

Republic of the Philippines
City of Iloilo
OFFICE OF THE SANGGUNIANG PANLUNGSOD

EXCERPT FROM THE MINUTES OF THE 22nd REGULAR SESSION OF THE 8TH SANGGUNIANG PANLUNGSOD OF THE CITY OF ILOILO, PHILIPPINES, HELD AT THE SESSION HALL, 6TH FLOOR NEW CITY HALL BUILDING, PLAZA LIBERTAD, ILOILO CITY, ON TUESDAY, DECEMBER 13, 2016.

PRESENT:

HON. JOSE S. ESPINOSA III
City Vice Mayor & Presiding Officer

Hon. Lady Julie Grace L. Baronda	Member
Hon. Ely A. Estante, Jr.	Member
Hon. Jeffrey P. Ganzon	Member
Hon. R Leone N. Gerochi, <i>Asst. Floor Leader</i>	Member
Hon. Reyland V. Hervias, <i>Liga ng mga Barangay Pres.</i>	Ex Officio Member
Hon. Mandrie T. Malabor	Member
Hon. Plaridel C. Nava II	Member
Hon. Armand S. Parcon	Member
Hon. Eduardo L. Peñaredondo, <i>Floor Leader</i>	Member
Hon. Liezl Joy Zulueta-Salazar	Member
Hon. Jose Efrain G. Treñas III	Member
Hon. Candice Magdalane A. Tupas, M.D.	Member

ABSENT:

Hon. Joshua C. Alim (<i>On Vacation Leave</i>)	Member
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REGULATION ORDINANCE NO. 2016-330
AN ORDINANCE AMENDING REGULATION ORDINANCE NO. 2002-237, OTHERWISE KNOWN AS "AN ORDINANCE PROMULGATING POLICIES FOR THE PREVENTION OF STI/HIV/AIDS, STRENGTHENING THE ILOILO STI/HIV/AIDS COUNCIL (ISAC), ITS POWERS AND FUNCTIONS AND PROVIDING APPROPRIATION FOR SUCH PURPOSE

Sponsored by Hon. Candice Magdalane A. Tupas, M.D., co-sponsored by Hon. Liezl Joy Zulueta-Salazar, Hon. Lady Julie Grace L. Baronda and Hon. Jose Efrain G. Treñas III, duly seconded by Hon. Ely A. Estante, Jr., Reyland V. Hervias and Mandrie T. Malabor

WHEREAS, Section 15 of the 1987 Philippine Constitution states that the State shall protect and promote the right to health of the people and instill health consciousness among them;

WHEREAS, under Article XII, Section 11 of the same Constitution likewise states that the State shall adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost;

WHEREAS, the records from the Department of Health and City Health Office shows that there is an increase of STI/HIV/AIDS infected persons in the City of Iloilo since 1984 to the present;

WHEREAS, there is a need to amend the existing Regulation Ordinance No. 2002-237 or the Iloilo City AIDS Prevention and Control Ordinance 2001, to harmonize and be responsive with the present situation.

NOW, THEREFORE, be it ordained, by the Sangguniang Panlungsod of City of Iloilo, in session duly assembled:

ARTICLE I
TITLE, POLICY, PRINCIPLES AND DEFINITION OF TERMS

Section 1. **Title.** This ordinance shall be known as "The Iloilo City STI/HIV/AIDS Prevention and Control Ordinance".

Section 2. **Declaration of Principles and Policies.** The City of Iloilo hereby declares to control the alarming proliferation of Sexually Transmitted Infections/HIV/AIDS. As such it is the policy of the City Government to prevent and control the rising incidence of these infections by providing a mechanism thereto.

Section 3. **Definition of Terms.** As used in this ordinance, the following shall mean:

a. **STI** – refers to Sexually Transmitted Infections, which are acquired by a person as a result of sexual intercourse, including oral and anal sex.

b. **HIV** – refers to Human Immunodeficiency Virus, a specific virus that upon incursion into the blood vessels destroys the immune system of a persons body.

c. **AIDS** – refers to Acquired Immune Deficiency Syndrome, a state of the human body which immune has been destroyed by the HIV sending it naturally defenseless from all kinds of sickness.

d. **Condom** – a device use to prevent the transmission of the STI/HIV/AIDS.

e. **Entertainment Establishments** – business establishment that include but not limited to the following: bars, night clubs, beerhouses, cocktail lounges, massage clinics, karaoke bars/sing along pubs houses and other similar establishments with a permit to operate within the Iloilo City.

f. **Operator/owner** – refers to any natural or juridical person who is granted a permit/license to operate an entertainment establishment.

g. **Manager** – refers to an individual who has direct control and supervision of employees working within the establishment.

h. **Entertainer** – a person who is employed in an entertainment establishment as GRO, dancer, masseuse and/or other similar occupations.

i. **High-risk group** - individuals, both male and female, whose sexual and other behaviors that put individuals at high risk of acquiring or transmitting STI/HIV/AIDS.

j. **Risky Behavior** – sex without the use of condom, sharing needles, injection of drugs or other behaviors that put individual at high risk of acquiring or transmitting STI/HIV/AIDS.

k. **Information Material** – any written and/or printed materials that explains or educates.

l. **Minor** – a person who is below eighteen (18) years of age, including those aged 18 and above who are unable to fully take care of themselves or protect themselves because of a physical or mental disability or condition.

m. **Reproductive Health** – a state of complete physical, mental and social well-being and not merely the absence of infection and infirmity in all matters relating to the reproductive system and its functions and processes.

n. **Social Hygiene Clinic** – Iloilo City's primary health facility tasked to conduct screening on high risk group or other clients for STI/HIV/AIDS cases.

o. **Sundown Clinic** – a health facility that will specifically cater to MSM and transgender clients for STI/HIV/AIDS cases.

ARTICLE II
SOCIAL HYGIENE CLINIC & SUNDOWN CLINIC

Section 4. The Social Hygiene Clinic shall have the primary task to conduct examination of clients who would like to avail of reproductive health interventions, such as STI/HIV/AIDS.

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Section 5. It shall provide a client friendly clinic by having good and trained professional counselors, office staff and nurses.

Section 6. Provided effective and immediate intervention of STIs, including appropriate STI medicines.

Section 7. The owners and managers shall have a written reproductive health care policy, which shall be distributed to their entertainers and other employees and shall encourage them to avail of the services of the Social Hygiene Clinic.

Section 8. The City Health through the Social Hygiene Clinic is hereby mandated to extend health care services to the public, more specifically to persons with risky behavior.

Section 9. The Sundown Clinic is at the Social Hygiene Clinic and shall cater to MSM and transgender clients from 5:00 P.M. – 11:00 P.M., from Monday to Friday, except Holidays.

Section 10. The Sundown Clinic shall remain operational with the continued funding coming from the Department of Health and after the effectivity of the Memorandum of Agreement, its operation shall remain if funding will be assumed by the City Government.

Section 11. Referral System. The result of the clients from both Social Hygiene Clinic and Sundown Clinic who are found to be reactive to HIV test after the screening will be forwarded to San Lazaro Hospital in Manila for STV/AIDS Cooperative Central Laboratory for further testing and confirmatory. If result turns out to be positive, the client will be notified and referred to the Western Visayas Medical Center (WVMC) HAC Team for treatment, care and support.

**ARTICLE III
RULES AND REGULATIONS FOR THE PREVENTION
AND CONTROL OF STI/HIV/AIDS**

Section 12. **Availability of Condoms.** There shall be a 100% condom use policy in all entertainment establishments and their managers and owners shall make condoms available.

Section 13. **Information Dissemination.** The City Health Office and Social Hygiene Clinic shall provide information materials regarding the correct and consistent use of condoms.

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Section 14. **Use of Condoms.** Owners/Managers shall encourage entertainers to carry condoms and help educate their customers about the use of condoms, including the 100% condom use policy.

**ARTICLE IV
REGULAR STI SCREENING**

Section 15. **Medical Examination.** All entertainers and other with similar occupation shall undergo weekly examination (gram staining) at the Social Hygiene Clinic and shall secure a health certificate duly issued by the City Health Office or his duly designated City Health Officer before reporting for work.

Section 16. STI screening for other high risk and non-high risk group shall also be available daily.

Section 17. Owners/Managers will get copies of test results of their entertainers and shall maintain confidentiality of these results.

Section 18. Entertainment establishments shall not hire entertainers without work and health permit signed by the City Health Officer or by duly designated City Health Officer.

Section 19. All entertainers and or other individuals with similar occupation found positive of STI shall have their health certificate temporarily revoked and shall be required to undergo one-on-one counseling with the counselors of Social Hygiene Clinic before their health certificate is reissued.

**ARTICLE V
NON-HIRING OF MINORS**

Section 20. Each entertainment establishment shall post notices regarding the non-hiring and presence of minors in the establishment. Such notices shall include but not limited to the following notices: "NO HIRING OF MINORS" and "MINORS NOT ALLOWED".

**ARTICLE VI
STRENGTHENING OF ISAC (ILOILO STI/HIV AIDS COUNCIL)**

Section 21. The ISAC shall strongly implement and monitor activities for STI/HIV/AIDS prevention in Iloilo City.

Section 22. By virtue of DILG Memorandum Circular No. 2013-29 the ISAC shall be composed of the following:

<u>OFFICE</u>	<u>DESIGNATION</u>	<u>MEMBERSHIP</u>	<u>VOTING CAPACITY</u>
<i>a. Local Chief Executive</i>	<i>Chairperson</i>	<i>Permanent</i>	<i>Voting</i>
<i>b. S.P. Com. Chairperson on Health/Social Concern</i>	<i>Vice Chairperson</i>	<i>Permanent</i>	<i>Voting</i>
<i>c. Health Officer</i>	<i>Member</i>	<i>Permanent</i>	<i>Voting</i>
<i>d. Social Welfare Officer</i>	<i>Member</i>	<i>Permanent</i>	<i>Voting</i>
<i>e. DILG Officer (PD/CD/CLGOO/MLGOO)</i>	<i>Member</i>	<i>Permanent</i>	<i>Voting</i>
<i>f. DOH Representative</i>	<i>Member</i>	<i>Permanent</i>	<i>Voting</i>
<i>g. Superintendent/Representative from DepEd</i>	<i>Member</i>	<i>Permanent</i>	<i>Voting</i>
<i>h. One (1) Representative from an Organization of living with HIV (to be engaged/ if none organized)</i>	<i>Member</i>	<i>Permanent</i>	<i>Voting</i>
<i>i. One (1) Representative from faith-Based Organization</i>	<i>3 year term</i>	<i>Permanent</i>	<i>Voting</i>
<i>j. Representative/s from accredited NGOs/POs representing or working with groups vulnerable or most at risk to HIV</i>	<i>3 year term</i>	<i>Subject for renewal</i>	<i>Voting</i>
<i>k. One (1) representative from an agency/institution as identified by the concerned LGU (business sector/ academe</i>	<i>3 year term</i>	<i>Subject for renewal</i>	<i>Voting</i>
<i>l. STI, HIV and AIDS local focal person</i>	<i>Secretariat</i>	<i>Permanent</i>	<i>Non-Voting</i>

Section 23. **Powers and functions.** The ISAC shall have the following powers and functions that will be spearheaded by the City Mayor:

- a. Formulate policies and strategies for the prevention and control of STI/HIV/AIDS within Iloilo City;
- b. Develop an annual STI/HIV/AIDS prevention plan with corresponding budget;
- c. Identify and prepare remedies to problems in program implementation, program coordination, gaps in policy guidelines and enhance local multi-sectoral response to STI/HIV/AIDS concern;
- d. Initiate skills training, advocacy programs and develop strategies to benefit high-risk groups and the general public;
- e. Recommend to the Sangguniang Panlungsod enactment of laws that shall control and prevent the spread of STI/HIV/AIDS;
- f. Ensure that education and information activities on Reproductive Health including STI/HIV/AIDS prevention, shall reach different communities;

g. Recommend to the Sangguniang Panlungsod the accreditation of NGOs with STI/HIV/AIDS prevention program;

h. Help in sourcing of funds for STI/HIV/AIDS Prevention Program.


Section 24. **Appropriation.** The Local Government Unit shall appropriate funds *if available* through the City Mayor's Office for the different ISAC's prevention and surveillance STI activities every July of each year.

ARTICLE VII PENALTIES

Section 25. Any person found guilty of violating all the provisions of Section 7 of Article II of this ordinance shall be metd with the following penalties:


- a. First Offense - warning and fine of P 1,000.00
- b. Second Offense - last warning and fine of P 2,000.00
- c. Third Offense - closure for 15 days
- d. Fourth Offense - revocation of license to operate

Section 26. Any person found guilty of violating all the provisions of Section 12 of Article III of this ordinance shall be meted with the following penalties:


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- a. First Offense - warning and fine of P 1,000.00
 - b. Second Offense - last warning and fine of P 2,000.00
 - c. Third Offense - closure for 15 days
 - d. Fourth Offense - revocation of license to operate

Section 27. Any person found guilty of violating all the provisions of Section 15, 18, 19 of Article IV of this ordinance shall be meted with the following penalties:

- a. First Offense - warning and penalty of P 3,000.00
- b. Second Offense - closure and revocation of business permits



Section 28. Any person found guilty of violating all the provisions of Section 20 of Article V of this ordinance shall be meted with the following penalties:

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- a. First Offense - warning and penalty of P 3,000.00
 - b. Second Offense - closure and revocation of business permits

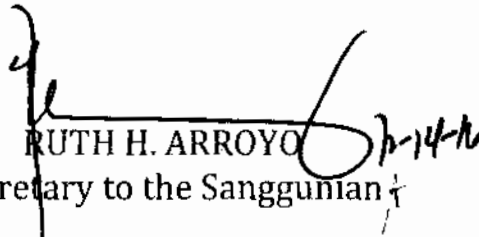
**ARTICLE IX
FINAL PROVISION**

Section 29. Separability Clause. If for any reason a provision of this Ordinance is declared invalid or unconstitutional, all other provision hereof not affected thereby shall continue to be in full force and effect.

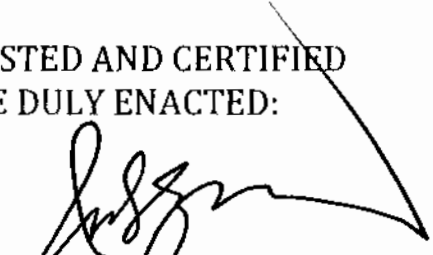
Section 30. Effectivity Clause. This ordinance shall take effect after fifteen (15) days following the completion of its full publication in any newspaper of general circulation within the City of Iloilo.

ENACTED, December 13, 2016.

I hereby certify to the correctness of the above quoted ordinance.


RUTH H. ARROYO
Secretary to the Sanggunian

ATTESTED AND CERTIFIED
TO BE DULY ENACTED:


JOSE S. ESPINOSA
City Vice Mayor & Presiding Officer

APPROVED:


JED PATRICK E. MABILOG
City Mayor