



Republic of the Philippines  
 PROVINCE OF NEGROS OCCIDENTAL  
**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**  
 South Wing, Provincial Capitol Building  
 South Capitol Road, Bacolod City, Negros Occidental 6100  
 Tel. Nos. 435-7698 \* 433-4894 \* 707-8075

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF NEGROS OCCIDENTAL HELD IN THE CITY OF BACOLOD, NEGROS OCCIDENTAL ON THE 7<sup>TH</sup> DAY OF JANUARY 2025.

Present:

Hon. Jeffrey P. Ferrer	Vice Governor/ Presiding Officer
Hon. Rommel T. Debulgado	Member - 1 <sup>st</sup> District
Hon. Araceli T. Somosa	Member - 1 <sup>st</sup> District
Hon. Sixto Teofilo Roxas V. Guanzon, Jr.	Member - 2 <sup>nd</sup> District
Hon. Manuel Frederick O. Ko	Member - 3 <sup>rd</sup> District
Hon. Andrew Gerard L. Montelibano	Member - 3 <sup>rd</sup> District
Hon. Jose Benito A. Alonso	Member - 4 <sup>th</sup> District
Hon. Anthony Dennis J. Occeño	Member - 5 <sup>th</sup> District
Hon. Valentino Miguel J. Alonso	Member - 6 <sup>th</sup> District
Hon. Mayvelyn L. Madrid	Member - SK
Hon. Richard Julius L. Sablan	Member - ABC
On Official Business:	
Hon. Samson C. Mirhan	Member - 2 <sup>nd</sup> District
Hon. Andrew Martin Y. Torres	Member - 4 <sup>th</sup> District
Hon. Rita Angela S. Gatuslao	Member - 5 <sup>th</sup> District
Hon. Jeffrey T. Tubola	Member - 6 <sup>th</sup> District
Hon. Julius Martin D. Asistio	Member-PCL

**RESOLUTION NO. 0024**  
 Series of 2025

**RESOLUTION DECLARING ORDINANCE NO. 24-27 OF THE CITY OF SAN CARLOS PROHIBITING ACTS OF ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND THE ANTI-CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (ACSAEM) IN SAN CARLOS CITY, NEGROS OCCIDENTAL PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AS A VALID ENACTED ORDINANCE**

**WHEREAS**, Section 56 of the Local Government Code of 1991 expresses the reviewing power of the Sangguniang Panlalawigan on Component City and Municipal Ordinances and Resolutions declaring the Ordinance or Resolution valid if it's consistent with the law or invalid in whole or in part if the Sangguniang Panlalawigan finds the Ordinance or Resolution to be beyond the power conferred upon the Sangguniang Panlungsod or Sangguniang Bayan concerned;

**WHEREAS**, Ordinance No. 24-27 of the City of San Carlos prohibiting acts of Online Sexual Abuse and Exploitation of Children (OSAEC) and the anti-child sexual abuse or exploitation materials (ACSAEM) in San Carlos City, Negros Occidental providing penalties for violations thereof, was submitted for review by the City of San Carlos to the Sangguniang Panlalawigan of Negros Occidental;

**WHEREAS**, after prompt examination by the Provincial Legal Office, it is the recommendation of the said Office that the subject Ordinance is within the conferred power of the Sangguniang Panlungsod of San Carlos to enact, thus, the same may be given due course by the Sangguniang Panlalawigan;



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**WHEREAS**, Section 458 of R.A. No. 7160 otherwise known as the Local Government Code of 1991 provides among others that the sangguniang panlungsod as the legislative body of the city shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the city and its inhabitants under Section 16 of the Local Government Code of 1991 as well as exercise such other powers and perform such other duties and functions as may be prescribed by law;

**WHEREAS**, the key to the promotion of the general welfare or the common good is the provision of basic services as stated under Section 17 (b) (2) (iv) of R.A. 7160, to wit: subject ordinance has for its intent the adoption of the above-mentioned Republic Acts consistent with Section 458 (a) (6) of R.A. 7160, to wit:

*Section 17. Basic Services and Facilities. – xxx. Local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities xxx.*

*(b) Such basic services and facilities include, but are not limited to, the following:*

*(iv) Social welfare services which include programs and projects on child and youth welfare, family and community welfare, x x x; community-based rehabilitation programs for x x x, street children, scavengers, juvenile delinquents, and victims of drug abuse;x x x."*

**WHEREAS**, corollarily, our fundamental law, the 1987 Philippine Constitution, guarantees the entitlement of children to protection and support. Hereunder quoted are salient provisions, among others, which explicitly mandate that the best interests of children should be given primordial consideration, to wit:

*"(2) The right 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. (Article XV, Section 3, subsection 2, 1987 Philippine Constitution)*

*Section 2. It is hereby declared to be the policy of the State to provide special protection to children from all firms (sic) of abuse, neglect, cruelty exploitation and discrimination and other conditions, prejudicial their development; provide sanctions for their commission and carry out a program for prevention and deterrence of and crisis intervention in situations of child abuse, exploitation and discrimination. X X X. (R.A. 7610, Section 2, par. 2)*

*The best interests of children shall be the paramount consideration in all actions concerning them, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, and legislative bodies, consistent with the principle of First Call for Children as enunciated in the United Nations Convention of the Rights of the Child. Every effort shall be exerted to promote the welfare of children and enhance their opportunities for a useful and happy life." (R.A. 7610, Section 2, par. 3)*

**WHEREAS**, it is clear from the foregoing provisions that the Sangguniang Panlungsod of San Carlos City has the power to enact the subject ordinance having been anchored on various laws' which give primary consideration to the best interest of children and is in keeping with R.A. 11930, Section 33, to wit:

*"Section 33. Local Governments. - Local governments shall pass an ordinance to localize efforts against OSAEC and CSAEM, take account local culture and norms, institutionalize community-based initiatives that address OSAEC and CSAEM at the barangay level, establish OSAEC and CSAEM prevention programs that aim to educate families against OSAEC and CSAEM, and provide a holistic local program for rehabilitation and reintegration under the local social welfare and development office including support and protection for victims and survivors."*

*[Handwritten signature]*



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**WHEREAS**, the ordinance complies with the six (6) generally accepted principles for a valid ordinance, as adopted by the Sangguniang Panlalawigan of Negros Occidental, which are:

- It must not contravene the Constitution or any statute.
- It must not be unfair or oppressive.
- It must not be partial or discriminatory.
- It must not prohibit but may regulate trade.
- It must be general and consistent with public policy.
- It must not be unreasonable.

**WHEREAS**, the reviewing authority of the Sangguniang Panlalawigan finds no irregularity that follow thereto as a result of the thorough scrutiny of the Provincial Legal Officer;

**NOW THEREFORE**, premises considered, on motion of Hon. Sixto Teofilo Roxas V. Guanzon, Jr. unanimously seconded by all the members present during the regular session of the Sangguniang Panlalawigan of Negros Occidental, resolved, as it hereby resolves, to pass and approve this resolution to wit:

**RESOLUTION DECLARING ORDINANCE NO. 24-27 OF THE CITY OF SAN CARLOS PROHIBITING ACTS OF ONLINE SEXUAL ABUSE AND EXPLOITATION OF CHILDREN (OSAEC) AND THE ANTI-CHILD SEXUAL ABUSE OR EXPLOITATION MATERIALS (ACSAEM) IN SAN CARLOS CITY, NEGROS OCCIDENTAL PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AS A VALID ENACTED ORDINANCE**

**ADOPTED UNANIMOUSLY.**

This resolution shall take effect immediately upon approval.

CERTIFIED CORRECT:

**HON. RICHARD JULIUS L. SABLAN**  
Temporary Presiding Officer

ATTESTED:

  
**ATTY. MAKI ANGEL O. ASCALON**  
Provincial Secretary

*Note: The Presiding Officer, Hon. Jeffrey P. Ferrer, relinquished the chair to the Temporary Presiding Officer, Hon. Richard Julius L. Sablan.*