIV Transmission – refers to the transfer of HIV from the infected person to an uninfected individual, most commonly through sexual intercourse, blood transfusion, sharing of intravenous needles and mother to child pregnancy.
- (k) High Risk Behavior – refers to the person's frequent involvement in certain activities which increase the risk of transmitting or acquiring STI and HIV.
- (l) Informed Consent – refers to the voluntary agreement of a person to undergo or be subjected to a procedure based on full information, whether such permission is written, and/or conveyed verbally.

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- (m) Confidentiality – refers to the relationship of trust and confidence created or existing between a patient of a person with HIV and his attending physician, consulting medical specialist, nurse, medical technologist and all other health workers or personnel involved in any counselling, testing or professional care. It also applies to any person who in any official capacity has acquired or may have acquired such confidential information.
- (n) Person with HIV – refers to the an individual whose HIV test indicates HIV infection or how has personally confessed infection with HIV.
- (o) Pre-Test Counselling - refers to the process of providing individual information on all aspects of STI/HIV and AIDS and emotional support to any psychological implications of undergoing HIV testing and importance of knowing with HIV.
- (p) Post-Test Counselling – refers to the process of providing individual information on all aspects of STI/HIV and AIDS and emotional support to any psychological implications of undergoing HIV testing and importance of knowing the test result.
- (q) Prophylactic – refers to the any agent or device used to prevent the transmission of a disease.
- (r) Sexually Transmitted Infection – refers to any diseases that may be acquired or passed through sexual contact.
- (s) Voluntary HIV Testing – refers to HIV testing done on an individual who, after having undergone pre-test counselling, willingly submits to such test.
- (t) Window Period – refers to the period of time, usually lasting from two weeks to six months during which an infected individual will test “negative” upon HIV testing but can actually transmit the infection.
- (u) Workers – refer to male or female entertainer whose services are hired by the entertainment establishment operator for the purpose of entertaining its patrons, guests or customers allowing said worker to dance, converse, talk, chat, sing with them usually for a “tip” at the discretion of the later.
- (v) Regular Members – refer to the members of the STI/HIV and AIDS Committee (SHAC) who are called for the to attend meetings whenever their input or expertise is needed by the Committee and they may or may not perform the functions of the Committee as provided for in this Ordinance.
- (w) E-Officio Members – refer to members of the STI/HIV and AIDS Committee (SHAC) who are called for to attend meetings whenever their input or expertise is needed by the Committee and they may or may not perform the functions of the Committee as provided for in this Ordinance.
- (x) Minors – refer to any person who is below eighteen (18) year old.
- (y) Clients – refer to any person or group of persons who seek and/or receive information and services related to the program.

ARTICLE IV

EDUCATION AND INFORMATION

SECTION 4. Comprehensive STI, HIV and AIDS Education. – Comprehensive education and information strategies shall be designed, integrated and adopted in various levels geared towards the purpose of providing substantial information/knowledge, improving attitudes and skills in the prevention and control of STI, HIV and AIDS, in both public and private sectors.

SECTION 5. STI, HIV and AIDS in School. – The Municipal Government, Department of Education (DepEd), the Technical Education Skills Development Authority (TESDA) and Commission on Higher Education (CHED) shall take the lead in information dissemination and popularization on the nature of STI, HIV and 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.

All teachers and instructors of the said STI, HIV and AIDS courses shall be required to undergo seminars and training on STI, HIV and AIDS prevention and control to be supervised by the Department of Education,


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Commission on Higher Education and Technical Skills and Development Authority or any accredited institution/organization, in coordination with the Department of Health, before they are allowed to teach on the subject.

SECTION 6. HIV/AIDS Information as a Health Service. - STI/HIV and 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 of STI, HIV and 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 STI, 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 provide treatment.

SECTION 7. STI, HIV and AIDS Education in the Workplace. - All government and private employees, workers, managers, and supervisors, and shall be provided with standardized basic information and instruction on STI, HIV and AIDS which shall include topics on confidentiality in the workplace and attitude towards infected employees and workers. The Municipal STI/HIV and AIDS Committee (SHAC) shall oversee, in collaboration with the Department of Labor and Employment (DOLE), Municipal Health Office (MHO) and/or Municipal Population Management Officer Designate, the STI/HIV and AIDS prevention campaign in all national and local government agencies, government-controlled corporations and private companies to include but not limited to fishing companies, entertainment establishments, and business firms.

The conduct of STI/HIV and AIDS education campaign shall be undertaken by any of the following offices: Municipal Health Office (MHO) and /or Municipal Population Management Officer Designate or duly accredited and qualified NGOs or individuals working directly on STI/HIV and AIDS prevention and operating in the Municipality. The SHAC shall certify the competency of such NGOs to conduct STI/HIV and AIDS education without prejudice to the payment of professional fees that may be charged by the resource persons of NGOs concerned.

Companies with established Family Welfare Programs may conduct their own STI/HIV and AIDS education provided that they have competent personnel trained and qualified by the SHAC.


SECTION 8. HIV/AIDS Education for Filipinos Going Abroad. - The Municipal Government of Calamba shall coordinate with the Department of Labor and Employment in the implementation of STI, HIV and 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, STI, HIV/AIDS education seminar shall be part of the Pre-Departure Orientation Seminar among Overseas Filipino workers.

SECTION 9. Information Campaign for Tourist and Transient. - Informational AIDS materials on the cause, modes of transmission, prevention, and consequences of HIV infection shall be adequately provided at all ports of entry or exit, restaurants, hotels and entertainment establishments in the Municipality.

The informational STI/HIV and AIDS materials shall be developed and reproduced by the Local Government through the SHAC without prejudice to materials donated by the National Government and other entities.

SECTION 10. Compulsory STI/HIV and AIDS Education. - it shall be compulsory for all owners and/or managers of entertainment establishments, beauty parlors, barber shops, massage parlors, hotels, motels, lodging houses, dormitories, hospitals, doctor's clinics, dental's clinics, midwife clinics, nursing homes, funeral homes and other establishments as may be deemed necessary, to attend seminar on STI/HIV and AIDS prevention conducted by any of the Municipal Health Office, Municipal Population Management Office and accredited and qualified NGOs as basis for issuance or renewal of permit to Operate. A certificate of attendance shall form part of the requirements for the issuance or renewal of the Health Certificate or Permit to Operate.

SECTION 11. Regular Medication Examination. - Workers in all entertainment establishments shall be required to undergo weekly examination at the Municipal Social Hygiene Clinic under the Municipal Office and secure a health certificate before reporting for work. Operator of the entertainment establishment shall now allow workers to report without first presenting the health certificate.


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SECTION 12. STI/HIV and AIDS Education in the Communities. – The Municipal Government through the STI/HIV and AIDS Committee (SHAC) shall ensure that all barangays shall conduct an education and information campaign on STI/HIV and AIDS preventions in coordination with the Municipal Health Office and/or Municipal Population Management Office, or accredited and qualified non-governmental organizations at the community level for but not limited to the informal sector, out of school youth and registered sex workers or freelance sex workers, male dominated workplace, women groups, religious groups and other groups as maybe deemed necessary.

SECTION 13. STI, HIV AND AIDS Gender Sensitive IEC Materials and Education Module. – The SHAC shall design information, education and communication (IEC) materials appropriate to the needs and culture of groups being targeted in the campaign. Literature on STI, HIV and AIDS shall preferably utilize the local dialect to encourage and facilitate easy understanding of terms and concepts.

SECTION 14. Peer Education Required. – All establishments shall have at least one (1) peer educator trained by the MHO and/or MPMO or accredited and qualified Non-Government Organization or individuals to sustain STI/HIV and AIDS prevention campaign among workers.

SECTION 15. Media Campaign on STI, HIV and AIDS Prevention. – In partnership with the Municipal Public Information Office, Philippine Information Agency and the various media organizations, the SHAC shall prepare a media and communication plan for a regular information dissemination campaign and advocacy.

SECTION 16. Information on Prophylactics. – Appropriate information shall be attached to every prophylactics materials offered for sale or given as a donation by any agency. Such information shall be legibly printed in English and/or Filipino, and contain literature on the proper use of the prophylactic materials and, its efficiency against STI/HIV and AIDS.

SECTION 17. Penalties for Misleading Information. – Misinformation on STI/HIV and AIDS prevention and control through false and misleading advertisement and claims purporting to be a cure or a fail-safe prophylactic by any media, or other groups or persons is hereby prohibited.

In violation of this provision, the offender(s) shall be penalized with the following:

1. **Group of Persons or Entity** – Imprisonment of two (2) months to one (1) year, or fine of Two Thousand Pesos (P2,000.00) or both upon the discretion of the court without prejudice to the imposition of administrative sanctions such as the fine and suspension or revocation of professional or business license.
2. **Individual Violator** – Imprisonment of two (2) months to one (1) year or fine of One Thousand Pesos (P1,000.00) or both upon the discretion of the court without prejudice to the imposition of administrative sanctions as fine and suspension or revocation of professional or business license.

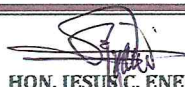
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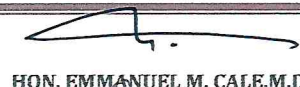
COMPOSITION AND FUNCTIONS OF THE MUNICIPALITY OF CALAMBA STI/HIV AND AIDS COMMITTEE

SECTION 18. Composition of the Municipality of Calamba STI/HIV and AIDS Committee. – The Municipality of Calamba STI/HIV and AIDS Committee shall be composed of the following from the Municipal Government and private sector.

REGULAR MEMBERS:

| | | |
|--|---|---------------------|
| Municipal Mayor | - | Chairperson |
| Municipal Health Officer | - | Vice Chairperson |
| SB Chair, Committee on Health | - | Co-Vice Chairperson |
| Calamba District Hospital Head | - | Member |
| Municipal Social Welfare and Development Office | - | Member |
| Municipal Population Management Officer Designate | - | Member |
| Department of Education | - | Member |
| 2 Accredited and Qualified Local NGOs working on STI/HIV and AIDS Prevention | - | Member |


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NGO Representative of the Local Health Board - Member

EX-OFFICIO MEMBERS:

SB Chair, Committee on Women and Family Welfare - Member
Municipal Administrator - Member
Municipal Planning & Development Coordinator - Member
President, Liga ng mga Barangay - Member
Department of Labor and Employment Head - Member
Sangguniang Kabataan Federation President - Member

The Committee may, from to time expand its membership as the need arises.

SECTION 19. Functions of the Committee. – The Municipality of Calamba STI/HIV and AIDS committee shall have the following functions”

- 19.1 Advisory Group to the Sangguniang Bayan and the Executive Branch on policy formulation/development, program conceptualization, planning and monitoring toward the prevention and control of STI/HIV and AIDS;
- 19.2 Coordinative Body in establishing, mobilizing and strengthening linkages with the local, national and international agencies, Local Health Board and other stakeholders involved in or can participate in the STI/HIV and AIDS prevention and control program;
- 19.3 Facilitator in undertaking information, education and communication campaigns on STI/HIV and AIDS prevention and control;
- 19.4 Monitoring Body in the implementation of RA 8504, this Ordinance and other polices approved by the Municipality of Calamba SHAC;
- 19.5 Mobilize resources and/or function as conduit through its accredited and qualified NGO member of aid, donations, contributions, bequests or gifts to exclusive use in implementing and/or sustaining the STI/HIV and AIDS programs and projects with the Municipal Government.

SECTION 20. Secretariat of the STI/HIV and AIDS Committee. – The Municipal Social Hygiene Clinic of the Municipal Health Office shall act as the Secretariat of the SHAC with the following functions:

- 20.1 Coordinates the activities of the SHAC;
- 20.2 Serves as the center of communication by receiving and disseminating information form and to the members of the Committee;
- 20.3 Documents meetings and other activities of the Committee;
- 20.4 Keeps all the records of the Committee;
- 20.5 Perform other secretariat functions as may be assigned by the Chairperson of the Committee.

ARTICLE VI

FUNCTION OF THE MUNICIPAL HYGIENE CLINIC OFFICER DESIGNATE

SECTION. 21. Creation of Social Hygiene Clinic Officer Designate – under the supervision of the Municipal Officer.

SECTION 22. Functions of the Municipal Social Hygiene Clinic Officer Designate. – There shall be Municipal Social Hygiene Clinic under the Municipal Health Officer which shall perform the following functions but not limited to:

- 22.1 Be it the frontline in the delivery of STI/HIV and AIDS prevention and control services;
- 22.2 Provide education and information dissemination activities in the promotion of reproductive health, prevention and control of STI/HIV and AIDS;

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- 22.3 Monitor and evaluate cases handled;
- 22.4 Refer clients to other agencies for cases that need other health and social services such as livelihood projects, alternative home scholarship;
- 22.5 Ensure the children with STI/HIV and AIDS are given priority in treatment and are referred to concerned agencies for further assistance;
- 22.6 Conduct HIV Antibody Test on a voluntary and regular basis. Further, pre and post-test counselling shall likewise be administered before any examination may be considered;
- 22.7 Provide the SHAC with quarterly and annual data on the status on the status of STI/HIV and AIDS in Municipality of Calamba;
- 22.8 Spearheads activities in the commemoration of HIV and AIDS significant events;
- 22.9 Perform such other duties and functions as may be prescribed by law or ordinance.

SECTION 23. Compulsory HIV Antibody Testing. – Compulsory HIV testing may be allowed only in the following instances:

- 23.1 When there shall be lawful order by the competent court;
- 23.2 When mandated by the Law; and
- 23.3 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”.

SECTION 24. Strengthening of the Municipal Social Hygiene Clinic. – The Municipal Government shall strengthen the Municipal Social Hygiene Clinic through the provision of adequate personnel, facilities and budget. It shall ensure provision of Comprehensive Reproduction Health Services and sexual health education, focused on the prevention and control of STI/HIV and AIDS, and ensuring ethical and quality care information.

ARTICLE VII

ADHERENCE TO SAFE PRACTICES AND PROCEDURES, TESTING, SCREENING AND COUNSELING

SECTION 25. Safe Practices and Procedures. – The Municipal Government shall strictly adhere to the principles and guidelines on safe practices and procedures, necessary to protect any person from HIV transmission as mandated in Articles III of Republic Act 8504. Procedures on testing, screening and counselling shall observe the ethics of care and medical confidentiality in dealing with individuals having vulnerable conditions for contracting STIs and/or HIV.

ARTICLE VIII

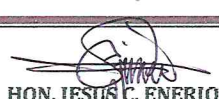
SPECIAL PROTECTION OF CHILDREN

SECTION 26. – Regulation Concerning Children Within and Near the Vicinity of an Entertainment Establishment. – The following regulations shall enforce for the protection of children within and near the vicinity of entertainment establishments;

- 26.1 Parents, guardians, or any person who knowingly allow children to enter or loiter within the vicinity of an entertainment establishment, one hour prior, during and one hour after operation shall be penalized;

The violation shall be punishable by a fine of One Thousand Five Hundred Pesos (P1,500.00) or an imprisonment of not exceeding two (2) months for every offense.

- 26.2 Children found entering or loitering within the vicinity of an entertainment shall immediacy be rescued, and be provided with appropriate intervention as the circumstances warrant.


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SECTION 27. Non-Hiring of Children in Entertainment Establishment and Penalty for Employment of Children. – No child shall be employed as a worker by any entertainment establishment operator. Any entertainment establishment, caught employing children shall be immediately closed and be fined an amount of Two Thousand Pesos (P2,000.00) and the operator be imprisoned for twelve (12) months and without prejudice for being prosecuted under RA 7160, otherwise known as “Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act”, and other pertinent national laws including the law on trafficking in persons. Thus, operators must exert utmost efforts to determine the age of any applicant for job in their entertainment establishment.

SECTION 28. Special Care and Support Service for Children of Persons Infected and Affected with HIV and AIDS. – The Municipal Government shall provide special care and support services for children infected with HIV and AIDS or for children of persons infected and affected with HIV and AIDS until they reach the age of eighteen (18) or when foster care outside the government may be available.

ARTICLE IX

HEALTH AND SUPPORT SERVICES

SECTION 29. Universal Access to STI Health Care Services. – Access to STI health care services/assistance shall be extended to all individuals regardless of sex, gender, age, social status, political belief, tradition and religion.

SECTION 30. Adherence to Quality Health Care and Ethics of Care. – Medical practitioner or other staff assisting or directly providing health services/examinations/education to clients shall adhere to the basic principles of ethics of care. They shall also be sensitive to gender and sexual orientation in their treatment to patients/clients, informing them of their rights, including the right to file charges for abuse committee against them.

SECTION 31. Special Care and Support for Pregnant Women with HIV and AIDS. – The Municipal Government shall provide special care and support services for pregnant women with HIV and AIDS.

SECTION 32. Health Care Plans for Persons with HIV and AIDS. – The Municipal Government in coordination with the Philippine National AIDS Council, Department of Health and Commissioner of the Insurance Commission shall conduct a study on feasibility of setting up a package of health care plans, and should the study warrant, implement the plan for persons with HIV and AIDS.

ARTICLE X

STI/HIV AND AIDS MONITORING

SECTION 33. Monitoring Program and Reporting Mechanisms. – The SHAC shall develop a comprehensive STI/HIV and AIDS monitoring program and reporting procedures on the magnitude and progression of HIV infection in the Municipality of Calamba. Further, it shall enhance mechanisms to further implement provisions in monitoring of Article IV (Health and Support Services) of the Republic Act 8504.

SECTION 34. Documentation. - STI and HIV contact tracing and all other related health intelligence activities may be initiated by the Municipal Social Hygiene Clinic in coordination with the SHAC, provided that these do not run counter to the general purpose of this Ordinance. Any information gathered shall remain confidential and classified and shall not be used in any way to become the basis or qualification for any employment, school attendance, freedom or abode or travel.

SECTION 35. Submission of Work Policies. – It shall be compulsory for all owners and/or managers of all establishments to provide the Municipal Government copies of the establishments’ policies in accordance with the labor laws and other related national local policies.

SECTION 36. Research Investigations. – All research investigations related to HIV and AIDS shall observe strict adherence to the ethical guidelines set by the Philippine National AIDS Council. The researchers are required to coordinate and submit a copy of their report of their investigation with the SHAC or Municipal Government and to have an exit conference with this LGU to submit the report before publishing the same.

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ARTICLE XI

DISCRIMINATORY ACTS AND CONFIDENTIALITY OF INFORMATION

SECTION 37. 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.

SECTION 38. Prohibition Against Divulging of Confidentiality Information of Persons with STI, HIV and AIDS. – Any person who divulge confidential information about HIV status of a person shall be penalized under Republic Act 8504.

ARTICLE XII

PENAL PROVISIONS

SECTION 39. PENAL PROVISION. - Any person or entity found guilty of violating any provisions of this Ordinance, except those already expressly stated, shall meted with the following penalties:

- First Offense - A fine of P1,500.00 and/or an imprisonment of one (1) month
- Second Offense - A fine of P2,000.00 and/or an imprisonment of three (3) months
- Third Offense - A fine of P2,500.00 and/or an imprisonment of six (6) months and/or Cancellation of Business Permit

ARTICLE XIII

FUNDING

SECTION 40. Appropriation. – An amount of not less than One Hundred Thousand Pesos (P100,000.00) shall be appropriated for the initial implementation of this Ordinance including projects and operations of the SHAC.

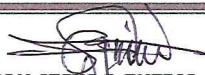
SECTION 41. Establishment of the STI/HIV and AIDS Trust Fund. – The Municipal Government shall establish a STI/HIV and AIDS Trust Fund for the implementation of this Ordinance including projects and operations of the SHAC such as but not limited to the hereunder expenditures: training/seminars; including resource persons, facilitators and documenters, board and lodging, travel and incidental expenses, honoraria, office supplies and materials, information and education materials, gasoline and oil, repairs and maintenance of facilities and equipment, purchase of office equipment, furniture and fixtures, medical and laboratory supplies, drugs and medicines, referral cost, and other miscellaneous expenses related to or necessary to the program. The funds for the STI/HIV and AIDS Trust Fund shall come from the initial appropriation, from all other fees collected by the Municipality Social Hygiene Clinic, donations, grants and collection from penalties.

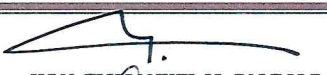
SECTION 42. Collection of Penalties. – All moneys, collected by the Municipal Treasurers' Office pursuant to the penalty clauses of this Ordinance shall be deposited to the STI/HIV and AIDS Trust Fund shares of the barangay citation ticket if implementation is one by the barangay.

ARTICLE XIV

MISCELLANEOUS AND FINAL PROVISION

SECTION 43. Implementing Agencies. – All agencies and offices of the government and private sectors shall implement this Ordinance in coordination with the SHAC.


HON. JESUS C. ENERIO


HON. EMMANUEL M. CALE, M.D.


HON. REZIE C. LEONARDO


HON. RODRIGO T. GARCIA


HON. DENNIS B. BINAO


HON. CARIDAD C. LANSANG


HON. JOSEPH C. MALAYAO


HON. CHERRY F. MAGSAYO


HON. KEN ALLEN B. LAWAS


HON. MA. ANGEL PRINCESS CANDA


HON. LUCIANO D. DUMANHOG

SECTION 44. Compliance Report. – Within six (6) months from the effectivity of this Ordinance and every six (6) month thereafter, all Municipal departments and instrumentalities shall submit a report to the SHAC on their compliance with this Ordinance.

SECTION 45. Oversight Committee – The SHAC shall serve as Oversight Committee to review this Ordinance and prepare or make recommendation to the Sangguniang Bayan for possible amendments or revisions thereof after three (3) years from effectivity of this Ordinance. The Sangguniang Bayan may introduce amendments to this Ordinance at its own discretion as a lawmaking body.

SECTION 46. Separability Clause. – If for any reason, any section or provision of this Ordinance is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected shall continue to be in full force and effect.


SECTION 47. Supplementary Clause. – On matters not provided for this Ordinance, any existing applicable laws and their corresponding implementing rules and regulations, executive orders, and relevant issuances therefore shall apply in supplementary manner.

SECTION 48. Repealing Clause. – All Ordinances, local issuances or rules inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.


SECTION 49. Effectivity Clause. – This Ordinance shall take effect immediately fifteen (15) days after complete publication in a local newspaper of general circulation within the Municipality.

ENACTED: This 9th day of March 2020 at Calamba, Misamis Occidental,

I **HEREBY CERTIFY** to the correctness of the Ordinance No. 06-s.2020 enacted by the 21st Sangguniang Bayan of Calamba, Misamis Occidental during its Regular Session on March 9, 2020 at Sangguniang Bayan Session Hall, Calamba, Misamis Occidental.





BEVERLY B. SAMOSA, Ph.D.
Secretary to the Sanggunian

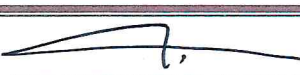
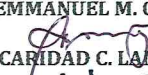

**ATTESTED AND CERTIFIED
TO BE DULY ADOPTED:**





Hon. ANTONIO N. LAWAS, SR.
Municipal Vice Mayor/Presiding



APPROVED: Ordinance No. 06-s.2020 on 4/3/2020


Engr. EZEL T. VILLANUEVA
Municipal Mayor


HON. JESUS C. ENERIO

HON. DENNIS B. BUÑAO

HON. KEN ALLEN B. LAWAS


HON. EMMANUEL M. CALE, M.D.

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