



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE

Item No.: 20
Date: 11 2025 FEB

Legal Officer
Date: 10/26/25

JAN 27 2025
PROVINCE OF LEYTE

2nd INDORSEMENT
January 9, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 08, S. 2024 of the Sangguniang Bayan of Villaba, Leyte.

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

- Ordinance No. 08, S. 2024 entitled: **“An Ordinance prohibiting acts of Online Sexual Abuse and Exploitation of Children, etc.”**

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)(1)¹ of the Local Government Code of 1991 (R.A 7160) in consonance with RA No. 7610² and RA No. 11930³. Hence, we recommend for 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 the 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

Provincial Legal Officer

¹ (a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, and shall:

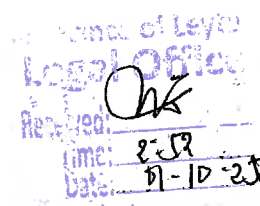
(1) Approve ordinances and pass resolutions necessary for an efficient and effective municipal government

² "Special Protection of Children Against Abuse, Exploitation and Discrimination Act."

³ "Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act."


Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
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OFFICE OF THE SANGGUNIANG PANLALAWIGAN



1ST INDORSEMENT
10 January 2025

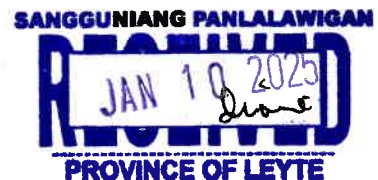
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 08, S. 2024** of the **Municipality of Villaba, Leyte**, entitled: **An Ordinance instituted to prevent acts of Online Sexual Abuse and Exploitation of Children (OSAEC) and the Anti-Child Sexual Abuse and Exploitation Materials (ACSAEM), exacting penalties for violations thereof and providing immediate equitable supports to survivors.**


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



January 10, 2025

THE SANGGUNIANG PANLALAWIGAN MEMBERS
New Provincial Government Complex
Campetic, Palo, Leyte



Thru: **LEONARDO M. JAVIER, JR.**
Vice Governor/Presiding Officer

Hon. Sangguniang Panlalawigan Members:

We respectfully transmit herewith fifteen (15) copies of:

MUNICIPAL ORDINANCE NO. 8, S-2024 - entitled: "AN ORDINANCE INSTITUTED TO PREVENTS ACTS OF ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND THE ANTI-CHILD SEXUAL ABUSE AND EXPLOTATION MATERIALS (ACSAEM) IN THE MUNICIPALITY OF VILLABA, LEYTE, EXACTING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING IMMEDIATE EQUITABLE SUPPORTS TO SURVIVORS,"

for your review and approval.

Best regards.

Very truly yours,


MC QUIRIE P. UMPAD, J. D.
Secretary to the Sangguniang Bayan

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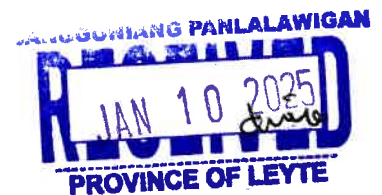
1. LOCAL CHIEF EXECUTIVE OFFICE
 2. MUNICIPAL TREASURY OFFICE
 3. MUNICIPAL ACCOUNTING OFFICE
 4. MUNICIPAL BUDGET OFFICE
- Local Government Unit
Villaba, Leyte



MUNICIPAL ORDINANCE NO. 8, S. 2024

AN ORDINANCE INSTITUTED TO PREVENT ACTS OF ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND THE ANTI-CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (ACSAEM) IN THE MUNICIPALITY OF VILLABA, LEYTE, EXACTING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING IMMEDIATE EQUITABLE SUPPORT TO SURVIVORS

**Introduced by: HON ROGELIO J. BAAY
SB Member**



PREFATORY STATEMENTS

The 1987 Philippine Constitution, through Section 3, (2), Article XV, provides that the State shall defend the rights of children to assistance, including proper care and nutrition, and protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development;

Republic Act. No. 11930, the "Anti- Online Sexual Abuse or Exploitation of Children (ASAEM) and Anti- Child Sexual Abuse or Exploitation Materials (ACAEM) Act", declares It a policy of the state to provide special protection to children from all forms of sexual violence, abuse and exploitation especially those committed with the use of Information and Communication Technology (ICT), provide sanctions for their commission and carry out programs for the prevention, deterrence and intervention in all situations of online sexual abuse and exploitation of children;

The internet has been a positive catalyst of innovation, education and economic growth; however, it has also enabled those who would harm children by making it easier for perpetrators to produce, access and share sexual abuse materials, find like- minded offenders and reduce their risk of detection;

The Philippine kids Online found that 90% of Filipino children can access the internet whenever they want or need to and 59% connect to the internet without supervision;

In 2018 alone, 600,000 sexualized photos of Filipino children were bartered and traded, making the Philippines as one of the top global sources of child sexual and abuse materials;

 NOEL ALBERT B. INOPIQUEZ Sangguniang Bayan Member / Temporary Presiding Officer	 JULIA KATRINA L. CON-UI Sangguniang Bayan Member	 MERIAM P. LUMPAD Sangguniang Bayan Member	 VIOLETA T. SUMAPIIG Sangguniang Bayan Member
 FELIPE S. PALLAS, SR. Sangguniang Bayan Member	 RODOLFO M. COMBRA Sangguniang Bayan Member	 ELLY MARIA N. ENEVOLDSEN Sangguniang Bayan Member	 ROGELIO J. BAAY Sangguniang Bayan Member
 RILE CHRISTIAN G. VELOSO SK Pederasyon President	 MC QUIRIE P. LUMPAD, J.D. Secretary to the Sangguniang Bayan	 ENGR. CARLOS G. VELOSO Municipal Mayor	

Under Section 458, (a), (5), (XIX) of the Local Government Code of 1991 (R. A. 7160), the Sangguniang Bayan is mandated to provide care for abandoned minors, abused children and other needy and disadvantaged youth below eighteen (18) years old;

It is deserving (and worthy of belief) that the application of forcible legislative measures in support of online safety of children in this municipality will give vent to the protection and development of the individual child,

NOW, THEREFORE, in view of the above-mentioned basic principles and on motion by the Hon. Rogelio J. Baay, Chairman, SB Committee on Laws and Rules, duly seconded en masse, Be it

ORDIANED, As the Sangguniang Bayan in regular session assembled hereby **ORDAINED,** that:

Section 1. SHORT TITLE. – This enactment shall be known as “An Ordinance Instituted to Prevent Acts of Online Sexual Abuse and Exploitation of children and the Anti-Child Sexual Abuse or Exploitation Materials in the Municipality of Villaba,”

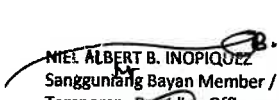
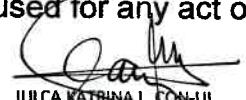

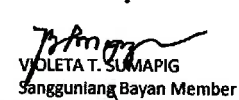

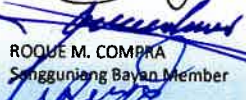
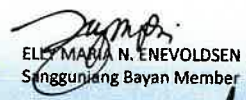
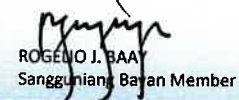

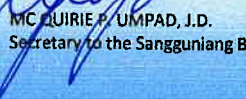

Section 2. SCOPE. -This Ordinance shall cover all households, internet and allied business establishments, private firms, government agencies and facilities within the territorial jurisdiction of this municipality.

Section 3. DECLARATION OF POLICIES. – Listed hereunder are the following policies declared in this Ordinance, to wit:

- a. Each child is protected against the ill-effects of and the dangers of unsafe internet use and prevented online abuse and sexual exploitation;
- b. Families, parents and guardians and their children shall be educated and well-informed about positive parenting, specifically, guiding their children on the use and the adoption of internet or online-offline safety behaviors;
- c. Persons in government offices and other public and private institutions are educated on OSAEC as it evolves and how to respond to technology-based trafficking in persons and are capacitated according to their mandates; and
- d. Online businesses and other allied services/enterprises such as, but not limited to, data providers, money transfers, IT equipment providers and internet installer shall be compliant with existing laws provisions in ensuring online safety.

Section 4. DEFINITION OF TERMS. – The terms, after this in sequence as used in this Ordinance, shall mean:

- a. **“CHILD”** refers to a person below eighteen (18) years of age or over but is unable to fully take care of himself/herself from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition.
- b. **“Child sexual abuse”** refers to any form of communication through any platform or format, or any physical interaction between a child and any person when the child is being used for any act or activity inducing sexual stimulation or for the

 NIEL ALBERT B. INOIQUEZ Sangguniang Bayan Member / Temporary Presiding Officer	 JULCA KATRINA L. CON-UI Sangguniang Bayan Member	 MERIAM P. UMPAD Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member
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purpose of sexual gratification or in pursuit of the desire to have carnal knowledge of the child, regardless of the gender of the perpetrator or the victim, or the consent of the victim and which makes the child neglected, abused and exploited from such occurrence.

c. **“Child sexual exploitation”** refers to any of the following acts even if consent appears to have been granted by the child:

- c.1 Child sexual abuse with consideration whether monetary or non-monetary favor, or benefit in exchange for the opportunity to perform such abusive or exploitation act;
- c.2 Actual sexual intercourse with a child or children with or without consideration;
- c.3 Employing fraud, machination, undue influence, intimidation, threat or deception by any person to commit sexual abuse or sexual intercourse with a child or children; or
- c.4 Any other similar or analogous acts related to child abuse, cruelty, or exploitation or to be responsible for other conditions prejudicial to the development of the child.

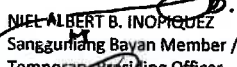
d. **“Child Sexual Abuse or Exploitation Material (CSAEM) or Child Sexual Abuse Material (CSAM)”** refers to any representation, whether offline, or by, through or with the use of ICT, by means of visual, video, audio, written, or any combination thereof, by electronic, digital, optical, magnetic or any other means related and/or similar to the foregoing, of a child engaged or involved in real or simulated sexual activities, or depicting acts of sexual abuse or exploitation of a child as a sexual object. It shall also include materials that focus on the genitalia or other body parts of a child. For purposes of this Ordinance, CSAEM may interchangeably be referred to as CSAM.

e. **“Grooming”** refers to predatory conduct, act, or pattern of acts, of establishing a relationship of trust or emotional connection by another, with a child or someone who is believed to be a child, and/or the family, guardian and/or caregivers, whether in person or via electronic and other similar devices, for the purpose of perpetrating sexual abuse or exploitation or the production of any form of CSAEM.

f. **“Internet address”** refers to a website, bulletin board service, internet chat room or news group, or any other internet or shared network protocol address.

g. **“Internet café/kiosk/shop”** refers to an establishment that offers or proposes to offer services to the public for the use of its computer/s or computer system for the purpose of accessing the internet computer games or related services.

h. **“Internet content host”** refers to a person who hosts or who proposes to host internet content in Villaba


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Sangguniang Bayan Member

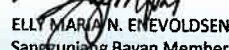

RILE CHRISTIAN G. VELOSO
SK Pederasyon President


JULIA KATRINA L. CON-UI
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ROQUE M. COMPRA
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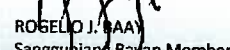

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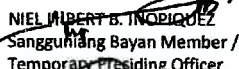

ELLY MARIA N. ENEVOLDSEN
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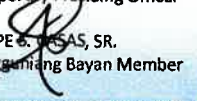

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Municipal Mayor


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Sangguniang Bayan Member


ROGELIO J. BAA
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- i. **“Internet and Communications Technology Service Provider (ICT SP)”** is a person or entity that captures, transmits or displays or any combination thereof of voice, image, text or data and information electronically for the recording, processing, monitoring or transmission of voice or data, image or text or any communication thereof for use in data processing, transmission, duplication, text processing, document reproduction or transmission, record-keeping or retrieval, broadcasting or transmission for entertainment or information purposes of voice, image or text or any combination thereof and the provision of service relating to these.
- j. **“Live Streaming of Child Sexual Abuse”** refers to an act where there is a transmission of a child sexual abuse to a viewer/s in real time through “streaming” over the internet. The abuse video is transmitted instantaneously to the viewer who can watch, engage, and even perform direct abuse while it is occurring. This can take both commercial and non-commercial forms.
- k. **“Luring”** refers to the act of communicating, by means of a computer system or other similar mediums, with a child or someone who the offender believes to be a child for the purpose of facilitating the commission of sexual activity or production of any form of CSAEM.
- l. **“Online Sexual Abuse and Exploitation of Children (OSAEC)”** refers to the usage of digital or analog communication and ICT as means to abuse and exploit children sexually, which includes cases in which contact child abuse or exploitation offline is combined with an online component. This can also include the production, dissemination, and possession of CSAEM or CSAM; online grooming of children for sexual purposes; sexual exploitation of children; sharing image based sexual abuse; commercial sexual exploitation of children; exploitation of children through online prostitution; and live-streaming of sexual abuse, with or without the consent of the victim.
- m. **“OSAEC Customer or Perpetrator”** means any person who provides financial compensation to an OSAEC Trafficker or child for any form of CSAEM/CSAM for any in-person sexual exploitation of a minor.
- n. **“OSAEC Facilitator”** means any person who procures children to do sexual acts online, usually parents, older sibling or relatives.
- o. **“OSAEC Trafficker”** means any person who sexually abuses or exploits a child through the means of the internet through offering CSAEM/CSAM and/or a minor or adult for the purpose of hands-on sexual exploitation in exchange for compensation.
- p. **“Pandering”** refers to the act of offering, advertising, promoting, representing or distributing through any means any material or purported material that is intended to cause another to believe that the material or purported material


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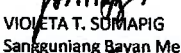

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 Sangguniang Bayan Member

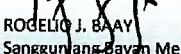

 MC QUIRIC P. LUMPAD, J.D.
 Secretary to the Sangguniang Bayan


 MERIAM P. LUMPAD
 Sangguniang Bayan Member


 ELLY MARLYN N. ENEVOLDSEN
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 Municipal Mayor


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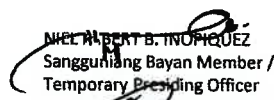



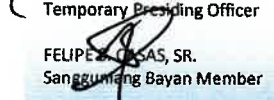

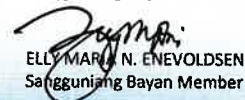
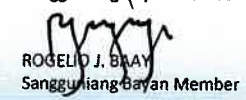

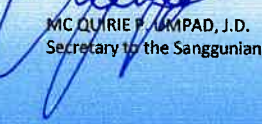


 ROGELIO J. BAAY
 Sangguniang Bayan Member

contains any form of child pornography, regardless of the actual content of the material or purported material.

- q. **“Sexual Abuse or exploitation material”** refers to any online or offline representation, whether visual, audio or written combination thereof, by electronic, mechanical, digital, optical, magnetic or any other means of a child engaged or involved in real or simulated explicit sexual activities.

In the online platform, sexual abuse or exploitation material shall include visual or audio or written materials or a combination thereof which is distributed via email, text message, instant messaging, chat rooms, peer-to-peer file sharing networks, social media platforms, and unencrypted and encrypted communication apps or traded on password-protected sites, bulletin boards and forums.

- r. **“Streaming”** is a technology that consists of playing data before the entire file has been transmitted, sending the information directly to the computer or device of the recipient (via a webcam, audio interface, etc.) without any need to save the file onto a hard disk (although streaming material can also be recorded and saved to a file). Unless the content is deliberately recorded, it is available only on the occasion and leaves no trace on the device once it has been viewed.
- s. **Trafficking in Persons** shall mean the recruitment, transportation transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.
- t. **“Trauma-Informed Care”** is an organizational structure and treatment framework that involves understanding, recognizing and responding to the effects of all types of trauma and seeking to employ practices that do not traumatize or re-traumatize (National Child Traumatic Stress Network, 2020)
- u. **“Network of Care”** refers to a Trauma-Informed Network of Government and Private Facilities and Services providers within a region, offering Programs and Services for OSAEC Survivors and their Families with a protocol that facilitates efficient and effective communication, coordination and collaboration in service delivery.
- v. **“Foster Care”** refers to the provision of planned temporary substitute parental care to a child by a foster parent.
- w. **“Foster Child”** refers to a child placed under foster care

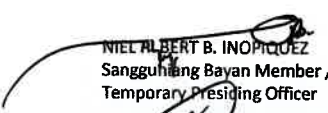
 NIEL ALBERT B. INOFIQUEZ Sangguniang Bayan Member / Temporary Presiding Officer	 JULCA KATRINA L. CON-UI Sangguniang Bayan Member	 MERIAM P. LAMPAD Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member
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- x. **“Foster Family Care License”** refers to the document issued by the Department of Social Welfare and Development (DSWD) authorizing the foster parent to provide foster care.
- y. **“Foster Parent”** refers to a person, duly license by the DSWD, to provide foster care.
- z. **“Kinship Care”** is the full-time care of a child by a relative or another member of the extended family.
- bb. **“Survivor Network”** an all-inclusive program for members in the Philippine from different case types of violence like sexual abuse, commercial sexual Abuse, commercial sexual exploitation, and online sexual exploitation of children, who desire and pursue safe communities through justice system that protect the most vulnerable.
- cc. **“Local Survivor Group”** a group of survivors in a specific region who have come together for a cause and to support one another. These groups may be affiliated with International Justice Mission (IJM), IJM partners, or others.
- dd. **“Survivor Leadership”** survivors are engaged as leaders who can shape program or project through their direct contribution and their impact and lead as movement against violence and slavery. Survivors can use their experience and expertise in a leadership capacity to empower and work with fellow survivors and the community residents offering experience and expertise.

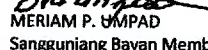
SECTION 5. PROHIBITED ACTS. – The following are considered acts of online sexual abuse and exploitation of children and it shall be unlawful for any person to commit any of the following acts:

- a. Online child sexual abuse material – accessing, possessing, profiling, producing, and/or distributing images and/or videos of child sexual abuse;
- b. Grooming of children for sexual purposes – developing a relationship with a child to enable their sexual abuse and/or exploitation, either online or offline;
- c. Live-streaming sexual abuse of children – using online video application to view, and sometimes interact with the sexual abuse of children live;
- d. Sextortion – coercing and blackmailing children for sexual purpose, producing and/ or utilizing sexual images and/or videos depicting a child for the purpose of sexual ,financial or other personal gains; and
- e. Other unlawful or prohibited acts under the Republic Act No. 11862 or the Expanded Anti-Trafficking in Persons Act of 2022 and Republic Act No. 11930 or the “Anti- Online Abuse and Exploitation of Children and Anti Sexual Abuse or Exploitation Materials.”

SECTION 6. RESPONSIBILITY OF OPERATORS AND OWNERS OR LESSORS OF OTHER BUSINESS ESTABLISHMENTS. – all operators and owners or lessors of the other business establishments shall notify the Villaba, Leyte Police Station {or the National Bureau Investigation (NBI) within 48 hours from obtaining facts and circumstances that child sexual abuse or exploitation is being committed in their


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 Sangguniang Bayan Member /
 Temporary Presiding Officer


 JELCA KATRINA L. KON-UI
 Sangguniang Bayan Member

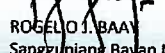

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 MC QUIRIE P. UMPAD, J.D.
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 ENGR. CARLOS G. VELOSO
 Municipal Mayor

premises; provided, that public display of any form of child sexual abuse or exploitation within their premises is a conclusive presumption of the knowledge of the operators and owners or lessors of other business establishments of the violations of this Ordinance, provided further, that a disputable presumption of knowledge by operators and owners or lessors of other business establishments should know or reasonably know that a violation of this Ordinance is being committed in their premises.

Any willful or intentional violation of this provision shall be subject to the penalty provided under Section 19 of this Ordinance.

SECTION 7. AUTHORITY TO REGULATE INTERNET CAFÉ OR KIOSK. – The local government of Villaba where an internet café or kiosk is located shall have authority to monitor and regulate the establishment and operation of the same or similar establishments in order to prevent violation of the provisions of this ordinance.

All internet cafes and kiosks, as well as money remittance center should undergo Seminar and Orientation on Online Sexual Abuse and Exploitation of Children (OSAEC) as a requirement prior to the issuance of a business permit, regardless of the kind of application whether it is new or for renewal. Upon the discretion of the LGU- Villaba Business Permit and Licensing Office (BPLO), the said establishments may be issued a provisional license prior to the completion of the aforementioned OSAEC seminars.


SECTION 8. MANDATORY SERVICES TO VICTIMS OF CHILD SEXUAL ABUSE OR EXPLOITATION. - The Municipal Social Welfare and Development (MSWD) shall ensure that the child who is victim of any form of child sexual abuse or exploitation is provided appropriate care, custody and support for his/her recovery and reintegration in accordance with existing laws.

The child and his family shall be entitled to protection as well as to the rights and benefits of witnesses under Republic Act. No. 6981, otherwise known as “The Witness Protection, Security and Benefit Act.”

To ensure recovery, rehabilitation and reintegration into the mainstream of society, concerned government agencies and the barangays shall make available the following services to victims of any form of child sexual abuse and exploitation:


- a. Counselling;
- b. Free legal services, which shall include information about the victim's rights and the procedure for filing of complaints, claims for compensation and such other legal remedies available to them in a language understood by the child;
- c. Medical and/or psychological services;
- d. Livelihood and skills training;
- e. Educational assistance; and
- f. Support services to survivor empowerment, leadership development, advocacy and participation.

Sustain supervision and follow up through mechanism that will track the progress of Recovery, Rehabilitation and Reintegration of the child victims shall be adopted and carried out.


NIEL ALBERT B. INOCENCIO
Sangguniang Bayan Member /
Temporary Presiding Officer


FELINE S. CASAS, SR.
Sangguniang Bayan Member


RILE CHRISTIAN G. VELOSO
SK Pederasyon President


JULCA KATRINA L. CON-UI
Sangguniang Bayan Member

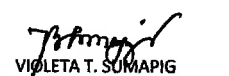

ROQUE M. COMPRÁ
Sangguniang Bayan Member

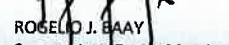

MC QUIRIE P. UMPAD, J.D.
Secretary to the Sangguniang Bayan


MERIAM P. UMPAD
Sangguniang Bayan Member


ELLY MARIA N. ENEVOLDSEN
Sangguniang Bayan Member


ENGR. CARLOS G. VELOSO
Municipal Mayor


VIOLETA T. SUMAPIG
Sangguniang Bayan Member


ROSELLO J. BAAY
Sangguniang Bayan Member

SECTION 9. COUNCIL AND COMPOSITION. – (a) This Section hereby adopts for uniformity the Anti-Trafficking in Persons Sub- Committee pursuant to Republic Act No. 9208 and in consonance with the Executive Order that may be issued by the Municipal Mayor of LGU-Villaba, establishes the same as the Inter-Agency Council Against Online Sexual Abuse and Exploitation of Children which shall be composed of the following:

- i. Chairperson – Chief, Villaba PNP Station
- ii. Vice Chairperson – Municipal Social Welfare and Development Officer;
- iii. Head, Human Resource Management Office
- iv. Head, Rural Health Unit
- v. President, Liga ng mga Barangay (LNB)
- vi. Representative from one (1) accredited NGO/CSO for children
- vii. Chairman, Committee on Youth and Sports
- viii. Chairman, SB Committee on Women, Children and Family RELATION
- ix. Head, Local Youth Development Office

The Sub-Committee is within the authority of the Municipal Mayor pursuant To an Executive Order and said Sub-Committee shall convene within two (2) months from the effectivity of this Ordinance. The Council shall meet once a month, if practicable, quarterly or as often as necessary, in the performance functions.

SECTION 10. FUNCTIONS OF THE COUNCIL. – The Council shall have the following responsibilities, as to:

- a. Monitor and document cases of OSAEC IN THE MUNICIPALITY
- b. Coordinate with local agencies and non-government organizations to immediately respond and address the issues and problems attendant to OSAEC;
- c. Develop mechanism to ensure timely, coordinated and effective response to cases of OSAEC;
- d. Encourage and support initiatives which address OSAEC;
- e. Recommend the cancellation of licenses of establishments which violate the provisions of this Ordinance and ensure its effective prosecution;
- f. Undertake an information campaign against OSAEC through the establishment of an Information and Education Team;
- g. Recommend the services for the prevention, rescue, recovery, rehabilitation and reintegration support to victim of OSAEC;
- h. Strengthen, activate and mobilize committees, organizations and special bodies in the barangay level to prevent and suppress OSAEC;
- i. Recommend the utilization of funds appropriated under this Ordinance to the Municipal Budget Office;
- j. Conduct informational campaign, capacity-building
- k. Establish national linkages and develop proper domestic coordination; and
- l. Exercise all the powers and perform such other functions necessary to attain the purposes and objective of this Ordinance.

SECTION 11. SECRETARIAT. – The Municipal Social Welfare and Development Office (MSWDO) shall serve as the Secretariat of the Council and for this purpose shall assign

 NIEL ALBERT B. TINOPIQUE Sangguniang Bayan Member / Temporary Presiding Officer	 JULCA KATRINA L. CON-UI Sangguniang Bayan Member	 MERIAM P. UMPAD Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member
 FELIPE S. CAPAS, SR. Sangguniang Bayan Member	 ROGEE M. COMPRA Sangguniang Bayan Member	 ELLY MARIA N. ENEVOLDSEN Sangguniang Bayan Member	 ROGELLO J. BAAY Sangguniang Bayan Member
 RILE CHRISTIAN G. VELOSO SK Pederasyon President	 MC QUIRICE P. UMPAD, J.D. Secretary to the Sangguniang Bayan	 ENGR. CARLOS G. VELOSO Municipal Mayor	

a permanent/detailed social worker, particularly assigned to OSAEC concerns, to perform the following functions:

- a. Facilitates the regular and special meetings of the Council once a month or as may be necessary in the performance of its mandate under this Ordinance
- b. Receives communications, concerns and complaints and coordinates with the Council members or pertinent local agencies to address the same;
- c. Coordinates with agencies in the performance of the Council's functions;
- d. Coordinates with the Regional Network of Care for technical assistance and services responsive to the needs of OSAEC survivors and their non-offending families;
- e. Consolidates and submits regular reports to the Council in relation to its functions; and
- f. Performs such other functions as the Council may assign.

SECTION 12. PROGRAMS FOR VICTIM OF CHILD SEXUAL ABUSE OR EXPLOITATION. – The Council shall develop and implement the necessary programs that will prevent any form of child sexual abuse or exploitation, as well as protect, heal and reintegrate the child into the mainstream of society. Such programs shall include, but not limited to, the following.

- a. Provision of mandatory services including counselling, free legal services, medical or psychological services, livelihood and skills training and educational assistance to the child pursuant to Section 8 of this Ordinance;
- b. Promotion of information and education campaign as regard the propaganda against Online-Sexual Abuse;
- c. Promotion of Survivor Empowerment, Leadership Development, Advocacy and Participation; and
- d. Establishment of a survivor network and local survivor support group.

As assessed and recommended by the local social worker, the programs mentioned above shall also be provided to immediate family members of the child victim only when they are not the offending party and that there is no indication of bias in favor of the perpetrator.

SECTION 13. MULTI-DICIPLINARY CASE MANAGEMENT. – In the handling and management of cases of child victims, the approach should be multi-disciplinary, and a Multi-Disciplinary Case Conference (MDCC) shall be conducted.

- a. **Multi-Disciplinary Case Management** brings together more than two groups of disciplines or professionals from different backgrounds and specializations and areas of expertise to organize and carry out work to address the holistic needs of the child survivor. It is a collaborative process of assessment, planning, implementation and review (e.g., law enforcers social workers from the local and from the residential facility, psychologists, teachers, etc.)
- b. **Multi-Disciplinary Case Conference (MDCC)** is a forum by which professionals with major roles in the handling of online child abuse and exploitation cases can share their professional knowledge, information or concern on the child/ren. The case conference analyzes risk and recommends

MET. ALBERT B. INOPICQUE
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SK Pederasyon President

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RODOLFO M. COMPRO
Sangguniang Bayan Member

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Secretary to the Sangguniang Bayan

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Municipal Mayor

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ROSEJO J. BAAY
Sangguniang Bayan Member

actions to be taken in relation to the welfare planning of the children and the family. All the information and discussions would be kept confidential.

SECTION 14. TRAININGS. – Regular training and seminars shall be held to enable the members of the Council to function efficiently. Similar trainings shall also be provided to the following officials and volunteers for the purpose of equipping them with the necessary knowledge and skills to prevent and suppress OSAEC in their area of jurisdiction or to assist in the monitoring, investigation and prosecution of cases of OSAEC:

- a. Law enforcement officials;
- b. Social workers;
- c. Teachers and parents;
- d. Barangay-based volunteer groups such as women and youth groups;
- e. School Children Protection Committees, Student Governments and Parent-Teacher Association (PTA);
- f. Other stakeholders.

SECTION 15. TRAUMA-INFORMED CARE FOR FRONTLINERS. – In partnership with medical authorities and educational institutions, a program for counselling and stress management shall be developed for social workers and other frontline OSAEC responders.


SECTION 16. ESTABLISHMENT OF A HEALTHY AND CHILD FRIENDLY SPACE. – (a) The Local Government Unit (LGU) shall establish a Local Child Protection and Response Center (LCPRC) and adopt the same as a refuge for child victims in general. It shall provide for:

- I. Temporary shelter to abused children;
- II. Interview rooms;
- III. Office for the Municipal Inter-Agency Council Against Online Sexual Abuse and Exploitation of Children and its Secretariat.

(b) The same shall also serve as an assessment center serving as a means to address the gap in the provision of comprehensive and timely assessments for OSAEC survivor placement as the basis for other partners in the Network of care to provide case management.


(c) In the absence of an equivalent center, a specific room in the Residential Care Facility of the Municipality of Villaba shall utilized in accordance with the requirements of a child-friendly space. This simply construes the idea that the aforesaid room must be modified, furnished with fixtures and equipment, or pieces of furniture, that would cater to the concerns in paragraphs (a) and (b) of this section.

SECTION 17. LOCAL ANTI-OSAEC PREVENTION AND AWARENESS PROGRAMS.– There shall be established a robust prevention and awareness program involving all sectors in the community to combat OSAEC. The Local Government shall declare a day in September as Anti-OSAEC Day to increase awareness against the crime, and in line with the celebration of Family Month.


NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member /
Temporary Presiding Officer


FELIPE S. CASAS, SR.
Sangguniang Bayan Member

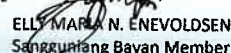

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Municipal Mayor


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Sangguniang Bayan Member


ROGELIO J. BAAY
Sangguniang Bayan Member

SECTION 18. APPLICABILITY OF OTHER RELEVANT NATIONAL LAWS AND LEGAL PRINCIPLES, - The provisions of Republic Act. No. 11862, Republic Act No. 11930, Republic Act No. 9775 and other relevant laws shall be applied in cases pertinent to (i) duties of internet content host, (ii) Confiscation and Forfeiture of the Proceeds, Tools and Instruments Used in Child Sexual Abuse or Exploitation and (iii) Duties of an Information and Communication Technology Service Provider (ICT SP)

More importantly, the confidentiality of all proceedings and the privacy of the child shall be given utmost protection pursuant to existing laws, rules and regulations.

SECTION 19. PENALTIES. In conformity with the Local Government Code of 1991 (R.A.7160), the person found violating any provision of this Ordinance shall be penalize consequently on

- a. First Offense : A fine of two thousand pesos (Php 2,000.00) with an imprisonment of four (4) months;
- b. Second Offense : A fine of two thousand three hundred pesos (Php 2,300.00) with an imprisonment of five (5) months;
- c. Third and Subsequent Offenses : A fine of two thousand, five hundred pesos (PHP2,500.00) with an imprisonment of six (6) months;

Business establishments found to have violated any of the provisions of this Ordinance shall be subject to suspension (1st and 2nd Offenses) or revocation (3rd Offense and more) of business permits.

SECTION 20. VILLABA POLICE STATION/DEPT.. – The VPS shall be the primary arm in implementing and enforcing this Ordinance including, but not limited to, authority to regulate internet café, kiosk operators and other business establishments and those violations as stated in Section 5 hereof taking into account the welfare of the child victim/s.

Any violation of this Ordinance shall likewise be reported to the appropriate local government body such as the VILLABA POLICE STATION for monitoring and assessment purposes particularly for the safeguard and well-being of the child victim.

SECTION 21. APPROPRIATION. – There shall be set aside an annual amount from the general fund or from any sources of the Local Government Unit of Villaba for the support to OSAEC victims, preparation and maintenance of the room used as a refuge of child victims and other concomitant purposes in Section 16 of this Ordinance.

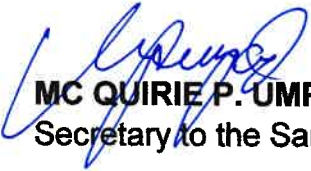
SECTION 22. REPEALING CLAUSE. – The provision of previous local enactments, resolutions, memoranda, circulars, and other issuances inconsistent with this Ordinance are hereby repealed or modified accordingly.

SECTION 23. SEPARABILITY CLAUSE. – Should any portion of this Ordinance be declared ultra vires or unconstitutional by competent authority, the remainder not so affected shall continue to be in full force and effect.


SECTION 24. EFFECTIVITY CLAUSE. – This Ordinance shall take effect upon approval, fifteen (15) days after its publication in a newspaper of general circulation.

 NHEC ALBERT B. MORIJO Sangguniang Bayan Member / Temporary Presiding Officer	 JULCA KATRINA L. CON-UI Sangguniang Bayan Member	 MERIAM P. JUMPAD Sangguniang Bayan Member	 VIOLETA T. SUMAPIG Sangguniang Bayan Member
 FELIPE S. CASAS, SR. Sangguniang Bayan Member	 ROQUE M. COMPRA Sangguniang Bayan Member	 ELLY MARIA N. ENEVOLDSEN Sangguniang Bayan Member	 ROGELIO J. BAAY Sangguniang Bayan Member
 RILE CHRISTIAN G. VELOSO SK Pederasyon President	 MC OLIVIE P. JUMPAD, J.D. Secretary to the Sangguniang Bayan	 ENGR. CARLOS G. VELOSO Municipal Mayor	

Being moved for approval by the Hon. Rogelio J. Baay, this Ordinance was approved on Nov. 18, 2024.

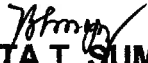

MC QUIRIE P. UMPAD, J.D.
Secretary to the Sanggunian


ATTESTED:


NIEL ALBERT B. INOPIQUEZ
Sangguniang Bayan Member /
Temporary Presiding Officer



JULCA KATRINA L. CON-UI
Sangguniang Bayan Member


FELIPE S. CASAS, SR
Sangguniang Bayan Member


VIOLETA T. SUMAPIG
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Sangguniang Bayan Member


ROGELIO J. BAAY
Sangguniang Bayan Member


ROQUE M. COMPRA
Sangguniang Bayan Member

RILE CHRISTIAN G. VELOSO
SK Pederasyon President

APPROVED:


ENGR. CARLOS G. VELOSO 
Municipal Mayor

12 DEC 2024



MINUTES OF THE PUBLIC HEARING ON THE PROPOSED ORDINANCE TITLED:

“AN ORDINANCE INSTITUTED TO PREVENT ACTS OF ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND ANTI-CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (AESSEM) IN THE MUNICIPALITY OF VILLABA, LEYTE, EXACTING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING IMMEDIATE EQUITABLE SUPPORT TO SURVIVORS”

Conducted by the author and SB Chairman of the Committee on Human Resource Development, the Hon. Rogelio J. Baay, on Nov. 7, 2024 at the Municipal Hall, New Municipal Building, Sitio Cayangi-an, Barangay Poblacion Del Norte, this Municipality.

Member Present:

1. Hon. Rogelio J. Baay – SB Committee Chairman

Members Absent:

1. Hon. Elly Maria N. Enevoldsen – Vice Chairman
2. Hon. Violeta T. Sumapig - Member

The public hearing commenced at 10:00 O' clock A.M. when the majority of the invited persons were present. Each one was given a copy of the Ordinance upon arrival for him to read and familiarize himself with it, even by its title and share his knowledge, if any.

As he usually did in all his public hearing, the Chair spearheaded the discussion on the provisions of this Ordinance and allowed favorably audience participation. In the course of the exchange of ideas almost all members of the group showed signs of agreement to the aims of this proposed Ordinance, having themselves grasped the thought over the well-being of the child

There having no other concerns raised, the Public Hearing was adjourned at five minutes of twelve.

Certified Correct:


MCQUIRE P. UMPAD
Secretary to the Sangguniang Bayan

Attested:


HON. ROGELIO J. BAAY
SB Committee Chairma



COMMITTEE ON HUMAN RESOURCE AND DEVELOPMENT

COMMITTEE REPORT NO. ____

SUBJECT:

Public hearing on the proposed Ordinance Instituted to prevent acts of Online Sexual Abuse and Exploitation of Children (OSAEC) and the Anti-Child Sexual Abuse or Exploitation Materials (ACSAEM) in the Municipality of Villaba, Leyte, exacting penalties for violations thereof and providing immediate equitable support to survivors

FINDINGS AND RECOMMENDATIONS

1. As he usually did in all his public hearing, the Chair spearheaded the discussion on the provisions of this Ordinance and allowed favorably audience participation. In the course of the exchange of ideas almost all members of the group showed signs of agreement to the aims of this proposed Ordinance, having themselves grasped the thought over the well-being of the child.
2. Driven by a strong feeling of pity on the future child victims of online sexual abuse, a punong barangay suggested that the penalty for any offense in this regard be raised to a greater extent to deter perpetrators of this crime.
3. In response, the Chair referred the participant/s to the provision in the Local Government Code limiting the imposition of penalty to a fine of not exceeding two thousand, five hundred pesos (Php 2,500.00) and an imprisonment for a period not exceeding six (6) months.
4. There shall be set aside an annual amount from the general fund or any sources of the Local Government Unit of Villaba for the support to OSAEC victims, preparation and maintenance of the room used as refuge of child victims.

Submitted by:


HON. ROGELIO J. BAAY
Chairman

Committee of Human Resource and Development



AN ORDINANCE INSTITUTED TO PREVENT ACTS OF ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND THE ANTI-CHILD SEXUAL ABUSE OR EXOLOITATION MATERIALS (ACSAEM) IN THE MUNICIPALITY OF VILLABA, LEYTE, EXACTING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING IMMEDIATE EQUITABLE SUPPORT TO SURVIVORS

**ATTENDANCE SHEET
Committee Hearing
Nov. 7, 2024**

NAME	POSITION/ OCCUPATION	SIGNATURE
Ma. Emagen M. Inspinera	VAWC	[Signature]
Richard A. Landate	VAWC	[Signature]
DONAMILE P. MARIQUIT	JAW OFFICER/SP MEMBER	[Signature]
BRIX D. BERTULFO	MPDL	[Signature]
Lancelot T. Logo	P.D. Libangay	[Signature]
ORLANDO L. ROMERO	M.E.	[Signature]
TEDDY VAPOR	MUNICIPAL ADMIN DESIGNATE	[Signature]
Lizel Grace A. Casar	S.B. J. - Hon. City Councilman	[Signature]
MA. FLOR M. PARTAR	KINDO	[Signature]
ETHYLEE BAAY	CB SEC / ROGELIO BAAY	[Signature]
MAXIMO D. ONDE	BRGY. CAT.	[Signature]
Bernabe D. Yang	PID	[Signature]
MA MURIEL GOME	Sangguniang Bayan Member	[Signature]
PONCEANO DEQUINO	PUNONG BRGY	[Signature]
MARILYN E. VAFER	CSO President Women	[Signature]
JULITO A. TUPIQUEZ	Punong Barangay	[Signature]
PEORO P. ABING UR	" "	[Signature]
WALTER E. RUBINOS JR.	MPDL	[Signature]
MICHAEL A. ARMADO	PUNONG BRGY	[Signature]

Prepared by:

HON. ROGELIO J. BAAY
 Chairman



SANGGUNIANG BAYAN

Office of the Secretary to the Sanggunian

NOTICE OF PUBLIC HEARING

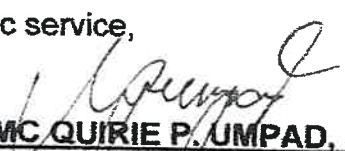
Notice is hereby given that a public hearing will be conducted by the Sangguniang Bayan Committee on Human Resource Development, **November 7, 2024 at 10:00 o'clock in the morning** at the **Municipal Hall, New Municipal Building, Cayangi-an, Barangay Poblacion del Norte**, this Municipality regarding the proposed ordinance authored by Sangguniang Bayan Member Rogelio J. Baay entitled:

"AN ORDINANCE INSTITUTED TO PREVENT ACTS OF ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDEN (OSAEC) AND THE ANTI-CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (ACSAEM) IN THE MUNICIPALITY OF VILLABA, LEYTE EXACTNG PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING IMMEDIATE EQUITABLE SUPPORT TO SURVIVORS"

The Municipal Administrator, Municipal Social Welfare and Development Office, PNP VAW-C Desk Officer, Members of the Local Finance Committee, Sangguniang Barangay Committee Chairman on Women and Children of the Thirty-Five (35) Barangays and all other interested parties are invited to attend.

Villaba, Leyte, October 28, 2024.

In public service,


MC QUIRIE P. UMPAD, J.D.
Secretary to the Sanggunian



Republic of the Philippines)
City of Ormoc)S.S.

AFFIDAVIT OF PUBLICATION

I, JIMA ZANDRA VERGARA, being first duly sworn, deposes and says: that I am the Managing Editor of the EASTERN VISAYAS MAIL, a newspaper edited and published in the City of Ormoc and circulated in the cities of Ormoc, Tacloban Maasin and Calbayog, and in the islands of Leyte, Samar and Biliran, the rest of the Visayas islands, Mindanao, Manila and Luzon;

That the publication captioned:

Republic of the Philippines
Province of Leyte
Municipality of Villaba
OFFICE OF THE SANGGUNIANG BAYAN
MUNICIPAL ORDINANCE NO. 8, S. 2024

AN ORDINANCE INSTITUTED TO PREVENT ACTS OF ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND THE ANTI-CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (ACSAEM) IN THE MUNICIPALITY OF VILLABA, LEYTE, EXACTING PENALTIES FOR VIOLATIONS THEREOF AND PROVIDING IMMEDIATE EQUITABLE SUPPORT TO SURVIVORS

APPROVED:

(SGD)ENGR. CARLOS G. VELOSO

Municipal Mayor

was published in said newspaper for (1) 01 consecutive weeks in its EV Mail _____ issues.

EV Mail Dec. 16- 22, 2024

That I am executing this affidavit to attest to the fact of the foregoing statements. Affiant further sayeth naught.

IN WITNESS WHEREOF, I have hereunto affix my signature this DEC 23 2024 day of _____, 20__ in Ormoc City.

Jima Vergara
JIMA ZANDRA J. VERGARA
Affiant

VERIFICATION

SWORN AND SUBSCRIBED before me this 23 2024 day of _____ with affiant exhibiting his Tax Identification Number 932-314-846-000 issued on July 9, 2016 at Ormoc City, Leyte, Philippines.

Doc No. : 870
Page No.: 75
Book No.: IV
Series of 20 24

ATTY. ADELITO M. SOLIBAGA JR.
Notary Public for the City of Ormoc
Municipalities of Kananga, Matag-ob
Merida and ...
NC No. 051-12-038-NC issued on 01/01/2023
Valid until December 31, 2024
PTR No. 7856400, 01/01/2023, Ormoc City
IBP No. 382567, 1/01/2023, Leyte
Roll of Attorneys No. 51625
TIN: 207-696-130
MCLE Compliance No. VI-001-4640
Valid until April 14, 2025



