

Item No.: 15
Date: 03 2024 SEP

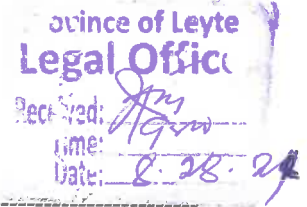


Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
August 22, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 2024-02 of the Sangguniang Bayan of Albuera, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 2024-02 entitled: “An Ordinance Establishing and Maintaining the Migrant Advisory and Information Network (MAIN) Desk in the Municipality of Albuera, Leyte.

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the Ordinance is within the powers provided under Section 16¹ of the Local Government Code of 1991 (R.A 7160) and in consonance with Section 144(f)² of the implementing Rules and Regulations of Republic Act 11862 otherwise known as the Expanded Anti- Trafficking in Persons Act of 2022. Hence, recommending the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer

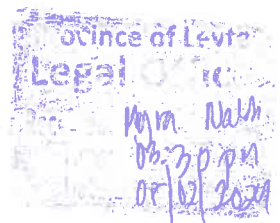
¹ Section 16 Every local government unit shall in the exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of general welfare.

² Section 144(f) Local government unit shall develop and implement programs to prevent trafficking in persons act (TIP) monitor and document TIP cases, and provide support to trafficked persons including their subsequent rehabilitation and reintegration (f) undertake an information campaign against TIP through the establishment of the Migrants Advisory and Information Network (MAIN) desk in municipalities, or provinces in coordination with the DILG, PIA, CFO, NGOs and other concerned agencies. xxx

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
02 August 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 2024-02** of the **MUNICIPALITY OF ALBUERA, LEYTE**, entitled: An Ordinance Establishing and Maintaining the Migrant Advisory and Information Network (MAIN) Desk in the Municipality of Albuera, Leyte.


FLORINDA JILL S. UYVICO
Secretary to the Sangguniang



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN SECRETARIAT

TRANSMITTAL

August 1, 2024

Hon. Leonardo Javier, Jr.
Vice-Governor
Province of Leyte
Palo, Leyte



Thru: Florinda Jill S. Uyvico
Secretary to the Sanggunian
Province of Leyte

Dear Vice Governor Javier:

Respectfully transmitting herein **Ordinance No. 2024-02**, "An Ordinance establishing and maintaining the Migrant Advisory and Information Network (MAIN) Desk in the Municipality of Albuera, Leyte."

Please acknowledge receipt hereof.

Very truly yours,


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 102ND REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD AT THE SB SESSION HALL OF ALBUERA, LEYTE ON JULY 8, 2024

ORDINANCE NO. 2024-02

AN ORDINANCE ESTABLISHING AND MAINTANING THE MIGRANT ADVISORY AND INFORMATION NETWORK (MAIN) DESK IN THE MUNICIPALITY OF ALBUERA, LEYTE



INTRODUCED BY: HON. MARY JANE B. CAGULA
SPONSORED BY: COMMITTEE ON HEALTH & SOCIAL SERVICES, COMMUNITY DEVELOPMENT, ANTI-ABUSE & GENDER & DEVELOPMENT

(Hon. Leny S. Bilbao)
(Hon. Ana Liza E. Dela Victoria)
(Hon. Bernard Joey D. Mestula)

WHEREAS, Republic Act No. 9208 otherwise known as the Anti-Trafficking in Persons Act enacted in 2003 declared that the State values the dignity of every human person and guarantees the respect of individual rights;

WHEREAS, in the same law, it was also declared that the State recognizes that equal rights and inherent human dignity of women and men as enshrined in the United Nations Universal Declaration on Human Rights, United Nations Convention on the Rights of the Child, United Nations Convention on the Protection of Migrant Workers and their Families, United Nations Convention Against Transnational Organized Crime including its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and all other relevant and universally accepted human rights instruments and other international conventions;

WHEREAS, the Department of the Interior and Local Government (DILG) issued Memorandum Circular No. 2005-26, dated March 14, 2005 on the strict implementation of Republic Act No. 9208 to all levels of local governments, DILG Field Offices, and other concerned offices;

WHEREAS, Memorandum Circular No. 2006-172 dated December 12, 2006 was also issued to further strengthen LGU's efforts against human trafficking;

WHEREAS, the Circular mandates the LGUs, among others, to sustain the Migrant Advisory and Information Network (MAIN) Desk;

WHEREAS, Section 144 of the IRR of RA 11862 otherwise known as The Expanded Anti- Trafficking in Persons Act of 2022, mandates LGUs to undertake an information campaign against trafficking in persons through the establishment of the MAIN Desks in municipalities or provinces in coordination with the DILG, PIA, CFO, NGOs and other concerned agencies.

NOW THEREFORE, be it ordained by the Sangguniang Bayan of Albuera, Leyte in session assembled to enact Ordinance No. 2024-02, to wit:

ANTHONY V. BARTIE

LENY S. BILBAO

ANA LIZA E. DELA VICTORIA

ALBERTO S. SUMALAG

BERNARD JOEY D. MESTULA

PAMELA M. BOHOLST

SIXTO B. DELA VICTORIA

ROXANNE R. ZALDIVAR

MARY JANE B. CAGULA

MARVIN P. MAGNO

PROTACIO RIZAL M. CENIZA

MANUEL E. BANTASAN

SECTION 1. SHORT TITLE. - This Ordinance shall be known as "An Ordinance Establishing and Maintaining the Migrant Advisory and Information Network (MAIN) Desk in the Municipality of Albuera, Leyte.

SECTION 2. ORGANIZATION. The Migrant Advisory and Information Network Desk (MAIN) is hereby lodged with the Office of An Executive Order shall be issued by the Local Chief Executive to identify specific personnel who will serve as the MAIN Desk Officer of the LGU.

SECTION 3. FUNCTIONS. To ensure an integrated and concerted effort, the MAIN Desk in addition to its defined functions of generating, maintaining, and providing information related to human trafficking (based on DILG Memorandum Circular No. 2005-26), in coordination with concerned local offices, undertake the following related activities:

1. Preparation of referrals of Mail Order Bride cases;
2. Documentation of cases of trafficking and illegal recruitment;
3. Establishment and partnership with Local Public Employment Service Office (PESO) in generating information of illegal recruiter with the Municipal Social Welfare and Development Office on the provision of data on victims/affected family for livelihood assistance;
4. Develop a system for accreditation among NGOs for purposes of establishing centers and programs for intervention in various levels of the community;
5. Render regular periodic report on the accomplishments, issues and concerns during quarterly meetings of the Local Committee on Anti-Trafficking and Violence Against Women and their Children (LCAT-VAWC);
6. Establishment of MAIN Social Media Page and interconnected with concerned agencies and non-government organizations;
7. Development and dissemination of IEC materials on cases of trafficked persons/children;
8. Intensify information dissemination among schools and barangays of the LGU; and 9. Maintaining partnership with the local media and other partner organizations on campaign against human trafficking.

SECTION 4. FUNDING. Funds necessary to operationalize and fund projects, programs, activities, and services related to the MAIN shall be charged against and to be reflected in its Annual Operations Plan & Budget.

SECTION 5. REPEALING CLAUSE. All ordinances, rules and regulations or parts thereof in conflict with this Ordinance are hereby repealed or modified accordingly.

SECTION 6. SEPARABILITY CLAUSE. If any provision or part hereof is held invalid or declared unconstitutional, the other provisions which are not affected thereby shall continue to be in full force and effect.

SECTION 7. EFFECTIVITY CLAUSE. – The Ordinance shall take effect after posting in three (3) conspicuous places in the Municipality of Albuera.

APPROVED.

ANTHONY B. BARTE

LENNY S. BILBAO

ANA LIZA E. DELA VICTORIA

ALBERTO D. SUMALJAG

BERNARD JOE D. MESTULA

PAVELA M. BOHOLST

SIXTO B. DELA VICTORIA

ROXANNE R. ZALDIVAR

MARY JANE DELA GAGULA

MARJUN P. MAGNO


PROTACIO RIZALITO M. CENIZA

JANUEL E. BANTASAN

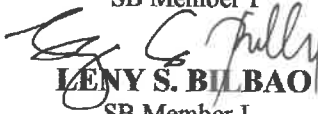
ENACTED BY THE SANGGUNIANG BAYAN OF ALBUERA, LEYTE TERM 2022 – 2025 DURING ITS 102nd REGULAR SESSION HELD ON JULY 8, 2024 AT THE SB SESSION HALL, ALBUERA, LEYTE.

ATTESTED AND CERTIFIED TO BE DULY ADOPTED:



MARY JANE B. CAGULA
SB Member I



ANTHONY V. BARTE
SB Member I


MARJUN P. MAGNO
SB Member I


LENY S. BILBAO
SB Member I


PROTACIO RIZALITO M. CENIZA
SB Member I



ANA LIZA E. DELA VICTORIA
SB Member I


MANUEL E. BANTASAN
SB Member I



ALBERTO C. SUMALJAG
LnB President/Ex-Officio Member


BERNARD JOEY D. MESTULA
PPSK President/Ex-Officio Member

I HEREBY CERTIFY that this is a true and accurate copy of the Ordinance duly enacted by the Sangguniang Bayan of Albuera, Leyte Term 2022 – 2025 on its 102nd Regular Session on July 8, 2024 at the SB Session Hall, Albuera, Leyte.


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I


ROXANNE R. ZALDIVAR
SB Member I/Temporary Presiding Officer

APPROVED:

SIXTO B. DELA VICTORIA
Municipal Mayor
Date: _____



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera

OFFICE OF THE SANGGUNIANG BAYAN
ATTENDANCE SHEET

102nd REGULAR SESSION
of the Sangguniang Bayan

SB Session Hall
Venue

July 08, 2024

No.	Name & Designation	Signature
1	Hon. IMELDA A. FADUL Mun. Vice Mayor / Presiding Officer	ON LEAVE
2	Hon. ROXANNE R. ZALDIVAR SB Member	
3	Hon. MARY JANE B. CAGULA SB Member	
4	Hon. MARJUN P. MAGNO SB Member	
5	Hon. PROTACIO RIZALITO M. CENIZA SB Member	
6	Hon. MANUEL E. BANTASAN SB Member	
7	Hon. ANTHONY V. BARTE SB Member	
8	Hon. LENY S. BILBAO SB Member	
9	Hon. ANA LIZA E. DELA VICTORIA SB Member	
10	Hon. ALBERTO C. SUMALJAG ABC President, Ex-Officio	
11	Hon. BERNARD JOEY D. MESTULA SK Federation President, Ex-Officio	

CERTIFICATION

I hereby certify that those who have affixed their signatures above, have actually attended the 102nd Regular Session of the Sangguniang Bayan of Albuera, Leyte, held at the SB Session Hall on July 08, 2024

PAMELA M. BOHOLSTY
Secretary to the Sangguniang Bayan



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Albuera
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OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO THE CONCERNED:

THIS IS TO CERTIFY that **ORDINANCE NO. 2024-02**, "An Ordinance establishing and maintaining the Migrant Advisory and Information Network (MAIN) Desk in the Municipality of Albuera, Leyte," has been posted in the bulletin board of the Sangguniang Bayan of Albuera, Leyte on July 22, 2024 and shall remain posted until a period of two (2) consecutive weeks thereof.

ISSUED this 24th day of July 2024 at Albuera, Leyte, Philippines.


PAMELA M. BOHOLST, MPA
Secretary to the Sangguniang Bayan I