Item No.: 26

Date: 2 2 2025 APR



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT

April 4, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 04 series of 2025 of the Sangguniang Bayan of Tunga, Leyte.

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

• Ordinance No. 04 series of 2025 entitled: "An Ordinance mandating business establishments operating within the territorial jurisdiction of Tunga, Leyte to install a CCTV system and prescribing penalties for violations thereof."

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)(ii)¹ of the Local Government Code of 1991 (R.A 7160). 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, and in this connection shall:

⁽ii) Maintain peace and order by enacting measures to prevent and suppress lawlessness, disorder, riot, violence, rebellion or sedition and impose penalties for the violation of said ordinances;

Republic of the Philippines PROVINCE OF LEYTE Palo, Leyte -000-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1st INDORSEMENT 04 April 2025

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed Municipal Ordinance No. 04, series of 2025 of Tunga, Leyte, entitled: An Ordinance mandating business establishments operating within the territorial jurisdiction of the Municipality of Tunga to install a closed-circuit television (CCTV) System and prescribing penalties for violations thereof.

FLORINDA JULS TYVICO Secretary to the Sanggunian





Republic of the Philippines Province of Leyte MUNICIPALITY OF TUNGA

OFFICE OF THE SANGGUNIANG BAYAN

April 3, 2025

HON. LEONARDO JAVIER JR. Vice-Governor/Presiding Officer Sangguniang Panlalawigan Province of Leyte

Thru: THE SECRETARY TO THE SANGGUNIAN

APR 0 4 2025

Sir:

Respectfully submitting herewith fifteen (15) copies of the following municipal ordinances together with its supporting documents for review and approval:

- 1. Municipal Ordinance No. 03, Series of 2025 AN ORDINANCE INSTITUTIONALIZING THE PUBLIC EMPLOYMENT SERVICE OFFICE (PESO) IN THE MUNICIPALITY OF TUNGA, LEYTE.
- 2. Municipal Ordinance No. 04, Series of 2025 AN ORDINANCE MANDATING BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF TUNGA TO INSTALL A CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.
- Municipal Ordinance No. 05, Series of 2025 AN ORDINANCE MANDATING ALL BUSINESSES OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF TUNGA, LEYTE ENGAGED IN THE MANUFACTURING, SELLING, OR DISTRIBUTING PNP UNIFORMS, INSIGNIAS, AND OTHER ACCOUTREMENTS TO SECURE PNP CERTIFICATE OF CONFORMITY AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.
- 4. Municipal Ordinance No. 06, Series of 2025 AN ORDINANCE ENACTING THE NEW GENDER AND DEVELOPMENT (GAD) CODE OF THE MUNICIPALITY OF TUNGA, PROVINCE OF LEYTE.
- 5. Municipal Ordinance No. 07, Series of 2025 AN ORDINANCE INSTITUTIONALIZING THE EXPANDED BENEFITS OF THE PANTAWID PAMILYANG PILIPINO PROGRAM (4Ps) BENEFICIARIES IN THE MUNICIPALITY OF TUNGA, LEYTE.

Please acknowledge receipt hereof.

Thank you.

Very truly yours,

NAOW C. ARCALLANA Secretary to the Sanggunian





REPUBLIC OF THE PHILIPPINES Province of Leyte **MUNICIPALITY OF TUNGA**

-000-

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 124TH REGULAR SESSION OF THE SANGGUNIANG BAYAN, TUNGA, LEYTE HELD ON MARCH 17, 2025 AT THE SB **SESSION HALL.**

PRESENT:

Hon. Egidio G. Baac

Hon. Martiniano F. Requiez

Hon. Edmundo O. Labarda

Hon. Joselito L. Arintoc

Hon. Lemuel G. Ponferrada

Hon. Marietta A. Catalo

Hon. Rex S. Ergina

Hon. Jose Capoporo A. Uribe

Hon. Severino B. Sari

Hon. Florentina A. Obseguio

Hon. Leo Van C. Delgado

Municipal Vice-Mayor/Presiding Officer

SB Member

SB Member

SB Member

SB Member

SB Member

SB Member

SB Member

- SB Member

- Ex-Officio Member/Liga President

Ex-Officio Member/SK Federation President

ANGGUNIANG PANLALAWIGAN

PROVINCE OF LEYTE

ABSENT:

None

MUNICIPAL ORDINANCE NO. 04

Series of 2025

AN ORDINANCE MANDATING BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF TUNGA TO INSTALL A CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

Sponsored by the Committee on Human Rights and Public Order

Chairman: Hon. Martiniano F. Requiez Vice-Chairman: Hon. Severino B. Sari Member: Hon. Lemuel G. Ponferrada

WHEREAS, Section 16 of the Local Government Code of 1991 or Republic Act No. 7160, also known as the General Welfare Clause, provides in part that every local government unit shall exercise powers necessary for its efficient and effective governance and those which are essential to the promotion of general welfare;

WHEREAS, Sections 447 and 458 of the of said Republic Act 7160 provide in part, that the Sangguniang Bayan shall enact ordinances for the general welfare of the municipality/city and its inhabitants pursuant to the above mentioned Section 16 of said law, and in this regard, enact and approve ordinances relative to the: (i) maintenance of peace and order in the municipality, (ii) suppression of lawlessness therein, and

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(iii) authorization of the issuance of permits or licenses upon conditions and for such purposes intended to promote the general welfare of the inhabitants of the municipality, regulating thereby any business which does not require government examination within the municipality/city and the conditions under which the license for said business may be issued or revoked;

WHEREAS, law enforcement agencies in the country have already proven that Closed Circuit Televisions (CCTV) are among the most effective tools in crime deterrence, prevention, detection and solution since there is a video recording which can be used in addition to the testimonies of witnesses;

WHEREAS, in order to intensify the Municipality's drive to deter, prevent, detect, and solve criminality, and to preserve video recording as evidence, this August Body deems it proper to require the use of CCTV systems in business establishments within the municipality;

WHEREAS, the Department of the Interior and Local Government, through the Philippine National Police Anti-Cybercrime Group, has conducted a study as to the minimum technical specifications to be required of CCTVs to be installed pursuant to this ordinance;

WHEREAS, the Department of the Interior and Local Government (DILG) issued Memorandum Circular No. 2022-060 dated May 18, 2022, re: Amending DILG MC No. 2014-119, titled: Directing Cities/Capital Towns to require the Installation of the Closed-Circuit Televisions (CCTV) for certain Business Establishments in Accordance with Section 16 (General Welfare) of Republic Act No. 7160 to Support the Maintenance of Peace and Order and Public Safety;

NOW THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF TUNGA, LEYTE IN REGULAR SESSION ASSEMBLED:

SECTION 1. TITLE OF ORDINANCE - This ordinance shall be known as: AN ORDINANCE MANDATING BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF TUNGA TO INSTALL CLOSED CIRCUIT TELEVISION SYSTEM (CCTV) AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

SECTION 2. SCOPE AND APPLICATION - The following business establishments are required to install CCTVs:

- a. Financial establishments such as Banks, pawnshops, money lenders, money remittance services, money changers, and the like;
- Business establishments that are part of a national chain or have several branches in other parts of the country such as restaurants/fastfood chains, 24-hour convenience stores, grocery stores, drug stores, etc.;
- c. Shopping malls, shopping centers, supermarkets, wet markets or palengke, public transport terminals, places of entertainment, and the like which draw a considerable number of customers or patrons;
- d. Car dealerships, gasoline and fuel refilling or service stations;

e. All kinds of educational institutions; and

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Other business establishments which may be deemed necessary and proper by the BPLO through the recommendation of the PNP and BFP and/or other law enforcement agencies, considering the nature of business and potential risks in their respective areas within the territorial jurisdiction of the Municipality of Tunga, Leyte.

For purposes of those renting out commercial spaces, it shall be the obligation of the lessee to install and maintain the required CCTV system within the rented space and it shall be the responsibility of the lessor to install and maintain the required CCTV system outside the rented space.

SECTION 3. PRESERVATION AND MAINTENANCE OF CCTVs AND VIDEO RECORDINGS

The owners of business establishments shall preserve the camera recordings for at least two (2) months.

The CCTV shall be maintained in proper working order at all times, shall be in continuous operation, and shall meet the minimum technical specifications set by this ordinance.

SECTION 4. MINIMUM TECHNICAL SPECIFICATIONS - The CCTV system to be installed must meet the following minimum specifications:

1. Camera

- a. Minimum of at least 5MP Camera Resolution;
- b. Must be able to capture video footages at full color view;
- Should have auto-iris, either fixed or vari-focal;
- c. Should have auto-iris, either fixed or vari-focal;d. Should have Infrared LEDs enough to reach a distance of at least 20 meters for clear recording at 0 Lux for areas where there is no continued sufficient lighting
- e. Must have at least 80 degrees Lens Angle; and
- The outdoor camera must be vandal proof or IP66 weatherproof casing

2. Video recorder

- a. Minimum of 4 camera input:
- b. Minimum of 1920 x 1080 video resolution
- c. 60 frames per second (FPS) recording per camera
- d. Should have Hard Disk Drive at least 2TB for all cameras for at least two (2)
- e. Must have Time Stamping Feature; and
- Must have a google drive for back-up.

3. Other Components

- a. At least 4 cameras covering the areas of transaction and risk, provided that at least one (1) camera must be facing the street from the applicable, with the actual number of cameras to entrance, when depend on the size of the establishment and nature of business;
- b. Should have centralized power supply for the DVR and cameras; and
- c. Should have appropriate Uninterrupted Power Supply (UPS) to provide standard and reasonable back-up power to the Video Recorder and its cameras.

SECTION 5. INSTALLATION GUIDE - The following installation guide is recommended to be followed:

- a. Cameras must be installed at a secured location with a maximum area of coverage;
- b. The Video Recorder must be mounted on a secured and concealed location to protect the video footages from theft and/or deliberable destruction;
- c. Whenever possible, a backup file stored in the DVD Disk, either on site or remotely, shall be recorded for archiving purposes; and
- d. Whenever possible, a dummy CCTV camera shall be installed in a conspicuous area in order to deter possible criminal acts and to protect the camera and the video footages

SECTION 6. MINIMUM COVERAGE - All the establishments mentioned under SECTION 2 hereof shall be required to install CCTVs as to afford a full coverage of the following:

- 1. From the Interior of the establishment
 - a. All entrances and exits; and
 - b. The center of business activity in the establishment, including the tellers, cashiers, registrars, sales counters, or areas leading to the vault/safe, according to the nature of business operation of the establishment.
- 2. From the exterior of the establishment, when the establishment is not located inside a mall or building or similar, which has its own camera
 - a) All entrances and exits;
 - b) From the entrances and exits, a clear view of the area to and from the street abutting the establishment, including the frontage thereof, taking into particular consideration the clarity of shots in relation to the angles thereof; and
 - c) Parking lots and drive-through lanes, whenever applicable.

SECTION 7. IMPLEMENTING OFFICES - The Business Permit and Licensing Office shall be responsible for the verification and determination of the relevant business establishments' compliance with the directives of this Municipal Ordinance. The BPLO shall specify when compulsory inspection of the installed CCTVs shall be conducted before the necessary clearance or certification therefor may be issued, which clearance or certification shall be a mandatory requirement for the issuance or renewal by the Business Permits and Licensing Office (BPLO) of a business permit or license. The BPLO may thereafter conduct inspections during reasonable business hours, to determine continued compliance with this Municipal Ordinance, post-issuance or renewal of such establishments' business permits or license by the BPLO. For all these purposes, the BPLO shall seek the advice and assistance of the Tunga Philippine National Police (PNP) Chief or his duly authorized representative.

SECTION 8. ACCESS TO RECORDINGS - If a crime has been committed, or the operator, employee, or owner of the business establishment has reason to believe that a crime has been committed and has been recorded by the CCTV, the operator, employee, or the owner of the establishment shall immediately contact the nearest

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police station and shall provide access to the pertinent recordings to the police and other investigators.

The operator, employee or owner of the business establishment shall also make available the camera recordings to the law enforcement authorities engaged in criminal investigation upon written request of the authorized or designated officer thereof with the particular time and day covered by the request therein specified.

The captured video footage or images may be used at any time to satisfy the written order or subpoena of any court or body with competent jurisdiction.

SECTION 9. PROHIBITION - The viewing of recorded or captured video footage or images shall be made with due respect to the privacy of individuals.

SECTION 10. PENALTIES - No business permit or permit to operate shall be issued to new or renewal of business permit to business establishments mentioned in Section 2 hereof unless the CCTVs as herein specified are installed and fully operational. Further penalties shall be imposed on any business establishment in operation found to be in violation of this Ordinance.

Before a penalty is imposed, the violator shall be first informed in writing of his violation and ordered to install or to correct the same within fifteen (15) days to comply the deficiency. At the expiration of the period to comply the deficiency, re-inspection shall be conducted to determine compliance. If the compliance was not effected or the compliance does not conform to the required standard, the first violation is committed and the violator shall be fined and further ordered to effect the correction.

Repeated failure on the part of the violator to effect corrections will constitute subsequent violation. Penalty shall be imposed for the violator, and after the third notice still there is no compliance, penalty and closure of the business until it complies the requirement and payment of penalty.

Imposition of penalty shall be the following:

1st Offense Fine amounting to One Thousand Five Hundred Pesos (P 1,500.00)

2nd Offense Fine amounting to Two Thousand Pesos (P 2,000.00)

3rd Offense Fine amounting to Two Thousand Five Hundred (P 2,500.00) and closure of business until the business establishment complies with the provision of this Ordinance.

SECTION 11. COMPLIANCE - Businesses covered by the scope of this Ordinance shall have a period of one (1) year from the effectivity of the same within which to comply with the directives hereof.

SECTION 12. SEPARABILITY CLAUSE - If for any reason, any section of this Ordinance shall be held unconstitutional or invalid, other sections which are not affected thereby shall continue to be in full force and effect.

SECTION 13. REPEALING CLAUSE - All ordinances, rules and regulations or parts thereof in conflict with this Ordinance are hereby repealed, provided that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.

SECTION 14. EFFECTIVITY - This Ordinance shall take effect fifteen (15) days after posting in three (3) conspicuous places within the municipality and after its publication in a local newspaper of general circulation.

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Page 5 of 6

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ENACTED by the Sangguniang Bayan, in session assembled this 17th day of March 2025 at Tunga, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing Municipal Ordinance.

NAOMI C. ARCALLANA Secretary to the Sanggunian

ATTESTED:

EGIDIO/G. BAAC

Municipal Vice Mayor/Presiding Officer

MARTINIANO P. REQUIEZ

SB Member

LEMUEL G. PONFERRADA

SB Member

EDMUNDO O. LABARDA

SB Member

MARIETTA A. CATALO

SB Member

SB Member

JOSELITO L. ARINTOC

SB Member

JOSE CAPOPORO A. URIBE

≸B Member

SEVERING B. SARI

SB Member

Ex-Officio/ABC President

LEO VAN C. DELGADO

Ex-Officio(SK) Fed. President

APPROVED:

REINBERT C. COSTELO

Municipa Mayor

Date: 04-02-2026





Republic of the Philippines Province of Leyte MUNICIPALITY OF TUNGA

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that Municipal Ordinance No. 04, S. 2025 entitled: "AN ORDINANCE MANDATING BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF TUNGA TO INSTALL A CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF", has been posted in three (3) conspicuous places within the municipality and shall remain posted for three (3) consecutive weeks.

Issued this 2nd day of April, 2025 at Tunga, Leyte.

NAOMI C. ARCALLANA Secretary to the Sanggunian





Republic of the Philippines Province of Leyte MUNICIPALITY OF TUNGA

OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that a *PUBLIC HEARING* was conducted on March 5, 2025 relative to *Municipal Ordinance No. 04*, S. 2025 entitled. "AN ORDINANCE MANDATING BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF TUNGA TO INSTALL A CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF."

Issued this 2nd day of April 2025 at Tunga, Leyte.

NAOMI/C. ARCALLANA Secretary to the Sanggunian



Republic of Philippines **Province of Leyte MUNICIPALITY OF TUNGA** Office of the Sangguniang Bayan



PUBLIC HEARING MARCH 05, 2025

PROPOSED ORDINANCES:

- 1. AN ORDINANCE MANDATING BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF TUNGA TO INSTALL A CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.
- 2. AN ORDINANCE MANDATING ALL BUSINESSES OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF TUNGA, LEYTE, ENGAGED IN THE MANUFACTURING, SELLING, OR DISTRIBUTING OF PNP UNIFORMS, INSIGNIAS, AND OTHER ACCOUTREMENTS TO SECURE PNP CERTIFICATE OF CONFORMITY AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.
- 3. ENACTING THE NEW GENDER AND DEVELOPMENT (GAD) CODE OF THE MUNICIPALITY OF TUNGA, PROVINCE OF LEYTE

NAME	POSITION/OFFICE	SEX	SIGNATURE
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3. ANNAUS 8A A. OTZON	PRESIDENT BUFA ASSOC.	上于	Stoyen
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Resiliency Education & Environment Agriculture Livelihood Infrastructure Tourism Youth

E-mail: lgutunga1949@gmail.com; Mobile No.: +639761165939





Repub of the Philippines Province of Leyte MUNICIPALITY OF TUNGA Office of the Sangguniang Bayan



PUBLIC HEARING

MARCH 05, 2025

- 1. AN ORDINANCE MANDATING BUSINESS ESTABLISHMENTS OPERATING WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF TUNGA TO INSTALL A CLOSED-CIRCUIT TELEVISION (CCTV) SYSTEM AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.
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Republe of the Philippines Province of Leyte MUNICIPALITY OF TUNGA Office of the Sangguniang Bayan



PUBLIC HEARING MARCH 05, 2025

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40. JANY G. DONFEDILANA	M-WEWBER	MUNOO
41. JOHN EMMANUEL C. SALATAN	ACTING MUNICIPAL TREASURER	M galati
42. MADONIN V- FALLORINA	TUNCA CE	F Willow
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Repub of the Philippines Province of Leyte MUNICIPALITY OF TUNGA Office of the Sangguniang Bayan



PUBLIC HEARING MARCH 05, 2025

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53. EDMUNDO O. LABARDA	SB HEMBER	N	
54. QUINTANA, TEXTORO JR. A.	M.E.O.	M	
53. BA CING	MLGOS	F	Be
56. MANOSTA A. CATALO	SO MAM TER	F	ONIAM
57. ARIANT JOH Q. FELIPE	MUN. ACCOUNTANT	E	Adla'n
58. JOSEUTO L. APINTOC	SB MEMBER	M	Z DIN
59. JHUN CESAR BALAIS	CACTUS	M	The stand





Reput of the Philippines Province of Leyte MUNICIPALITY OF TUNGA Office of the Sangguniang Bayan



PUBLIC HEARING MARCH 05, 2025

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60. FIDENTIO G. BAAC	P. 13. ISAN ANTONIO	M	plan
61. Fedelina D. Falquera	PCL Banawara	F	- N
62. ODIHEH C. MAJAM	Moro / PESO, Lau-Tung	F	ais.
63. NADMY ANCAWARDA	3B SEC SB	F	Jules
64. PONFERRANA, HILLAN A.	IMMERSION (ATC) /SB OFFICE	F	William,
65. SUTILA, HANNAJA POROTHY O.	IMMERSTON (HOW) DE OFFICE	P	X XXXXX
66. TANAUA, JOSEFA JOY B.	SB STAFF	F	Jonah
67. Aballar, Michele L.	STO STATE	Þ	Shudda
68. RIZA S. ALAO	COT- MEND	1=	Julia
69. Keith Round B. Papitol	rib rtatt	M	Stepwa with
70.			1757
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