

Item No.: 20

Date: 07 2026 APR



Republic of the Philippines  
PROVINCE OF LEYTE  
Provincial Capitol  
Tacloban City

PROVINCE OF LEYTE  
LEGAL OFFICE

RELEASED

-oOo-

Sangguniang Panlalawigan Province of Leyte PROVINCIAL LEGAL OFFICE

By: [Signature]  
Date: 3, 20, 26 Time: 9-12

**RECEIVED**  
Date: MAR 30 2026  
By: [Signature]

2<sup>nd</sup> INDORSEMENT  
March 20, 2026

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 3 s. 2026 of the Sangguniang Bayan of Tunga, Leyte.

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

- Ordinance No. 3 s. 2026 entitled: "An Ordinance on Anti-Trafficking in Persons of Tunga, Leyte ."

**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)<sup>1</sup> of the Local Government Code of 1991 (R.A 7160) in consonance with RA No. 10364<sup>2</sup>. 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*



<sup>1</sup> (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,

<sup>2</sup> "Expanded Anti-Trafficking in Persons Act of 2012"

Republic of the Philippines  
**PROVINCE OF LEYTE**  
Palo, Leyte

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PROVINCE OF LEYTE  
LEGAL OFFICE

RECEIVED

By: ALT Emma B. J. J.  
Date: 03-23-26 Time: 8:48 AM

**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**1<sup>ST</sup> INDORSEMENT**

19 March 2026

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 03, series of 2026 of Tunga, Leyte**, entitled: **An Ordinance establishing the institutional mechanisms for trafficking in persons, protection and support of trafficked persons in the Municipality of Tunga, Leyte, pursuant to the provisions of Republic Act No. 9208, otherwise known as the "Anti-Trafficking in Persons Act of 2003", as amended by Republic Act No. 10364, or the "Expanded Anti-Trafficking in Persons Act of 2012", and for other purposes.**



**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF TUNGA

**OFFICE OF THE SANGGUNIANG BAYAN**

March 19, 2026

Sangguniang Panlalawigan  
Province of Leyte  
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Date: MAR 19 2026  
By: [Signature]

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

**Thru: THE SECRETARY TO THE SANGGUNIANG**

Sir:

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

- Supplemental Budget No. 2 C.Y. 2026 of the Municipality of Tunga, Leyte**
- Municipal Ordinance No. 03, Series of 2026** – AN ORDINANCE ESTABLISHING THE INSTITUTIONAL MECHANISMS FOR TRAFFICKING IN PERSONS, PROTECTION AND SUPPORT OF TRAFFICKED PERSONS IN THE MUNICIPALITY OF TUNGA, LEYTE, PURSUANT TO THE PROVISIONS OF REPUBLIC ACT NO. 9208, OTHERWISE KNOWN AS THE “ANTI-TRAFFICKING IN PERSONS ACT OF 2003,” AS AMENDED BY REPUBLIC ACT NO. 10364, OR THE “EXPANDED ANTI-TRAFFICKING IN PERSONS ACT OF 2012”, AND FOR OTHER PURPOSES.

Please acknowledge receipt hereof.

Thank you.

Very truly yours,

  
**NAOMI C. ARCALLANA**  
Secretary to the Sanggunian



REPUBLIC OF THE PHILIPPINES  
Province of Leyte  
MUNICIPALITY OF TUNGA  
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**OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPTS FROM THE MINUTES OF THE 34<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN, TUNGA, LEYTE HELD ON MARCH 16, 2026 AT THE SB SESSION HALL.

**PRESENT:**

- |                                |  |
|--------------------------------|--|
| Hon. Lemuel G. Ponferrada      | - Municipal Vice-Mayor/Presiding Officer |
| Hon. Martiniano F. Requez      | - SB Member                              |
| Hon. Herman A. Ayuste          | - SB Member                              |
| Hon. Marietta A. Catalo        | - SB Member                              |
| Hon. Cielito O. Esquibel       | - SB Member                              |
| Hon. Jose Capoporo A. Uribe    | - SB Member                              |
| Hon. Joselito L. Arintoc       | - SB Member                              |
| Hon. Rex S. Ergina             | - SB Member                              |
| Hon. Juanito G. Fallorina, Jr. | - SB Member                              |
| Hon. Florentina A. Obsequio    | - Ex-Officio Member/Liga President       |
| Hon. Leo Van C. Delgado        | - Ex-Officio Member/SK Fed. President    |

Sangguniang Panlalawigan  
Province of Leyte  
**RECEIVED**  
Date: MAR 19 2026  
By: [Signature]

**ABSENT:**

None

**MUNICIPAL ORDINANCE NO. 03**  
Series of 2026

**PROPOSED ORDINANCE ENTITLED: AN ORDINANCE ESTABLISHING THE INSTITUTIONAL MECHANISMS FOR TRAFFICKING IN PERSONS, PROTECTION AND SUPPORT OF TRAFFICKED PERSONS IN THE MUNICIPALITY OF TUNGA, LEYTE, PURSUANT TO THE PROVISIONS OF REPUBLIC ACT NO. 9208, OTHERWISE KNOWN AS THE "ANTI-TRAFFICKING IN PERSONS ACT OF 2003," AS AMENDED BY REPUBLIC ACT NO. 10364, OR THE "EXPANDED ANTI-TRAFFICKING IN PERSONS ACT OF 2012," AND FOR OTHER PURPOSES.**

*Sponsor: Hon. Marietta A. Catalo*

**WHEREAS**, the States values the dignity of every human person and guarantees the respect of individual rights;

**WHEREAS**, Congress enacted Republic Act (R.A.) No. 9208, otherwise known as the Anti-Trafficking in Persons Act of 2003, with the sole objective of eliminating trafficking in persons and ensuring the victim's recovery, rehabilitation, and reintegration into the mainstream of society, thereby promoting the dignity of every human being;

[Handwritten signatures and initials in blue and black ink, including a large blue 'R' and various scribbles.]

**WHEREAS**, under Section 144 Paragraph 2 of Rules and Regulations implementing R.A. No. 9208, the Local Government Unit is mandated to enact ordinances or issuances aimed at providing protection and support trafficked and their families;

**WHEREAS**, Section 16 (j) of Republic Act No. 9208 mandates local government units to monitor and documents cases of trafficking in persons in their areas of jurisdiction, effect the cancellation of licenses of establishment which violate its provisions and ensure effective prosecution of such cases;

**WHEREAS**, the Philippine Government declared its full support to the worldwide campaign to fight TIP when in Congress passed the amendments to Republic Act No. 9208 under Republic Act No. 10364, also known as the "Expanded Anti-Trafficking in Persons Act of 2012" which was formally signed into law by the President on February 6, 2013;

**WHEREAS**, the Republic Act No. 10364 widened the definition of trafficking in persons and created an inter-agency council against trafficking and instituted policies to eliminate Trafficking in Persons (TIP), especially women and children, establishing the necessary institutional mechanisms for the protection and support of trafficked persons, providing penalties for its violations and other purposes;

**WHEREAS**, pursuant to Section 19 of the Rules and Regulations Implementing Republic Act No. 9208 (as amended), the local government units (LGUs) shall enact ordinances aimed at providing protection and support to trafficked persons and their families;

**WHEREAS**, to make the Municipality of Tunga, Leyte a safe Municipality for all its residents, it is imperative that this concern be directly and effectively addressed by the Municipal Government of Tunga, Leyte in order to prevent the Municipality from being becoming a source, transit point or destination of trafficking victims.

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

**SECTION 1. TITLE** – This Ordinance shall be known as the "Anti-Trafficking in Persons of the Municipality of Tunga, Leyte."

**SECTION 2. DECLARATION OF POLICY** – It is hereby declared that it is the policy of the value to the dignity of every human and guarantees the respect of individual rights. In pursuant of this policy, the Municipality shall give highest priority to the enactment of measures and development of programs that will promote human dignity, protect the people from any threat of violence and exploitation, eliminate trafficking in persons, and mitigate pressures for involuntary migration and servitude of persons, not only to support trafficked persons but more importantly, to ensure their recovery, rehabilitation and reintegration into the mainstream of society.

It shall be a policy of the Municipality to recognize the equal rights and inherent human dignity of women and men as enshrined in the United Nations Universal Declaration on Human Rights, United Nations Convention on the Rights of the Child, United Nations Convention on the Protection of Migrant Workers and Their Families. United Nations Convention Against Transnational Organized Crime Including its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and all other relevant and universally accepted human rights instruments and other international conventions to which the Philippines is a signatory.

The Municipality Government of Tunga, Leyte shall address the problem of trafficking in persons, especially women and children, at the local level by instituting policies and programs to prevent, protect and rehabilitate trafficked persons.

**SECTION 3. DEFINITION OF TERMS** – The following definitions of terms are hereby adopted from Article 2 Section 5 of Republic Act No. 9208 as amended by Republic Act No. 10364:

- (a) **Accessories** – whoever has the knowledge of the commission of the crime and without having participated therein, either as principal or accomplice, take part in its commission in any of the following manners:
- a.1. Profiting themselves on assisting the offender to profit by effect of the crime;
  - a.2. Concealing or destroying the body of the crime or effects or instruments in order to prevent its discovery;
  - a.3. Harboring, concealing, or assisting in the escape of the principal of the crime, provided the accessory acts with the abuse of his or her public functions or is known to be habitually guilty of some other crime.
- (b) **Child** – refers to a person below eighteen (18) years of age or one who is over 18 but is unable to fully take care or protect himself or herself from abuse, neglect, cruelty, exploitation or discrimination because of a physical disability or condition.
- (c) **Council** – shall mean Inter-Agency Council Against Trafficking created under Section 6 of R.A. No. 9208 as amended by R.A. No. 10364
- (d) **Debt Bondage** – refers to the pledging by the debtor of his/her personal services or labor or those of a person under his/her control as security or payment for a debt, when the length and nature of services is not clearly defined or when the value of the services as reasonable assessed is not applied toward the liquidation of the debt.
- (e) **Forced Labor** – refers to the extraction of work or services from any person by means of enticement, violence, intimidation or threat, use of force or coercion, including deprivation of freedom, abuse of authority or moral ascendancy, debt bondage or deception including any work or service extracted from any person under the menace of penalty
- (f) **Involuntary Servitude** – refers to a condition of enforced and compulsory service induced by means of any scheme, plan or pattern, intended to cause a person to believe that if he or she did not enter into or continue in such condition, he or she or another person would suffer serious harm or other forms of abuse or physical restraint, or threat of abuse or harm, or coercion including depriving access to travel documents and withholding salaries, or the abuse or threatened abuse of legal process.
- (g) **Sexual Exploitation** – refers to participation by a person in prostitution, pornography or the production of pornography, in exchange of money, profit or in any other considerations or where the participation is caused or facilitated by any means of intimidation or threat, use of force, or other forms of coercion, abduction, fraud, deception, debt bondage, abuse of power or position of legal process, taking advantage of vulnerabilities of the person, or giving, or receiving of payments or

*[Handwritten signatures and initials in blue and black ink, including a large blue 'R' and various scribbles.]*

benefits to achieve the consent of a person having control over another person; or facilitated by any means as provided in these acts.

- (h) **Slavery** – refers to the status or condition of a person over whom any or all of the powers attaching to the right ownership are exercised.
- (i) **Trafficking in Persons** – refers to the recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victims' consent or knowledge, within or across national borders by means or threat or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or position, taking advantage of the vulnerability of the person, or 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 which includes at a minimum, the exploitation or the prostitution of other or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

The recruitment, transportation, transfer, harboring, adoption, or receipt of a child for the purpose of exploitation or when the adoption is induced by any form of consideration for the purpose of exploitation shall also be considered as Trafficking in Persons even if it does not involve any means set forth in the preceding paragraph, pursuant to R.A. No. 10364.

The use, procuring or offering of a child for the production and trafficking of drugs.

The use, procuring or offering of a child for illegal activities or work, which by nature or the circumstances it is carried out, is likely to harm their health, safety and morals.

- (j) **Pornography** – refers to any representation, through publication, exhibition, cinematography, indecent shows, information technology, or by whatever means of a person engage in real or simulated explicit sexual activities or any representation of the sexual parts of a person for primarily sexual purposes.
- (k) **Prostitution** – refers to any act, transaction, scheme, or design involving the use of a person by another, for sexual intercourse or lascivious conduct in exchange for money, profit or any other consideration.
- (l) **Recovery and Reintegration Programs for TIP** – DSWD/MSDWD comprehensive program that ensures adequate recovery and reintegration services provided to trafficked persons.
- (m) **Victim Processing Center** – a discrete, secure and dignified space of victims for a stay of at least 3 days to allow immediate/initial: processing of the survivor's reaction after rescue, completion of key post-operation support activities and gather victim testimonies to be submitted in legal proceedings against their perpetrators.
- (n) **Sex Tourism** – refers to a program organized by travel and tourism-related establishments and individuals which consists of tourism packages or activities, utilizing and offering escort and sexual as enticement for tourists
- (o) **Local IACT** – refers to the Local Inter-Agency Council Against Trafficking.



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. 03, S. 2026* entitled: “*AN ORDINANCE ESTABLISHING THE INSTITUTIONAL MECHANISMS FOR TRAFFICKING IN PERSONS, PROTECTION AND SUPPORT OF TRAFFICKED PERSONS IN THE MUNICIPALITY OF TUNGA, LEYTE, PURSUANT TO THE PROVISIONS OF REPUBLIC ACT NO. 9208, OTHERWISE KNOWN AS THE “ANTI-TRAFFICKING IN PERSONS ACT OF 2003,” AS AMENDED BY REPUBLIC ACT NO. 10364, OR THE “EXPANDED ANTI-TRAFFICKING IN PERSONS ACT OF 2012,” AND FOR OTHER PURPOSES*”, has been posted in three (3) conspicuous places within the municipality and shall remain posted for three (3) consecutive weeks.**

Issued this 19<sup>th</sup> day of March 2026 at Tunga, Leyte.

**NAOMI C. ARCALLANA**  
Secretary to the Sanggunian