



# Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



## EXCERPT FROM THE MINUTES OF THE 117<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIAN PANLALAWIGAN OF BATAAN ON DECEMBER 2, 2024 HELD AT THE SESSION HALL, THE BUNKER, CAPITOL COMPOUND, BALANGA CITY, BATAAN

### PRESENT:

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

### FIRST DISTRICT:

Hon. Benjamin C. Serrano, Jr., Board Member

Hon. Jomar L. Gaza J.D., Board Member

### SECOND DISTRICT:

Hon. Maria Margarita R. Roque, Board Member

Hon. Manuel N. Beltran, Board Member

Hon. Noel Joseph L. Valdecañas, Board Member

### THIRD DISTRICT:

Hon. Romano L. Del Rosario, Board Member

Hon. Jorge S. Estanislao, M.D., Board Member

Hon. Angelito M. Sunga, Board Member

Hon. Roman Harold R. Espeleta, Board Member

Hon. Jovy Z. Banzon, Board Member (PCL President)

Hon. Romeo A. Austria, Board Member (FABC President)

Hon. Lovely Joy A. Poblete, Board Member (SKF President)

Hon. Feliciano G. Magay, Jr., Board Member (IPMR)

### ABSENT:

Hon. Antonino B. Roman III, J.D., LL.M., Board Member (On Leave)

### PROVINCIAL ORDINANCE NO. 30

Series of 2024

**AN ORDINANCE PROHIBITING THE DISCRIMINATION OF PERSONS RESTORED OF LIBERTY (PRL) AND PROVIDING CERTAIN PROTECTION AND MEASURES TO ENSURE THEIR SUCCESSFUL REINTEGRATION INTO THE SOCIETY.**

### AUTHORED AND SPONSORED BY:

HON. ROMANO L. DEL ROSARIO

**WHEREAS**, Article II, Section 11 of the 1987 Constitution provides that the "State values the dignity of every human person and guarantees full respect for human rights";

**WHEREAS**, Article III, Section 1 of the 1987 Constitution provides that "no person shall be denied of the equal protection of the laws";

**WHEREAS**, Article 26 of the International Covenant on Civil and Political Rights (ICCPR) promotes equality before the law of all persons without discrimination:

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Provincial Governor

**"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"**

*"All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."*

**WHEREAS**, Article 17 of the ICCPR states that no one shall be subjected to arbitrary or unlawful interference with his privacy, family, home, or correspondence, nor to unlawful attacks on his honor and reputation;

**WHEREAS**, the Bureau of Jail Management and Penology (BJMP) was created by virtue of R.A. 6975, otherwise known as the "Department of the Interior and Local Government Act of 1990," to enhance public safety by providing humane safekeeping and development to Persons Deprived of Liberty (PDL);

**WHEREAS**, the factors that contribute to the recidivism of former prisoners/detainees include discrimination, stigma, and non-employment. Thus, quality social and economic support after release would lessen the chances of recidivism;

**WHEREAS**, Section 17 (b) (2) (iv) of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991," mandates the local government units to provide "social welfare services which include programs and projects on child and youth welfare, family and community welfare, women's welfare, the welfare of the elderly and disabled persons; community-based rehabilitation programs for vagrants, beggars, street children, scavengers, juvenile delinquents, and victims of drug abuse; livelihood, and pro-poor projects; nutrition services; and family planning services";

**WHEREAS**, Section 468 of Republic Act No. 7160 empowers the Sangguniang Panlalawigan as the legislative body to enact ordinances, approve resolutions, and appropriate funds for the general welfare of the province and its inhabitants;

**NOW THEREFORE**, be it ordained as it is hereby ordained by the Sangguniang Panlalawigan of the Province of Bataan, in session assembled, that:

**Section 1. Short Title.** - This ordinance shall be known as the "Anti-Discrimination of Persons Restored of Liberty (PRL) Ordinance in the Province of Bataan".

**Section 2. Declaration of Policies and Objectives.** - It is the policy of the Provincial Government of Bataan (PGB) to value the dignity of every human person and guarantee full respect for human rights. It is likewise the policy of the PGB to promote social justice in all phases of local development.

Consistent with these state policies, the PGB shall serve the following objectives:

- a. To recognize and value the inherent dignity of every human person regardless of status in life;
- b. To contribute to the effective social reintegration of persons restored of liberty by ensuring that they are afforded due respect and treatment; and

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Provincial Governor

- c. To contribute to the whole-of-government approach of preventing criminality in the country.

**Section 3. Definition of Terms.** - For purposes of this ordinance, the following words and phrases shall mean:

- a. Discrimination - refers to any unjust, prejudicial, or unequal treatment of persons that affects their enjoyment of social, economic, and political rights.
- b. Persons Deprived of Liberty (PDL) - refers to individuals incarcerated in any municipal, city, or district jail or provincial jail either as a detainee or sentenced prisoner.
- c. Persons Restored of Liberty (PRL) - refer to individuals who were former PDLs or those validly released from any jail or prison pursuant to an order issued by the court or after full service of sentence. It includes persons undergoing non-institutional interventions such as parole, probation, and pardon.
- d. Business Establishment - a person, organization, or entity doing business whether for profit or not in the Province of Bataan.
- e. Employment opportunities - refer to the chances or possibilities for individuals to secure paid work or engage in income-generating activities. These opportunities take various forms, including full-time or part-time jobs, freelance work, self-employment, and temporary positions. They encompass a wide range of roles across different industries and sectors, allowing people to contribute to the economy, develop skills, and improve their livelihood.

**Section 4. Prohibited Acts.** - For purposes of this Ordinance, the following acts are prohibited:

- a. Discrimination before employment, such as refusal to hire because of the individual's previous criminal record; non-promotion, demotion, or reduction of salary solely on the basis of one's previous incarceration except when such refusal was made based on substantial distinctions relevant to and required by the employment;
- b. Discrimination against any individual with respect to his compensation, terms, conditions, or privileges of employment because of the individual's previous criminal record by a business establishment;
- c. Calling, branding, or labeling a PRL as "criminal", "excon" or other similar derogatory terms;
- d. Prohibition of a PRL from engaging or exercising his/her civil and political rights, such as the right to associate, the right to vote, and the right to avail social and government services when qualified; and
- e. Denial to enroll in primary, secondary, or tertiary education solely on the basis of previous incarceration.

**Section 5. Penalties.** - Any person found guilty of violating Section 4 hereof shall suffer the penalty of:

**FIRST OFFENSE:** a Fine of THREE THOUSAND PESOS (Php 3,000.00);

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**SECOND OFFENSE:** a Fine of FOUR THOUSAND PESOS (Php 4,000.00);

**THIRD AND SUBSEQUENT OFFENSE:** a Fine of FIVE THOUSAND PESOS (Php 5,000.00).

**Section 6. Repealing Clause.** – All ordinances, memorandums, orders, and/or resolutions inconsistent with this ordinance are hereby modified accordingly.

**Section 7. Separability Clause.** - Should any provision of this Ordinance or any part thereof be declared invalid, the other provisions, insofar as they are separable from the invalid ones, shall remain in full force and effect.

**Section 8. Effectivity.** – This Ordinance shall take effect following the completion of its posting and publication in accordance with Republic Act No. 7160 otherwise known as the Local Government Code of 1991.

UNANIMOUSLY ENACTED this 2<sup>nd</sup> day of December 2024.

**I HEREBY CERTIFY** to the enactment of the foregoing ordinance.



ATTY. MARK LORENZ C. QUEZON  
Secretary to the Sangguniang Panlalawigan



BENJAMIN C. SERRANO, JR.  
Board Member



MARIA MARGARITA R. ROQUE  
Board Member



JOMAR L. GAZA, JR.  
Board Member



MANUEL N. BELTRAN  
Board Member



ROMANO L. DEL ROSARIO  
Board Member



NOEL JOSEPH L. VALDECAÑAS  
Board Member



JORGE S. ESTANISLAO, M.D.  
Board Member



ANGELITO M. SUNGA  
Board Member



JOVY Z. BANZON  
Board Member  
(PCL President)



ROMAN HAROLD R. ESPELETA  
Board Member



JOSE ENRIQUE S. GARCIA III  
Provincial Governor



  
ROMEO A. AUSTRIA  
Board Member  
(FABC President)


  
LOVELY JOY A. POBLETE  
Board Member  
(SKF President)

  
FELICIANO G. MAGAY, JR.  
Board Member  
(IPMR)

ATTESTED:

  
MA. CRISTINA M. GARCIA  
Vice Governor & Presiding Officer

APPROVED:

  
JOSE ENRIQUE S. GARCIA III  
Provincial Governor  
Date: 12-12-2024





