OK

OFFICE OF THE S.P SECRETARY
TUGUEGARAO CITY, CAGAYAN
RECEIVED
Date: JAN 28 2026
Time: 9:38 am
By: Jayveline

Republic of the Philippines
PROVINCE OF CAGAYAN
Tuguegarao City
OFFICE of the SANGGUNIANG PANLALAWIGAN

08 January 2026

OFFICE OF THE CITY VICE MAYOR
TUGUEGARAO CITY, CAGAYAN
RECEIVED
Date: 1-28-2026
Time: 9:20am
By: [illegible]

HONORABLE ROSAURO RODRIGO G. RESUELLO
Vice Mayor/Presiding Officer
Sangguniang Panlungsod
Tuguegarao City, Cagayan

Dear Honorable Rusuello:

Greetings!

We are furnishing your esteemed office a copy of **Provincial Resolution No. 2025-12-682** of the *12th Sangguniang Panlalawigan of Cagayan*, stating therein its action on City Ordinance No. 24-09-2025 of the Sangguniang Panlungsod of Tuguegarao City, Cagayan.

For your information and guidance.

Thank you.

Very truly yours,

ROSALINDA P. CALLANG, JD, GSC, DPA
Secretary to the Sanggunian

Hummy

OFFICE OF THE SANGGUNIANG PANLALAWIGAN
Capitol Hills, Tuguegarao City
(078) 304-1900
Email address: sp_cagayan@yahoo.com

Republic of the Philippines
PROVINCE OF CAGAYAN
Tuguegarao City

SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE 23RD REGULAR SESSION OF THE PROVINCIAL BOARD HELD ON FRIDAY, DECEMBER 19, 2025 AT THE SESSION HALL OF THE SANGGUNIANG PANLALAWIGAN, PROVINCIAL CAPITOL, TUGUEGARAO CITY

PRESENT:
Hon. Manuel Mamba, Vice Governor / Presiding Officer
Hon. Rowena G. Retoma, Board Member
Hon. Kamille Concepcion D. Ponce-Perez, Board Member
Hon. Romeo S. Garcia, Board Member / Floor Leader
Hon. Randy A. Ursulum, Board Member
Hon. Alniñoson Kevin M. Timbas, Board Member
Hon. Vilmer V. Viloria, Board Member
Hon. Jean Alphonse D. Ponce, Board Member
Hon. Romar F. De Asis, Board Member
Hon. Engelbert C. Caronan, Jr., Board Member
Hon. Leonides M. Fausto, Jr., Board Member
Hon. Bryan Paul A. Vargas, Ex-Officio Board Member (LnB President)
Hon. Maria Rosario B. Soriano, Ex-Officio Board Member (PCL President)
Hon. Rey Jirowell D. Alameda, Ex-Officio Board Member (SK President)

ABSENT:
NONE

RESOLUTION NO. 2025-12-682

RESOLUTION RETURNING CITY ORDINANCE NO. 24-09-2025 OF THE SANGGUNIANG PANLUNGSOD OF TUGUEGARAO CITY, CAGAYAN

BASIS: Report of the Committee on Laws, Revisions and Legal Matters on **CITY ORDINANCE NO. 24-09-2025** Tuguegarao City, Cagayan, recommending the approval on review said Ordinance subject to the observations, suggestions and recommendations stated therein.

WHEREAS, during the 23rd Regular Session of the Sangguniang Panlalawigan held on December 19, 2025, the Body adopted the Report of the Committee on Laws, Revisions and Legal Matters which recommended the return of CITY ORDINANCE NO. 24-09-2025 titled: "ANTI TRAFFICKING IN PERSONS AND MAIL ORDER SPOUSE ORDINANCE OF TUGUEGARAO CITY PURSUANT TO THE PROVISIONS OF REPUBLIC ACT OF 2022 AND REPUBLIC ACT NO. 11862: EXPANDED ANTI-TRAFFICKING IN PERSONS ACT OF 2022 AND REPUBLIC ACT 10906 OR THE ANTI-MAIL TO ORDER SPOUSE ACT, PROVIDING PENALTIES FOR ITS VIOLATIONS, ESTABLISHING THE TUGUEGARAO CITY ANTI TRAFFICKING IN PERSONS COUNCIL AND FOR OTHER PURPOSES;"

WHEREAS, the committee on laws rendered a report and the Sangguniang Panlalawigan finds the same in order and hereby adopts all the suggestions and recommendations explained therein;

WHEREAS, upon careful and thorough review, the committee recognized that the Sangguniang Panlungsod of Tuguegarao City is vested with the authority to localize the implementation of Republic Act No. 11862 as the law itself, particularly Section 11 expressly mandates local government units to enact ordinances that will localize and strengthen its implementation. However, the same statutory provision likewise provides clear guidance on the permissible scope of such localization. Accordingly, the authority granted is not absolute but qualified, and is confined to the areas delineated by law, specifically, the provision of local services and programs intended to support victims and survivors;

WHEREAS, the committee through the aid of resource agencies namely, the DSWD, PNP, and the CHR identified certain deficiencies in the draft ordinance. Specifically, Sections 9 and 10 thereof appear to extend beyond the parameters authorized for localization, as they prescribe prohibited acts and penalties that may conflict with national statutes, potentially resulting in public confusion and rendering the ordinance ultra vires;

WHEREAS, the committee recommended that the aforementioned provisions be carefully revisited and aligned with national mandates to avoid conflict, ensure clarity, and maintain the proper balance between local autonomy and statutory limits;

WHEREAS, the Committee likewise reiterated the need to ensure that penalties are clearly aligned with national law, to explicitly define the role and services of the Department of Social Welfare and Development (DSWD) in victim recovery and referral mechanisms, to clarify police authority with respect to inspections, and to strengthen preventive and proactive measures against trafficking;

WHEREAS, finally, the Committee recommended that the ordinance be returned to the Sangguniang Panlungsod of Tuguegarao City, without prejudice, for revision and resubmission in a manner consistent with national laws and the recommendations of concerned agencies;

WHEREFORE, on joint motion of all Members present, be it,

RESOLVED, AS IT IS HEREBY RESOLVED, to return City Ordinance No. 24-09-2025 of Tuguegarao City Cagayan.

RESOLVED FURTHER, that a copy of this Resolution be transmitted to Tuguegarao City, Cagayan, for its information and reference.

SO RESOLVED, this 19th day of December 2025 in Tuguegarao City, Cagayan.

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

ROSALINDA P. CALLANG, JD, GSC, DPA
Secretary to the Sanggunian

ATTESTED:

MANUEL MAMBA
Vice Governor/Presiding Officer

Republic of the Philippines
PROVINCE OF CAGAYAN
Tuguegarao City

Office of the Sangguniang Panlalawigan

COMMITTEE ON LAWS ORDINANCES REVISIONS AND LEGAL MATTERS

COMMITTEE REPORT No. 12-085, S-2025

SUBJECT MATTERS:

CITY ORDINANCE NO. 24-09-2025 ANTI TRAFFICKING IN PERSONS AND MAIL ORDER SPOUSE ORDINANCE OF TUGUEGARAO CITY PURSUANT TO THE PROVISIONS OF REPUBLIC ACT OF 2022 AND REPUBLIC ACT NO. 11862: EXPANDED ANTI-TRAFFICKING IN PERSONS ACT OF 2022 AND REPUBLIC ACT 10906 OR THE ANTI-MAIL TO ORDER SPOUSE ACT, PROVIDING PENALTIES FOR ITS VIOLATIONS, ESTABLISHING THE TUGUEGARAO CITY ANTI TRAFFICKING IN PERSONS COUNCIL AND FOR OTHER PURPOSES

FINDINGS AND DISCUSSIONS:

Before this Committee is a legislative measure enacted by the City of Tuguegarao, Cagayan, which seeks to localize the implementation of Republic Act No. 11862, or the "Expanded Anti-Trafficking in Persons Act," and Republic Act No. 10906, or the "Anti-Mail Order Spouse Act." This committee conducted a hearing on November 7, 2025, which was attended by resource persons from the Sangguniang Panlungsod of Tuguegarao City, the Provincial Legal Office, the Philippine National Police–Provincial Office, the Commission on Human Rights–Regional Office II, and the Department of Social Welfare and Development–Field Office II.

The committee took note of the various recommendations raised during the deliberation and finds it necessary to clearly underscore these significant observations. The committee likewise recognizes that the Sangguniang Panlungsod of Tuguegarao City is vested with the authority to localize the implementation of Republic Act No. 11862. Section 11 of the said law expressly mandates local government units to enact ordinances that will localize and strengthen its implementation by providing local services and programs for victims and survivors of trafficking and other exploitative acts. In effect, the statute itself confers upon the LGU a qualified authority to adopt measures that will operationalize the law at the local level. However, the same statutory provision also provides clear guidance on the allowable scope of such localization. The authority granted is limited to the provision of local services and programs intended to support victims and survivors. Thus, the power to enact an ordinance is not absolute, but qualified and confined to the areas delineated by the law.

The central question now before the committee is whether the proposed ordinance, as presently worded, falls within the scope of the authority contemplated under Section 11 of RA 11862. This concern is heightened by the inclusion of Sections 9 and 10 of the said measure which pertain to the determination of prohibited acts under the ordinance. Such provisions appear to extend beyond the parameters authorized for localization and may intrude into areas already comprehensively governed by national law.

With this being said, the inclusion of Sections 9 and 10 in the ordinance remains a significant point of concern. These provisions pertain to matters that are already fully addressed by national law. Should the ordinance be passed in its current form, it may result in public confusion due to the existence of two separate sets of penalties, one prescribed under the national statute and another, lower set of penalties introduced by the local measure.

Such a situation would render the ordinance *ultra vires*, as the Sangguniang Panlungsod cannot redefine or lower penalties that are already set under national law. It is therefore important to stress that only provisions such as Section 5 or the establishing the Tuguegarao City Anti-Trafficking in Persons Council clearly fall within the legitimate scope of local legislative authority. In light of this, the Committee emphasizes that the questioned provisions, specifically Sections 9 and 10, go beyond what the law allows in terms of localization. These sections should be carefully revisited and aligned with national mandates to avoid conflict, ensure clarity, and maintain the proper balance between local autonomy and statutory limits.

The Department of Social Welfare and Development (DSWD) informed the committee that it has thoroughly reviewed the proposed ordinance of Tuguegarao City. The DSWD acknowledged the provision regarding the adoption and institutionalization of its Recovery and Reintegration Program for Trafficked Persons. However, the Department emphasized the need to explicitly incorporate specific DSWD services and procedures to ensure accuracy and alignment with existing protocols. The representative from DSWD clarified that, upon rescue, it serves as the primary receiving agency for victims placed under protective custody. Accordingly, the ordinance should expressly state that individuals rescued by the National Bureau of Investigation (NBI), the Department of Justice (DOJ), and other authorized entities are to be turned over to the DSWD as part of the established process. The Department noted that this procedure has been consistently observed in recent cases, even those arising outside the Province of Cagayan.

Furthermore, DSWD also stressed the importance of including provisions on the availability of its crisis intervention and residential care facilities which form part of the referral mechanisms coordinated with the City Government. The Department also highlighted that it provides aftercare services in close collaboration with the City Social Welfare and Development Office (CSWDO). The Committee likewise notes DSWD's recommendation that the ordinance explicitly outlines referral and reporting protocols. Apart from barangay authorities, DSWD remains a designated receiving agency for reports of trafficking cases. The Department maintains satellite and field offices strategically located across the provinces to ensure accessibility for victim-survivors seeking assistance.

The Philippine National Police (PNP) informed the committee that its primary concern relates to the implementation of the proposed ordinance. The PNP observed that the ordinance prescribes its own set of penalties, which appear inconsistent with those under the national law. This discrepancy, they explained, may create significant operational difficulties, as law enforcement would be uncertain about what specific cases to file or what penalties to apply due to the conflicting provisions between the national statute and the proposed local measure.

Moreover, the representative from PNP also raised a clarificatory point concerning Section 7 of the draft ordinance. They inquired whether the Local Government Unit (LGU)

may authorize the police to conduct ocular inspections of bars, KTV establishments, and similar venues during nighttime as part of the requirements for the issuance or renewal of business permits. Such authority, they noted, is essential for verifying the presence of minors who may be employed or otherwise engaged in these establishments. Without an explicit authorization from the said ordinance, the PNP stated that they are not permitted to conduct routine inspections or interviews within these premises.

In addition, the PNP pointed out that several provisions particularly Section 14 reflect predominantly reactive measures. They noted the absence of proactive interventions or preventive programs that would address trafficking and exploitation-related risks before an incident occurs. As an example, the PNP cited the frequent presence of women loitering near commercial areas such as the vicinity of Robinsons Mall during nighttime. The police can only disperse them as no crime is being committed, leaving law enforcement with limited options unless granted authority to inspect establishments that may be involved in the recruitment or employment of minors. The PNP also placed on record that, based on the data available in their Crime Records and Analysis Division (CRAD), there have been no recorded violations related to Mail-Order Spouse schemes since 2016.

During the deliberations on the proposed ordinance of the Local Government Unit of Tuguegarao City, the Commission on Human Rights (CHR) was likewise invited to participate. The CHR clarified that its involvement was limited to reviewing the human rights aspects of the measure. After examining the ordinance from this perspective, the Commission commended the efforts of the LGU in proposing such legislation, recognizing that it advances the protection of human rights, particularly in light of the significant number of trafficking cases recorded in the City.

However, the CHR also noted certain deficiencies in the draft ordinance, especially in relation to the provisions on prohibited acts and the penalties imposed—issues that were similarly raised by the Philippine National Police. In view of these concerns, the Commission expressed agreement with the recommendation to defer action and refer the proposed ordinance back to the proponent for refinement. This would ensure that the measure is strengthened, made more coherent, and remains fully aligned with national laws.

The Commission likewise echoed the observations of the Department of Social Welfare and Development (DSWD), recommending that the ordinance explicitly identify the specific social services and programs that should be made available to victims of trafficking and mail-order spouse schemes. Such clarity, the CHR emphasized, is essential to ensure that victim-survivors receive comprehensive and appropriate support within the local referral mechanism.

RECOMMENDATION:

In summary, after careful deliberation and consideration of the various concerns, observations, and recommendations discussed herein, the committee respectfully submits that the subject ordinance be returned to the Sangguniang Panlungsod of Tuguegarao City, without prejudice, to allow for its revision and resubmission after the local sanggunian has fully addressed, incorporated, and complied with the suggestions, clarifications, and recommendations as stated herein.

Republic of the Philippines
PROVINCE OF CAGAYAN
Tuguegarao City

Office of the Sangguniang Panlalawigan

COMMITTEE ON LAWS ORDINANCES REVISIONS AND LEGAL MATTERS

ENGELBERT C. CARONAN JR.
Chairman

ROMEO S. GARCIA
Vice Chairperson

VILMER V. VILORIA
Member

MANUEL MAMBA
Member