



# Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



## EXCERPT FROM THE MINUTES OF THE 113<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN ON NOVEMBER 4, 2024 HELD AT THE SESSION HALL, THE BUNKER, CAPITOL COMPOUND, BALANGA CITY, BATAAN

### PRESENT:

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

### FIRST DISTRICT:

Hon. Antonino B. Roman III, J.D., LL.M., Board Member

Hon. Benjamin C. Serrano, Jr., Board Member

Hon. Jomar L. Gaza J.D., Board Member

### SECOND DISTRICT:

Hon. Maria Margarita R. Roque, Board Member

Hon. Manuel N. Beltran, Board Member

Hon. Noel Joseph L. Valdecañas, Board Member

### THIRD DISTRICT:

Hon. Romano L. Del Rosario, Board Member

Hon. Jorge S. Estanislao, M.D., Board Member

Hon. Angelito M. Sunga, Board Member

Hon. Roman Harold R. Espeleta, Board Member

Hon. Jovy Z. Banzon, Board Member (PCL President)

Hon. Lovely Joy A. Poblete, Board Member (SKF President)

Hon. Feliciano G. Magay, Jr., Board Member (IPMR)

### ABSENT:

Hon. Romeo A. Austria, Board Member (FABC President) (O.B.)

### PROVINCIAL ORDINANCE NO. 26

Series of 2024

**AN ORDINANCE PROHIBITING ONLINE SEXUAL ABUSE OR EXPLOITATION OF CHILDREN AND CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS IN THE PROVINCE OF BATAAN, INSTITUTIONALIZING PROGRAMS FOR ITS PREVENTION AND ERADICATION, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND ESTABLISHING A SUPPORTIVE ENVIRONMENT FOR CHILD VICTIMS, AND PROVIDING FUNDS THEREFOR.**

### AUTHORED AND SPONSORED BY:

HON. JOMAR L. GAZA J.D.

HON. MARIA MARGARITA R. ROQUE

**WHEREAS**, Section 3, Article XV of the 1987 Philippine Constitution mandates that "the State shall defend the rights of 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";

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Provincial Governor

**"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"**

**WHEREAS**, Republic Act No. 7610, also known as the "Special Protection of Children Against Abuse, Exploitation, and Discrimination Act," declares it as the policy of the State to provide special protection to children from all forms of abuse, neglect, cruelty, exploitation, and discrimination. It further provides sanctions against violators, while also creating programs for prevention, deterrence, and crisis intervention to safeguard child victims;

**WHEREAS**, Republic Act No. 7160, or the "Local Government Code of 1991," mandates that local government units (LGUs) exercise powers essential for effective governance, including the promotion of health, safety, public morals, economic prosperity, social justice, peace and order, and the overall comfort of their residents. LGUs are also mandated to support the preservation of culture, environmental balance, and scientific development;

**WHEREAS**, the same Act grants the Sangguniang Panlalawigan the power to enact ordinances, approve resolutions, and appropriate funds to promote the general welfare of the province and its inhabitants, pursuant to Section 16;

**WHEREAS**, Republic Act No. 11930, also known as the "Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act," emphasizes community-based initiatives, education programs for families, and holistic local rehabilitation programs for child victims and survivors, institutionalized under the local social welfare and development offices;

**WHEREAS**, RA No. 11930 further declares it as the policy of the State to provide special protection to children from all forms of sexual violence and exploitation, particularly those involving the use of Information and Communications Technology (ICT). This includes acts such as the production, distribution, or possession of child sexual abuse or exploitation material, in both digital and non-digital formats, with corresponding sanctions and preventive measures;

**WHEREAS**, Republic Act No. 11862, or the "Expanded Anti-Trafficking in Persons Act of 2022," also defines OSAEC and CSAEM, further enhancing the State's legal framework in combating child sexual exploitation and online trafficking;

**WHEREAS**, Section 33 of RA No. 11930 specifically mandates LGUs to pass ordinances localizing efforts against OSAEC and CSAEM, taking into account local culture and norms, and establishing community-based initiatives and prevention programs that aim to educate families while providing holistic rehabilitation and reintegration services for survivors;

**WHEREAS**, while the internet has become a platform for innovation, education, and economic growth, it has also enabled the exploitation of children, making it easier to produce, access, and share sexual abuse materials, evade detection, and embolden perpetrators;

**WHEREAS**, the Department of the Interior and Local Government (DILG), through Memorandum Circular No. 2024-094 dated July 10, 2024, includes the enactment of local ordinances against OSAEC and CSAEM as one of the indicators in the Child-Friendly Local Governance Audit (CFLGA);

**WHEREAS**, the adoption of stronger legislative measures supporting the online safety of children within the Province of Bataan will significantly improve child protection efforts, enhance local governance, and empower survivors by

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promoting leadership development, advocacy, and active participation in community-building;

**WHEREAS**, the adoption of stronger legislative measures supporting the online safety of children within the Province of Bataan will significantly improve child protection efforts, enhance local governance, and empower survivors by promoting leadership development, advocacy, and active participation in community-building.

**NOW THEREFORE**, be it ordained as it is hereby ordained by the Sangguniang Panlalawigan of the Province of Bataan, in session assembled, that:

**Section 1. Short Title.** - This Ordinance shall be known as the "Anti-Online Sexual Abuse or Exploitation of Children and Anti-Child Sexual Abuse or Exploitation Materials Ordinance of Bataan."

**Section 2. Scope and Application.** - This Ordinance covers all households, internet and allied business establishments, private business establishments, government agencies and its facilities within the Province of Bataan.

**Section 3. Declaration of Policy.** - The Provincial Government of Bataan (PGB) hereby declares the following policies in the pursuit of protecting children from online exploitation and abuse:

- a. Child Protection in Digital Spaces - The PGB ensures that every child is safeguarded from the risks and harmful effects of unsafe internet usage. Comprehensive measures will be enforced to prevent online abuse and sexual exploitation of children;
- b. Parental Education and Positive Parenting - The PGB promotes awareness and education among families, parents, and guardians, empowering them to practice positive parenting. This includes providing guidance on internet usage and fostering online and offline safety behaviors for children;
- c. Capacity Building for Government and Private Sector - The PGB prioritizes continuous education and capacity-building initiatives for individuals working in government offices and other public or private institutions. This will focus on keeping them informed of the evolving nature of OSAEC and on how to address technology-based trafficking in persons, ensuring they can fulfill their mandates effectively;
- d. Compliance of Online Businesses and Service Providers - The PGB mandates that online businesses and allied enterprises-including, but not limited to, internet service providers, money transfer platforms, IT equipment providers, and internet installation companies-strictly adhere to existing laws and regulations that ensure the protection and safety of children online. Compliance will be monitored and enforced to maintain a secure digital environment.

**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:

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1. A person regardless of age who is presented, depicted or portrayed as a child defined herein;
  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:
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;
  2. Actual sexual intercourse with a child or children with or without consideration;
  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
  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 Ordinance, 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 pisonet, etc.;
- f. "Online Sexual Abuse or 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.

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They offer a traditional way of 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 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 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 - 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, JM 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

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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 OSAEC 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 the Republic Act No. 9775 or "Anti-Child Pornography Act of 2009, 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 Law."

**Section 6. Roles and Responsibilities of the LGUs.** - The Local Government Units (LGUs) of the Province shall endeavor to:

- a. Monitor and regulate the establishment and operation of internet cafés, kiosks, and similar establishments to prevent violations of RA 11930 and other relevant laws;
- b. Track and document cases of OSAEC and CSAEM through Local Social Welfare and Development Offices (LSWDOs), ensuring timely submission of reports to the DSWD Field Offices;
- c. Revoke the licenses of establishments found to be in violation of RA 11930 and related laws and policies;
- d. Conduct educational and informational campaigns to prevent and combat OSAEC and CSAEM in communities;
- e. Collaborate with Social Welfare Development Agencies (SWDAs) to enhance their technical capacities and resources for implementing anti-OSAEC and CSAEM programs;
- f. Establish and support community-based initiatives and prevention programs that educate families on the risks of OSAEC and CSAEM;
- g. Provide comprehensive social services, including prevention, rescue, rehabilitation, reintegration, and aftercare services for child victim-survivors, through the LSWDO;
- h. Assist and refer families of child victim-survivors for local employment, both in the private and public sectors, through the Office of the Provincial

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Public Employment Service Manager (OPPESM), in coordination with the Department of Labor and Employment (DOLE), as part of the government's reintegration programs;

- i. Enact and enforce local ordinances aimed at localizing efforts against OSAEC and CSAEM, with consideration of local cultural norms and values;
- j. Coordinate with the National Coordination Center for OSAEC-CSAEM (NCC-OSAEC-CSAEM) and the DILG to ensure that local ordinances are consistent with RA 11930, its implementing rules and regulations (IRR), and other national laws;
- k. Ensure the participation of the Sangguniang Kabataan (SK) in initiatives against OSAEC and CSAEM, including the allocation of sufficient SK funds and resources for these activities at the barangay level;
- l. Strengthen, activate, and mobilize child-focused committees such as Barangay and Local Councils for the Protection of Children (BCPCs, LCPCs), and the Local Committees on Anti-Trafficking and Violence Against Women and Children (LCAT-VAWCs), at all levels of local government to address and prevent OSAEC and CSAEM;
- m. Provide assistance and support in the filing of legal cases related to OSAEC and CSAEM;
- n. Coordinate, refer, and endorse OSAEC and CSAEM cases to the DSWD and other relevant government agencies, based on the needs of the child victim-survivors;
- o. Provide technical assistance to barangays to ensure that they adopt local ordinances addressing OSAEC and CSAEM, aligning with national laws and policies.

**Section 7. Mandatory Services to Victims of Child Sexual Abuse or Exploitation.** – The Office of the Provincial Social Welfare and Development Officer (OPSWDO) 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 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 provincial, city and municipal government agencies and the barangays shall make available the following services to victims of any form of child sexual abuse or exploitation:

- a. Emergency shelter or appropriate housing;
- b. Alternative family-based care like Foster Care and Kinship Care;
- c. Counseling;
- d. 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 language understood the child;
- e. Medical and/or psychological services;

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- f. Livelihood and skills training;
- g. Educational assistance;
- h. 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. Appointment of Legal Officer to provide assistance to victim-survivors.** - A Legal Officer shall be appointed to ensure that victim-survivors are provided with legal services and assistance, which shall include information about the child victim-survivors' 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.

**Section 9. 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 Action line 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. OPSWDO or MSWDO;
- g. Local PNP;
- h. Other Law Enforcement Agencies;
- i. CSOs, NGOs, and faith-based organizations.

**Section 10. Anti-Trafficking in Persons Database.** - The PGB through the PCAT-VAWC (or through LCPC) shall monitor and document cases of trafficking in persons which includes the OSAEC-CSAEM cases within the province.

The PCAT-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 Trafficking in Persons (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 11. Responsibility of Mall Owners/Operators and Owners or Lessors of Other Business Establishments.** - All mall owners/operators, as well as owners or lessors of other business establishments, including but not limited to hotels and resorts, are required to notify the Local Police or the National Bureau of Investigation (NBI) within 48 hours upon obtaining

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knowledge of any facts or circumstances indicating that child sexual abuse or exploitation is occurring within their premises.

In the event of a public display of any form of child sexual abuse or exploitation within their premises, this shall constitute a conclusive presumption that the establishment's owners/operators are aware of the violation.

Further, a disputable presumption of knowledge arises when the owners/operators or lessors of other business establishments should have reasonably known, or ought to have known, that a violation of this ordinance was being committed within their premises.

Additionally, photo developers, information technology professionals, credit card companies, remittance centers, banks, and any other individuals or entities with direct knowledge of child sexual abuse or exploitation materials or transactions, are obligated to report such knowledge to the appropriate authorities within 48 hours of discovery.

Any willful and intentional violation of these provisions shall be subject to penalties as prescribed under national laws or this Ordinance.

**Section 12. Authority to Regulate Internet Café or Kiosk.** – The PGB, in coordination with relevant government agencies, shall have the authority to monitor and regulate the establishment and operation of Internet cafés, kiosks, remittance centers, and other similar establishments within the jurisdiction of the LGU. This regulation aims to prevent any violation of the provisions set forth in this Ordinance.

As a condition for the issuance of a business permit, all Internet cafés, kiosks, money remittance centers, and other similar establishments, whether applying for a new permit or renewing an existing one, must undergo a Seminar or Orientation on OSAEC. This seminar shall be a mandatory requirement before a business permit is granted.

At the discretion of the Business Permit and Licensing Office/Department, a provisional license may be issued to these establishments for a period not exceeding three (3) months, pending the completion of the required OSAEC seminar.

**Section 13. Programs for Victims of Child Sexual Abuse or Exploitation** – The OPSWDO 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 counseling, 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. 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;
- c. Provision of necessary technical and material support services to appropriate government agencies and non-governmental organizations

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(e.g Mostly financial support for training, needs of MDTs and network of care);

- d. Sponsorship of conferences and seminar to provide venue for consensus building amongst the public, the academe, government, nongovernmental and international organizations including the regional network of care;
- e. Promotion of information and education campaign;
- f. Survivor Empowerment, Leadership Development, Advocacy and Participation; and
- g. 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 14. Multidisciplinary Case Management.** In the handling and management of cases of child victims, the approach should be multidisciplinary, and a multidisciplinary case conference (MDCC) shall be conducted.

- a. Multidisciplinary 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 (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, psychologist, teachers, etc);
- b. Multidisciplinary 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 concern on 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 15. 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:

- a. Barangay VAW Desk Officers;
- b. Law enforcement officials;
- c. Social workers;
- d. Teachers and parents;
- e. Barangay-based volunteer groups, such as women and youth groups;
- f. Other stakeholders.

**Section 16. Trauma-Informed Care for Frontliners.** - In partnership with medical authorities and educational institutions, a program for counseling and stress management shall be developed for social workers and other frontline OSAEC responders.

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**Section 17. Establishment of a Healthy and Child-Friendly Space.** – The PGB shall establish a Local Child Protection and Response Center (LCPRC), which will serve as a dedicated refuge for child victims of abuse, particularly those affected by OSAEC. The center shall provide:

- a. Temporary shelter for children who are victims of abuse;
- b. Interview rooms designed to ensure privacy and comfort for children during sensitive processes;
- c. An office for the City Inter-Agency Council Against Online Sexual Abuse or Exploitation of Children (ICAOSAEC) and its Secretariat, providing a central coordination point for child protection activities.

The LCPRC will be adequately staffed with trained professionals to ensure the best interest and safety of the children it serves.

The LCPRC shall also function as an assessment center, addressing the critical need for comprehensive, timely assessments for OSAEC survivors in the local area. This assessment role is essential for guiding appropriate survivor placement and long-term care decisions. The center will provide:

- a. Safe temporary housing for newly rescued OSAEC survivors, offering specialized services to support the early stages of recovery;
- b. Multidisciplinary team of professionals, including:
  - o Social workers, psychologists, counselors, medical doctors, and nurses for providing specialized care;
  - o Paraprofessionals such as house parents, security staff, and administrative personnel to ensure a safe and supportive environment for children.
- c. Trauma-informed care: All staff will be trained to handle trauma with sensitivity and care, supporting children through their recovery process and the rebuilding of trust and attachment;
- d. Case management team: A dedicated team, comprising the social worker, psychologist, medical doctor, nurse, law enforcement personnel, and legal support, will be assigned to carry out individualized assessments for each child and their family. This team will guide the development of personalized care plans.

The comprehensive assessments undertaken at the center shall include, but are not limited to:

- a. Psychological assessment: Evaluating the mental and emotional well-being of the child;
- b. Medical assessment: Ensuring the child's physical health and well-being;
- c. Psychosocial assessment: Addressing the child's social environment and personal needs;
- d. Family assessment: Evaluating the potential for family reintegration or alternative care options.

These assessments are crucial in determining the child's permanency plan, which may include:

- a. Reunification with family or relatives;
- b. Reintegration through foster care, independent living, or adoption.

The LCPRC will aim to accelerate the transition process for children, ensuring that children are not held long-term in the shelter but instead placed in a

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permanent, safe environment as quickly as possible.

In the event the establishment of the LCPRC is not immediately possible, a designated child-friendly space must be created to promote the best interest of child victims. This space should be equipped in accordance with child protection standards and could include existing Community Day Care Centers, which may be utilized for the purpose of processing and interviewing children, ensuring their protection during these sensitive stages.

**Section 18. 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 PGB shall establish at least one (1) room specifically designed to conduct VIDI pursuant to Rules 28 and 29 of the Rules on the Examination of a 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 a 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 multidisciplinary 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 19. VIDI Mobile Kit.** - The Local Police Station, LSWDO 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 20. Local Anti-OSAEC prevention and Awareness Programs.** - The PGB shall conduct a robust prevention and awareness program involving all sectors in the community to combat OSAEC. It 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 21. Provincial Committee on Anti-Trafficking and Violence against Women and their Children.** - By virtue of Executive Order No. 22, Series of 2024, the Provincial Committee on Anti-Trafficking and Violence Against Women and their Children (PCAT-VAWC) is hereby further mandated,

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under this Ordinance, to expand its scope to include cases involving OSAEC. In general, the PCAT-VAWC shall be responsible for the coordination, monitoring, and implementation of programs, policies, and interventions addressing OSAEC, in addition to its existing mandate. The following are its specific functions in connection with this Ordinance:

- a. Monitor and document cases of OSAEC within the Province;
- b. Coordinate with local agencies and non-government organizations to provide immediate response and address the issues and challenges related to OSAEC;
- c. Develop mechanisms to ensure timely, coordinated, and effective responses to OSAEC cases;
- d. Encourage and support initiatives by local government units that address OSAEC;
- e. Recommend the revocation of licenses for establishments violating provisions of this ordinance, ensuring effective prosecution of such violations;
- f. Conduct an awareness campaign against OSAEC through the establishment of an Information and Education Team;
- g. Recommend services and resources for the prevention, rescue, recovery, rehabilitation, and reintegration of OSAEC victims;
- h. Strengthen, activate, and mobilize barangay-level committees, organizations, and special bodies to prevent and combat OSAEC;
- i. Advise the Office of the Provincial Budget Officer on the utilization of funds appropriated under this ordinance;
- j. Conduct capacity-building initiatives through information campaigns;
- k. Establish international partnerships and develop appropriate protocols for cross-border OSAEC interventions;
- l. Exercise all powers and perform other functions necessary to achieve the purposes and objectives of this Ordinance.

The composition of the PCAT-VAWC shall include the following members:

Chairperson	Provincial Governor
Vice Chairperson	Chairperson of the Committee on Women and Family, Sangguniang Panlalawigan
Members	Provincial Planning and Development Coordinator
	Provincial Social Welfare and Development Officer
	Provincial Health Officer
	Provincial Public Employment and Services Manager
	Gender and Development Focal Person
	Schools Division Superintendent of Bataan
	Field Office Director, Civil Service Commission
	Provincial Prosecutor, Department of Justice

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Provincial Governor



	Provincial Director, Department of the Interior and Local Government
	Provincial Director, Philippine National Police
	Provincial Liga ng mga Barangay Chapter President
	Women – Bagong Sigla ng Kalipunan ng Liping Pilipina ng Bataan, Inc.
	Children – Samahang Day Care Workers ng Bataan, Inc.
	Overseas Filipino Workers – Bataan Overseas Filipino Workers Family Circle Federation
	Pambansang Koalisyon ng Kababaihan sa Kanayunan

The OPSWDO shall serve as the Secretariat for the PCAT-VAWC, assigning a dedicated social worker to OSAEC concerns. The Secretariat's functions include:

- Facilitating regular and special meetings of the Council every quarter, or as necessary to fulfill its mandate;
- Receiving communications, concerns, and complaints, and coordinating with Council members or relevant local agencies to address them;
- Collaborating with various agencies to support the Council's objectives;
- Consolidating and submitting reports to the Council on related activities and developments; and
- Performing additional functions as assigned by the Council.

**Section 22. Penalties** – Any act or omission that is punishable under both this Ordinance and Republic Act No. 11930 or any other applicable national law, shall be penalized in accordance with the provisions of the national law.

Violations exclusively of the provisions of this Ordinance shall be penalized as follows:

Violation	Penalty
1 <sup>st</sup>	Three Thousand Pesos (PhP3,000.00)
2 <sup>nd</sup>	Four Thousand Pesos (PhP4,000.00)
3 <sup>rd</sup> and subsequent offenses	Five Thousand Pesos (PhP5,000.00) and imprisonment of 1 year, at the discretion of the court

In addition, any individual found to have violated any relevant national laws and/or the provisions of this Ordinance shall be required to undergo a mandatory seminar on OSAEC, not as a penalty but as a corrective measure.

In cases where violations are committed by juridical persons, the officer or officer(s) directly responsible for such violations shall be penalized. Furthermore, these violations may serve as grounds for the suspension of business permits for the first and second offenses, and for the revocation of business permits for the third offense and subsequent offenses.

JOSE ENRIQUE S. GARCIA III  
Provincial Governor

If any government agency, office, instrumentality, or government employee is found to have violated any provision of this Ordinance, administrative action shall be taken against the responsible party.

**Section 23. Funding.** - A sufficient amount shall annually be allocated for the 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 PGB and the funding therefor 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 24. Separability.** - If for any reason any part or provision of this ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**Section 25. Repealing Clause.** - All any ordinances, rules and regulations found inconsistent with any provision of this Ordinance are hereby repealed and amended accordingly.

**Section 26. Effectivity.** - This Ordinance shall take effect after compliance with the relevant provisions of the Local Government Code.

UNANIMOUSLY ENACTED this 4<sup>th</sup> day of November 2024.


**I HEREBY CERTIFY** to the enactment of the foregoing ordinance.

  
ATTY. MARK LORENZ C. QUEZON  
Secretary to the Sangguniang Panlalawigan

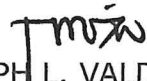
  
ANTONINO B. ROMAN III, J.D., LL.M.  
Board Member

  
MARIA MARGARITA R. ROQUE  
Board Member

  
BENJAMIN C. SERRANO, JR.  
Board Member

  
MANUEL N. BELTRAN  
Board Member

  
JOMAR L. GAZA J.D.  
Board Member

  
NOEL JOSEPH L. VALDECAÑAS  
Board Member

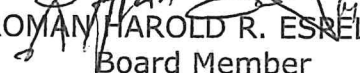
  
JOSE ENRIQUE S. GARCIA III  
Provincial Governor





  
ROMANO L. DEL ROSARIO  
Board Member


  
ANGELITOM. SUNGA  
Board Member

  
JORGE S. ESTANISLAO, M.D.  
Board Member

  
ROMAN HAROLD R. ESRELETA  
Board Member

  
JOVY Z. BANZON  
Board Member  
(PCL President)


  
LOVELY JOY A. POBLETE  
Board Member  
(SKF President)

  
FELICIANO G. MAGAY, JR.  
Board Member  
(IPMR)

  
ATTESTED:

  
MA. CRISTINA M. GARCIA  
Vice Governor & Presiding Officer

  
APPROVED:

  
JOSE ENRIQUE S. GARCIA III  
Provincial Governor  
Date: 11-15-2024 