



Republic of the Philippines
Province of Ilocos Sur
MUNICIPALITY OF NARVACAN

OFFICE OF THE SANGGUNIANG BAYAN 2016-2019

19th Regular Session
Held at the SB Session Hall
On May 29, 2017

ORDINANCE NO. 04
Series of 2017

AN ORDINANCE INSTITUTIONALIZING THE ESTABLISHMENT OF BARANGAY ANTI-VIOLENCE AGAINST WOMEN AND THEIR CHILDREN (AVAWC) DESKS IN THE 34 BARANGAYS OF NARVACAN, ILOCOS SUR AND PROVIDING FUNDS THEREFORE AND FOR OTHER PURPOSES

Be it enacted by the Sangguniang Bayan of Narvacan, Ilocos Sur, that:

Section 1. Title. – 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 34 barangay governments of the Narvacan, Ilocos Sur 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 female Barangay Council or Head of Non-Government Organization 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. 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.

Section 4. 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 City 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.

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. Health care 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.

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 5. 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 6. 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 there from.

Section 7. 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 8. 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 9. Effectivity Clause. This ordinance shall take effect immediately upon approval and posted in three (3) conspicuous places within the municipality.

Certified Correct:


MARIBEL C. CORRALES
SB Secretary

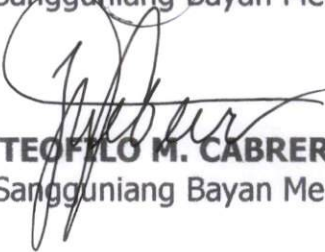
Attest:


FAYINNA PILAR S. ZARAGOZA
Vice Mayor/Presiding Officer

CONFORME:

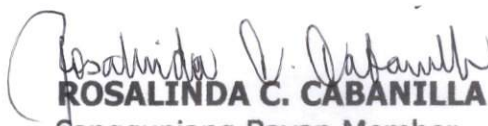

JOSEPH A. TEJADA
Sangguniang Bayan Member


AVEL VERNEY C. ZARAGOZA
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Sangguniang Bayan Member


BENEDIX BX DELA CUADRA
Sangguniang Bayan Member

KAYSIE T. POTENCION
Sangguniang Bayan Member


ROMULO C. REA
ABC President

Approved:


ZURIEL S. ZARAGOZA
Municipal Mayor