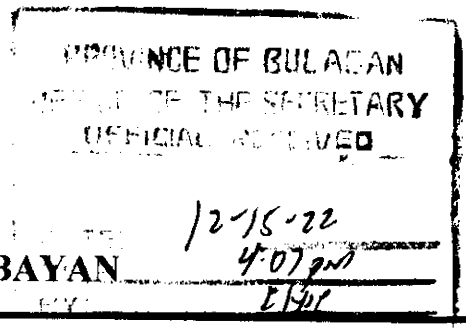




Republic of the Philippines
Province of Bulacan
Municipality of Bulakan



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 21ST REGULAR SESSION OF THE 11TH SANGGUNIANG BAYAN, HELD LAST NOVEMBER 21, 2022 AT THE GEN. GREGORIO DEL PILAR HALL, MUNICIPALITY OF BULAKAN, BULACAN.

PRESENT:

Hon. Atty. Reina Rica C. Sanchez ----- Municipal Vice Mayor
Presiding Officer

Municipal Councilors

Hon. Aubrhie Cindyrelle D. Carpio	Hon. Bienvenido M. Cruz Jr.
Hon. Jose Antonio V. Lava	Hon. Atty. Ana Marie V. Pagsibigan
Hon. Aron Ronald R. Cruz	Hon. Richie E. San Jose
Hon. Marbin J. Garcia	Hon. Michael M. Ramos (ABC)
Hon. Christopher Aron C. Del Rosario	Hon. Miguel Leonardo (SK)

ALL PRESENT

MUNICIPAL ORDINANCE NO. 2022 - 325

"AN ORDINANCE EXPANDING THE "ANTI-TRAFFICKING IN PERSONS ORDINANCE", AMENDING FOR THE PURPOSE MUNICIPAL ORDINANCE NO. 05-114 AND PROVIDING FUNDS THERE FOR"

Authored By: Hon. Atty. Ana Marie V. Pagsibigan

Be it ordained by the Sangguniang Bayan of the Municipality of Bulakan in Session assembled, that:

SECTION 1. *Short Title.* -- This Ordinance shall be known as the "Expanded Anti-Trafficking in Persons Ordinance of 2022."

SECTION 2. Section 2 of Municipal Ordinance No. 05-114 is hereby amended to read as follows:

"SECTION 2. Declaration of Policy. -- It is hereby declared that the Municipal Government values the dignity of every human person and guarantees the respect of individual rights. In pursuit of this policy, the Municipal Government 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 in a manner that is culturally-responsive, gender- and age-appropriate, and disability-inclusive.

It shall be the Municipal Government policy to recognize the equal and inalienable rights and inherent human dignity of all members of the human family. In all actions concerning children, their best interests shall be the paramount consideration."

SECTION 3. Section 3 of Municipal Ordinance No. 05-114 is hereby amended to read as follows:

"SECTION 3. Definition of Terms. –As used in this Ordinance:

(a) *Trafficking in Persons.* – refers to the recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat, or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of 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 others, or the engagement of others for the production of distribution, or both, of materials that depict child sexual abuse or exploitation, 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 exploitative purposes shall also be considered as 'trafficking in persons' even if it does not involve any of the means set forth in the preceding paragraph.

(b) *Child* – refers to a person below eighteen (18) years of age or one who is over eighteen (18) but is unable to fully take care of or protect himself/herself from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition.

(c) *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.

(d) *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.

(e) *Slavery* – refers to the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised.

(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 the legal process.

(g) *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 services as enticement for tourists. This includes sexual services and practices offered during rest and recreation periods for members of the military.

(h) *Sexual Exploitation* – refers to any means of actual or attempted abuse of position of vulnerability, differential power, or trust, for sexual purposes or lewd designs, including profiting monetarily, socially, or politically from the sexual exploitation of another, regardless of whether or not consent is given.

(i) *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 reasonably assessed is not applied toward the liquidation of the debt.

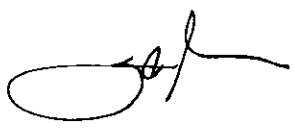
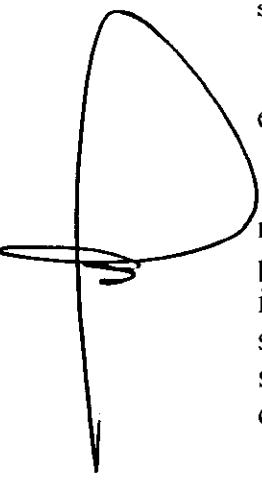
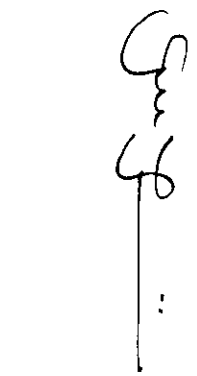
(j) *Pornography* – refers to any representation, through publication, exhibition, cinematography, indecent shows, information technology, or by whatever means, of a person engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a person for primarily sexual purposes: Provided, That when a child is involved, the material shall be considered child sexual abuse and exploitation material as defined under paragraph (m) of this section.

(k) *Child Laundering* – refers to an act of stealing and selling a child to adopting parents under false pretenses and using schemes such as falsifying the child's details or manipulating the child's origins to make the child appear an orphan or foundling.

(l) *Child Abuse and Exploitation Material or Child Sexual Abuse Material (CSAEM or CSAM)* – refers to photos, images, videos, recordings, streams, or any other representations or form of media, depicting acts of sexual abuse and exploitation of a child or representation of a child as a sexual object, whether or not generated digitally or by, through, and with the use of information and communications technology. It shall also include materials that focus on real or simulated genitalia or other private parts of a child.

(m) *Communications* – refers to any spoken or written conversations, exchanges, discussions, data, information, or messages for interception.

(n) *Computer System* – refers to any device or group of interconnected or related devices, one or more of which, pursuant to a program, performs automated processing of data. It covers any type of device with data processing capabilities including computers and mobile phones. The device consisting of hardware and software may include input, output process, and storage components which may stand alone or be connected in a network or other similar devices. It also includes computer data storage devices or media.



(o) *Computer and Other Computer-Related Devices* – refer to any device or group of interconnected or related devices, one or more of which, pursuant to a program, performs automated processing of data. It covers any type of device with data processing capabilities, including computers and mobile phones.

(p) *Data* – refers to both:

- (1) *Content Data* – the substance, meaning or purport of the communication, or the message of information being conveyed by the communication, other than traffic data; and
- (2) *Traffic Data or Non-Content Data* – any computer data other than the content of the communication, including the communication's origin, destination, route, time, date, size, duration, or type of underlying service.

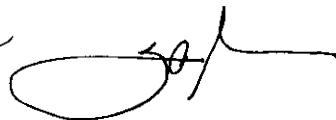
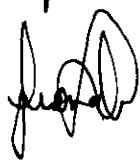
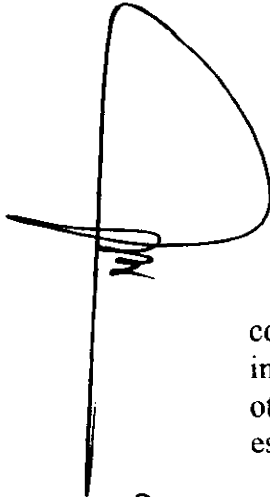
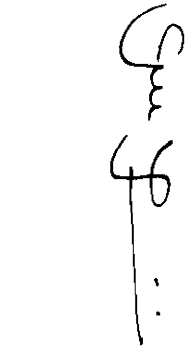
(q) *Information and Communications Technology (ICT)* – refers to the totality of electronic means to access, create, collect, store, process, receive, transmit present, and disseminate information.

(r) *Interception* – refers to the act of listening to, recording, monitoring, or surveillance of the content of communications, including procuring of the content data, either directly, through access and use of a computer system, or through the use of electronic eavesdropping or tapping devices, at the same time that the communication is occurring.

(s) *Internet Intermediaries* – refer to a natural or juridical person, or entity that provides infrastructure, platforms, access to host, transmit and index content, products, and services originated by third parties on the internet. It includes among others:

- (1) Internet Service Providers (ISPs)
- (2) Data processing and web hosting providers including domain name registrars;
- (3) Internet search engines and portals;
- (4) E-Commerce intermediaries;
- (5) Internet payment system providers, whether supervised by the Bangko Sentral ng Pilipinas or not; and
- (6) Participative network platform providers or social media intermediaries.

(t) *Subscriber's or Registrant's Information* – refers to any information contained in the form of computer data or any other form that is held by internet intermediaries, relating to the subscribers or registrant who shall avail of services, other than traffic or content data, and by which any of the following can be established:



- (1) The type of communication service used, the technical provisions taken thereto, and the period of service;
- (2) The subscriber's or registrant's identity, postal or geographic address, telephone and other access number, any assigned network address, billing, and payment information that are available on the basis of the service agreement; or
- (3) Any other available information on the site of the installation of communications equipment that is available on the basis of the service agreement.

(u) *Tourism Enterprise* refer to facilities, services, and attractions involved in tourism, such as travel and tour services; health, wellness, and medical tourism services; tourist transport services, whether for land, sea or air transportation; tour guides; adventure sports services such as mountaineering, spelunking, scuba diving, and other sports activities of significant tourism potential; convention organizers; accommodation establishments, including hotels, resorts, apartelles, tourist inns, motels pension houses, and home stay operators, and tourism estate management services, restaurants, shops, and department stores, sports and recreational centers, spas, museums and galleries, theme parks, convention centers, and zoos.

(w) *Online Sexual Abuse and Exploitation of Children (OSAEC)* refers to the use 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.

SECTION 4. A new Section 4 shall now be read as follows:

"SECTION 4. Acts of Trafficking in Persons. – It shall be unlawful for any person, natural or juridical, to commit by means of a threat, or use of force, or other forms of coercion, or through abduction, fraud, deception abuse of power or of position, or through taking advantage of the vulnerability of the person, or by giving or receiving of payment or benefit to obtain the consent of a person having control over another person, any of the following acts:

(a) To recruit, obtain, hire, provide, offer, transport, transfer, maintain, harbor, or receive a person by any means, including those done under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, sexual abuse or exploitation, production, creation, or distribution if CSAEM or CASAM, forced labor, slavery, involuntary servitude, or debt bondage;

(b) To introduce or match for money, profit, or material, economic or other consideration, any person or, as provided for under Republic Act No. 10906 or the Anti-Mail Order Spouse Act, any Filipino woman to a foreign national, for marriage for the purpose of acquiring,

buying, offering, selling or trading him/her to engage in prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;

(c) To offer or contract marriage, real or simulated, for the purpose of acquiring, buying, offering, selling, or trading them to engage in prostitution, pornography, sexual exploitation, forced labor or slavery, involuntary servitude or debt bondage;

(d) To undertake or organize tours and travel plans consisting of tourism packages or activities for the purpose of utilizing and offering persons for prostitution, pornography or sexual exploitation;

(e) To maintain or hire a person to engage in prostitution or pornography;

(f) To adopt persons by any form of consideration for exploitative purposes or to facilitate the same for purposes of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage;

(g) To adopt or facilitate the adoption of persons with or without consideration for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage, or to facilitate illegal child adoptions or child laundering, or for other exploitative purposes;

(h) To recruit, hire, adopt, transport, transfer, obtain, harbor, maintain, provide, offer, receive or abduct a person, for the purpose of removal or sale of organs of said person;

(i) To recruit, transport, obtain, transfer, harbor, maintain, offer, hire, provide, receive or adopt a child to engage in armed activities in the Philippines or abroad;

(j) To recruit, transport, transfer, harbor, obtain, maintain, offer, hire, provide or receive a person by means defined in Section 3 of this Ordinance for purposes of forced labor, slavery, debt bondage and involuntary servitude, intended to cause the person either:

(1) To believe that if the person did not perform such labor or services, he or she or another person would suffer serious harm or physical restraint; or

(2) To abuse or threaten the use of law or the legal processes;

(k) To recruit, transport, harbor, obtain, transfer, maintain, hire, offer, provide, adopt, or receive a child for purposes of exploitation or trading them, including the act of buying or selling a child, or both for any consideration or for barter for purposes of exploitation. Trafficking for purposes of exploitation of children shall include:

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(1) All forms of slavery or practices similar to slavery, involuntary servitude, debt bondage and forced labor, including recruitment of children for use in armed conflict;

(2) The use, procuring or offering of a child for prostitution, for the production of CSAEM or CSAM, or for pornographic performances;

(3) The use, procuring or offering of a child for the production and trafficking of drugs; and

(4) The use, procuring or offering of a child for illegal activities or work which, by its nature or the circumstances in which it is carried out, is likely to harm their health, safety or morals;

(l) To organize, provide financial support, or direct other persons to commit the offenses defined as acts of trafficking under this Ordinance; and

(m) To recruit, transport, obtain, transfer, harbor, maintain, offer, hire, provide, receive, or adopt a child for deployment abroad as a migrant worker.

Provided, That when the victim is a child, the means to commit these unlawful acts as enumerated in the first paragraph of this section shall not be necessary: *Provided further*, That in case of overseas domestic work, a “child” means a person below twenty-four (24) years old.

SECTION 5. A new Section 5 shall now be read as follows:

“SECTION 5. Attempted Trafficking in Persons. Where there are acts to initiate the commission of a trafficking offense but the offender failed to or did not execute all the elements of the crime, by accident or by reason of some cause other than voluntary desistance, such overt acts shall be deemed as an attempt to commit an act of trafficking in persons. As such, an attempt to commit any of the offenses enumerated in Section 4 of this Ordinance shall constitute attempted trafficking in persons.

In cases where the victim is a child, any of the following acts shall also be deemed as attempted trafficking in persons:

(a) Facilitating the travel of a child who travels alone to a foreign country or territory without valid reason therefor and without the required clearance or permit from the Department of Social Welfare and Development, or a written permit or justification from the child’s parent or legal guardian;

(b) Executing, for a consideration, an affidavit of consent or a written consent for adoption;

(c) Recruiting a woman to bear a child for the purpose of selling the child;

(d) Simulating a birth for the purpose of selling the child; and

(e) Soliciting a child and acquiring the custody thereof through any means from among hospitals, clinics, nurseries, daycare centers, refugee or evacuation centers, and low-income families, for the purpose of selling the child.

Section 6. A new Section 6 shall now be read as follows:

“Section 6. *Accomplice Liability.* – Whoever knowingly aids, abets, cooperates in the execution of the offense by previous or simultaneous acts defined in this Ordinance shall be punished accordingly.”

Section 7. A new Section 7 shall now be read as follows:

“Section 7. *Accessories.* – Whoever has the knowledge of the commission of the crime, and without having participated therein, either as principal or as accomplices, take part in its commission in any of the following manners:

(a) By profiting themselves or assisting the offender to profit by the effects of the crime;

(b) By concealing or destroying the body of the crime or effects or instruments thereof, in order to prevent its discovery;

(c) By harboring, concealing or assisting in the escape of the principal of the crime, provided the accessory acts with abuse of his or her public functions or is known to be habitually guilty of some other crime.

Section 8. A new Section 8 shall now be read as follows:

“Section 8. *Acts that Promote Trafficking in Persons.* – The following acts which promote or facilitate trafficking in persons shall be unlawful.

(a) To knowingly lease or sublease, use, allow to be used any house, building, tourism enterprise, or any similar establishment or any vehicle or carrier by land, sea and air; or any of their computer system or computer hardware, other computer-related devices, or any of their digital platform or application, for purpose of promoting trafficking in persons;

(b) To produce, print and issue or distribute unissued, tampered or fake passports, birth certificates, affidavits of delayed registration of births, founding certificates, travel clearances, counseling certificates, registration stickers, overseas employment certificates or other certificates of any government agency which issues these certificates, decals and such other markers as proof of compliance with government regulatory and pre-departure requirements for the purpose of promoting trafficking in persons;

(c) To advertise, publish, print, broadcast or distribute, or cause the advertisement, publication, printing, broadcasting or distribution by any means,

including the use of information technology and the internet, of any brochure, flyer, or any propaganda material that promotes trafficking in persons;

(d) To assist in the conduct of misrepresentation or fraud for purposes of facilitating the acquisition of clearances and necessary exit documents from government agencies that are mandated to provide pre-departure registration and services for departing persons for the purpose of promoting trafficking in persons;

(e) To facilitate, assist or help in the exit and entry of persons from/to the country at international and local airports, territorial boundaries and seaports, knowing they are not in possession of required travel documents, or are in possession of tampered, fake, or fraudulently acquired travel documents for the purpose of promoting trafficking in persons;

(f) To confiscate, conceal, or destroy the passport, travel documents, or personal documents or belongings of trafficked persons in furtherance of trafficking or to prevent them from leaving the country or seeking redress from the government or appropriate agencies; and

(g) To knowingly benefit from, financial or otherwise, or make use of, the labor or services of a person held to a condition of involuntary servitude, forced labor, or slavery.

(h) To tamper with, destroy, or cause the destruction of evidence, or to influence or attempt to influence witnesses, in an investigation or prosecution of a case under this Ordinance;

(i) To destroy, conceal, remove, confiscate or possess, or attempt to destroy, conceal, remove, confiscate or possess, any actual or purported passport or other travel, immigration or working permit or document, or any other actual or purported government identification, of any person in order to prevent or restrict, or attempt to prevent or restrict, without lawful authority, the person's liberty to move or travel in order to maintain the labor or services of that person; or

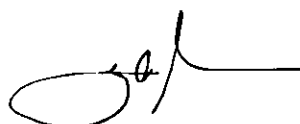
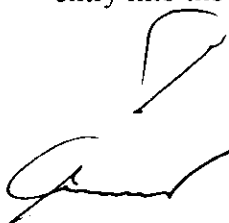
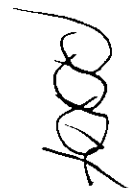
(j) To utilize his or her office to impede the investigation, prosecution or execution of lawful orders in a case under this Ordinance.

(k) For internet intermediaries to knowingly or by gross negligence allow their internet infrastructure to be used for the purpose of promoting trafficking in persons;

(l) For internet cafes, kiosks, and hotspots, including establishments offering Wi-Fi access services to the public, to knowingly or by gross negligence allow their facilities to be used for the purpose of promoting trafficking in persons;

(m) For financial intermediaries, including banks and credit card companies and money transfer or remittance centers, to knowingly or by gross negligence allow their services, online platform and applications, among others, to be used for the purpose of promoting trafficking in persons;

(n) To knowingly or by gross negligence facilitate, assist, or help in the entry into the country of persons who are convicted sex offenders whether at



(j) When the crime is committed during a crisis, disaster, public health concern, pandemic, a humanitarian conflict, or emergency situation, or when the trafficked person is a survivor of a disaster or a human-induced conflict;

(k) When the trafficked person belongs to an indigenous community or religious minority and is considered a member of the same;

(l) When the trafficked person is a person with disability (PWD);

(m) When the crime has resulted in pregnancy;

(n) When the trafficked person suffered mental or emotional disorder as a result of being victim of trafficking; or

(o) When the act is committed by or through the use of ICT or any computer system.”

SECTION 10. Section 6 of Ordinance No. 05-114 is amended and renumbered as Section 10 and shall now be read as follows:

“SECTION 10. Duties and Responsibilities of Public Officials. – Any public official who has any knowledge or learns of facts or circumstances that give rise to a reasonable belief that a person will be, or may be, or has been trafficked and fails to report such to the Municipal Social Welfare and Development Office, or the Philippine National Police shall be penalized with a fine of Php2,500.00 and imprisonment of one (1) month, without prejudice to any administrative liability

SECTION 11. Section 5 of Ordinance No. 05-114 is amended and renumbered as Section 11 and shall now be read as follows:

“SECTION 11. Monitoring and Documentation of Trafficking in Persons Cases in the Municipality of Bulakan. –

(a) Through the Municipal Social Welfare and Development Office, to monitor and document cases of trafficking in persons within the Municipality of Bulakan up to its termination. It shall likewise submit an annual report to the Inter-Agency Council on Anti-Trafficking (IACAT) of the National Government.

(b) The Municipal Health Office shall likewise monitor cases of trafficking by reporting to the Municipal Social Welfare and Development Office any suspected cases of trafficking in persons incidental to the conduct of the Sexually Transmitted Disease/HIV/AIDS monitoring test, daily hygiene examinations, and other similar medical examinations.

(c) The Municipal Public Employment Service Office (PESO) of the Municipality of Bulakan shall report to the Municipal Social Welfare and Development Office any suspected cases of trafficking in persons relative to the recruitment of local and overseas employment.”

SECTION 12. A new Section 12 shall read:

“SECTION 12. Duties and Responsibilities of the Private Sector. – All establishments enumerated in this Section when applying for a new business license/permit,

or the renewal thereof, are required to sign an Affidavit of Undertaking that they shall not, or in case of renewal, are not engaged in any act of trafficking in persons enumerated in Sections 4,5,6,7 and 8 of this Ordinance.

In addition thereto, the enumerated establishments below shall observe the following duties and responsibilities:

(a) *Duties of Internet Intermediaries.* – Internet intermediaries, including internet service providers, internet content hosts, participative network platform providers financial intermediaries, and electronic money issuers, shall

(1) Adopt in their terms of service or service agreements with third-party users or creators of contents, products, and services the prohibition of any form of child trafficking, CSAEM or CSAM, or exhibition of any form of sexual exploitation of children in their facilities, infrastructure, server, and platforms;

(2) Cooperate as far as practicable, with law enforcement agency for the prosecution of offenders and the preservation of evidence;

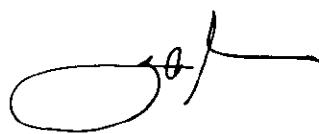
(3) Compile and maintain a comprehensive list of child trafficking, CSAEM or CSAM, or any form of sexual exploitation of children-related Uniform Resource Locators (URLs): *Provided*, That the list is updated regularly by partnering with, or obtaining memberships in, organizations and coalitions that maintain a comprehensive list of child abuse image content URL list and image hashes, among others;

(4) Preserve and protect the integrity of all subscriber's or registrant's information and traffic data, in its control and possession relating to communication services provided by an internet intermediary, within one (1) year from the date of the transaction for the purpose of the investigation and prosecution of all forms of trafficking, or another year upon notice by the proper law enforcement agency;

(5) Immediately block access to, remove, or take down the internet address, URL, website, or any content thereof, containing all forms of trafficking, CSAEM or CSAM, or any forms of exploitation of children, within twenty-four (24) hours from notice of the DOJ, PNP, NBI, or the DICT-CICC, or upon knowledge of the existence of an attempt to commit or an actual act of trafficking on persons being committed within their control;

(6) Report to the Philippine National Police the internet addresses or websites blocked, removed, or taken down, or any form of unusual content or traffic data involving all forms of trafficking, child pornography, or any form of sexual exploitation of children that is being committed using its server or facility within three (3) days of the blocking, removal, or taking down of the same;

(7) Upon request, provide the subscriber information of any person who gained or attempted to gain access to an internet site or internet application which contains any form of child trafficking, CSAEM, or CSAM, or any form of sexual exploitation of children: *Provided*, that the request must particularly describe the information asked for and indicate the relevancy of such information to such case.



Nothing in this section may be construed to require internet intermediaries to engage in the monitoring of any user, subscriber, or customer, or the content of any communication of any such person.

(b) Duties of Owners and Operators of Internet Cafes, Hotspots and Kiosks, Money Transfer and Remittance Centers, Transport Services, Tourism Enterprise, Malls, and Other Business Establishments Open and Catering to the Public –

(1) Owners and operators of internet cafes, hotspots and kiosks, money transfer and remittance centers, transport services, tourism enterprise, malls, and other business establishments open and catering to the public are required to notify the Philippine National Police within forty-eight (48) hours from obtaining facts and circumstances that violations of this Ordinance are taking place within their premises, or that their facilities and services are being used to commit violations of this Ordinance.

(2) Establishments shall promote awareness against trafficking in persons through clear and visible signages in both English and Filipino, with local and national hotlines posted within a conspicuous in their facilities.

(3) Money transfer and remittance centers shall require individuals transacting with them to present valid government identification cards.

(c) Responsibilities of Tourism Enterprises. –

(1) All tourism enterprises shall notify the Municipal Social Welfare Department or the Philippine National Police within forty-eight (48) hours from obtaining facts and circumstances that trafficking in persons, including child trafficking or sexual exploitation of children, is being committed within their premises.

(2) All tourism enterprise shall post a notice containing the contact details of trafficking in persons hotlines, both national and local, in conspicuous place near the public entrance, inside rest rooms, elevators, parking areas of the establishments, and in other conspicuous locations where similar notices are customarily posted in clear view of the public and employees.

(3) All tourism enterprises shall likewise engage in anti-trafficking advocacy as part of their corporate responsibility, and develop their own anti-trafficking tourism policy in accordance with the guidelines of the Department Tourism.

(4) All tourism enterprises shall also train their employees who are likely to interact or come into contact with victims of trafficking in persons in recognizing the signs of human trafficking, and how to report suspected trafficking activity to the law enforcement agencies.

No tourism enterprises shall be accredited by the Municipal Tourism Board of the Municipality of Bulakan nor be issued a business permit to operate, absent

said proof of training of the employees.

(d) *Responsibilities of Financial Intermediaries.* - Any financial intermediary or person working for, related to, or who has direct knowledge of any trafficking in persons-related financial activity or transaction conducted through a financial intermediary, shall have the duty to report any suspected trafficking in persons-related activity or transaction to the PNP.

(e) *Duties of Hotels, Transient and Residential Houses, Condominiums, Dormitories and Apartments or any Analogous Living Spaces* All owners, lessors, sub-lessors, operators of hotels, residential homes and dwellings offered for transient use, condominiums, dormitories, apartments, or any analogous living spaces shall notify the Philippine National Police immediately but not later than

forty-eight (48) hours from obtaining actual knowledge of the facts and circumstances that trafficking activities or OSAEC activities are being committed within their premises.

(f) *Duties of Resto-Bars, Nightclubs, Videoke/KTV Bars, and Other Similar Establishments.* - All resto-bars, nightclubs, videoke/KTV bars, and other similar establishment providing entertainment are required to submit to the Municipal Public Employment Service Office (PESO) a list of their employees indicating the name and ages every quarter of the year. They are also required to keep in their possession the certified true copy of the Certificates of Birth duly certified by the Philippine Statistics Office (PSA), or the Municipal Civil Registrar of Bulakan of their employees – both past and active.

(g) *Duties of Recruitment Agencies and Recruiters.* - All recruitment agencies and/or any recruiter/individual soliciting applications for local/overseas employment operating within the Municipality of Bulakan, are required to register with the Municipal Public Employment Service Office (PESO).

SECTION 12. Section 7 of Ordinance No. 05-114 is hereby renumbered and amended to read as follows:

“SECTION 12. *Cancellation of Licenses or Permits.*

(a) Any violation of the acts enumerated in Section 11 herein shall be cause for the immediate cancellation and revocation of the business permit and/or license of the erring establishment and/or individual engaged in acts of trafficking in persons. It shall also be cause for the non-renewal of the business license or permit.

(b) No tourism enterprises shall be accredited by the Municipal Tourism Board of the Municipality of Bulakan nor be issued a business permit to operate, absent said proof of training of the employees.

(c) The Municipal Mayor shall order the immediate closure of the business establishment engaging in trafficking in persons.”

SECTION 13. A new Section 13 shall be read as follows:

“SECTION 13. *Duties of Individual Persons.* - Any person who has any knowledge or learns of facts or circumstances that give rise to a probable belief

that a person will be, or may be, or has been trafficked shall immediately report the same, either orally or in writing or through other means, to the Municipal

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Council for the Protection of Children (MCPC), the Philippine National Police (PNP) or to the Municipal Social Welfare and Development Office. Confidentiality of the identity of the individual shall be protected.

Any false report or misrepresentation made in bad faith by the individual shall make him criminally liable, and punished by imprisonment of three (3) months and/or a fine of Two Thousand Pesos (Php2,000.00), at the discretion of the Court."

SECTION 14. Section 9 of Ordinance No. 05-114 is hereby amended to read as follows:

"SECTION 14. *Establishment of the Migrant Advisory and Information Network (MAIN).* -

(a) There is hereby created a Migrant Advisory and Information Network (MAIN) in cooperation with the Department of Interior and Local Government (DILG), Philippine Information Agency (PIA), Department of Migrant Workers, civil society organizations, and other concerned agencies.

(b) The Municipal Social Welfare and Development Office shall maintain a database which shall have the minimum information:

(b.1) The number of cases of trafficking in persons, sorted according to 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.2) The profile/information on each case;

(b.3) The number of victims of trafficking in persons referred to the agency by destination countries/areas and by area of origin; and

(b.4) Disaggregated data on trafficking victims and the accused/defendants."

(c) The Municipal Social Welfare and Development Officer is hereby designated as the MAIN Desk Officer who shall have the following functions:

1. Inform victims of trafficking and/or their families of the procedures in filing cases of reporting of suspected alleged trafficking incidents;
2. Provide information on programs that address trafficking in persons;
3. Provide legal protection to trafficked persons;
4. Provide information of the provisions of the Witness Protection Program;
5. Immediately refer to the Department of Foreign Affairs or Bureau of Immigration the trafficked persons who are foreign nationals for repatriation;

6. Immediately refer to the Philippine National Police, Department of Foreign Affairs or Bureau of Immigration the persons who are foreign nationals engaged in trafficking acts; and

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7. Inform any person arrested, investigated or detained of his/her rights when called for.”

SECTION 15. A new Section 15 shall read as follows:

“SECTION 15. *Creation of Municipal Committee on Anti-Trafficking and -Violence Against Women and Their Children(MCAT-VAWC)*- There is hereby created a Municipal Committee on Anti-Trafficking and -Violence Against Women and Their Children (MCAT-VAWC) which shall be composed of the following:

1. Municipal Mayor who shall be the Chairperson
The Municipal Mayor may designate co-Chairperson.
2. Chairperson of the Committee on Women, Children and Family
3. Municipal Planning and Development Coordinator
4. Municipal Social Welfare and Development Officer who shall serve as the Secretariat
5. Municipal Health Officer
6. Municipal Public Employment Services Officer
7. Municipal Legal Officer or equivalent
8. Municipal Local Government Operations Officer
9. PNP Chief of Police
10. Representatives from Civil Society Organizations (CSO) / Non-Government Organizations (NGO) of the following sectors:
 - a. Women
 - b. Children
 - c. Overseas Filipino Workers (OFW)”

SECTION 16. A new Section 16 shall read as follows:

“SECTION 16. *Functions of the Municipal Committee on Anti-Trafficking and -Violence Against Women and Their Children(MCAT-VAWC)*- The functions of the MCAT-VAWC shall be:

1. Institute policies and programs to protect women and children who are victims of trafficking and violence.
2. Empower and mobilize resources of the local community in the prevention, protection, recovery and reintegration of victims/survivors.
3. Create and establish systems on surveillance, investigation, and rescue to ensure effective and efficient coordination.
4. Monitor and oversee the strict implementation of all laws for the protection of women and children, and implementation of the national plans of action.

5. Call on the assistance of CSOs and NGOs working on trafficking and VAWC to assist in its formulation and implementation of the programs and interventions to address human trafficking and VAWC, whenever necessary.

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6. Establish linkage with other existing organizations/councils on women and children and may invite other relevant agencies/organizations to participate in its meetings and activities, whenever necessary.

7. Conduct an information dissemination campaign against trafficking in persons in the community.

8. Submit to the Provincial Council on Anti-Trafficking (PCAT) a comprehensive report on the programs undertaken on a semestral basis every 15th of January and 15th of July of the following year”

SECTION 17. Section 10 of Ordinance No. 05-114 is hereby amended and shall read as follows:

“SECTION 17. *Community Based Initiatives* - The Municipal Government shall encourage and support community-based initiatives which address the problem of trafficking in persons.

In this line, the Municipal Government may grant financial support and technical assistance to civil society organizations accredited by the Sangguniang Bayan which are engaged in activities aimed towards the prevention, protection, recovery, and reintegration of victims/survivors of trafficking in persons.”

SECTION 18. Section 11 of Ordinance No. 05-114 is hereby amended and shall read as follows:

“SECTION 18. *Assistance to Victims/Survivors/Affected Families.* - The Municipal Government shall provide the following services to victims/survivors of trafficking in persons and/or to the affected families:

1. Emergency shelter or appropriate housing;
2. Counselling
3. Free legal service
4. Medical or psychological services
5. Financial assistance for livelihood activity
6. Conduct of entrepreneurial and/or skills trainings
7. Referral for job placement
8. Educational assistance to a trafficked child.”

SECTION 19. Section 13 of Ordinance No. 05-114 is hereby amended and shall read as follows:

“SECTION 19. *Appropriations* - The Municipal Government shall integrate the programs/projects/activities related to anti-trafficking in persons into the Annual Operations Plans and Budget, the funding requirements shall be charged against the Gender and Development (GAD) Budget.”

SECTION 21. *Separability Clause.* - If, for any reason, any section or provisions of this Ordinance is declared unconstitutional or invalid, the other sections or provisions not affected thereby shall remain in full force and effect.

SECTION 22. *Effectivity.* - This Act shall take effect after fifteen (15) days upon publication in a newspaper of general circulation in the Municipality of Bulacan.

A copy of this Ordinance shall likewise be posted at prominent places in the Municipal Hall, and all Barangay Halls.

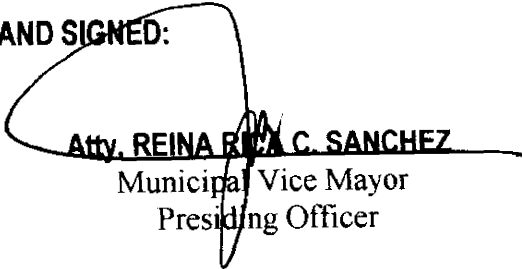
APPROVED.

I hereby certify that the foregoing Ordinance has been approved by the Sangguniang Bayan of Bulacan in session held for this purpose dated November 21, 2022.


JEFF C. TANSINSIN

Secretary to the Sangguniang Bayan

ATTESTED AND SIGNED:

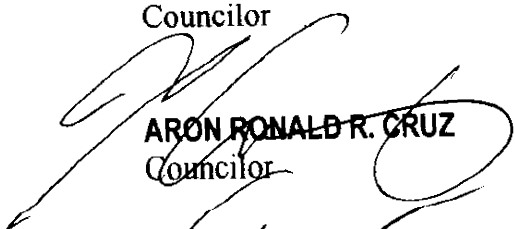

Atty. REINA RICA C. SANCHEZ

Municipal Vice Mayor
Presiding Officer

APPROVED BY:

AUBRHIE CINDYRELLE D. CARPIO

Councilor


ARON RONALD R. CRUZ

Councilor


CHRISTOPHER ARON C. DEL ROSARIO

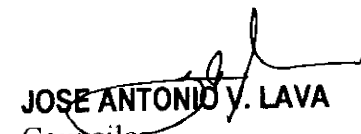
Councilor


Atty. ANA MARIE V. PAGSIBIGAN

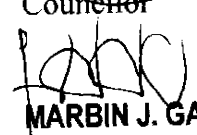
Councilor


MICHAEL M. RAMOS

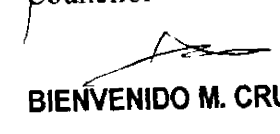
Councilor (Ex-Officio-ABC)


JOSE ANTONIO Y. LAVA

Councilor


MARBIN J. GARCIA

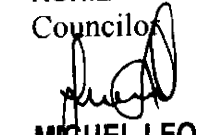
Councilor


BIENVENIDO M. CRUZ JR.

Councilor


RICHE E. SAN JOSE

Councilor


MIGUEL LEONARDO

Councilor (Ex-Officio-SK)

APPROVED and SIGNED:


VERGEL C. MENESES
Municipal Mayor
12-09-22


JEFF C. TANSINSIN
SANDUNIAN BAYAN SECRETARY

