

Item No.: **27**
Date: **22 2025 APR**



Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

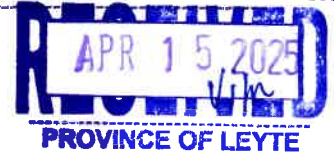
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PROVINCIAL LEGAL OFFICE

Province of Leyte
Legal Office

Checked: *[Signature]*
Time: *[Signature]*
Date: **4-15-25**

SANGGUNIANG PANLALAWIGAN



2nd INDORSEMENT

April 4, 2025

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2025-004 of the Sangguniang Bayan of Calubian, Leyte.

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

- Ordinance No. 2025-004 entitled: **"An Ordinance prohibiting 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(5)(xiv)¹ of the Local Government Code of 1991 (R.A 7160) in relation to R.A. 7610² and RA 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.

[Signature]
ATTY. JOSE RAYMUND A. ACOL
Provincial Legal Officer

¹ (a) (xiv) Provide for the care of paupers, the aged, the sick, persons of unsound mind, disabled persons, abandoned minors, juvenile delinquents, drug dependents, abused children and other needy and disadvantaged persons, particularly children and youth below eighteen (18) years of age and, subject to availability of funds, establish and provide for the operation of centers and facilities for said needy and disadvantaged persons;

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, July 30, 2022."

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

1ST INDORSEMENT
03 April 2025

PROVINCE OF LEYTE
LEGAL OFFICE
[Signature]
4-4-25

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2025-004** of the **Municipality of Calubian, Leyte**, entitled: **An Ordinance prohibiting Online Sexual Abuse or Exploitation Materials (CSAEM) in the Municipality of Calubian, Leyte, institutionalizing programs for its prevention and eradication and providing penalties thereof, thereafter establishing a supportive environment for child victims, and providing funds thereof.**

[Signature]
FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian

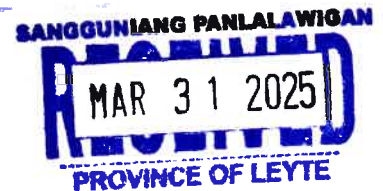
OFFICE OF THE SANGGUNIANG BAYAN



March 21, 2025

HON. LEONARDO M. JAVIER, JR.
Provincial Vice Governor, Presiding Officer; and
The Honorable Members of the Sangguniang Panlalawigan
Province of Leyte
New Leyte Provincial Capitol
Palo, Leyte

THRU: MS. FLORINDA JILL S. UYVICO
Provincial Government Department Head
Secretary to the Sanggunian
Province of Leyte



Dear Honorable Ladies/ Gentlemen:

Good day!

We are respectfully forwarding *fifteen (15) copies* of the following Municipal Ordinances and its supporting attachments for favorable review and approval of the Honorable Sangguniang Panlalawigan of Leyte, to wit:

1. **Municipal Ordinance No. No. 2025-003**, entitled: "AN ORDINANCE REGULATING THE DISPENSING, SELLING, AND RESELLING OF PHARMACEUTICAL PRODUCTS IN SARI-SARI STORES AND OTHER SIMILAR RETAIL OUTLETS IN THE MUNICIPALITY OF CALUBIAN, LEYTE, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF"
2. **Municipal Ordinance No. 2025-004**, entitled: "AN ORDINANCE PROHIBITING ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN THE MUNICIPALITY OF CALUBIAN, LEYTE, INSTITUTIONALIZING PROGRAMS FOR ITS PREVENTION AND ERADICATION AND PROVIDING PENALTIES THEREOF, THEREAFTER ESTABLISHING A SUPPORTIVE ENVIRONMENT FOR CHILD VICTIMS, AND PROVIDING FUNDS THEREOF"
3. **Municipal Ordinance No. 2025-005**, entitled: "AN ORDINANCE ADOPTING REPUBLIC ACT NO. 11313, ENTITLED, "AN ACT DEFINING GENDER-BASED SEXUAL HARASSMENT IN STREETS, PUBLIC SPACES, ONLINE, WORKPLACES, AND EDUCATIONAL OR TRAINING INSTITUTIONS, PROVIDING PROTECTIVE MEASURES", OTHERWISE KNOWN AS THE "SAFE SPACES ACT" AND ITS IMPLEMENTING RULES AND REGULATIONS AND PRESCRIBING PENALTIES THEREFOR FOR LOCAL IMPLEMENTATION IN THE MUNICIPALITY OF CALUBIAN, LEYTE""

For your perusal. Please acknowledge receipt hereof.

Thank you.

Very truly yours,

ATTY. KEISHA YNA VINEE V. RAMIREZ
MGDH I (Secretary to the Sanggunian)



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE ONE HUNDRED ELEVENTH (112TH) REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALUBIAN, LEYTE HELD ON February 3, 2025 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

PRESENT:

SB Member Noel G. Eamiguel	- Member
SB Member Eugenio A. Ching, Jr.	- Member
SB Member Jullian Marc A. Batiancela	- Member
SB Member Ester P. Lubiano	- Member
SB Member Benjamin A. Calbitaza	- Member
SB Member Julia E. Halichic	- Member
SB Member Lucita A. Palconit	- Member
SB Member Alyza F. Nierras	- Member
Liga ng mga Barangay Pres. Alfredo M. Casas	-Member

FORCED LEAVE:

SK Fed. Pres. Carl Ernest D. Ponce	- Member
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OFFICER-IN-CHARGE (OIC), OFFICE OF THE MAYOR

Vice Mayor Anna Love Veloso – Laurente - Presiding Officer

ORDINANCE NO. 2025-004

AN ORDINANCE PROHIBITING ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN THE MUNICIPALITY OF CALUBIAN, LEYTE, INSTITUTIONALIZING PROGRAMS FOR ITS PREVENTION AND ERADICATION AND PROVIDING PENALTIES THEREOF, THEREAFTER ESTABLISHING A SUPPORTIVE ENVIRONMENT FOR CHILD VICTIMS, AND PROVIDING FUNDS THEREOF


**INTRODUCED BY:
COMMITTEE ON TOURISM DEVELOPMENT, SOCIAL AND CULTURAL DEVELOPMENT**

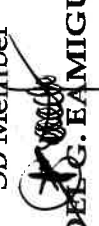
HON. JULIA E. HALICHIC
HON. ESTER P. LUBIANO
HON. JULLIAN MARC A. BATIANCELA
HON. ALYZA F. NIERRAS


WHEREAS, Section 3, Article XV of the 1987 Philippine Constitution provides that “the state shall defend the rights fo children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.”

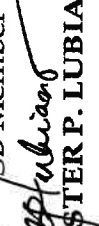
WHEREAS, Republic Act (R.A.) No. 7160 or the “Special Protection of Children Against Abuse, Exploitation and Discrimination Act” provides that it is hereby declared to be the policy of the State to provide special protection to children from all forms of abuse, neglect, cruelty exploitation and discrimination and other conditions, prejudicial to their development; provide sanctions for their commission and carry out a program for prevention and deterrence of and crisis intervention in situations of child abuse, exploitation and discrimination;


WHEREAS, R.A. No. 7160 or the “Local Government Code of 1991” states that every local government unit shall exercise the powers expressly granted, those necessarily implied



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NOEL G. FAMIGUEL
SB Member

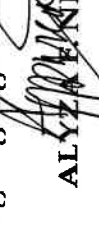

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therefrom, as well as powers necessary, appropriate, or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare. Within their respective territorial jurisdictions, local government units shall ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of the people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve proper morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order, and preserve the comfort and convenience of their inhabitants;

WHEREAS, R.A. No. 7160 or the “Local Government Code of 1991”, provides that the Sangguniang Bayan, Sangguniang Panlungsod, and Sangguniang Panlalawigan, as the legislative bodies of the Municipality, City and Provinces, respectively, shall enact, 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 city as provided for under Section 22 of this Code;

WHEREAS, R.A. No. 11930 or the “Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act” provides that local governments shall pass an ordinance to localize efforts against OSAEC and CSAEM, take account local culture and norms, institutionalize community-based initiatives that address OSAEC and CSAEM at the barangay level, establish OSAEC and CSAEM prevention program for rehabilitation and reintegration under the local social welfare and development office including support and protection for victims and survivors;

WHEREAS, R.A. No. 11930 or the “Anti-Online Sexual Abuse or Exploitation of Children and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act” declared it to be the policy of the State to provide special protections to children from all forms or sexual violence, abuse and exploitation especially those committed with the use if information and communications 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 in the digital and non-digital production, distribution or possession of child sexual abuse or exploitation material;

WHEREAS, R.A. No. 11862 or the Expanded Anti-Trafficking Act of 2022 was signed into law by President Rodrigo Duterte on 23 June 2022 which provided for the definition of Online Sexual Abuse of Exploitation of Children (OSAEC) and Child Sexual Abuse and Exploitation Materials (CSAEM) or Child Sexual Abuse Material (CSAM);

WHEREAS, Section 33 of R.A. 11930 or the Anti-Online Sexual Abuse and Exploitation of Children Law provides that Local Governments shall pass an Ordinance to localize efforts against OSAEC and CSAEM, take into account local culture and norms, institutionalize community based initiatives that address OSAEC and CSAEM at the barangay level, establish OSAEC and CSAEM prevention programs that aims to educate families against OSAEC and CSAEM and provide a holistic local program for rehabilitation and reintegration under the local services welfare and development office including support and protection for victims and survivors.

WHEREAS, the Municipality of Calubian, Leyte has and continues to demonstrate exemplary child friendly governance;

WHEREAS, the internet has been a positive catalyst for innovation, education, and economic growth, however, it has also enabled those who would harm children by making it easier for them to produce, access and share sexual abuse materials; to find like-minded offenders; and Governance Audit;

WHEREAS, DILG MC No. 2024-09, dated July 10, 2024, integrates the enactment of local ordinance against OSAEC and CSAEM as one of the indicators of the Child-Friendly Local Governance Audit (CFLGA);

WHEREAS, the adoption of stronger legislative measures in support of online safety of children in the Municipality of Calubian, Leyte will pave the way for the protection and development of the child and it will enhance local governance and strengthen the child protection if survivors are capacitated for leadership development, advocacy and participation;

NOW THEREFORE, on motion of SB Member Hon. Julia E. Halichic duly seconded by Hon. Noel G. Eamiguel, and the Majority of all the Sangguniang Bayan members present;

BE IT ORDAINED, AS IT IS HEREBY ORDAINED, by the Sangguniang Bayan of Calubian, Leyte in session assembled, that:

Section 1. Short Title. This Ordinance shall be known as the “An Ordinance Prohibiting Online Sexual Abuse and Exploitation of Children and Child Sexual Abuse and Exploitation Materials in the Municipality of Calubian, Leyte.”

Section 2. Scope and Application. This Ordinance covers all households, internet and allied busuiness establishments, government agencies and its facilities within the Municipality of Calubian, Leyte.

Section 3. Declaration of Policy. The Municipality of Calubian, Leyte hereby declares as policy that:

- a) Each child is protected against the ill-effects of and the dangers of unsafe internet use and prevent online abuse and sexual exploitation;
- b) Families, parents, and guardians and their children are 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 to respond according to their mandates;
- d) Online businesses and other allied services/enterprises, such as, but not limited to data providers, money transfers, IT equipment providers and internet installers are compliant to existing laws and its provisions in ensuring online safety.

Section 4. Definition of Terms - For the purpose of this Ordinance, the following terms and phrases 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.

A child shall also refer to:

- a.1) A person regardless of age who is presented, depicted or portrayed as a child defined herein;
- a.2) Computer-generated, digitally or manually crafted images or graphics of a person who is represented or who is made to appear to be a child as defined herein.
- 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 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.
- 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 nonmonetary consideration, favor, or benefit in exchange for the opportunity to perform such abusive or exploitative act;
 - c.2) Actual sexual intercourse with a child or children with or without consideration;

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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, mechanical, digital, optical, magnetic or any other means, 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 private body parts of a child. For purposes of this Act, CSAEM may interchangeably be referred to as CSAM.

e) **“Internet café or kiosk”** 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 purposes of accessing the internet, computer games or related services. This includes machines such as piso-net, etc.

f) **“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 extortion 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.

g) **“Remittance Centers”** refers to financial service providers that allow people to send or receive money to anyone within the country or abroad. They offer a traditional way to transfer money for Filipinos without a bank account, PayPal account, and/or internet connection.

h) **“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.

i) **“Videotaped In-Depth Interview (VIDI)”** shall mean a video-recorded “inquiry or proceeding conducted by duly trained members of a multidisciplinary team or representatives of law enforcement or child protective services for the purpose of determining whether child abuse has been committed.”

j) **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).

k) **Network of Care** refers to a Trauma-Informed Network of Government and Private Facilities and Service providers within a region, offering Programs and Services for OSEC Survivors and their Families with a protocol that facilitates efficient and effective communication, coordination, and collaboration in service delivery.

l) **Foster Care** refers to the provision of planned temporary substitute parental care to a child by a foster parent. While **Foster Child** refers to a child placed under foster

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care, **Foster Family Care License** refers to the document issued by the DSWD authorizing the foster parent to provide foster care. **Foster Parent** refers to a person, duly licensed by the DSWD, to provide foster care.

- m) **Kinship Care** is the full-time care of a child by a relative or another member of the extended family.
- n) **Survivor Network** is an all-inclusive program for members in the Philippines from different case types of violence like child sexual abuse, commercial sexual exploitation, and online sexual exploitation of children, who desire and pursue safe communities through justice systems that protect the most vulnerable.
- o) **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 IJM, IJM partners, or others.
- p) **Survivor Leadership** - Survivors are individuals with experience and expertise to offer. Survivors can use their experience and expertise in a leadership capacity to empower and work with fellow survivors and the community. Survivor Leadership means survivors are engaged as leaders who can shape programs or projects through their direct contribution; and survivors are impacting and leading the movement against violence and slavery.

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, 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 applications to view, and sometimes interact with, the sexual abuse of children live;
- d. Sextortion - Coercing and blackmailing children for sexual purposes - Producing and/or utilizing sexual images and/or videos depicting a child for the purposes of sexual, financial, or other personal gains;
- e. Other unlawful or prohibited acts as provided under:
 - Republic Act No. 9775 or the *Anti-Child Pornography Act of 2009*,
 - Republic Act No. 11862 or the *Expanded Anti-Trafficking in Persons Act of 2022*,
 - Republic Act No. 11930 or the *Anti Online Abuse and Exploitation of Children Law*.

Section 6. Roles and Responsibilities of the LGUs –

- a. Monitor and regulate the establishment and operation of internet cafés and kiosks or similar establishments to prevent violations of the Act;
- b. Monitor and document cases of OSAEC and CSAEM, through LSWDOs, and ensure the regular submission of reports to the DSWD Field Offices;
- c. Effect the cancellation of licenses of establishments, which violate the provisions of the R.A. 11930 and other related laws and policies;
- d. Undertake education and information campaigns to prevent and suppress OSAEC and CSAEM;

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- e. Assist, coordinate, and partner with the Social Welfare Development Agencies (SWDAs) in enhancing their resources or technical capabilities to implement anti-OSAEC and CSAEM programs;
- f. Establish and support community-based initiatives and prevention programs that aim to educate families against OSAEC and CSAEM;
- g. Provide basic social services for the prevention, rescue, recovery, rehabilitation, and reintegration under the LSWDO, including aftercare support services to child victim-survivors;
- h. Assist and refer families of child victim-survivors for local employment, whether private or public, through the Public Employment Service Office (PESO), in coordination with the DOLE, as part of the reintegration programs of the government;
- i. Enact and implement ordinances to localize efforts against OSAEC and CSAEM, taking into account local culture and norms;
- j. Coordinate with the NCC-OSAEC-CSAEM and the DILG to ensure uniformity and consistency between the local ordinances or issuances, the Act, and this IRR;
- k. Ensure the participation of the Sangguniang Kabataan (SK), and the allocation of sufficient funds from the SK funds and resources for the initiatives against OSAEC and CSAEM at the barangay level;
- l. Strengthen, activate, and mobilize existing child-focused committees (BCPCs, LCPCs and LCAT-VAWCs), councils, similar organizations, and LGUs at the provincial, city, municipal, and barangay levels to prevent and suppress OSAEC and CSAEM;
- m. Assist and support in the filing of cases;
- n. Coordinate with, refer, and endorse to the DSWD and/or other relevant agencies of government all cases of OSAEC and CSAEM depending on the child victim-survivor's needs; and
- o. Provide technical assistance to Barangays to ensure that they also adopt local ordinances against OSAEC-CSEAM.

Section 7. Mandatory Services to Victims of Child Sexual Abuse or Exploitation. The Municipal Social Welfare and Development Office (MSWDO) shall ensure that the child who is a victim of any form of child sexual abuse or exploitation is provided appropriate care, custody, and support for their 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 or exploitation:

- i. Emergency shelter or appropriate housing;
- ii. Alternative family-based care like Foster care and Kinship Care;
- iii. Counselling;
- iv. Free legal services, which shall include information about the victim's rights and the procedure for filing complaints, claims for compensation, and other legal remedies available to them in a language understood by the child;
- v. Medical and/or psychological services;

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- vi. Livelihood and skills training;
- vii. Educational assistance; and
- viii. Support services to survivor empowerment, leadership development, advocacy, and participation.

Sustained supervision and follow-through mechanisms that will track the progress of recovery, rehabilitation, and reintegration of the child victims shall be adopted and carried out.

Section 8. Case Referral. When a person has knowledge or information of facts or circumstances that a person is suspected to be a victim of OSAEC or other related trafficking or is about to be a victim of the same, he or she may immediately report the case to any of the following:

- a. IACAT Actionline through 1343;
- b. MAKABATA Helpline through 1383;
- c. Barangay VAW Desk Officer;
- d. Members of the Local Council for the Protection of Children (LCPC);
- e. Members of the Local Committee on Anti-Trafficking and Violence against Women and their Children (LCAT-VAWC);
- f. MSWDO;
- g. Local PNP;
- h. Other Law Enforcement Agencies;
- i. CSOs, NGOs, and faith-based organizations.

Section 9. Anti-Trafficking in Persons Database – The Municipality of Calubian, Leyte through the MCAT-VAWC shall monitor and document cases of trafficking in persons (TIP) which include the OSAEC-CSAEM Cases within the Municipality of Calubian, Leyte.

The MCAT-VAWC is hereby tasked to ensure the harmonization of its database, including data requirements, definitions, reporting formats, data collection systems, and data verification systems. Such database shall have, at the minimum, the following information:

- a. Number of cases of TIP, sorted according to the status of cases, including the number of cases being investigated, submitted for prosecution, dropped, and filed and/or pending before the courts and the number of convictions and acquittals;
- b. Demographic profile/information on each case (sex and age disaggregated);
- c. Number of victims of TIP referred to the agency by destination countries/areas and by area of origin (sex and age disaggregated).

Section 10. Responsibility of Mall Owners/Operators and Owners or Lessors of Other Business Establishments. All mall owners/operators, and owners or lessors of other similar business establishments, like hotels, resorts, etc., shall notify the Local PNP of the Municipality of Calubian, Leyte or the NBI within 48 hours from obtaining facts and circumstances that child sexual abuse or exploitation is being committed in their 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 establishment owners/operators and owners or lessors. Provided further, that a disputable presumption of knowledge by the owners/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.

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Photo developers, information technology professionals, credit card companies, remittance centers and banks, and any person who has direct knowledge of any form of child sexual abuse or exploitation activities shall have the duty to report any suspected child sexual abuse or exploitation materials or transactions to the proper authorities within 48 hours from discovery thereof.

Any willful and intentional violation of this provision shall be subject to the penalty provided under Section 20 of this Ordinance.

Section 11. Authority to Regulate Internet Café or Kiosk. The Municipality of Calubian, Leyte shall have the authority to monitor and regulate the establishment and operation of Internet café or kiosks, remittance centers, or similar establishments, located within the LGU, to prevent violation of the provisions of this Ordinance.

All internet café and kiosks, as well as money remittance centers, and all other establishments included in the preceding section should undergo a Seminar or Orientation on Online Sexual Exploitation and Abuse 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 renewal. Upon the discretion of the Business Permit and Licensing Office, the said establishments may be issued a provisional license for a period of not more than three (3) months prior to the completion of the aforementioned OSAEC Seminars.

Section 12. Programs for Victims of Child Sexual Abuse or Exploitation - The Municipal Government of Calubian, Leyte 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 be limited to the following:

- 1) Provision of mandatory services including counseling, free legal services, medical or psychological services, livelihood and skills training, and educational assistance to the child;
- 2) Sponsorship of a national research program on any form of child sexual abuse or exploitation and other acts covered by the law, and the establishment of a data collection system for monitoring and evaluation purposes;
- 3) Provision of necessary technical and material support services to appropriate government agencies and non-governmental organizations (e.g., mostly financial support for training, needs of MDTs, and network of care);
- 4) Sponsorship of conferences and seminars to provide venues for consensus building amongst the public, academe, government, nongovernmental and international organizations, including the regional network of care;
- 5) Promotion of information and education campaigns;
- 6) Survivor Empowerment, Leadership Development, Advocacy, and Participation; and
- 7) 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 there is no indication of bias in favor of the perpetrator.

Section 13. Multi-disciplinary 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, specializations, and areas of expertise to organize and carry out work to address the holistic needs of the child survivor (and his/her family). 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.).

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Liga ng mga Barangay Pres.

AUZA R. NIERRAS

SB Member

- b) **Multi-disciplinary Case Conference (MDCC)** is a forum by which professionals having a major role in the handling of online child abuse and exploitation cases can share their professional knowledge, information, or concerns about the child(ren). The case conference analyzes risks and recommends actions to be taken in relation to the welfare planning of the child(ren) and the family. All the information and discussions would be kept confidential.

Section 14. Trainings - Regular trainings 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:

- Barangay VAW-Desk Officers;
- Law enforcement officials;
- Social workers;
- Teachers and parents;
- Barangay-based volunteer groups, such as women and youth groups;
- 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 (or other existing child centers, temporary shelters in the LGU that can be used for the same purpose) - The Municipality of Calubian, Leyte shall establish a **Local Child Protection and Response Center (LCPRC)** that shall serve as a refuge for child victims in general. It shall provide for:

- Temporary shelter for abused children
- Interview rooms
- Office for the City Inter-Agency Council Against Online Sexual Abuse and Exploitation of Children and its Secretariat

The LCPCR shall be provided with adequate personal and administrative staff to effectively serve the best interests of children.

The LCPCR shall also serve as an **assessment center** to address the gap in the provision of comprehensive and timely assessments for OSEC survivor placement as the basis for other partners in the Network of Care to provide case management.

- The primary role of assessment centers is to provide a safe and temporary home for newly rescued OSEC survivors where they can receive specialized services and support for the start of their recovery;
- The staff of the center are composed of a team of professionals (social worker, psychologist, counselor, medical doctor, and nurses) and paraprofessionals (house parents, security personnel, and administrative support staff) who provide critical care, specialized services, and comprehensive assessment to newly rescued OSEC survivors. These staff members are expected to intentionally care for the children during their whole stay in the assessment center whilst employing trauma-informed care to support survivors in the recovery and development of attachment skills;
- Concurrently, a case management team composed of the center social worker, psychologist, nurse, and medical doctor, alongside a law enforcement officer and lawyer, are designated to complete an individualized assessment of the child and his/her family;

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Liga ng mga Barangay Pres.

ALYAN M. NIERRAS

SB Member

- d. The critical assessments undertaken at the center include, but are not limited to: psychological assessment; medical assessment; psychosocial assessment; and family assessment. The comprehensive assessments of the child and his/her family are critical in determining the permanency plan for the child, be it reunification with relatives or reintegration through other avenues such as foster care, independent living, or adoption;
- e. Through this center, the process of transitioning a child to a permanent placement option is expected to be fast-tracked rather than extending the child's stay long-term inside the shelter.

Note: In the absence of an LCPCR or its equivalent center, a specific room in the LGU shall be established in accordance with the requirements of a child-friendly space that shall serve the purpose of promoting the best interests of child victims. In the alternative, Community Day Care Centers shall be utilized as a Child-Friendly Space for processing and interview of children.

Section 17. Video In-Depth Disclosure Interview (VIDI) of the Child - To facilitate the proper assessment of the survivor and further support the prosecution of OSAEC cases, the Municipality of Calubian, Leyte shall establish at least one (1) room specifically designed to conduct VIDI pursuant to Rule 28 and 29 of the Rules on the Examination of the Child Witness. Considering the requirements of a Child Friendly Space, the room shall be adequately established with the proper personnel and equipment such as but not limited to one-way mirrors, cameras, recorders, etc.

In the absence of an LCPCR, or a fully equipped facility or room, the VIDI may be conducted in the room assessed by the social worker to be fit for a child interview pursuant to the requirements of a **child-friendly space**, with a **VIDI Mobile Kit**.

There shall also be established a **multi-disciplinary team (MDT)** that shall conduct VIDI on the child composed of the following: social worker, properly trained police officer/investigator, psychiatrist/psychologist/licensed physician. The MDT shall be adequately trained in conducting VIDIs to ensure that they have a child-protective mindset and that evidence derived from the same will be admissible in Court.

Section 18. VIDI Mobile Kit. The Local Police Station, Local Social Welfare and Development Office, and the LCPRC shall be provided with VIDI Mobile Kits which shall be comprised of the following:

- a. Video Camera with Charger and Case
- b. Tripod
- c. Laptop with Charger and Case
- d. Storage Media (SD Card and Flash Drives)
- e. Extension Cord
- f. Forms and Support Documents Folder:
 - f.1. Informed Consent Form
 - f.2. Handling Log Sheet
 - f.3. Interview Guide and Script
 - f.4. Sample Joint Affidavit of Interviewer and Social Worker
 - f.5. Blank Acknowledgment Receipts

Section 19. Local Anti-OSAEC Prevention and Awareness Programs

The Municipality of Calubian, Leyte shall conduct 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.

Section 20. Penalties. Without prejudice to penalties and fines as may be provided by other relevant laws, the following penalties for violations of any provisions of the Ordinance are hereby imposed as follows:

- a. First Offense: The offender violating the Ordinance shall be penalized with a fine of One Thousand Pesos (Php 1,000.00) and undergo a mandatory OSAEC Seminar;
- b. Second Offense: The offender violating the Ordinance shall be penalized with a fine of Two Thousand Pesos (Php 2,000.00) and undergo a mandatory OSAEC Seminar; and
- c. Third Offense: The offender violating the Ordinance shall be penalized with a fine of Two Thousand Five Hundred Pesos (Php 2,500.00) and undergo a mandatory OSAEC Seminar and imprisonment.

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

In cases when any provision of this Ordinance is violated by any government agency, office, instrumentality, or any government employee, they shall be proceeded administratively.

"This Ordinance shall not preclude the prosecution of a case under Republic Act No. 11930 or the Anti-OSAEC Law by the Department of Justice National Prosecution Office, which shall have control over whether to file an OSAEC Offense under this Ordinance or the Law. It should be noted, however, that Section 21 of Article III of the Philippine Constitution states that 'if an act is punished by a law and an ordinance, conviction or acquittal under either shall constitute a bar to another prosecution for the same act.'"

Section 21. Funding. A minimum annual amount of Five Hundred Thousand Pesos (PHP 500,000.00) shall be allocated for the expenses for implementation of this Ordinance.

The operation and activities of the Council and establishment of the LCPRC shall be considered as related to gender and development projects of the Municipality, and the funding therefore shall be part of the 5% gender and development fund for every year.

The funding, however, shall not be limited to the abovementioned source for so long as other sources may be available as permitted by law.

Partnership with NGOs, CSOs, and private enterprises/individuals is encouraged for the implementation of the Ordinance.

Section 22. Repealing Clause. The provisions 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 as it is susceptible to enforcement and application.


Section 24. Effectivity


This Ordinance shall take effect after fifteen (15) days from posting, immediately upon approval of the Municipal Mayor, unless otherwise provided by the Honorable Sangguniang Panlalawigan of Leyte. The publication of this Ordinance shall take place upon approval of the Honorable Sangguniang Panlalawigan of Leyte.


Approved.


Ordinance No. 2025-004



EUGENIO A. CHING, JR.
SB Member



NOEL G. EAMIGUEL
SB Member



JULIA E. HALICHIC
SB Member


ESTER P. LUBIANO
SB Member


LUCITA A. PALCONIT
SB Member


BENJAMIN A. CALBITAZA
SB Member


ALFREDO M. CASAS
Liga ng mga Barangay Pres.


ALYZA P. NIERRAS
SB Member

APPROVED, this 3rd day of February, 2025 at Calubian, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance.

ATTY. KEISHAYNA VINEE V. RAMIREZ

MGDHI (Secretary to the Sanggunian)

ATTESTED BY:

JULLIAN MARC A. BATIANCELA

Temporary Presiding Officer

EUGENIO A. CHING, JR.

SB Member

NOEL G. EAMIGUEL

SB Member

JULIA E. HALICHIC

SB Member

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SB Member

BENJAMIN A. CALBITAZA

SB Member

ALYZA F. NIERRAS

SB Member

ALFREDO M. CASAS

Liga ng mga Barangay Pres.

APPROVED:

Date: 07 FEB 2025

HON. MARCIANO A. BATIANCELA, JR.

Municipal Mayor

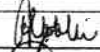
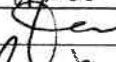
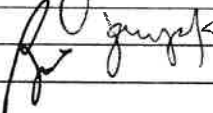
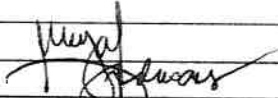


BAGONG PILIPINAS

Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian

ATTENDANCE SHEET
PUBLIC HEARING
CALUBIAN SPORTS COMPLEX
January 27, 2025

BARANGAY	NAME OF BRGY. SECRETARY	SIGNATURES	CONTACT NO./ FB ACCOUNT
1. ABANILLA	REMEDIO C. CABALQUINTO		09675049450
2. AGAS	MARIAN T. SANDIGAN		09067002455
3. ANISLAGAN	NIEGEL J. CATOR		09297704001
4. BUNACAN	BERNADETTE A. EVANGELISTA		09004988206
5. CABALHIN	LIEZEL B. ARANAS		
6. CABALQUINTO	WENIFREDA M. FIEL		0951-817-3207
7. CABRADILLA	JINNY ROSE A. CABRADILLA		09537093379
8. CANEJA	BELLA N. CATOR		
9. CANTONGHAO	HERBERT F. GACMAN		
10. CARUYUCAN	LORENZA R. AÑASCO		
11. CASONGAN	JERRY T. JAMIN		
12. CRISTINA	GLORIA M. LUNZAGA		
13. DALUMPINES	ROWENA LACDAYING		09645835424
14. DON LUIS	GERALDINE OLIMPO		
15. DULAO	CARLITO S. MALIPAY		
16. EFE/UL-OG	TRINIDAD AYUBAN		
17. ENAGE	EVELYN A. ANSALE		
18. ESPINOSA	ROBERT C. LEE		09564578245
19. F.E. MARCOS	MOZELLE S. MENDOZA		
20. GARGANERA	SHELLA M. BALTAR		09368418832
21. GARRIDO	BELLA Y. MALAIT		09974062299
22. GUADALUPE	SARAHJANE D. SALUT		09750761957
23. GUTOSAN	KYLA JANE GONZALES		09563823605
24. IGANG	EDILYN D. UMPAD		
25. INALAD	ABEGAIL ELLE		09273099124
26. JUBAY	LOURDES O. RIVERA		
27. JUSON	ROWENA OROT		
28. KAWAYANAN	LENIZA D. SALUDAR		0944682589
29. K. BUGTONG	MARY ROSE L. EBRADA		09272407594
30. K. ROMUALDEZ	DONALD GENOGUIN		
31. LABTIC	SARA MAE R. MAYONO		09064432616
32. LARAY	GENELYN MARTIZO		0912-047-8467
33. M. VELOSO	NILDA D. CATOY		09292324951
34. MAHAIT	FE MARLENE C. MONTICALBO		09262865800
35. MALOBAGO	REZEL D. MADANGLOG		09091062488
36. MATAGOK	JEANELYN REDOLOZA		0963116231007
37. NIPA	REBECCA E. OLIVAR		
38. OBISPO	ALLAN O. ABELLA		
39. PADOGA	EVANGELYN D. CASTILLO		09532782415
40. PAGATPAT	CRESILDA PONCE		09453322940
41. PANGPANG	NERIE B. DELA PEÑA		
42. PATAG	DELIA CAHAYAGAN		
43. PATES	ROWENA C. MOSCOSA		0967769294/0914184
44. PAULA	IRISH A. COLITA		09454192034

45. PETROLIO	CECIL C. LABTIC		09469529989
46. RAILES	ALVIN B. MONTIVES		0966-683232
47. TABLA	IMELDA LUMAPAK		09709851607
48. TAGHARIGUE	ROSEMARIE B. JURILLA		09455207680
49. T. POBLACION	JENELYN CAMARINES		
50. TUBURAN	MARJHUN ABAJON		
51. VILLAHERMOSA	MARNELLE S. SABINAY		
52. VILLALON	WILMA N. EYAO		09124857373
53. VILLANUEVA	EDNA P. DASAS		09518331725



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Municipality of Calubian

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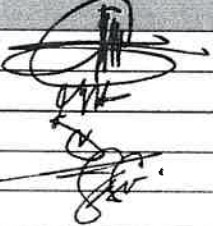
NAME	DEPARTMENT/OFFICE	SIGNATURES	CONTACT NO./ FB ACCOUNT
1. Benjamin Capilitza	SB		0970-877-4975
2. Noel Domingo	SB		
3. JULLIAN BASTIANCEVA	SB		
4. JULIA B. HALICHIC	SB		0927-24-9095
5. EUGENIO A. CHING	SB		
6. ESTER P. LUBIANO	S.B		
7. BING LEWISO	SB		
8. Roda A. Gaturian	SB		
9. Ronald M. Acebedo	DILG		096693658
10. Ethel R. PETER	DILG STAFF		
11. ELVIS G. HOSKINE	REGS, TREASURER		09765761967
12. CATHARINE PRAMAN	PRM (TOWN)		
13. Melinda Y. LUTERANS	n Tagbani		09630769118
14. Fe Marlene C. Montecarlo	BRGY. MAHAI		09262861800
15. Jovanna C. Moscoso	BRGY. PATA		09677692969
16. Nilda D. Catuy	BRGY. M. VILVA		09392326951
17. WILMA D. ELRO	BRGY. SECRETARY		09124837373
18. JENNIFER T. JIMIN	BRGY. CHAIRMAN SEC.		
19. EDGEMUND S. PEDRINA	BRGY. CHPT. CHAIRMAN		
20. Evelyn Dinsale	n Enage, Sec.		
21. Emily Luchavez	BRGY. Treasurer		09674278114
22. Jennylyn C. Camarines	BRGY. Poblacion / Sec.		
23. ALAN O. ABELLA	BRGY. OBISPO / SEC.		
24. REMEDIO C. CABALQUIN	BRGY. ABUILLA - SEC.		09675049450
25. SHEILA BALTAZ	BRGY. CARLINA SEC.		09368418852
26. Ariel M. Nunez	SB		
27. JOVELAN C. MARIOTE	SB		
28. JOSE MARIE DELIMO	SB		09630506782
29. EDDY LIMPAQUE	SB		
30. GLENN D. TORRES	SB		
31. MERCAREDO S. MARIOTE	SB		
32. THELMA V. CUYO	SB		
33. VACHA YNA VINEG RA MIREZ	SB		
34. LORENZA V. TIMAMAK	SB		0977-364-2293
35. MA. FARIDA RESTRELA	SB		
36. Juvic Mangapon	SB		09062356173
37. RECHELLE BACALUS	SB		
38. MEA G. PRODTIAN	SB		
39. GEMMA D. VELIZ	SB		
40. JEAN ROSE L. PULGO	SB		
41. Francine Almira Balan	SB		09673178396



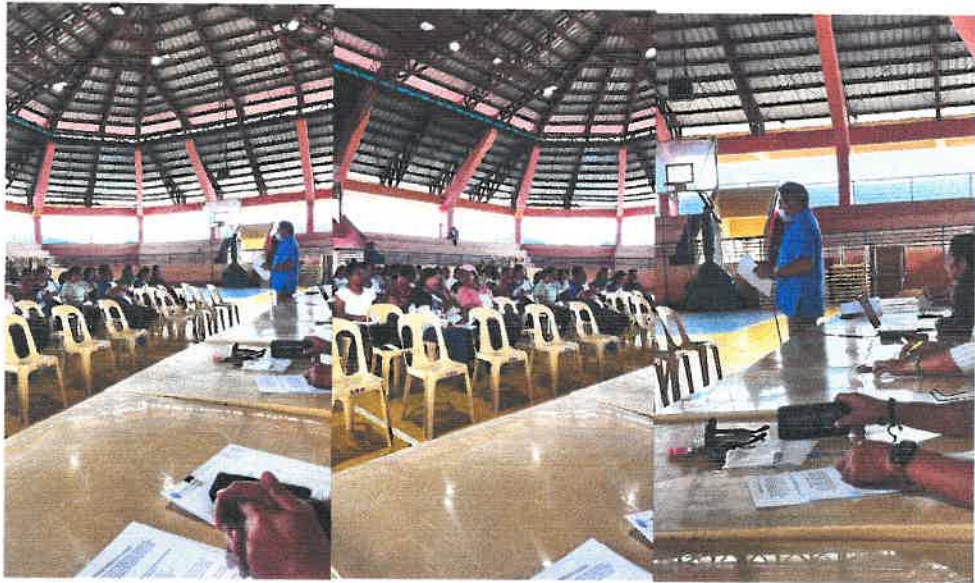
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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian

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PUBLIC HEARING
CALUBIAN SPORTS COMPLEX
January 27, 2025

NAME	ADDRESS	SIGNATURE
1. ELUIS J. HONORABLE	Brgy. Guadalupe	
2. GEPE P. TORRES	Brgy. Villapermasa	
3. Ardy C. Molinos	Don Luis	
4. CHICHY S. PACHECO	AGANILLA, CAL. LEYTE	
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Republic of the Philippines
PROVINCE OF LEYTE
Municipality of Calubian

OFFICE OF THE SECRETARY
TO THE SANGGUNIANG BAYAN
sbsec0813.mgocalubian@gmail.com



CERTIFICATE OF POSTING


TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY THAT the Municipal Ordinance No. 2025-004, entitled: "AN ORDINANCE PROHIBITING ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (CSAEM) IN THE MUNICIPALITY OF CALUBIAN, LEYTE, INSTITUTIONALIZING PROGRAMS FOR ITS PREVENTION AND ERADICATION AND PROVIDING PENALTIES THEREOF, THEREAFTER ESTABLISHING A SUPPORTIVE ENVIRONMENT FOR CHILD VICTIMS, AND PROVIDING FUNDS THEREOF" was posted on the Bulletin Board of the Sangguniang Bayan on March 21, 2025 and other conspicuous places in the Municipality of Calubian, Leyte, and it will remain posted therein for three (3) consecutive weeks.

THIS CERTIFICATION is issued in compliance with ARTICLE 114 of the Implementing Rules and Regulations of Regulations of Republic Act No. 7160.

ISSUED the 21st day of March, 2025 at the Municipality of Calubian, Leyte.

Very truly yours,


ATTY. KEISHA YNA VINEE V. RAMIREZ
MGDHI (Secretary to the Sanggunian)