

WHEREAS, the Bill of Rights, as contained in Article III of the 1987 Philippine Constitution, provides one of the fundamental rights of every Filipino citizen which is the protection of his life and as such, he or she shall not be deprived of the respect, personal welfare and protection of his existence;

WHEREAS, Article II, 1.2 (g) of the Citizen’s Primer on Law Enforcement also provides that any person subjected to apprehension or arrest by law enforcers shall immediately be subjected to a physical or medical examination by qualified medico-legal officer or any government physician, and subsequently be physically examined again prior to release or change of custody by the concerned apprehending authority;

WHEREAS, verified incidence and reports robbing certain apprehended persons’ right to avail physical/medical, medico-legal and other relevant services in such situations create a bad impact and impression not only on the daily lives of the residents but also on the part of government authorities particularly the law enforcement agencies;

WHEREAS, this *Sanggunian* deems it necessary to ensure at all times the proper exercise of corporate powers of the City, most particularly the efficient delivery of basic services and facilities that shall be afforded to every constituent, as further enshrined under Section 17 of Republic Act 7160, otherwise known as the Local Government Code of 1991;

WHEREAS, this *Sanggunian* is duty-bound to enact ordinances that will guarantee the City Government’s advocacy on human rights-based policing which is necessary in its thrust for the active promotion of public service and people-centered governance;

NOW THEREFORE, on motion of City Councilor Rosalita T. Nuñez, duly seconded by City Councilor(s) _____ be it -

RESOLVED, as it is hereby resolved, to enact this ordinance.

ORDINANCE NO. ____
Series of 2015 ____

AN ORDINANCE PROVIDING FREE MEDICAL SERVICES TO APPREHENDED PERSONS BY PERSONNEL OF THE PHILIPPINE NATIONAL POLICE (PNP) AND OTHER LAW ENFORCEMENT AUTHORITIES

Hon. Rosalita T. Nuñez and Hon. Franklin M. Gacal, Jr. - Authors

Be it ordained by the Sangguniang Panlungsod, City of General Santos that:

SECTION 1. SCOPE AND COVERAGE. - This Ordinance shall apply to all residents of General Santos City, and citizens who happen to be in the city at the time of their apprehension, upon commission of a certain offense or crime violating existing laws and ordinances of the land.

SECTION 2. PROVISION OF FREE MEDICAL SERVICES TO APPREHENDED PERSONS. - It is hereby declared that every constituent who happens to be apprehended by law enforcers, or being subjected for detention by police authorities shall be treated with free medical services, including medical consultation, medico-legal and other relevant services.

The Philippine National Police (PNP)-GSC Office and its counterpart law enforcers, the hospital/health center administrators/physicians, medical attendants, shall facilitate and see to it that this basic right for medical service shall not be

curtailed nor denied to subject persons, and in so doing, it shall deserve maximum priority after such people's apprehension, detention, change of custody and consequent release under due process of law.

SECTION 3. DESIGNATED PLACE/S WHERE APPREHENDED PERSONS CAN AVAIL FREE MEDICAL SERVICE. - All apprehended persons, under the custody and assistance of the PNP or apprehending officers, can avail free medical services that include consultation, medico-legal and other pertinent services in the following place/s:

- a.) General Santos City Hospital
- b.) _____
- c.) _____

SECTION 4. ENFORCEMENT AND IMPOSITION OF APPROPRIATE PENALTY. - Any government facility with its personnel found violating this Ordinance shall be penalized with the following:

- (a) First Violation -
- (b) Second Violation -
- (c) Third and Subsequent Violation -

SECTION 5. Repealing Clause. - All orders, memoranda, rules and regulations, or any part or parts hereof, inconsistent with the provisions of this Ordinance are hereby revoked or modified accordingly.

SECTION 6. Separability Clause. - If for any reason a provision of this Ordinance is declared invalid or unconstitutional, all other provisions hereof not affected thereby shall continue to remain in full force and effect.

SECTION 7. Effectivity Clause. - This Ordinance shall take effect 15 days after its publication in a local newspaper of general circulation in the city.

Prepared by:

GIOVANNI A. TIBLANI
LLSO-II,
SP-LSD-Ordinances, Resolutions & Research

Section

Reviewed by:

ROSALINDA L. MONDIDO
Chief-Legislative Services Division

Approved by:

HON. ROSALITA T. NUÑEZ
City Councilor

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