





OFFICE OF THE SANGGUNIANG PANLUNGSOD

TANAUAN City of Colors

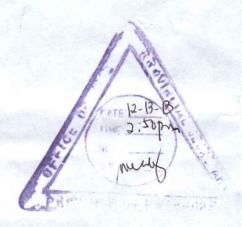
Website: www.tanauancity.gov.ph Tel no: (043) 778-5034/702-2483

1st Indorsement

December 13, 2013

Respectfully forwarded to the Honorable JOSE ANTONIO "MARK" LEVISTE, Vice Governor and Presiding Officer, Sangguniang Panlalawigan of Batangas, thru the Office of the Provincial Secretary, the herein contained Res. No. 13-204 of the Sangguniang Panlungsod of the City of Tanauan approving City Ordinance 10. 2013-14 entitled "AN ORDINANCE REQUIRING ALL GOVERNMENT AND PRIVATE AGENCIES/OFFICES, ESTABLISHMENTS AND INSTITUTIONS IN THE CITY OF TANAUAN TO ESTABLISH BREASTFEEDING CORNER/ROOM IN THEIR ESTABLISHMENTS/INSTITUTIONS AND PROVIDING THE MECHANISM FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF".

ATTY. JHOANNA C. CORONA City Vice Mayor and Presiding Officer







SANGGUNIANG PANLALAWIGAN NG BATANGAS

Office of the Provincial Secretary

Room 101, Gat Apolinario A. Mabini Building, Northwest Corner, Laurel Park, Capitol Compound, Batangas City 4200 SMART Mobile: 0929-344-3687 GLOBE Handyphone: 0916-722-8907 E-Mail Address: bdjnepales1959@yahoo.com Secretary's Office: (043) 723-0103 w/ Telefax Secretariat: (043) 980-5395



Benjamin de Kepales
Provincial Secretary

February 07, 2014

Ms. REGINA M. AALA Sangguniang Panlungsod Secretary Tanauan City

Dear Sir / Madame: Mahal na Ginoo / Binibini:

Warmest greetings! Maalab na pagbati!

We are cordially furnishing you, – for your information and/or appropriate action – copy of a passed / Magalang po namin kayong pinahahatiran para sa inyong kabatiran o karampatang hakbang, ng sipi ng ipinasa /

enacted Sangguniang Panlalawigan Resolution/Ordinance numbered and titled: isinabatas ng Sangguniang Panlalawigan na Kapasyahan/ Kautusang Pambayan na may bilang at paksa na:

RESOLUTION NO. 047 dated January 29, 2014

APPROVING RESOLUTION NO. 13-204/CITY ORDINANCE NO. 2013-14 OF TANAUAN CITY, BATANGAS DATED DECEMBER 02, 2013 ENTITLED "AN ORDINANCE REQUIRING ALL GOVERNMENT AND PRIVATE AGENCIES/OFFICES, ESTABLISHMENTS AND INSTITUTIONS IN THE CITY OF TANAUAN TO ESTABLISH BREAST FEEDING CORNER/ROOM IN THEIR OFFICES/ESTABLISHMENTS/ INSTITUTIONS AND PROVIDING THE MECHANISM FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF"

Please acknowledge receipt of the same. Thank you.

Mangyari pong ipabatid ninyo sa amin ang pagkakatanggap nito. Salamat po.

One with you in the service of the people, I remain, Kaisa ninyo sa paglilingkod sa mamamayan, ako'y nananatiling,

Very truly yours, Lubos na sumasainyo,

BENJAMÍN DJ. NEPALE Provincial Secretary (Panlalawigang Kalihim)

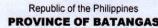
CF: (Binigyang sipi)

Ms. ROSITA MASANGKAY, Provincial Librarian All of Capitol Hill, Batangas City TRANSMITTAL NUMBER

iefd-069

DATE: February 07, 2014

GEMMA F. DIMAUNAHAN
Administrative Aide VI
(OPS Form 01- S.97 / Revised 2004)





Sangguniang Zanlalawigan ng Zatangas

Gat Apolinario M. Mabini Legislative Building, Northwest Corner, Laurel Park, Capitol Compound, Batangas City 4200

EXCERPT FROM THE MINUTES OF THE FOURTH REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN NG BATANGAS HELD ON WEDNESDAY, JANUARY 29, 2014, FROM 1:04 P.M. AT THE SALVADOR H. LAUREL SESSION HALL, APOLINARIO M. MABINI LEGISLATIVE BUILDING, CAPITOL SITE, BATANGAS CITY

PRESENT:

Hon. Roman H. Rosales

Hon. Ramon I. Bausas Hon. Dexter R. Buted

Hon. Mario Vittorio A. Mariño

Hon. Alfredo C. Corona

Hon. Divina G. Balba

Hon. Rowena S. Africa

Hon. Amado Carlos A. Bolilia IV

Hon. Mabelle D. Virtusio

Hon. Kathleen C. Briones

Hon. Herminigildo J. Dolor

Temporary Presiding Officer
Board Member- First District
Board Member- Second District
Board Member- Second District
Board Member- Third District
Board Member- Third District
Board Member- Fourth District
Board Member- Fourth District

Board Member- First District

Board Member- Fourth District Board Member- President of Provincial Councilors' League

Board Member- ABC President

ON OFFICIAL BUSINESS:

Hon. Jose Antonio S. Leviste II Hon. Amelia E. Alvarez

Vice Governor Board Member- Second District

ABSENT:

None.

RESOLUTION NO. 047 Year 2014

APPROVING RESOLUTION NO. 13-204/CITY ORDINANCE NO. 2013-14 OF TANAUAN CITY, BATANGAS DATED DECEMBER 02, 2013 ENTITLED "AN ORDINANCE REQUIRING ALL GOVERNMENT AND PRIVATE AGENCIES/OFFICES, ESTABLISHMENTS AND INSTITUTIONS IN THE CITY OF TANAUAN TO ESTABLISH BREAST FEEDING CORNER/ROOM IN THEIR OFFICES/ESTABLISHMENTS/INSTITUTIONS AND PROVIDING THE MECHANISM FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF"

WHEREAS, the Honorable Board Member Divina G. Balba, in her capacity as Chairperson of the Sangguniang Panlalawigan Committee on Women, Family & the Elderly presented on the floor in today's regular session, the hereinafter the joint committee report, to wit:

"COMMITTEE ON WOMEN, FAMILY & THE ELDERLY & COMMITTEE ON LAWS, RULES AND ORDINANCES

The Honorable JOSE ANTONIO S. LEVISTE Vice-Governor & Presiding Officer Sangguniang Panlalawigan This Province

The Committee on Women, Family and the Elderly, the Committee on Laws, Rules and Ordinances has the honor to submit this Committee Report for consideration and approval of this august body, viz;

Subject:

RESOLUTION NO. 13-204/ CITY ORDINANCE NO. 2013-14 OF THE CITY OF TANAUAN ENTITLED "AN ORDINANCE REQUIRING ALL GOVERNMENT AND PRIVATE AGENCIES/OFFICES, ESTABLISHMENTS AND INSTITUTIONS IN THE CITY OF TANAUAN TO ESTABLISH BREAST FEEDING CORNER/ROOM IN THEIR OFFICES/ESTABLISHMENTS/INSTITUTIONS AND PROVIDING THE MECHANISM FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF".

Background:

The said City Ordinance was referred to this committee during its regular session held on January 22, 2014 for review and recommendations pursuant to Republic Act 7160.

Findings:

After careful study of the subject matter, the Committee on Women, Family and the Elderly, and the Committee on Laws, Rules and Ordinances found out that the said ordinance was duly exercise of power, duties, and functions of the Sangguniang Panlungsod concerned declares its strong commitment and recognition to encourage, protect and support the practice of breastfeeding, to create an environment where basic physical, emotional and psychological needs of mothers and infants in the City of Tanauan.

Furthermore, the Resolution 13-204/City OrdinanceNo.2013-14 of Tanauan City, aims to promote Chapter 111, Section II of the Republic Act No. 10028 an Act Expanding the Promotion of Breastfeeding amending for the purpose Republic Act 7600 otherwise known as "An Act Providing Incentives to all governments and Private Health Institutions with Rooming-In and Breastfeeding Practices and for other purposes" also known as the "Expanded Breastfeeding Promotion Act of 2009".

Recommendations:

In view of the above findings, the Committee on Women, Family and the Elderly and the Committee on Laws, Rules and Ordinances respectfully recommends for the approval of **RESOLUTION 13-204 /CITY ORDINANCE NO. 2013-14** dated December 2, 2013 of Tanauan City, Batangas subject to existing laws, rules and regulations.

(SGD.) DIVINA G. BALBA

Chairperson - Committee on Women, Family and the Elderly

(SGD.)

MABELLE D. VIRTUSIO

Vice Chairperson

AMELIA E. ALVAREZ Member (SGD.) ROWENA S. AFRICA Member (SGD.) ROMAN H. ROSALES Member (SGD.) RAMON I. BAUSAS

Chairperson - Committee on Laws, Rules & Ordinances

JOSE ANTONIO S. LEVISTE II

Vice Chairperson

(SGD.)
ROMAN H. ROSALES
Member

(SGD.)

MABELLE D. VIRTUSIO

Member

(SGD.)
ALFREDO C. CORONA
Member"

WHEREAS, the foregoing report duly adopted and approved by the Board.

WHEREFORE, on motion of the Honorable Board Member Divina G. Balba, duly seconded by Honorable Board Members Mabelle D. Virtusio, Rowena S. Africa, Dexter R. Buted and Kathleen C. Briones,

RESOLVED, as it is hereby resolved, that the Resolution No. 13-204/City Ordinance No. 2013-14 of Tanauan City, Batangas dated December 02, 2013 entitled "AN ORDINANCE REQUIRING ALL GOVERNMENT AND PRIVATE AGENCIES/OFFICES, ESTABLISHMENTS AND INSTITUTIONS IN THE CITY OF TANAUAN TO ESTABLISH BREAST FEEDING CORNER/ROOM IN THEIR OFFICES/ESTABLISHMENTS/ INSTITUTIONS AND **PROVIDING** THE MECHANISM FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATION THEREOF", be APPROVED, as the same is hereby APPROVED, subject to existing laws, rules and regulations.

APPROVED: Wednesday, 29 January 2014 A.D. at Batangas City.

I HEREBY CERTIFY to the correctness of the foregoing Resolution No. 047, Year 2014 approved by the Sangguniang Panlalawigan ng Batangas during its Fourth Regular Session held on January 29, 2014.

BENJAMIN DJ. NEPALES
Provincial Board Secretary

ATTESTED:

ROMAN H. ROSALES

Board Member

Temporary Presiding Officer







Office of the Sangguniang Panlungsod

EXCERPTS FROM THE MINUTES OF THE 23rd REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF TANAUAN, BATANGAS HELD AT THE BULWAGANG FELIX E. EBRON SESSION HALL DR. SALVADOR "DOY" H. LAUREL MEMORIAL BUILDING, CITY OF TANAUAN, BATANGAS ON DECEMBER 2, 2013

PRESENT:

HON. ATTY. JHOANNA C. CORONA

Hon. Herman G. Trinidad,

Hon. BGen. Benedicto C. Corona (Ret.),

Hon. Dr. Marissa M. Tabing, Hon. Atty. Gileen V. Canobas

Hon. Atty. Epimaco R. Magpantay,

Hon. Marcial V. Goguanco Jr.,

Hon. Joseph M. Castillo,

Hon. Marcelo Eric O. Manglo,

Hon. Simeon M. Platon,

Hon. Angel V. Atienza,

Hon. Polmark L. Fajardo,

City Vice Mayor

and Presiding Officer

Member.

Member,

Member,

Member,

Member,

Wichioci,

Member,

Member,

Member,

Member,

Member, and

Member, (ABC President).

ABSENT:

None.

Res. 13-204. - APPROVING CITY ORDINANCE NO. 2013-14

WHEREAS, Republic Act No. 10028, an Act Expanding the Promotion of Breastfeeding, Amending Republic No. 7600 aims to encourage, protect and support the practice of breastfeeding;

WHEREAS, it is also the objective of this Act to protect working women by providing safe and healthful working conditions, taking into account their maternal functions, and such facilities and opportunities that will enhance their welfare and enable them to realize their full potential in the service of the nation;

WHEREAS, it also aims to encourage breastfeeding and shall provide specific measures to enable working mothers to continue expressing their milk and/or breastfeeding their infants or young children;

WHEREAS, this Act requires the setting up of lactation stations and provision of lactation breaks in workplaces;

NOW, THEREFORE, upon the joint recommendation of the Committee on Laws, Rules and Privileges and the Committee on Health and Social Public Welfare and on motion of Councilor Atty. Epimaco R. Magpantay, seconded by Councilor Dr. Marissa M. Tabing, Be It Unanimously Resolved, to approve, as the following Ordinance is hereby approved:

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Office of the Sangguniang Panlungsod

CITY ORDINANCE NO. 2013-14

AN ORDINANCE REQUIRING ALL GOVERNMENT AND PRIVATE AGENCIES/OFFICES, ESTABLISHMENTS AND INSTITUTIONS IN THE CITY OF TANAUAN TO ESTABLISH BREASTFEEDING CORNER/ROOM IN THEIR OFFICE/ESTABLISHMENTS/INSTITUTIONS AND PROVIDING THE MECHANISM FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF

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

Section 1. This Ordinance shall be known as the "Tanauan City Breastfeeding Center Ordinance".

Section 2. The World Health Organization's experts have identified breastfeeding as the most cost-effective measure to prevent infant and young child deaths. The Philippines in its campaign to create an environment where basic physical, emotional, and psychological needs of mothers and infants are fulfilled through the practice of rooming-in and breastfeeding will positively reduce child mortality by two-thirds by 2015.

Section 3. DOH Administrative Order (AO) 2005-0014 or the "National Policies on Infant and Young Child Feeding" which is supported by the National Plan of Action for Infant and Young Child Feeding, provides guidelines for improving the survival of infants and young children by improving their nutritional status, growth and development through optimal feeding anchored on exclusive breastfeeding, early initiation within one hour after birth, provision of timely, adequate and safe complementary foods at six months while continuing breastfeeding up to two years and beyond.

Section 4. Under Republic Act No. 10028, an Act Expanding the Promotion of Breastfeeding, amending Republic Act No. 7600, otherwise known as "An Act Providing Incentives to all Government and Private Health Institutions with Rooming-In and Breastfeeding Practices and for other purposes; thus otherwise known as the Expanded Promotion of Breastfeeding Act of 2009, requires all private and public institutions, medical and non-medical, to set up lactation facilities in the workplace with appropriate lactation program to allow employees to express their milk that would ensure optimum health and proper nutrition of their infants.

Section 5. Memorandum Circular No. 2011-54 from the Department of Interior and Local Government emphasizes the implementation and monitoring of the National Policy on Breastfeeding and setting-up of workplace lactation program.

Section 6. Breastfeeding is a gender-related concern and should be incorporated in the GAD plan of all government and private agencies and offices and shall allocate fund for its implementation.

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Section 7. Scope. - This Ordinance shall apply to all government offices/agencies and private establishments and institutions operating within the territorial jurisdiction of the City of Tanauan.

Section 8. Facility. - It shall be the duty of the employer to provide a breastfeeding room in their office/establishments to allow mothers to express their breast milk for giving to infant upon reaching their home. And to allow mothers/customers who visit an office or establishment to breastfeed their babies with the use of the said facility.

Section 9. Exemption. - The City of Tanauan shall formulate the necessary rules and regulations to exempt business establishments based on the following:

- a) Establishments with 4x4 square meters or less. The City Engineering Office shall determine if the establishment has enough space for the lactation room;
- Capitalization of less than 500,000php based on DTI Registration/SEC and CDA Registration and other legal documents to support the amount declared;
- c) Caters only 50 customers or less a day.
- d) Business establishments operating outside urban barangays of Poblacion 1-7, Darasa and Sambat. However, all companies and business establishments within the Industrial Parks are covered by this ordinance.
- e) Gasoline stations
- f) Small scale business (sari-sari store, eatery/carinderia)
- g) Hardwares, wine house, construction firms, general engineering
- h) Junk shops
- i) Advertising services/agencies, brokering offices, business management firms/offices
- j) Funeral parlors
- k) Appraising offices
- 1) Communication/wire services
- m) Computer shops
- n) Manpower agencies
- o) Freight services
- p) Massage clinics, sauna

The City Engineering Office, City Health Office and Business Permits and Licensing Office shall compliment in determining the above criteria and assess if the business establishment is qualified to avail the exemption.

Upon recommendation of such offices, the City Mayor may grant exemption; however if the business expands its operations over the years, such exemption shall be automatically lifted and the establishment/firm shall be automatically covered by this Ordinance.

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Section 10. Lactation Period. - Nursing employees are entitled to break intervals in addition to the regular time-off for meals to breastfeed or express milk. The employees shall notify their immediate supervisor before leaving their station. These intervals which include the time it takes an employee to get to and from the workplace lactation station shall be counted as compensable hours worked. The DOLE may adjust the same but in no case shall such intervals be less than 40 minutes for every 8-hour working period. Duration and frequency of breaks may be agreed upon by employees and employers with the minimum being 40 minutes. Usually, there could be 2-3 breast milk expressions lasting to 15-30 minutes within a workday.

Section 11. Minimum Requirement. - The breastfeeding room shall be private and comfortable to ensure that the health and safety of mothers and their babies are observed. At least 4x4 feet dimensions. Appropriate breast milk storage, hand washing facility, small table and comfortable seats shall be provided by the employer. Electrical outlet for plugging in a breast pump must be installed.

The minimum requirement provided on the setting up of a "Mother-Baby Friendly Workplace" shall be observed. Proper use and maintenance of the facility shall also be observed at all times. The use of the breastfeeding facility shall be free of charge.

The breastfeeding room shall not be located in the toilet/comfort room or place near the waste disposal area.

In addition, the establishments shall take strict measures to prevent any direct or indirect promotion, marketing, and/or sales of infant formula and/or breast milk substitutes within the lactation stations, or in any event or circumstances which may be conducive to the same, to effect exclusive breastfeeding up to six months and the introduction of appropriate complementary food from six months while continuing to breastfeed for two years and beyond.

Section 12. Access to Breastfeeding Information. - Employers shall ensure that staff and employees shall be made aware of the Act and IRR. All pregnant employees shall be provided with information on how they can combine breastfeeding and work once they return to work. As such, employers are encouraged to link with the Department of Health, NGO's and professional groups thru the local government unit in their area to avail of the breastfeeding/IYCF program for working mothers as part of their human resource development program.

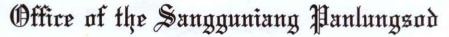
Regular breastfeeding education should be provided for pregnant women focusing on capacitating them with skills and knowledge necessary to continue breastfeeding/expressing breast milk after returning to work. The information that will be provided to mothers should include manual breast milk expression, cup feeding, handling, storage, and transporting of expressed breast milk.

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The company should organize, initiate and conduct adequate orientation on lactation management, support program for nursing employees.

With the enabling support of the City Health Office, local barangays are encouraged to establish community breastfeeding support groups composed of its willing and trained constituents which shall provide assistance to pregnant and lactating women whenever related problems may arise.

MECHANISM FOR ENFORCEMENT

Section 13. Compliance with this ordinance shall be a requirement for the granting and/or renewal of business licenses and permits. For this purpose, the Business Permits and Licensing Office shall deny new and/or renewal applications for business licenses and permits without the following:

a) Certification by the City Health Office on the compliance with this ordinance.

Section 14. Monitoring. - The City Health Office and the Business Permits and Licensing Office are hereby authorized to conduct regular visitation and inspection of the breastfeeding room to ensure faithful compliance of this ordinance.

In coordination with other agencies involved in the implementation of the Act, the City Health Office shall adopt such appropriate monitoring guidelines for the national, regional and provincial levels. It shall likewise provide regular training on monitoring compliance and enforcement on violations of the Act for all persons engaged in or volunteering to help in the monitoring and implementation of the Act. The Department may request for the assistance of non-government organizations, civil society and other concerned agencies in order to better monitor the implementation of these rules.

The local government shall create a monitoring team composed of the following:

- a) City Health Office
- b) Business Permit and Licensing Office
- c) Non-Government Organizations
- d) Civil Societies

The Monitoring Team shall have the following functions:

- a) Monitor compliance as well as problems encountered in the implementation of the Act.
- b) Review/act on reports of violations of the provisions of the Act.
- c) Verifies reports of violations of the Act
- d) Recommend sanctions or punitive actions for violations of the Act
- e) Submit regular reports on the status of the implementation of the Act

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Office of the Sangguniang Panlungsod

Section 15. Penalties. - Any person, natural or juridical, found guilty of violating any of the provisions hereof shall be imposed a fine of Five Thousand Pesos (P5,000.00) for the first offense; Fine of P5,000.00 and revocation/cancellation of business permits and license to operate for second offense.

Section 16. Separability Clause. - Should any provision hereof be declared unconstitutional or ultra vires, the others not so declared shall remain in full force and effect.

Section 17. Repealing Clause. - All other provisions of existing ordinances, resolutions and executive issuances inconsistent with this ordinance are hereby repealed, amended or modified accordingly.

Section 18. Declaration of Intent to Conform with Law. This Ordinance is subject to national law, rules and regulations governing its subject matter.

Section 19. Effectivity. - This ordinance shall take effect fifteen days after the same has been published in a newspaper of general circulation in Tanauan City.

ENACTED this 2nd day of December 2013 at the City of Tanauan.

Certified Correct:

REGINA M. AALA
Secretary to the Sangguniang Panlungsod

Attested:

ATTY. JHOANNA C. CORONA
City Vice Wayor and Presiding Officer

Approved: 1

12-12-13

(Date)

ANTONIO C. HALILI

City Mayor

People's Courier, Inc.,

(Sun. Star People's Courier) 157 D. Silang S., Batangas City Tel. No. (043) 723-8416 Telefax No. (043) 723-8995

No. 020558

Affidavit of Publication

(REPUBLIC OF THE PHILIPPNES) **BATANGAS CITY**

) S.S

I. ELENITA G. YACO, of legal age, resident of 386 Int P. Burgos St. Batangas City, after being duly sworn to in accordance with law, depose and say; That the undersigned is the Business Manager of PEOPLE'S COURIER (Sun.Star People's Courier), a newspaper of general circulation in the Province of Batangas and key cities of CALABARZON edited at BATANGAS CITY.

That judicial order/notice re:

Publication re: Res. 13-193 - Approving City

Ordinance 2013-13 of Tanauan City

which is hereby attached, was published in the said paper Feb. 10, 2014.

Affiant

SSPC ID NO. 012

Business Manager

Designation

SUBSCRIBED and sworn to before me this 10 February , 2014 at Batangas City Affiant exhibiting to the his/her Social Security System ID no. 04-022\$682-5

ARIEL M. REYES

Notary Public

My Commission Expires on

December 31, 2014

PTR No. 13876123/Jan. 2, 2014

Batangas City Roll No. 45774

Doc No. 3 Page No. 17 Book No. XLI-A

Series of 2014

People's Courier, Inc.,

(Sun. Star People's Courier) 157 D. Silang S., Batangas City Tel. No. (043) 723-8416 Telefax No. (043) 723-8995

No. 020558

Affidavit of Publication

(REPUBLIC OF THE PHILIPPNES) BATANGAS CITY

) S.S

I, <u>ELENITA G. YACO</u>, of legal age, resident of 386 Int P. Burgos St. Batangas City, after being duly sworn to in accordance with law, depose and say; That the undersigned is the <u>Business Manager</u> of PEOPLE'S COURIER (Sun.Star People's Courier), a newspaper of general circulation in the Province of Batangas and key cities of CALABARZON edited at BATANGAS CITY.

That judicial order/notice re:

Publication re: Res. 13-193 - Approving City

Ordinance 2013-13 of Tanauan City

which is hereby attached, was published in the said paper Feb. 10, 2014.

ELENITA G. YACO

Affiant

SSPC ID NO. 012

Business Manager Designation

SUBSCRIBED and sworn to before me this 10th day of February, 2014 at Batangas City Affiant exhibiting to me his/her Social Security System ID no. 04-0223682-5

ATTY. ARIEL M. REYES

Notary Public

My Commission Expires on

December 31, 2014

PTR No. 13876123/Jan. 2, 2014

Batangas City Roll No. 45774

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