



Republic of the Philippines
MUNICIPALITY OF ASINGAN
Province of Pangasinan

OFFICE OF THE SECRETARY TO THE SANGGUNIAN BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIAN BAYAN OF ASINGAN, PANGASINAN HELD ON OCTOBER 28, 2024 AT THE ASINGAN GOVERNMENT CENTER SESSION HALL

PRESENT:

- | | |
|--------------------------------------|---|
| 1. Hon. Joselito V. Viray | Sangguniang Bayan Member
Temporary Presiding Officer |
| 2. Hon. Athena Ira G. Chua | Sangguniang Bayan Member |
| 3. Hon. Marivic S. Robeniol | Sangguniang Bayan Member |
| 4. Hon. Johnny Mar A. Carig | Sangguniang Bayan member |
| 5. Hon. Mel F. Lopez | Sangguniang Bayan Member |
| 6. Hon. Melchor J. Cardinez, Sr. | Sangguniang Bayan Member |
| 7. Hon. Virgilio I. Amistad | Sangguniang Bayan Member |
| 8. Hon. Julio P. Dayag | Sangguniang Bayan Member |
| 9. Hon. Naphtali Magiting P. Bernabe | Sangguniang Bayan Member/PPSK President |

ABSENT:

- | | |
|------------------------------------|---|
| 1. Hon. Heidee L. Ganigan-Chua | Municipal Vice Mayor
(On Official Business Travel) |
| 2. Hon. Herminio C. Alcantara, Jr. | Sangguniang Bayan Member/Liga President
(O.B. – Rosales, Pangasinan) |

Sponsored By: SB Member Johnny Mar A. Carig

EXPLANATORY NOTE

WHEREAS, the Constitution of the Republic of the Philippines guarantees the protection of children from all forms of abuse, and discrimination, including online sexual abuse and exploitation;

WHEREAS, the United Nations Convention on the Rights of the Child, ratified by the Philippines, provides that children shall be protected from all forms of sexual exploitation and abuse;

WHEREAS, Republic Act No. 9775, otherwise known as the Anti-Child Pornography Act of 2009, and Republic Act No. 11930, otherwise known as the Anti-Online Sexual Abuse and Exploitation of Children (OSAEC) Act of 2002, impose strict penalties on the production, distribution, and possession of child sexual abuse or exploitation materials (CSAEM) and penalize those who engage in online sexual abuse and exploitation of children (OSAEC);

WHEREAS, incidents of online sexual abuse and exploitation of children and the proliferation of CSAEM continue to pose grave threats to the safety, dignity and well-being of children in the Philippines, including the locality of Asingan;

WHEREAS, there is a need to strengthen measures at the local level to address the online abuse and exploitation of children, ensure the accountability of perpetrators, and create a supportive environment for child victims;

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NOW THEREFORE, on motion of SB Member Johnny Mar A. Carig, duly seconded by SB Members Marivic S. Robeniol, Athena Ira G. Chua, Virgilio I. Amistad and Melchor J. Cardinez, Sr., it was,

RESOLVED, as it is hereby resolved, to approve the following Ordinance, to wit:

**ORDINANCE NO. 13
SERIES 2024**

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

Be it enacted by the Sangguniang Bayan of Asingan, Pangasinan in session assembled that:

Section 1. TITLE. This Ordinance shall be known as an "Ordinance Prohibiting Online Sexual Abuse and Exploitation of Children (OSAEC) and Child Sexual Abuse or Exploitation Materials (CSAEM) in the Municipality of Asingan, Institutionalizing Programs for its Prevention and Eradication, and Providing Penalties Thereof:

Section 2. DECLARATION OF POLICY. It is the policy of the Local Government of Asingan to protect children from online sexual abuse, exploitation, and any form of abuse or exploitation materials, and to take all necessary actions to prevent the occurrence of such crimes in the locality. The local government shall ensure that victims are provided with appropriate support, rehabilitation, and legal assistance, and that all efforts will be made to create a child-friendly, safe and nurturing environment.

Section 3. DEFINITIONS. For purpose of this Ordinance, the following terms shall be defined as follows:

- a. Online Sexual Abuse and Exploitation of Children (OSAEC) – any act or attempted act of engaging children in sexual activities via online platforms, including live-streaming, transmission, and other online means that facilitate sexual exploitation or abuse;
- b. Child Sexual Abuse or Exploitation Materials (CSAEM) – any visual, audio, or written material that depict children engaging in, or being subjected to, sexual acts or conduct that constitutes sexual exploitation or abuse;
- c. Child – a person who is below 18 years of age, or older but unable to fully comprehend the nature of their actions due to physical or mental disability;
- d. Perpetrator – any individual or entity involved in the act of engaging in, facilitating, producing, distributing, or possessing any materials related to OSAEC or CSAEM.

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- e. Child Victim – a minor who has been subjected to online sexual abuse and exploitation or depicted in CSAEM.

Section 4. PROHIBITED ACTS. The following acts are strictly prohibited within the jurisdiction of Asingan.

- a. Engaging in or facilitating online sexual abuse or exploitation of children (OSAEC);
- b. Producing, distributing, or possessing any materials depicting child sexual abuse or exploitation (CSAEM);
- c. Accessing, sharing, or promoting any form of CSAEM or OSAEC on social media, websites, or through any other online platform;
- d. Failure to report suspected cases of OSAEC or CSAEM to the appropriate authorities;
- e. Providing or promoting platforms, tools, or services that facilitate or encourage the abuse, exploitation or trafficking of children online.

Section 5. PENALTIES.

- a. First Offense: The offender violating this Ordinance shall be penalized with a fine of One Thousand Five Hundred Pesos (Php1,500.00) and undergo a mandatory OSAEC Seminar.
- b. Second Offense: The offender violating this Ordinance shall be penalized with a fine of Two Thousand Pesos (Php2,000.00) and undergo a mandatory OSAEC Seminar; and
- c. Third Offense: The offender violating this Ordinance shall be penalized with a fine of Two Thousand Five Hundred Pesos (Php2,500.00) and undergo a mandatory OSAEC Seminar and **one (1) month imprisonment at the discretion of the court.**

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

Section 6. REPORTING AND RESPONSE SYSTEM.

- a. The local government of Asingan shall establish and maintain a Child Protection Desk to serve as the reporting and response hub for cases of OSAEC and CSAEM. This desk shall be responsible for the immediate response to complaints, the coordination with national law enforcement agencies and the provision of appropriate services to child victims;
- b. The Barangay Councils shall act as the first responders to complaints of OSAEC or CSAEM in their respective areas and must coordinate with the local government and law enforcement authorities.
- c. The Asingan Police Department shall provide training to all personnel on the detection, reporting, and investigation of online child sexual abuse and exploitation cases.

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Section 7. SUPPORT PROGRAMS FOR CHILD VICTIMS.

- a. The local government shall provide support services for child victims of OSAEC and CSAEM, including but not limited to:
 1. Psychosocial Counseling – Free counseling and therapeutic services for survivors and their families.
 2. Legal Assistance – Access to legal counsel for child victims and their guardians.
 3. Shelter and Rehabilitation Programs – Safe spaces and rehabilitation programs for child victims, in partnership with NGOs and National Institution.
- b. A Child Victim Support Fund shall establish to fund these programs, sourced from local funds, donations, and grants.

Section 8. EDUCATION AND AWARENESS.

- a. The local government shall implement an educational and awareness campaign aimed at:
 1. Educating the public on the dangers of OSAEC and CSAEM.
 2. Promoting responsible online behavior and the importance of protecting children from online exploitation.
 3. Training parents, educators, and community leaders to identify and respond to indicators of online child sexual abuse.
- b. School and local youth organization shall incorporate child protection measures in their activities, including regular discussion on online safety.

Section 9. FUNDING.

The local government shall allocate funds for Online Sexual Abuse and Exploitation of Children (OSAEC) in the amount of Three Hundred Sixty Thousand Pesos (Php360,000.00) taken from Special Purpose Appropriations under one percent (1%) Local Council for the Protection of Children Fund (LCPC) for the implementation of this Ordinance, including the establishment of the Child Protection Desk and funding for victim support services. Additional funds may be sourced from grants, donations, or any other legal means.

Section 10. SEPARABILITY CLAUSE.

If any provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall in full force and effect.

Section 11. REPEALING CLAUSE.

All ordinances, resolution, or parts thereof that are inconsistent with this Ordinance are hereby repealed or modified accordingly.

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Section 12. EFFECTIVITY.


This Ordinance shall take effect upon compliance with the publication and posting requirement.

Date Approved: October 28, 2024.

I HEREBY CERTIFY to the correctness of the above-quoted ordinance.


DIOSDADO C. BALANGA
Secretary to the Sangguniang Bayan


ATTESTED:



JOSEKITO V. VIRAY
Sangguniang Bayan Member
Temporary Presiding Officer

HEIDEE L. GANIGAN-CHUA
Municipal Vice Mayor
(On Official Business Travel)

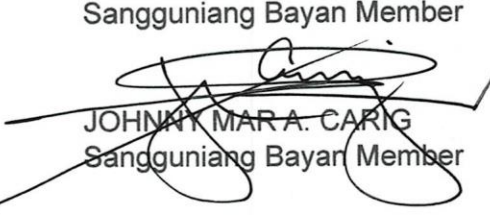

MEL F. LOPEZ
Sangguniang Bayan Member

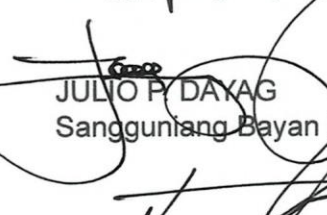

ATHENA IRA G. CHUA
Sangguniang Bayan Member


MELCHOR J. CARDINEZ, SR.
Sangguniang Bayan Member


MARIVIC S. ROBENIOL, RN
Sangguniang Bayan Member


VIRGLIO I. AMISTAD
Sangguniang Bayan Member


JOHNNY MAR A. CARIG
Sangguniang Bayan Member


JULIO P. DAYAG
Sangguniang Bayan Member

HERMINIO C. ALCANTARA, JR.
Sangguniang Bayan Member/
Liga President
(O.B. – Rosales, Pangasinan)


NAPHTALI MAGITING P. BERNABE
Sangguniang Bayan Member/
PPSK President

APPROVED:


ENGR. CARLOS F. LOPEZ, JR.
Municipal Mayor