

EXCERPT FROM THE MINUTES OF THE CY 2025 – 26th REGULAR SESSION OF THE HONORABLE SANGGUNIAN BAYAN TIGBAUAN, ILOILO HELD AT THE S.B. SESSION HALL, TIGBAUAN MUNICIPAL BUILDING ON JUNE 25, 2025 AT 9:30 IN THE MORNING

PRESENT:

HON. LUGEN T. ORTILANO,	-	Vice Mayor & Presiding Officer
HON. ADRIAN S. CAMPOSAGRADO	-	SB Member
HON. NERI T. CAMIÑA	-	SB Member
HON. REYNALDO E. TUMABOTABO	-	SB Member
HON. JULIUS T. LEDESMA	-	SB Member
HON. NORBERTO T. TURALBA	-	SB Member
HON. JOEL L. SAYSON	-	SB Member
HON. ANA ROWENA A. PERERA	-	SB Member
HON. FLORENCE JOY V. CABALONGA	-	SKMF President

ABSENT: NONE

HON. JERRY T. TUARES	-	SB Member – (Special Priv. Leave)
HON. GAYLORD T. TRASPORTO	-	Liga President - (Sick Leave)

MUNICIPAL ORDINANCE NO. 2025-004

AN ORDINANCE AMENDING CERTAIN PROVISIONS OF MUNICIPAL ORDINANCE NO. 2024-051 ENTITLED, "AN ORDINANCE REGULATING MENDICANCY IN THE MUNICIPALITY OF TIGBAUAN, PROVINCE OF ILOILO, PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES"

Introduced by: HON. JERRY T. TUARES
Moved by: HON. JOEL L. SAYSON
Sponsored by: Committee on Peace and Order and Public Safety
Chairperson: Hon. Jerry T. Tuares
Vice Chairperson: Hon. Neri T. Camiña
Members: Hon. Joel L. Sayson
Hon. Norberto T. Turalba
Hon. Gaylord T. Trasporto
Seconded by: Hon. Adrian S. Camposagrado, Hon. Neri T. Camiña, Hon. Reynaldo E. Tumabotabo, Hon. Julius T. Ledesma, Hon. Norberto T. Turalba, Hon. Ana Rowena A. Perera and Hon. Florence Joy V. Cabalonga

EXPLANATORY NOTES

WHEREAS, mendicancy undermines the dignity of the individual, perpetuates cycles of poverty, and exposes vulnerable groups—particularly children, Indigenous Peoples (IPs), persons with disabilities (PWDs), and the mentally ill—to exploitation, neglect, and social marginalization;

WHEREAS, unregulated street begging contributes to public safety and health concerns, including traffic obstructions, increased risks of petty crimes, unsanitary conditions, and disorder in public spaces;

WHEREAS, the Local Government Code of 1991 mandates local government units to protect the general welfare of their constituents, including the promotion of social justice and the

implementation of programs for the rehabilitation and empowerment of disadvantaged and vulnerable sectors;

WHEREAS, *Republic Act No. 8371*, otherwise known as the Indigenous Peoples' Rights Act of 1997, affirms the right of IPs to cultural integrity, equitable access to basic services, and protection from displacement or discrimination—including their right to receive culturally sensitive interventions when affected by poverty-related issues such as mendicancy;

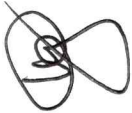
WHEREAS, compassionate governance necessitates a balanced approach—regulating mendicancy while providing sustainable support services such as rehabilitation, livelihood, values formation, and access to basic education and health services;

WHEREAS, the Municipality of Tigbauan, through this Ordinance, commits to the creation of an integrated service network, an Anti-Mendicancy Task Force, public awareness programs, and culturally appropriate interventions aimed at eradicating mendicancy through a humane, just, and development-centered framework;

NOW THEREFORE, BE IT ORDAINED by the Sangguniang Bayan of Tigbauan, Iloilo, in session assembled:

SECTION 1. Section 2 of Municipal Ordinance No. 2024-051 is hereby amended to read as follows:

SECTION 2. DEFINITION OF TERMS. *As used in this ordinance, the following are hereby defined, to wit:*

- 
- 
- 
- a. **Adult Mendicant**- refers to any individual aged eighteen (18) years old and above who engages in the act of begging for alms, money, food, or other forms of assistance in public or private places, despite being physically and mentally capable of engaging in lawful and gainful employment;
 - b. **Badjaos/Badjaws**- refers to a distinct Indigenous cultural group in the Philippines, traditionally known as sea nomads or sea gypsies, whose livelihood is closely tied to maritime practices and who may be displaced due to socio-economic and environmental conditions;
 - c. **Exploited Infant or Child**- refers to a child below eight (8) years of age who is directly used in begging or is forced, coerced, or manipulated to accompany or assist a habitual mendicant or vagrant for the purpose of soliciting alms or pity;
 - d. **Habitual Mendicant**- Refers to an adult mendicant who has been apprehended or convicted of mendicancy three (3) or more times under the provisions of this Ordinance or any national law regulating mendicancy;
 - e. **Indigenous Peoples (IPs)**- Refers to groups of people or communities that share common bonds of language, customs, traditions, and ancestry, who have historically lived in or are attached to geographically distinct ancestral territories, and who identify themselves as such, as defined under Republic Act No. 8371 or the "*Indigenous Peoples' Rights Act of 1997*";
 - f. **Mendicant**- Refers to any person who has no visible or legal means of support or lawful employment, or who is physically able to work but chooses to engage in begging or soliciting alms as a means of livelihood;
 - g. **Minor Mendicant**- Refers to any person below eighteen (18) years of age who engages in begging in public or private places or accompanies a habitual mendicant or beggar for purposes of soliciting alms or material support;
 - h. **Neglected Child**- Refers to a child who is deprived of proper parental care or guardianship, or whose basic needs have been deliberately or inadequately attended to—whether physically, emotionally, or psychologically—and who is exposed to conditions endangering their survival, safety, or development;

- i. **Person with Disability (PWD)**- Refers to any individual who has long-term physical, mental, intellectual, or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others, in accordance with Republic Act No. 7277 or the "*Magna Carta for Persons with Disabilities*";
- j. **Republic Act No. 8371**- Refers to the "*Indigenous Peoples' Rights Act of 1997*", a national law which recognizes, protects, and promotes the rights of Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs), including their right to ancestral domains, self-governance, cultural integrity, and social justice;

SECTION 2. Section 5 of Municipal Ordinance No. 2024-051 is hereby amended to read as follows:

SECTION 5. APPREHENSION GUIDELINES. *The following procedures shall govern the apprehension and referral of individuals engaged in mendicancy within the Municipality of Tigbauan:*

- a. Any infant or child aged eight (8) years old and below who is found begging, or is being exploited or utilized by a mendicant for the purpose of begging, shall be considered a neglected and/or exploited child pursuant to applicable child protection laws, including Presidential Decree No. 603 (*The Child and Youth Welfare Code*) and Republic Act No. 7610 (*Special Protection of Children Against Abuse, Exploitation and Discrimination Act*). The child shall be immediately taken into protective custody and temporarily committed to the care of the Municipal Social Welfare and Development Office (MSWDO) or any duly accredited partner agency or institution. Case management and appropriate interventions shall be undertaken until such time the child can be safely reunited with his/her family or legal guardian, or placed under alternative permanent care, in the best interest of the child;
- b. Any minor over nine (9) years of age but below eighteen (18) years who is found begging, or being exploited or utilized for the purpose of begging, shall be dealt with in accordance to the rights, safeguards, and interventions provided under Republic Act No. 9344 (*Juvenile Justice and Welfare Act of 2006*), as amended. Such minor shall NOT be treated as a criminal offender but shall be referred to the Municipal Social Welfare and Development Office (MSWDO) or any accredited partner agency/institution for appropriate case management and intervention programs;
- c. Any person of manifesting signs of mental illness who is found begging or roaming the streets of the municipality shall be apprehended in a humane and non-discriminatory manner and immediately referred, in coordination with the Municipal Social Welfare and Development Office (MSWDO) and the Municipal Health Office (MHO), to a licensed mental health facility or institution for appropriate psychiatric evaluation, treatment, and care, pursuant to Republic Act No. 11036 or the Mental Health Act. All interventions shall uphold the person's rights to dignity, informed consent, and access to community-based support services, in accordance with applicable laws and ethical standards;
- d. Any person with a disability (PWD) who is found begging or deliberately exhibiting their disability for the purpose of soliciting alms shall be humanely apprehended and referred to an appropriate institution, facility, or center that provides social welfare, medical, psychosocial, or livelihood support services for PWDs, in close coordination with the Municipal Social Welfare and Development Office (MSWDO). All actions shall be in accordance with Republic Act No. 7277, as amended, ensuring the protection, dignity, and rehabilitation of PWDs through inclusive and rights-based interventions;

- e. Any person not covered by the aforementioned provisions who is found begging and is determined to be incapable of engaging in lawful gainful employment shall be referred to the Local Government Unit and/or partner non-government organizations (NGOs) for inclusion in an integrated development and support program.

SECTION 3. Section 6 of Municipal Ordinance No. 2024-051 is hereby amended to read as follows:

SECTION 6. VIOLATIONS AND PENALTIES. *Subject to the provisions of this Ordinance, any mendicant—excluding minors and members of recognized Indigenous Peoples (IPs) groups—shall be liable for the following offenses:*

- I. **FIRST-LEVEL VIOLATION – REPEAT OFFENSE BY AN ADULT MENDICANT** Any adult mendicant who is apprehended for begging in public places within the Municipality of Tigbauan for the second time, after having previously received appropriate social or rehabilitative services, shall be penalized with a fine of Five Hundred Pesos (₱500.00);
- II. **HABITUAL MENDICANCY**
Any adult mendicant who continues to engage in begging despite having availed of rehabilitative services and is subsequently classified as a habitual mendicant, shall be penalized with a fine of One Thousand Pesos (₱1,000.00) or imprisonment for a period not exceeding six (6) months, or both, at the discretion of the court;
- III. **EXPLOITATION OF INFANTS OR MINORS**
Any parent, guardian, or individual who exploits an infant or minor for the purpose of begging shall be penalized with a fine of Two Thousand Five Hundred Pesos (₱2,500.00) and/or imprisonment of not more than six (6) months, at the discretion of the court;
- IV. **ENCOURAGEMENT OR ABETMENT OF MENDICANCY**
Any person who encourages, abets, or contributes to the act of mendicancy by directly giving alms to mendicants, especially exploited infants and minors in the streets, public roads, sidewalks, or other public places within the municipality, shall be liable to a fine of One Thousand Pesos (₱1,000.00) or imprisonment for a period of one (1) day, or both, at the discretion of the court.

In all cases involving minors or vulnerable individuals, the Municipality shall prioritize rehabilitation, protective custody, and appropriate intervention and rehabilitative programs, in accordance with national child protection laws, including but not limited to Republic Act No. 9344 (Juvenile Justice and Welfare Act), Republic Act No. 7610 (Special Protection of Children Against Abuse, Exploitation and Discrimination Act), and other applicable human rights and social welfare standards. All interventions shall be child- and gender-sensitive, rights-based, and aimed at the holistic recovery and reintegration of the individual into family and community life.

SECTION 4. Section 7 of Municipal Ordinance No. 2024-051 is hereby amended to read as follows:

SECTION 7. REGULATION OF INDIGENOUS PEOPLES (IPs) IN THE MUNICIPALITY

Recognizing the cultural rights and special protection accorded to Indigenous Peoples under Republic Act No. 8371 or the Indigenous Peoples’ Rights Act of 1997, the Municipality of Tigbauan shall adopt a non-penal and culturally sensitive approach to mendicancy involving IPs.

Specifically, Badjaos and other Indigenous Peoples who are found begging in the streets or public spaces within the municipality—or who have become habitual mendicants—shall not be penalized, but instead be referred by the Municipal Social Welfare and Development Office (MSWDO) to appropriate government agencies, accredited NGOs, or IP support organizations for culturally appropriate interventions, livelihood assistance, and reintegration support.

Efforts must be coordinated with the National Commission on Indigenous Peoples (NCIP) and relevant civil society groups to ensure that actions taken are consistent with the rights, traditions, and welfare of IP communities.

SECTION 5. Section 8 of Municipal Ordinance No. 2024-051 is hereby amended to read as follows:

SECTION 8. PUBLIC INFORMATION AND ADVOCACY PROGRAM. The Municipal Information Unit, under the Office of the Municipal Mayor, shall implement a municipality-wide education and advocacy campaign to raise awareness about the provisions of this Ordinance. This program shall aim to:

- 
- a. Inform the general public about the negative consequences of street-level almsgiving;
 - b. Encourage citizens to redirect their charitable contributions to accredited organizations and programs involved in the rehabilitation and reintegration of mendicants;
 - c. Promote social responsibility, civic discipline, and compassionate support for sustainable anti-poverty programs; and
 - d. Disseminate materials through schools, churches, marketplaces, transport terminals, social media platforms, and community assemblies.

This campaign shall be conducted in coordination with the Municipal Social Welfare and Development Office (MSWDO), the Department of Education (DepEd), Barangay Councils, religious institutions, and any other institutions.



SECTION 6. Section 9 of Municipal Ordinance No. 2024-051 is hereby amended to read as follows:

SECTION 9. INTEGRATED NETWORK OF SERVICES. The Municipal Social Welfare and Development Office (MSWDO) shall lead the establishment and coordination of an Integrated Referral and Service Network to provide a comprehensive and multi-sectoral package of services for apprehended or referred mendicants. The primary objectives of this network are to restore human dignity, prevent recurrence of street begging, and promote self-reliance, productivity, and full reintegration into the community.



The Integrated Service Network shall include, but not be limited to, the following stakeholders:

- a. Local and provincial rehabilitation centers offering residential or non-residential care;
- b. Accredited non-governmental organizations (NGOs) and civil society organizations engaged in social welfare, livelihood, health, and psychosocial support;
- c. Relevant national government agencies and municipal offices; and
- d. Community-based service providers, including barangay councils for the protection of children, faith-based organizations, and other grassroots networks.

The MSWDO shall ensure proper case management, referral protocols, and monitoring mechanisms are in place to facilitate effective delivery of services and sustainable outcomes for beneficiaries.

SECTION 7. Section 10 of Municipal Ordinance No. 2024-051 is hereby amended to read as follows:

SECTION 10. CREATION OF THE LOCAL ANTI-MENDICANCY TASK FORCE. The municipality shall establish a Local Anti-Mendicancy Task Force through an Executive Order issued by the Local Chief Executive. The Task Force shall serve as the primary enforcement and coordinating body for the effective implementation of this Ordinance. The Task Force shall be composed of, but not limited to, the following members:

- a. Municipal Social Welfare and Development Officer (MSWDO);
- b. Representative from the Municipal Health Office (MHO);
- c. Chief of Police- Tigbauan Municipal Police Station;
- d. Municipal Local Government Operations Officer (MLGOO);
- e. President, Liga ng mga Barangay;
- f. SK Federation President;
- g. Representative from the National Commission on Indigenous Peoples (NCIP), if applicable;
- h. Accredited NGO or CSO representative involved in social development

The Task Force shall have the authority to develop operational guidelines, monitor enforcement activities, and recommend policy improvements to the Sangguniang Bayan.

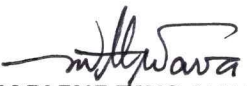
SECTION 8. SEPARABILITY CLAUSE. If for any reason any section or provision of this Ordinance is declared unconstitutional or invalid, other sections or provisions hereof not affected by such declaration shall continue to be in full force and effect.

SECTION 9. REPEALING CLAUSE. All ordinances, resolutions, executive orders, rules and regulations, and other administrative issuance, or any provisions thereof, which are contrary to or inconsistent herewith are hereby repealed or modified accordingly.

SECTION 10. EFFECTIVITY CLAUSE. This ordinance shall take effect upon its approval and compliance to the posting and/or publication requirements of the Local Government Code.

ENACTED. June 25, 2025.

CERTIFIED CORRECT:


MARLENE TAYO-NAVA
SB Secretary

ATTESTED:


LUGEN T. ORTILANO
Vice Mayor & Presiding Officer

APPROVED:


ATTY. VIRGILIO T. TERUEL
Municipal Mayor
JUL 03 2025
(Date signed)

HON. LUGEN T. ORTILANO
Municipal Vice Mayor

Sangguniang Bayan Members:

HON. ADRIAN S. CAMPOSAGRADO
HON. NERI T. CAMIÑA
HON. REYNALDO E. TUMABOTABO

HON. JULIUS T. LEDESMA, O.D.
HON. NORBETO T. TURALBA
HON. JERRY T. TUARES, C.E.
HON. JOEL L. SAYSON

HON. ANA ROWENA ARIAS-PERERA, R.N. M.A.N.
HON. GAYLORD T. TRASPORTO, Lnb President
HON. FLORENCE JOY V. CABALONGA, PPSK President