



Republic of the Philippines
CITY GOVERNMENT OF MUNTINLUPA
Sangguniang Panlungsod ng Muntinlupa



ORDINANCE NO. 2023-056

REVISED GUIDELINES, POLICIES, AND MEASURES FOR THE PREVENTION, MANAGEMENT, AND CONTROL OF SEXUALLY TRANSMITTED INFECTION (STI) / HUMAN IMMUNODEFICIENCY VIRUS (HIV)/ ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) WITHIN THE CITY, PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF AND APPROPRIATING FUNDS THEREFOR

Sponsored by: Hon. Coun. Allan Rey A. Camilon
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WHEREAS, Article II Section 10, 5 and 18 of the 1987 Philippine Constitution states that, "The State values the dignity of every human person and guarantees full respect for human rights; promotes the right to health of the people and instill health consciousness among them; and affirms labor as primary social economic force. It shall protect the right of workers and promote their welfare",

WHEREAS, Article II, Sections 20 and 23 of the 1987 Philippine Constitution also states that, "The State recognizes the indispensable role of the private sector, encourages private enterprise, and provides incentives to needed investments; and encourages non-government, community-based, of sectoral organizations that promote the welfare of the nation",

WHEREAS, Section 2 of Republic Act (RA) No. 11166, otherwise known as the Philippine HIV and AIDS Policy Act, provides for the following principles (N):

1. The State shall establish policies and programs to prevent the spread of HIV and deliver treatment, care and support services to Filipinos living with HIV in accordance with evidence-based strategies and approaches that uphold the principles of human rights, gender-responsiveness, and age-appropriateness, including meaningful participation of communities affected by the country's HIV and AIDS situation;



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2. The State shall adopt a multi-sectoral approach in responding to the country's HIV and AIDS situation by ensuring the whole of government approach local communities, civil society organizations (CSO), and persons living with HIV are the center of the process;
3. The State shall ensure access to HIV and AIDS-related services by eliminating the climate of stigma and discrimination that surrounds the country's HIV and AIDS situation, and the people directly and indirectly affected by it;
4. The State shall positively address and seek to eradicate conditions that aggravate the spread of HIV infection which include poverty, gender inequality, marginalization, and ignorance.

WHEREAS, Presidential Executive Order No. 273 approving and adopting the Philippine Plan for Gender-Responsive Development of 1995 (PPGD), directs all government agencies at the National, Regional, and Local levels to take appropriate steps to ensure implementation of the policies, programs, projects and strategies outlines thereat;

Item 3 of the PPGD on Policies and Strategies, Policy Advocacy and Legal Reforms states that, **"Women and children should no longer be arrested or fined like criminals"** (ESCAP, 1991:57). **"Discrimination of the prostituted should go hand-in-hand with the apprehension and prosecution of agents, recruiters, traffickers, pimps, procurers, establishment owners, customers and others who derive sexual gratification, financial gain and advancement or any other benefit from the prostitution of others. Decriminalization means the abolition of sexist discrimination in general and removing the culpability and criminality which the law places specifically on women prostitutes."**

WHEREAS, Presidential Decree (PD) No. 856 or the Sanitation Code Chapter XIII, Section 60, 62 and 64 provides for the required sanitary permits for certain occupations;

WHEREAS, the City Government of Muntinlupa affirms that AIDS is an incurable disease that recognizes no territorial, social, political and economic boundaries and has been declared as a worldwide emergency by the World Health Organization;

WHEREAS, the City Government of Muntinlupa recognizes that education, information and communication are the best tools in prevention and control of STI/HIV/AIDS;

WHEREAS, the City Government of Muntinlupa believes that the success of STI/HIV/AIDS prevention and control efforts highly depends on the commitment and synchronized efforts of government and non-government organizations;

NOW THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the 10th Sangguniang Panlungsod of Muntinlupa in session duly assembled that:



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ARTICLE I
Title, Policy and Principles

SECTION 1. Short Title - This Ordinance shall be known and cited as the **Revised Muntinlupa City STI/HIV/AIDS Prevention, Management, and Control Ordinance**.

SECTION 2. Declaration of Policies and Principles - The City Government of Muntinlupa upholds the right to health of its constituents. As such, it exerts all efforts to enact policies and measure that will ensure the prevention and control of the rising incidence of STI/HIV/AIDS and hereby declares war against these diseases.

SECTION 3. Definition of Terms. As used in this ordinance, the following terms shall be defined as follows:

1. **Acquired Immune Deficiency Syndrome (AIDS)** - refers to a health condition where there is a deficiency of the immune system that stems from infection with the Human Immunodeficiency Virus (HIV), making an individual susceptible to opportunistic infections;
2. **Antiretroviral (ARV)** - refers to the treatment that stops or suppresses viral replication or replications of a retrovirus like HIV thereby slowing down the progression of infection;
3. **Civil Society Organizations (CSO)** - refer to groups of non-governmental and non-commercial individuals or legal entities that are engaged in non-coerced collective action around shared interests, purpose and values;
4. **Compulsory HIV Testing** - refers to HIV testing imposed upon an individual characterized by lack of consent, use of force or intimidation, the use of testing as a prerequisite for employment or other purposes, and other circumstances where informed choice is absent;
5. **Confidentiality of HIV Status** - refers to the relationship of trust and confidence created or existing between a patient or a person living with HIV and his attending physician, consulting medical specialist, nurse, medical technologist and all other health service provider or personnel involved in any counselling, testing or professional care of the former. It also applies to any person who, in any official capacity, has acquired or may have acquired such confidential information. For the purpose of this Ordinance, any person who comes by, in any manner, the information of a person's HIV status shall be, under pain of penalty be bound by the same confidentiality herein defined;



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6. **Discrimination** - refers to unfair or unjust treatment that distinguishes, excludes, restricts, or shows preferences based on any ground such as sex, gender, age, sexual orientation, gender identity, economic status, disability, ethnicity, and HIV status, whether actual or perceived, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment, or exercise by all persons similarly situated, of all rights and freedoms. This definition shall include discrimination against individuals undergoing HIV-related tests regardless of the outcome of the test(s);
7. **Entertainer** - refers to a person who is employed in entertainment establishments and renders entertainment services to and/or directly interacts with customers such as Guest Relations Officer (GRO), dancers, masseuses, masseurs, cocktail waitresses and other similar occupations. The term "entertainers" for purposes of this Ordinance, includes both registered and non-registered entertainers;
8. **Entertainment Establishment** - refers to an establishment such as bars, nightclubs, disco house, cocktail lounges, massage clinics, videoke bar or pub houses that engage in providing recreation and entertainment to its customers. An entertainment establishment may either be registered or not registered. For purposes of this Ordinance, a registered entertainment establishment is one which has secured permit to operate and complied with all protocols as mandated by this Ordinance and/or other pertinent regulations in Muntinlupa City. Otherwise, the entertainment establishment is deemed non-registered;
9. **Gender Expression** - refers to how a person publicly presents one's gender. This can include behavior and outward appearance such as dress, hair, make-up, body language and voice. A person's chosen name and pronoun are also common ways of expressing gender;
10. **Gender Identity** - refers to each person's deeply felt internal and individual experience of gender that may or may not correspond with the sex assigned at birth, including the person's function by medical, surgical and other means, and other expressions of gender, including dress, speech, and mannerisms;
11. **Health Certificate** - refers to a health card issued to all workers in entertainment establishments regardless of job description, upon compliance with all requisites set by the Health Department;
12. **Health Service Provider** - refers to an individual who is accredited by the government to provide preventive, curative, promotional or rehabilitative health care service in the city;
13. **High-risk Behavior** - refers to a person's frequent involvement in certain activities that increase the risk of transmitting or acquiring HIV;



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14. **Hiring** - refers to the process of selecting an individual for a specific position or job;
15. **HIV Testing** - refers to any facility-based, mobile medical procedure or community-based testing that is conducted to determine the presence or absence of HIV anti-bodies in a person's body. HIV testing is confidential, voluntary in nature, and must be accompanied by counselling prior to, and after the testing, and conducted only with the informed consent of the person;
16. **Human Immunodeficiency Virus (HIV)** - refers to the virus which causes AIDS;
17. **Information material** - refers to any material, written or printed, that educates the public, this includes those posted or uploaded online;
18. **Males Having Sex with Males (MSM)** - refers to male persons who engage in sexual activity with person(s) of the same sex, regardless of how they identify themselves;
19. **Minor** - refers to a person who is below eighteen (18) years of age;
20. **Muntinlupa City Local AIDS Council** - refers to Muntinlupa City STI/HIV/AIDS prevention and control council.
21. **Operator** - refers to an individual who has a direct control and supervision of the employees working within an entertainment establishment. He or she may or may not be the same person granted the permit/ license to operate the establishment;
22. **Owner** - refers to a person or a juridical entity whose name and particulars appear in the public/ official documents as the owner of the entertainment establishment;
23. **Partner Notification** - refers to the process by which the 'index client', 'source' or 'patient', who has a sexually transmitted infection (STI), including HIV, is given support in order to inform and advise the partner(s) who have been exposed to infection. Support includes giving the index client a mechanism to encourage the client's partner to attend counselling, testing, and other prevention and treatment services. Confidentiality shall be observed in the entire process;
24. **Peer Educator** - refers to a person who, belonging to the same community, gives support and education to co-workers, friends, and to others with his/her same peer group. Peer educators must be trained by an accredited institution;



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25. **Person Living with HIV (PLHIV)** - refers to an individual whose HIV test indicates that he/she is infected with HIV;
26. **Persons with Disabilities (PWDs)** - include those who have long-term physical, mental, intellectual, or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others;
27. **Prophylactic** - refers to an agent or device, such as condom, used to prevent the transmission of STIs, including HIV and AIDS;
28. **Sexual Orientation** - refers to each person's capacity for profound, emotional, affectional, and sexual attraction to and relations with, individuals of a different gender identity, the same gender identity, or more than one gender identities;
29. **STI/HIV/AIDS Prevention, Management, and Control** - refers to the measure aimed at protecting non-infected persons from contracting HIV and minimizing the impact of the condition of persons living with HIV. Such measures may be evidence-based policies, programs and approaches that aim to reduce transmission of HIV and its harmful consequences on health, social relations and economic conditions. The same shall be harmonized and coordinated with policies and actions of pertinent agencies who implement related mandates whether local or national when actions are required to be undertaken in.
30. **Sexually Transmitted Infection (STI)** - refers to any infection that may be acquired or passed through sexual contact;
31. **Stigma** - refers to the dynamic devaluation and dehumanization of an individual in the eyes of others which may be based on attributes or categorization that are arbitrarily defined as discreditable or unworthy and which result in discrimination when acted upon.
32. **Social Hygiene Clinic** - refers to the primary implementers of HIV prevention programs in local government;
33. **Sundown Clinic** - refers to clinics that cater to STI/HIV/AIDS healthcare needs and whose operational hours are extended up to 11:00 in the evening for the purposes of this Ordinance.
34. **Treatment or Care** - a health, psychological, spiritual or social intervention extended to a person with STI/HIV/AIDS.



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35. **Treatment Hub** - refers to private and public hospitals or medical establishments accredited by the Department of Health (DOH) to have trained personnel, facility, and equipment to provide anti-retroviral treatment.
36. **Client-Centered Case Management** - is a holistic service that offers social, mental, educational, and logistical support to a client from the immediate moment after initial diagnosis with HIV until the achievement of viral suppression as a result of successful HIV treatment and tailored provision of other health and social support services
37. **Case Manager** - person who conduct the Client Centered Case Management

ARTICLE II

Administrative and General Powers

SECTION 4. The Muntinlupa City Local AIDS Council (MCLAC) - The Muntinlupa City Local AIDS Council (MCLAC) shall be a multi-sectoral organization committed to unify responsive effort on the prevention, care and control of STI, HIV, and AIDS among the general population especially the marginalized groups and reduction of its impact on the community.

SECTION 5. Membership and Composition - The Muntinlupa City Local AIDS Council (MCLAC) shall be composed of the following, to wit:

- | | | |
|---------------------|---|----------------------------------|
| 1. Chairperson | - | City Mayor |
| 2. Co-Chairperson | - | City Health Officer |
| 3. Vice-Chairperson | - | City Council Chairman for Health |

Core Members:

- Gender and Development Chairperson
- City Administrator
- City Planning Officer
- City Budget Officer
- City STI/HIV/AIDS Medical Officer
- City Social Welfare Officer
- City School Superintendent DepEd
- City Local DILG Officer
- City PNP Officer
- ABC President
- District Manager Officer (DMO) of Department of Health – Metro Manila Center for Health Development (DOH-MMCHD)
- Representatives from CSOs, non-governmental organizations, and private sector, with mandates related to STI, HIV, and AIDS programs.



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Expanded Members shall be composed of representatives from the following agencies:

- a. Department of Public Order and Safety
- b. Barangay Kagawad for Health/ Liga ng mga Barangay
- c. City Legal Department
- d. Public Employment Service Office
- e. Muntinlupa Medical Society
- f. Public Information Office
- g. Business Permits and Licensing Office
- h. SK Federation President
- i. Representative(s) from the LGBT groups
- j. Representative(s) from the association(s) of entertainment establishments

SECTION 6. Functions - The MCLAC shall serve as the coordinating, planning, implementing and monitoring body on STI/HIV/AIDS prevention and control program and policies in Muntinlupa City. The MCLAC shall have the following functions:

1. To provide the necessary policy recommendations to appropriate government agencies for the effective and efficient implementation of STI/HIV/AIDS prevention programs;
2. To engage in advocacy work geared towards the promotion of educational activities for the prevention of STIs and the control of HIV and AIDS within the City;
3. To closely collaborate with the Local Health Board and other concerned offices in monitoring the prevalence of STI/HIV/AIDS in Muntinlupa City, as well as planning, monitoring and evaluating various STI/HIV/AIDS prevention and control programs in the city;
4. To create Technical Working Group or committees if it deemed necessary to effectively implement this ordinance such as but not limited to Committee on Information, Education and Communication, Committee on Research, Surveillance and Monitoring, Committee on Care and Support and Committee on Management and Coordination, which composition and functions shall be enumerated in the Implementing Rules and Regulations of this Ordinance;
5. To serve as avenue for network-building and strengthening of partnerships with government and non-government agencies in the implementation of various STI/HIV/AIDS prevention and control programs in Muntinlupa City;
6. To facilitate the provision of medical and social assistance to people infected with STIs including HIV and AIDS;
7. To generate and mobilize resources and develop recommendations for the sustainability of local efforts towards STI/HIV/AIDS prevention and care;



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8. To organize activities aimed at enhancing the capabilities of interested parties in developing and implementing programs related to STIs, HIV and AIDS;
9. To establish and maintain the necessary database and serve as a local resource pool for technical assistance among program partners;
10. To accept aids, grants, donations, or request that will accrue for the general fund of the Council for exclusive use in sustaining its programs and projects;
11. To recommend the closure or imposition of sanctions or penalties of any entertainment industries found violating the prohibited acts as mentioned under the existing laws or related ordinance ;
 - a. **RA 11166 on Human Rights and Confidentiality**
 - b. **PD (DOLE and DSWD) on Hiring of Minors**
 - c. **PD 856 (Sanitation Code) failure to undergo regular smearing**
 - d. **PD 856 (Sanitation Code) on health education attendance**
12. To assist in the source/request funding and recommend allocation of resources;
13. To act as the primary agency that shall represent the City in all conventions, conference, forums, or gathering of other agencies, organizations, leagues, chambers or groupings whether national, local or international pertaining to the issues of STI/HIV/AIDS.
14. To monitor in coordination with the City Health Office, STI/HIV/AIDS cases;
15. To perform all other tasks and functions related to the overall objectives in the prevention and control of STI/HIV/AIDS in Muntinlupa City;
16. To secure from the government agencies concerned recommendations on how their respective agencies could operationalize specific provisions of this ordinance;
17. To develop a comprehensive long-term local STI/HIV/AIDS prevention and control program and monitor its implementation;
18. To coordinate and cooperate with foreign and international organizations regarding data gathering, research and treatment modalities concerning STI/HIV/AIDS;
19. Create procedural requirements, forms and standards and amend these in furtherance of a more efficient system compliance to policies and provisions set forth in this Ordinance;



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20. Formulate, review and monitor progress of the annual work plan for the implementation of this Ordinance. Such work plan must indicate corresponding budget allocation and funding source for its program and projects;
21. Conduct periodic review of this Ordinance and other related policies for the purposes of fine-tuning, updating, and/or amendments;
22. Advocate for the passage of related policies and budget proposals for the STI/HIV/AIDS programs and services in the City;
23. Develop midterm (6 years) city investment plan for AIDS (CIPA) with corresponding annual work plan;
24. Form a subcommittee in the local health board;
25. Participate in the conduct of joint inspections of entertainment establishments by the City government related to the implementation of the City's STI/HIV/AIDS program;
26. To evaluate the adequacy and make recommendations regarding the utilization of local resources for the prevention and control of STI/HIV/AIDS in Muntinlupa City; and
27. To submit to the Office of the City Mayor an annual report of its activities and accomplishments, copy-furnished to the City Council.

SECTION 7. Secretariat - The MCLAC shall appoint the Muntinlupa City Social Hygiene Clinic also to be known as the Muntinlupa Reproductive Health and Wellness Clinic (MRHWC, Room 101) as the Secretariat.

The secretariat of the council shall be from the staff of the MRHWC, Room 101. They will perform the following duties and functions:

- a. Prepare the agenda of the meeting of the Council and record the minutes of the same;
- b. Shall keep all the record of the Council;
- c. Collate reports from member-agencies of the Council; and
- d. Submit to the Chair, copy furnish to the Vice-Chair of the Annual Accomplishment Report of the Council.

SECTION 8. Meeting - the Council shall meet at least once every quarter or as often as may be necessary by serving notice to all members at least before the meeting;

SECTION 9. Quorum - The presence of least half of the numbers of Council members plus one shall constitute a quorum for purposes of doing business;



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ARTICLE III

**Intensification of Functions of Muntinlupa Social Hygiene Clinic
(Also To Be Known As
The Muntinlupa Reproductive Health And Wellness Clinic (MRHWC), Room 101)**

SECTION 10. Composition - the Muntinlupa Reproductive Health And Wellness Clinic (MRHWC, Room 101) shall be an **INDEPENDENT** section directly under the City Health Office, deployed with the following personnel, functioning **EXCLUSIVELY** under the MRHWC:

- a. **STI/HIV/AIDS Medical Coordinator (Registered Physician)**
- b. **Two (2) Registered Nurse**
- c. **Two (2) Registered Midwife**
- d. **One (1) HIV Proficient Medical Technologist**
- e. **One (1) Laboratory Aide**
- f. **One (1) Utility**
- g. **Four (4) Case Manager**
- h. **Ten (10) Peer Educator**
- i. **One (1) Information Technologist/ Encoder**

Subject to the Civil Service and Department of Budget's rules and regulation, the City government shall provide for the salary and benefit of the Peer Educators and Case managers herein provided.

SECTION 11. All activities of the MRHWC, Room 101, specifically laboratory examination and procedures, will be strictly done at the premises of the said section, except during community outreach where Voluntary HIV testing is done in the community/establishments. The examinations being done at MRHWC include Gram stain, Syphilis Screening Test (RPR), Hepatitis B Screening Test, and Voluntary HIV Counseling & Testing. A list of accredited laboratories, including the City Laboratory, should be posted at the MRHWC in case of conflicts of logistics.

SECTION 12. The MRHWC, Room 101 will be supplied with the necessary materials such as HIV Antibody Screening Testing Kits, laboratory instruments and chemical reagents, as well as vehicle that will transport the MRHWC, Room 101 staff to community and night establishments during outreach and seminars.

ARTICLE IV
STI/HIV/AIDS Prevention, Management, and Control Policies
General Policies:

SECTION 13. STI/HIV/AIDS Education - HIV and AIDS, including topics on confidentiality and reduction or elimination of stigma and discrimination shall be provided in the workplace, academic and training institutions and communities in.



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SECTION 14. Workplace Policy and education Programme on STI/HIV/AIDS

- in compliance to Memorandum Circular No 11 series of 2013 by the Civil Service Commission, all government agencies/institutions are urged to implement a Workplace Policy and Education Program on STI/HIV/AIDS. Members of the Muntinlupa City Multi-Sectoral STI/HIV/AIDS Council and civil society organizations accredited by the Muntinlupa City are hereby tasked to promote STI/HIV/AIDS in the workplace awareness activities e.g. periodical seminars and to make themselves accessible for seminar purposes to individuals or groups who may need STI/HIV/AIDS services.

SECTION 15. Best Practices – The Council, in close coordination with the City's law enforcement bodies and in partnership with the key affected population and pertinent sectors, shall employ best practices in human rights and evidence-based HIV prevention, management, and control policies and programs for key affected population in the city. Efforts to engage national law enforcement officials in dialogues to harmonize national and local policies must likewise be made.

SECTION 16. Prohibition on Discrimination by Health Service Providers - No health service provider and other staff assisting or directly providing medical services/examinations to clients shall be discriminate in their treatment of their patients/clients. Health service providers shall inform the patient/client of his/her right to file charges for abuses committed against them.

SECTION 17. Misinformation on HIV and AIDS - Misinformation on STI/HIV/AIDS, purporting to be a cure, treatment or a fail-safe prophylactic for HIV infection, which includes false and misleading advertisement and claims in any form of multimedia or the promotional marketing of drugs, device, agents or procedures without prior approval from the proper government agencies and without the requisite medical and scientific basis, including markings and indications in drugs and devices or agents, shall be prohibited.

SECTION 18. Protection of Health Service Providers from Any Form of Harassment in the Conduct of their Duties - Any person involved in the provision of HIV and AIDS services, including peer educators, shall be protected from malicious suit, arrest or prosecution arising from civil, criminal or administrative liability, on the basis of their delivery of such services in HIV prevention, or in relation to the legitimate exercise of protective custody of children, whenever applicable. This immunity does not cover acts which are committed in violation of this Ordinance.

SECTION 19. Declaration of AIDS Awareness Month - the Council shall spearhead the commemoration of national events pertaining to HIV and AIDS. These shall be the observance of Philippine International AIDS Candlelight Memorial (PIACM) every 3rd Sunday of May and the World AIDS Day (WAD) every December 1st. The Council shall ensure that appropriate funds for these events shall be appropriated/allocated or sourced out.



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SECTION 20. Issuance of Permit To Operate - in compliance with this Ordinance, the establishment mentioned in this ordinance should not allowed to operate unless a certificate of attendance in STI/HIV/AIDS seminar has bees issued to each operators and to all its employees.

Entertainment Establishments Policies:

SECTION 21. Compulsory STI/HIV/AIDS Education in Entertainment Establishments - it shall be mandatory for all owners, operators, managers, entertainers, and other staff to attend seminars on STI/HIV/AIDS prevention, management, and control conducted by the Muntinlupa RHWC or other agencies recognized through a Memorandum of Agreement entered into with the City government. Attendance is a pre-requisite for issuance /renewal of a Mayor's Work Permit/License or Occupational Health/Certificates.

SECTION 22. Peer Educator Requirement - All entertainment establishments are encouraged to have at least one (1) peer educator, who has been trained by the City Health Department and has passed the qualifications set by the STI/HIV/AIDS Council.

SECTION 23. Availability of Prophylactics and other Information Materials for the Prevention, Management and Control of STI/HIV/AIDS.

- a. **Information on Prophylactics** - Appropriate information shall be attached to or provided with every prophylactic offered for sale or given as a donation. Such information shall be legibly printed in English and Filipino, and contain literature on the proper use of the prophylactic device or agent, its efficacy against HIV and STI, possible side effects, as well as the importance of sexual abstinence and mutual fidelity.
- b. **Availability and Visibility of Materials on STI/HIV/AIDS** - It shall be required for all registered entertainment establishments, saunas/bathhouses, hotels, lodging houses, and others to make information materials on STI, HIV and AIDS prevention, management, and control available within the premises and to provide such information materials when requested by customers specifically instructions on the correct use of condom.
- c. Information materials shall either be those sourced from or endorsed by government, such as but not limited to those from DOH and/or the City Health Department. Entertainment establishments are likewise required to make STI, HIV and AIDS posters visible in strategic locations within their premises.

SECTION 24. Promotion of Prophylactics - Reinforcing City Ordinance No. 482 series 1995 prophylactic devise or agent such as condom shall at all times be made available and accessible in lodging places of all kinds as well as in all entertainment establishments, information on the proper use and its efficacy against STI and HIV shall also be disseminated.



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SECTION 25. Regular Examination - to ensure personal and public safety, all entertainers and others with similar nature of occupation shall undergo STI examination, including gram staining, to be done quarterly by the Muntinlupa RHCW.

SECTION 26. Development and Submission of Health Care Policies - all operators/managers of entertainments shall be required to develop a set of establishment health care policies and to submit the same to the City Government.

SECTION 27. Employment Pre-Requisites - Prior to issuance of working permits, all applicants for employment in entertainment establishments shall be required to present an original copy of his/her birth certificate duly authenticated by the Philippine Statistics Authority (PSA) and other legal documents duly authenticated by the City Health Office. Applicants who have not acquired an original copy of birth certificates shall apply through the City Registry Office of origin.

SECTION 28. Roster of Entertainer/Employees - The Sanitation Division of the City Health Office shall maintain an up-to-date master list of its entertainers and other employees indicating their names, age and other pertinent details. The said list shall be prepared every six months. Similarly, all entertainment establishments shall be requested to keep a daily time record book available for inspection at all times.

SECTION 29. Prohibited Acts in the Entertainer Establishments - the following shall constitute prohibited acts and practices:

- Offering entertainment that appeals exclusively to the prurient interest;
- Allowing presentation of lewd shows and other entertainment activities that violate gender-sensitive accepted standards of morality and decency.
- Maintaining facilities such as private entertainment rooms with locks, non-transparent partitions/walls or with any form of obstruction from public view that may facilitate performance or illegal drugs, acts of lasciviousness or any other acts that violate women's rights.
- Exhibiting behavior contrary to public norms.

SECTION 30. Non-hiring of Minors - In compliance with Article 139 of the Labor Code (Minimum Employable Age), no entertainment establishment shall be allowed to hire minors as entertainers. Anyone who assists in the falsification of documents of minors shall likewise be liable.



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ARTICLE V
Comprehensive Package of Interventions

SECTION 31. Access to Comprehensive Package of Interventions for STI/HIV/AIDS - All Social Hygiene Clinics and Sundown Clinics in the City shall provide a comprehensive package of interventions, which shall include comprehensive condom and lubricant programming, behavioral interventions, HIV testing and counselling; HIV treatment and care; prevention and management of co-infections and other co-morbidities; and sexual and reproductive health interventions. These services shall likewise be extended by private health facilities to paying patients with the option to grant free care and services to indigents. Provided, further, that health facilities unable to provide the comprehensive package shall refer the person seeking such care and services to another health facility which is conveniently accessible. Provided, finally, that a functional service delivery network will be established to ensure access to any or all of these interventions. No person shall be denied access to these services. Key populations, those in prisons and others in closed settings shall have the same level of access and shall not be neglected.

SECTION 32. Peer Education Program - The City Health Office shall establish a Peer Education Program as a strategy to effect behavior change and empower communities and key population groups to adopt changes that support risk reduction, prevent HIV transmission, and increase uptake of services among key populations including those in close settings. The design of the program shall adhere to culturally-acceptable and gender-sensitive norms and based on good formative analysis of the local situation.

SECTION 33. Procurement and Distribution of STI/HIV/AIDS Supplies - The City Health Office shall procure and distribute to health facilities and monitor the usage of STI/HIV/AIDS supplies for the whole city. The CHO shall coordinate with all appropriate city government offices to plan and implement this procurement and distribution program. The supply and budget allotments shall be based on, among others, the current levels and projections of STI/HIV/AIDS prevalence among the general public and most at-risk populations.

SECTION 34. Voluntary HIV Testing - As a policy, the City shall encourage voluntary HIV testing. Written consent from the person taking the test must be obtained before HIV testing. If the person is below fifteen (15) years of age or is mentally incapacitated, such consent shall be obtained from the child's parents, legal guardian, or whenever applicable, from the licensed social worker, licensed health service providers, or a DOH-accredited health service provider assigned to provide health services to a child.

HIV testing and counselling shall be made available to a minor who requests to undergo testing and counselling and other related services under any of the following conditions:

- The child expresses the intention to submit to HIV testing and counselling and other related services;



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- b. Reasonable efforts were undertaken to locate, provide counselling to, and obtain consent of parents, but the parents are absent or cannot be located, or otherwise refuse to give their consent. In this case, consent shall be obtained from the child's legal guardian or whenever applicable, from licensed social worker, licensed health service providers or a DOH accredited health service provider assigned to provide health services to a child. The licensed social worker, health care provider or other health care professional shall determine if the child is engaged "high-risk behavior" as defined in this Ordinance, and that the conduct of the testing and counselling is in the child's best interest and welfare. In instances where parents of the minor were located and parents refused to give consent, social worker or healthcare provider shall execute an attestation that he/she has found the parents and advised them of the risks of not allowing their minor child to get tested.
- c. In every circumstance, proper counseling shall be conducted by a social worker, a healthcare provider or other health care professional, accredited by the DOH or DSWD.

SECTION 35. Compulsory HIV Testing - Compulsory HIV testing as defined in this Ordinance shall be allowed only in the following instances:

- a. When it is necessary to test a person who is charged with any of the offenses punishable under Articles 264, 266, 3334 and 338 of the Revised Penal Code, as amended by Republic Act No. 8353, otherwise known as the Anti-Rape Law of 1997;
- b. When it is necessary to resolve relevant issues under Executive Order No. 209, otherwise known as the Family Code of the Philippines, specifically, Article 45 (6) and 46 (3) thereof;
- c. As a prerequisite in the donation of blood and in compliance 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.

ARTICLE VI
CONFIDENTIALITY

SECTION 36. Confidentiality - The confidentiality and privacy of any individual who has been tested for HIV, exposed to HIV, has HIV infection or HIV- and AIDS-related illnesses or was treated for AIDS-related illnesses shall be guaranteed.

SECTION 37. Medical Confidentiality - All health professionals, medical instructors, workers, employers, recruitment agencies, insurance companies, data encoders, and other custodians of any medical record, file, data, or test results are directed to strictly observe confidentiality in the handling of all medical information, particularly the identity and status of persons with HIV.



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SECTION 38. Exceptions to the Mandate of Confidentiality – Medical confidentiality shall not be considered breached in the following cases:

- a. When complying with reportorial requirements in conjunction with the AIDS WATCH Programs established under the Department of Health to determine and monitor the magnitude and progression of HIV infection in the Philippines, and for the purpose of evaluating the adequacy and efficacy of the countermeasures being employed;
- b. When informing other health workers directly involved or about to be involved in the treatment or care of a person with HIV/AIDS. Provided, that such treatment or care carry the risk of HIV transmission. Provided, further, that such workers shall be obliged to maintain the shared medical information confidentiality;
- c. When responding to subpoena duces tecum and subpoena ad testificandum issued by a Court with jurisdiction over a legal proceeding where the main issue is the HIV status of an individual; provided, that the confidential medical record shall be properly sealed by its lawful custodian after being double-checked for accuracy by the head of the office or department, hand delivered, and personally opened by the judge; provided further, that the judicial proceedings be held in executive session.

SECTION 39. Release of HIV-Related Test Results - The result of a confirmatory HIV TEST shall be released only by a trained health worker, who provides pre- and post-test counselling only to the individual who submitted to the test. If the patient is a minor, an orphan, or is mentally incapacitated, the result may be released to either of the patient's parents, legal guardian, or a duly-assigned licensed social worker, whichever is applicable. If the parents of the minor refused consent but the test is nevertheless continued, the results will be released to the minor with the assistance of the accredited health worker who provided him/ her with counselling.

SECTION 40. Disclosure to Sexual Partners - Any person who, after having been tested, is found to be infected with HIV, is obliged to disclose this health condition to their spouse or sexual partner prior to engaging in penetrative sex or any potential exposure to HIV. A person living with HIV may opt to seek help from qualified professionals, health workers, peer educators, or social workers to support him in disclosing this health condition to one's partner or spouse-confidentiality of which shall likewise be observed.

ARTICLE VII DISCRIMINATORY ACTS AND PRACTICES

SECTION 41. Discriminatory Acts and Practices - The following are discriminatory acts and practices and shall be prohibited in:



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- a. **Discrimination in the Workplace.** - The rejection of job application, termination of employment, or other discriminatory policies in hiring, provision of employment and other related benefits, promotion or assignment of an individual solely or partially the basis of actual, perceived, or suspected HIV status;
- b. **Discrimination in Learning Institutions.** - Refusal of admission, expulsion, segregation, imposition of harsher disciplinary action, or denial of benefits or services, of a student or a prospective student solely or partially on the basis of actual, perceived or suspected HIV status;
- c. Restrictions on housing or lodging solely or partially on the basis of actual, perceived or suspected HIV status;
- d. **Inhibition from Public Participation.** - Prohibition on the right to seek an elective or appointive public office solely or partially on the basis of actual, perceived or suspected HIV status;
- e. **Discrimination in Hospitals and Health Institutions.** - Denial of health services, or charging with a higher fee, on the basis of actual, perceived or suspected HIV status;
- f. **Denial of Burial Services.** - Denial of embalming and burial services for a deceased person who had HIV and AIDS or who was known, suspected, or perceived to be HIV positive;
- g. **Denial of Insurance or Health Maintenance Coverage.** - No person living with HIV shall be denied or deprived of private health insurance by a Health Maintenance Organization (HMO) and private life insurance coverage by a life insurance company on the basis of the person's HIV status.

SECTION 42. Duty of Employers, Heads of Government Offices, and Heads of Public and Private Schools or Training Institutions in the City - It shall be the duty of private employers, heads of government offices and head of public and private academic or training institutions to prevent or deter acts of discrimination against persons living with HIV and to provide procedures for the resolution, settlement, or prosecution of acts of discrimination.

ARTICLE VII
PENALTIES

SECTION 43. Penalties - The corresponding penalties shall be imposed upon:

- a. Any person who commits the prohibited acts under the provisions of Sections 16 and 17 a fine in the amount of Five Thousand Pesos (P5,000.00), without prejudice to the suspension or revocation of his/her professional license in administrative proceedings.

People's Center Building, Putatan, Muntinlupa City, Philippines 1773

Telephone no. 861-0181 Email address: sangguniangpanlungsod2k19@gmail.com





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- b. Any person who violates the provision of Section 18 shall, upon conviction, suffer the penalty of a fine of Three Thousand Pesos (P3,000.00) that if the person who violates these provisions is a law enforcement agent or a public official, administrative sanction may be imposed;
- c. Any person who violates Section 35 of this Ordinance shall suffer the penalty of imprisonment of two (2) to three (3) months and/or a fine of Five Thousand Pesos (P5,000.00) without prejudice to the imposition of administrative sanction such as suspension or revocation of business permit, business license or accreditation, and professional license;
- d. Any person, natural or juridical, who violates Section 31 shall suffer the penalty of imprisonment of two (2) to three (3) months and/or of a fine of Five Thousand Pesos (P5,000.00) without prejudice to the imposition of administrative sanction such as suspension or revocation of business permit, business license or accreditation, and professional license;
- e. Any person, natural or juridical, who shall violate any of the provision under Section 41 shall suffer the penalty of imprisonment of two (2) to three (3) months and/ or of a fine of Five Thousand Pesos (P5,000.00) without prejudice to the imposition of administrative sanction such as suspension or revocation of business permit, business license or accreditation, and professional license;
- f. Any person who has obtained knowledge of confidential HIV and AIDS information and uses such information to malign or cause damage, injury or loss to another person shall face liability under Articles 19, 20, 21 and 26 of the New Civil Code of the Philippines;
- g. Any person, natural or juridical, who shall violate the acts described under Article IV shall be subject to the following penalties:
1. **FIRST OFFENSE**, the Muntinlupa STI/HIV/AIDS Council shall strongly reprimand in writing such person, and such reprimand shall be posted on the pertinent establishment for a period of one week or until the establishment has complied and a fine of **Three Thousand Pesos (Php3,000.00)** with suspension of business permit for 15 days.
 2. **SECOND OFFENSE** the penalty is a fine of **Four Thousand Pesos (Php4,000.00)** with one (1) month suspension of business permit.
 3. **THIRD OFFENSE**, a fine of **Five Thousand Pesos (Php5,000.00)** and/or permanent closure of establishment.



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4. Hiring of minors and operating without permit shall be meted with a fine of **Five Thousand Pesos (Php5,000.00)** and/or permanent closure of establishment

ARTICLE VIII
IMPLEMENTATION AND MONITORING

SECTION 44. Implementing and Monitoring Agencies - The Muntinlupa STI/HIV/AIDS Council is tasked to coordinate with concerned persons for the strict compliance and enforcement of this Ordinance. The Council shall establish a comprehensive STI/HIV/AIDS monitoring programs in coordination with Muntinlupa Social Hygiene Clinic similar in monitoring programs to determine the magnitude and progression of STI, HIV infections in Muntinlupa City, and for the purpose of evaluating the adequacy and efficacy of the counter measures being employed by the Council.

ARTICLE IX
APPROPRIATION

SECTION 45. Appropriation – Subject to annual planning and budgeting process, the City Government of Muntinlupa, through the **Gender and Development (GAD) Office** shall annually appropriate in its Executive Budget the cost/allocation for the implementation of this ordinance.

ARTICLE X
TRUST FUND

SECTION 46. Trust Fund and its utilization. – A Trust Fund is hereby set up which will be the repository of all the collected imposable fines for the violations of this Ordinance.

The fund shall finance the medical and social assistance for entertainers infected by STI/HIV/AIDS, and for the implementation of this Ordinance.

ARTICLE XI
FINAL PROVISIONS

SECTION 48. Implementing Rules and Regulations - Within six (6) months after the approval of this Ordinance, the Muntinlupa STI/HIV/AIDS Council shall formulate and issue the appropriate Rules and Regulations necessary for the implementation of this Ordinance.

SECTION 49. Repealing Clause - All Ordinances, Executive Orders, Resolutions and other local memoranda, or rules inconsistent with the provisions of this Ordinance are hereby repealed, or modified accordingly.

SECTION 50. Separability Clause - If for any reason(s), any provision of this Ordinance is declared unconstitutional or invalid, the remaining provisions not affected thereby, shall continue to be in full force and effect.



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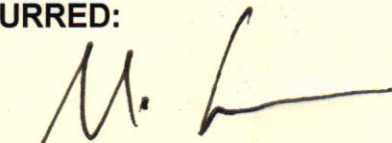
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SECTION 51. Effectivity Clause - This ordinance shall take effect after its completion of its publication in a newspapers of general circulation.

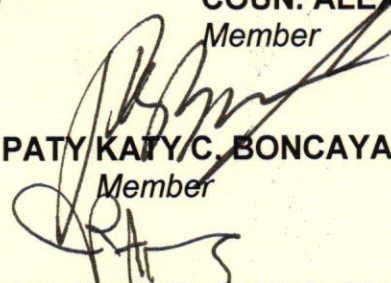
ENACTED, by the **10th Sangguniang Panlungsod of Muntinlupa** this **13th** day of **March 2023**, on its **36th Regular Session**.

CONCURRED:

DISTRICT 1:


COUN. ATTY. RAUL R. CORRO
Member

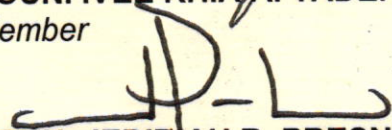

COUN. ALEXSON V. DIAZ
Member


COUN. PATY/KATY C. BONCAYAO
Member


COUN. RACHEL KATRIEL ANN C. ARCIAGA
Member

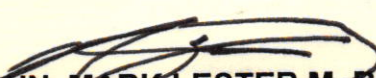

COUN. IVEE RHIA A. TADEFA
Member



COUN. ALLAN REY A. CAMILON
Member

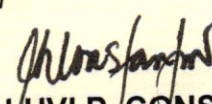

COUN. JEDIDIAH R. PRESNEDI, LPT
Member


COUN. TING D. NIEFES
Member

DISTRICT 2:


COUN. MARK LESTER M. BAES
Member


COUN. FRANCIS IAN T. BAGATSING
Member


COUN. LUVI P. CONSTANTINO
Member

COUN. ENGR. MAMERTO T. SEVILLA, JR.
Member


COUN. ENGR. MARISSA C. RONGAVILLA
Member


COUN. ENGR. ARLENE D. HILAPO
Member


COUN. CORNELIO M. MARTINEZ
Member



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COUN. RODOLFO W. MOLDEZ, JR.
Member

COUN. WALTER A. ARCILLA
President
Sectoral Representative
Association of Barangay Chairman

COUN. KENICHI D. TAKAGI, JR.
President
Sectoral Representative
Federation of Sangguniang Kabataan

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.

CECILIA C. LAZARTE
Secretary to the Sanggunian

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ROZZANO RUFINO B. BIAZON
City Mayor

Date: **20 MAR 2023**

Norie/10th SP