

(Draft Ordinance as of November 4, 2015)

WHEREAS, Sec. 393 (b)(2) of the Local Government Code provides, among others, that officials of the barangay, which includes the punong barangay, seven barangay kagawads, SK president as ex-officio barangay kagawad, secretary and treasurer who die during their term of office may be covered by death benefits;

WHEREAS, RA No. 6942 entitled “An Act Increasing the Insurance Benefits of Local Government Officials and Providing Funds Therefor” also provided to all elected and appointed barangay officials who die during their term;

WHEREAS, there is a need to expedite the payment of death benefits of barangay officials concerned in the overall effort of government to provide monetary assistance to all barangay officials;

WHEREAS, the mortuary benefit is one way or another helping the bereaved family in time of their most deepest moment by providing monetary assistance;

NOW THEREFORE, on motion of Honorable City Councilor Rosalita T. Nuñez, duly seconded by City Councilors____, be it

RESOLVED as it is hereby resolved to enact

ORDINANCE No. ____
Series of 2015

AN ORDINANCE PRESCRIBING THE GUIDELINES IN THE GRANTING OF MORTUARY BENEFITS TO BARANGAY OFFICIALS WHO DIE WHILE IN SERVICE.

HON. ROSALITA T. NUNEZ; HON. RAMON R. MELLIZA
& HON. FRANKLIN M. GACAL, JR. - Authors

Be it enacted by the Sangguniang Panlungsod of General Santos that:

Section 1. **Statement of Policy.** It is the policy of the Local Government of General Santos City, pursuant to Section 393 (b)(2) of RA 7160, otherwise known as the Local Government Code of 1991, to ensure that the welfare and benefits of the barangay officials are always upheld and safeguarded; hence, the LGU of General Santos City is extending not only moral but also financial assistance and burial services to any barangay officials who die while on duty during unforeseen and unavoidable event, such as death.

Section 2. **Objectives.** This ordinance aims to give monetary assistance to any barangay officials of General Santos City during unforeseen and unavoidable event, such as death.

Section 3. **Short Title.** This ordinance shall be known as an “Ordinance Granting Mortuary Benefits to all Barangay Officials.”

Section 4. **Definition of Terms.** For purposes of this ordinance, the following terms are herein defined:

- a) **Barangay Officials** refer to elected and appointed barangay officials such as punong barangay, barangay kagawad, barangay treasurer and barangay secretary;
- b) **Beneficiary** refers to any barangay official's legal surviving spouse, his legitimate and/or illegitimate children, parents, brothers or sisters, or to any of the barangay official's nearest kin, in the order provided;
- c) **Death** means the cessation of life;
- d) **LGU** refers to the Local Government Unit of General Santos City;
- e) **Mortuary Benefit** refers to the monetary consideration given to the beneficiary upon the death of any barangay official;

Section 5. **Coverage.** Regardless of whether the cause of death is work-related or not, the beneficiary shall be entitled to receive the amount of **Twenty Thousand Pesos** (₱ 20,000.00) as financial assistance to the bereaved family.

Section 6. **Processing of Claims.** In the event of death of any barangay official, the beneficiary/ies shall immediately notify the Office of the City Mayor through its Barangay Affairs Division regarding such circumstances. The Barangay Affairs Division shall thereafter assist the beneficiary/ies on processing of the claim. In pursuance of DILG Memorandum Circular No. 2008-24 which provides for revised implementing rules and regulations of E.O. No. 115 to ensure effective and efficient service delivery to the beneficiaries, and to further ensure expeditious and prompt release of checks to the duly designated/legitimate beneficiary claimant and to establish the relationship of beneficiary/claimant to the deceased barangay official the following documents are to be submitted in one copy:

- a) Death Certificate duly certified by LCR or NSO;
- b) Certificate of Incumbency by the CLGOO (City Local Government Operations Officer);
- c) Endorsement by the DILG City Director;
- d) 2 copies of Vouchers and ALOBS (Allotment and Obligation Slip);
- e) Sufficient identification and proof of relationship of the claimant and/or beneficiary
- f) Such other documents that may be deemed necessary.

Section 7. **Payment.** The mortuary benefit shall be payable to the beneficiary/ies, in the order of preference enumerated in Section 3, paragraph b, but only after presentment of satisfactory proof, such as, but not limited to the Certificate of Live Birth of the deceased, Identification of the Beneficiary or the Marriage Contract if applicable.

Section 8. **Exclusions.** The LGU shall not render any mortuary assistance to the barangay officials whose death is caused or resulting from, whether directly or indirectly, wholly or partly:

- a) by intentionally self-inflicted injury resulting to death, or suicide;
- b) accident while under the influence of prohibited drugs or under the influence of liquor;
- c) while in any attempted commission of, or willful participation in any crime punishable by any prevailing law or ordinance.

Section 9. **Funding.** For Fiscal Year 2015-2016, the City Mayor's Office shall appropriate One Hundred Thousand Pesos (₱ 100,000.00). For the succeeding years, such funds shall be appropriated by the city either in the city's annual budget or in any of its supplemental budgets, as the case may be.

Section 10. **Implementing Rules and Regulations.** The Local Chief Executive shall issue an Executive Order for the efficient implementation of this ordinance.

Section 11. **Separability Clause.** Should any provision of this Ordinance be declared unconstitutional or illegal by any court of competent jurisdiction, those parts that are not so declared shall remain in full force and effect.

Section 12. **Repealing Clause.** Any previous ordinance/s or parts thereof, which are inconsistent with this Ordinance are hereby repealed or superseded accordingly.

Section 13. **Effectivity Clause.** This ordinance shall take effect fifteen (15) days after its complete publication in any newspaper of general circulation within General Santos City.

Drafted by:

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