Republic of the Philippines
QUEZON CITY COUNCIL
Quezon City
22nd City Council

PO22CC-397

100th Regular Session

ORDINANCE NO. SP-3413, S-2024

AN ORDINANCE ESTABLISHING THE QUEZON CITY TOURISM CHILD PROTECTION POLICY, THEREBY AMENDING QUEZON CITY ORDINANCE NO. SP-2180, S-2011, OTHERWISE KNOWN AS THE QUEZON CITY CHILDREN'S CODE OF 2012

Introduced by Councilors ALY MEDALLA, JOSEPH P. JUICO, GELEEN "Dok G" G. LUMBAD, MARIA ELEANOR "Doc Ellie" R. JUAN, O.D., JOSE MARIA M. RODRIGUEZ and JHON ANGELLI "Sami" C. NERI

Co-Introduced by Councilors Bernard R. Herrera, Tany Joe "TJ" L. Calalay, Dorothy A. Delarmente, M.D., Nikki V. Crisologo, Charm M. Ferrer, Candy A. Medina, Dave C. Valmocina, Tatay Rannie Z. Ludovica, Godofredo T. Liban II, Kate Galang-Coseteng, Albert Alvin "Chuckie" L. Antonio III, Don S. De Leon, Wencerom Benedict C. Lagumbay, Atty. Anton L. Reyes, Edgar "Egay" G. Yap, Imee A. Rillo, Raquel S. Malañgen, Irene R. Belmonte, Nanette Castelo-Daza, Marra C. Suntay, Joseph Joe Visaya, Alfred Vargas, MPA, Ram V. Medalla, Shaira "Shay" L. Liban, Aiko S. Melendez, Mutya Castelo, Kristine Alexia R. Matias, RN, Eric Z. Medina, Emmanuel Banjo A. Pilar, Vito Sotto Generoso and Victor "Vic" Bernardo

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WHEREAS, the State upholds and promotes the rights of children to life, survival, and development as mandated by the United Nations Convention on the Rights of the Child. This provides for the protection of children from all forms of violence, abuse, and exploitation;

WHEREAS, Republic Act No. 7610, otherwise known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, is a concrete compliance to the United Nation's provision, principle, and standards. Other special laws on children, such as Republic Act No. 9208, otherwise known as The Anti-Child Trafficking in Persons Act of 2003, as amended by Republic Act No. 10364, otherwise known as the Expanded Anti-Trafficking in Persons Act of 2012, and Republic Act No. 9775, otherwise known as the Anti-Child Pornography Act of 2009, provide for the protection of children against sexual exploitation in travel and tourism, otherwise known as child sex tourism;

WHEREAS, the Implementing Rules and Regulations of Republic Act No. 9593, otherwise known as the Tourism Act of 2009, provides that the State shall "Ensure that tourism development protects and promotes the general well-being of the Filipino people, particularly in the area of investment, to include the monitoring and prevention of any act of profiteering or speculation to the detriment of residents, as well as the exploitation of women and children in tourism";

WHEREAS, the Philippines ranks 4th among nine (9) nations with most children in prostitution ranging from 60,000 to 100,000. This includes Metro Manila as among the top five (5) areas for prostitution and sex tourism;

WHEREAS, given the recent cases reported and responded to, there is a need to strengthen child protection in tourism in line with the vision of Quezon City as a child-friendly city that promotes child survival, protection, participation, and development.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY IN REGULAR SESSION ASSEMBLED:

SECTION 1. SHORT TITLE. – This Ordinance shall be known as the "Quezon City Tourism Child Protection Policy."

SECTION 2. DECLARATION OF POLICIES. – It is hereby declared that the Quezon City Government values the dignity of every human person and guarantees the full respect of individual rights. Towards this end, it shall prioritize developing programs that promote human dignity and protect children from any threat of abuse and exploitation in any form. The Quezon City Government likewise recognizes its vital role in addressing the problem of child exploitation in travel and tourism by instituting policies and programs to prevent and protect children from sexual abuse and exploitation in any form in this industry.

SECTION 3. DEFINITION OF TERMS. –Section 4, Article 1 of Quezon City Ordinance No. SP-2180, S-2012 is hereby amended to include the following definition of terms:

a. ***Commercial Sexual Exploitation of Children (CSEC)*** *– is a fundamental violation of human rights and children's rights. The critical element is that the violation of children and their rights arises through commercial transactions of some sort, that is, there is an exchange in which one or more parties gain a benefit in cash, goods or kind from the exploitation for sexual purposes of someone aged below 18 years*

b. ***Online Sexual Abuse or Exploitation of Children (OSAEC)*** *– is the use of Information and Communication Technologies (ICT) as a means to abuse and/or exploit children sexually, which includes cases in which offline child abuse and/or exploitation is combined with an online component. This can also include, but is not limited to, the production, dissemination and possession of Child Sexual Abuse or Exploitation Material (CSAEM), 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; provided, that OSAEC may be used interchangeably with Online Child Sexual Exploitation or Abuse (OCSEA);*

c. ***Child Protection Policy*** *– is a set of policies, measures, and structures intended to prevent and respond to abuse and exploitation affecting a child in any setting to safeguard and promote the welfare of children;*

d. ***Sexual exploitation of children in travel and tourism*** *– is the commercial sexual exploitation of children by men or women who travel from one place to another, whether foreign or domestic, engaged in sexual acts with children, defined as anyone aged under 18 years;*

e. ***Tourism enterprises*** *– are the facilities, services and attractions involved in tourism, such as, but not limited to: travel and tour services; tourist transport services, whether for land, sea or air transportation; tour guides; adventure sports services involving such sports as mountaineering, spelunking, and other sports activities of significant tourism potential; convention organizers; accommodation establishments, including, but not limited to, hotels, resorts, apartelles, tourist inns, motels, pension houses, and homestay operators; tourism estate management services, restaurants, shops, and department stores, sports and recreational centers, spas, museums and galleries, theme parks, and convention centers;*

f. ***Primary tourism enterprises*** *– are travel and tour services, land transport services exclusively for tourist use, accommodation establishments, convention and exhibition organizers, tourism estate management services, and such other enterprises as may be identified by the Secretary of the Department of Tourism, after due consultation with concerned sectors; and*

g. ***Secondary tourism enterprises*** *– are all other tourism enterprises not covered by the preceding subsection.*

SECTION 4. CHILD PROTECTION POLICY. – Article IV of Quezon City Ordinance No. SP-2180, S-2012 is hereby amended to insert Section 33 as follows:

> *"SECTION 33. TOURISM CHILD PROTECTION POLICY. – All tourism enterprises, companies, and organizations are mandated to develop and implement a Child Protection Policy as an ethical policy regarding the commercial sexual exploitation of children.*
>
> *For this Ordinance, the Child Protection Policy shall contain the establishment, company, or organization's ethical stance on the issue of and the fundamental commitment to counter sexual exploitation of travel and tourism.*
>
> *All tourism enterprises, companies, and organizations are instructed to display available awareness-raising materials for the prevention of sexual exploitation and protection of children in travel and tourism in their respective establishments. The materials shall be developed and produced either by the establishments, companies, and organizations or through the Quezon City Council for the Protection of Children (QCCPC) and other government and non-government entities.*
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> *Compliance with this Section shall be a prerequisite to secure a Tourism Registration Certificate from the Quezon City Tourism Department. Newly-established enterprises shall be given one (1) year to formulate and adopt their child protection policy under this Ordinance and other relevant issuances."*

SECTION 5. DUTIES AND RESPONSIBILITIES OF TOURISM ENTERPRISES. – Section 34, Article IV shall be added as follows:

> *"SECTION 34. DUTIES AND RESPONSIBILITIES OF TOURISM ENTERPRISES. – It shall be the duty of the owners, managers, supervisors, and other related employees of all tourism enterprises, companies, and organizations in Quezon City to:*
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> *a. require all adult guests or clients to present proof of identity such as, but not limited to, passports, drivers' licenses, and any other valid identification card; Photocopy and record the proof of identification presented, including its number, date, and place of issuance if available, in a separate logbook and/or digital filing system;*

b. *require all adult guests and clients, bringing with them a child or children, to present proof of identity of the child or children, and proof of relationship between the child or children and the accompanying adult or guest, such as, but not limited to, passports, or identification cards of the child or children, birth certificate, school records, travel clearance of the child or children; photocopy and record the proof of identification presented, including its number, date, and place of issuance if available, in a separate logbook and/or digital filing system;*

c. *the following information shall be asked from the child or children in a child-friendly manner:*

   a. *Name;*
   b. *Address;*
   c. *Birthdate or Age; and*
   d. *Relationship with the guests or clients who brought the child or children;*

d. *maintain a separate record book of all guests or clients who are bringing with them a child or children or of all minor or children guests or clients only with no adult companions. This record book is open to law enforcement authorities conducting surveillance and monitoring of possible sexual exploitation of children in the company or organization;*

e. *prohibit entry of children not registered as guests to the registered guests or clients' rooms except those related within the fourth civil degree of consanguinity or affinity. The personnel concerned shall call the attention of the children and adult companion, if any, who attempt to enter the rooms without first passing through the front desk officer or concerned employee;*

f. *provide a separate lane for adult guests or clients with minor or children companions whenever appropriate or possible;*

g. *issue a Pass Slip for purposes of verification that the child or children are related to the accompanying adult within the fourth civil degree of consanguinity or affinity, or are accompanied for official purposes;*

h. promote awareness against trafficking in persons through clear and visible signages in both English and the local dialect, with local and national hotlines posted within a conspicuous place in their facilities;

i. post a notice containing the contact details of human trafficking hotlines, both national and local, in a conspicuous place near the public entrance, inside rest rooms, elevators, parking areas of the establishment, and in other conspicuous locations where similar notices are customarily posted in clear view of the public and employees;

j. engage in anti-trafficking advocacy as part of their corporate responsibility. For this purpose, the Quezon City Council on Anti-Trafficking (QCCAT) shall develop a model notice that complies with the requirements of this section and make it available for downloading in its website, and for posting of Local Government Units (LGUs) and tourism enterprises; and

k. cooperate with the SSDD, QCTD, QCCAT or reputable Non-Governmental Organizations (NGOs) focused on anti-trafficking in persons, to train their employees who are likely to interact with victims of trafficking in persons in recognizing the signs of human trafficking and report suspected trafficking activity to the appropriate LEA."

SECTION 6. REPORTORIAL DUTY OF THE TOURISM ESTABLISHMENT OR ENTERPRISE. – Section 35, Article 4 shall be added as follows:

"SECTION 35. REPORTORIAL DUTY OF THE TOURISM ESTABLISHMENT OR ENTERPRISE. – All tourism-related establishments, companies, and organizations are mandated to:

a. report within 24 hours to the Quezon City Social Services Development Department (SSDD) and/or the Women and Children Protection Desk of the Quezon City Police District (QCPD) Station any of the following:

(1) suspicions or allegations of child exploitation or abuse, OSAEC and exploitation happening in the establishment or involving guests or clients who are taking inside their room a child or children not related with them within the fourth civil degree of consanguinity or affinity and not registered as guests or whose alleged relationship with the guests or clients does not justify or convince the personnel concerned.

(2) sexually explicit or pornographic materials involving children found or left in the room.

(3) guests and visitors hanging around or inside the establishment with a child or children not related to them within the fourth civil degree of consanguinity or affinity.

b. make available or accessible the records or footages of the CCTV cameras of such establishments to authorized law enforcement agencies and local government implementing units upon the latter's request in aid of investigation or prosecution involving incidents of child sex tourism and other related crimes against children in such establishments. Since CCTV footages are not permanently stored in the hard-disc system, the person/s-in-charge of the said footages are directed to store the same in a databank, especially whenever a child or children are seen in the recorded video.

c. Notify the SSDD and QCPD of the receipt of information that child exploitation or OSAEC activity has taken place in the premises."

SECTION 7. ORIENTATION OF TOURISM ENTERPRISES ON CHILD PROTECTION. – Section 36, Article 4 shall be added as follows:

"SECTION 36. ORIENTATION OF TOURISM ENTERPRISES ON CHILD PROTECTION. – It shall be the joint obligation of the QCCPC, Gender and Development Council Office, Quezon City Tourism Department, NGOs, and tourism enterprises, companies, and organizations to orient and train all employees and personnel of their establishments on the full implementation of the child protection policy.

An orientation module shall be developed, in coordination with the Department of Tourism – National Capital Region (DOT-NCR) and an NGO advocating against Sexual Exploitation of Children in Travel and Tourism.

The SSDD, QC Gender and Development (GAD) Office, and QCPD shall have the authority to monitor the conduct of training and orientation among employees and personnel. It shall issue a Certificate of Compliance to tourism enterprises, businesses, enterprises, organizations, and the like as part of the monitoring procedure."

SECTION 8. MANDATORY SERVICES TO VICTIMS OF SEXUAL EXPLOITATION IN TRAVEL AND TOURISM. – Section 37, Article 4 shall be added as follows:

"SECTION 37. MANDATORY SERVICES TO VICTIMS OF SEXUAL EXPLOITATION IN TRAVEL AND TOURISM. – To ensure victim-survivor recovery, healing, rehabilitation, and reintegration into the mainstream of society, the SSDD shall make available the following services to victims of sexual abuse and exploitation, and other relative offices of the LGU:

a. Emergency Shelter;
b. Counseling;
c. Free Legal Services for the needful family of child or children;
d. Medical and Psychological Services;
e. Livelihood and Skills Training; and
f. Educational assistance, grants, or scholarships."

SECTION 9. MONITORING OF TOURISM ENTERPRISES. – Section 38, Article 4 shall be added as follows:

"SECTION 38. MONITORING OF TOURISM ENTERPRISES. – There shall be a joint inspection team headed by the Business Permits and Licensing Department (BPLD) and Quezon City Tourism Department, in coordination with the QCPD and QC Health Department, that shall conduct the inspection of buildings, and other related establishments. The owners, managers and/or supervisors of buildings and other related establishments shall submit for inspection to the Joint Inspection Team who shall monitor and document any violation of this Ordinance and shall expose the owner or person-in-charge to possible prosecution.

The unjustifiable refusal of the owner or person-in-charge of any house, building or establishment to submit the same for inspection by the implementing agencies as provided in this Ordinance shall give rise to the prima facie presumption of willfully impeding and/ or obstructing the mandated duty of the City Government to monitor and document trafficking cases, and shall expose the owner or person-in-charge to possible prosecution for any violation of this Ordinance.

The Technical Working Group (TWG) for Child Protection in Tourism shall formulate the proper guidelines and protocols observed in exercising this power to ensure compliance. Upon developing guidelines and protocols, it must submit to the QCCPC copies of implementing measures for its review and certification."

SECTION 10. ROLE OF THE BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN (BCPC). – Section 39, Article 4 shall be added as follows:

"SECTION 39. ROLE OF THE BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN (BCPC). – The BCPC shall have the following roles and responsibilities:

a. receive and record report violations of the Code of Conduct of tourism enterprises, violation on the entirety of this Ordinance, and other tasks that may be prescribed by issuance and suppletory Ordinance;

b. assist the Quezon City Tourism Department, QCPD, and BPLD in monitoring, recording, and documenting the compliance of tourism enterprises to this Ordinance. The BCPC shall submit an annual report to the QCCPC on status of implementation of this Ordinance in their respective areas; and

c. assist in the training of tourism enterprises on child protection."

SECTION 11. REWARDS AND INCENTIVES. – Section 40, Article 4 shall be added as follows:

"SECTION 40. REWARDS AND INCENTIVES TO TOURISM ENTERPRISES. – Compliant tourism enterprises shall be given the following rewards and incentives:

a. An extraordinary citation during Quezon City festivals and/or activities, and/or in the commemoration of World Tourism Day; and

b. Priority access to training programs related to Child Safe Tourism."

SECTION 12. CREATION OF TECHNICAL WORKING GROUP (TWG) FOR CHILD PROTECTION IN TOURISM. – Section 41, Article 4 shall be added as follows:

"SECTION 41. CREATION OF TECHNICAL WORKING GROUP (TWG) FOR CHILD PROTECTION IN TOURISM. – There is hereby created a TWG that shall formulate the proper guidelines and protocols to be observed in exercising the power to ensure compliance of tourism and accommodation establishments in this Ordinance. It shall be composed of the following:

a. Chairperson – Office of the City Mayor;
b. Vice Chairperson – Office of the Vice Mayor;

c. Members –
(1) Office of the City Administrator;
(2) Chairperson, City Council Committee on Tourism;
(3) Chairperson, City Council Committee on Children's Affairs;
(4) Chairperson, City Council Committee on Social Services;
(5) Quezon City Tourism Department;
(6) Social Services Development Department;
(7) City Health Department;
(8) QC Gender and Development Office;
(9) Business Permits and Licensing Department;
(10) Quezon City Police District;
(11) Quezon City Legal Department;
(12) Quezon City Schools Division Office; and
(13) Quezon City University."

SECTION 13. FUNCTIONS OF THE TWG. – Section 42, Article 4 shall be added as follows:

"SECTION 42. FUNCTIONS OF THE TWG FOR CHILD PROTECTION IN TOURISM. – The TWG shall perform the following functions:

a. Formulate and propose preventive measures against sex tourism packages and the use of tourism enterprises as situs of human trafficking;

b. Lead in the development of a comprehensive program, including policies and guidelines, to address and prevent trafficking in persons in the travel and tourism industry and in places of amusement;

c. Develop a set of criteria as basis for accreditation of tourism enterprises in accordance with Republic Act No. 9593, otherwise known as the Tourism Act of 2009, in partnership with NGOs involved in preventing sexual exploitation of children in the travel and tourism industry;

d. Ensure that all anti-trafficking in persons safeguards, and relevant national and local labor standards and practices are being followed, adopted and implemented in all tourism enterprises, the travel and tourism industry and in places of amusement."

SECTION 14. PENALTIES AND SANCTIONS OF TOURISM ENTERPRISES FOR NON-COMPLIANCE. – Section 65, Article VIII shall have an additional paragraph as follows:

"SECTION 65. PENALTIES AND SANCTIONS. – xxx

Any violation of tourism enterprises in Sections 33 and 35 hereof shall have the following penalties:

a. First Offense: a fine of Php2,000.00;
b. Second Offense: a fine of Php3,000.00; and
c. Third Offense: a fine of Php5,000.00.

The penalty shall be revocation of a permit to operate for succeeding offenses. Tourism enterprises are also required to attend a half-day seminar on Sexual Exploitation of Children in Travel and Tourism and the relevance of the Code of Conduct by the Quezon City Tourism Department and accredited NGO partners of the Quezon City Government on child rights and protection."

SECTION 15. The existing Sections of Quezon City Ordinance No. SP-2180, S-2012 shall be renumbered accordingly.

SECTION 16. REPEALING CLAUSE. – All Quezon City ordinances, resolutions, executive orders, memorandum circulars and administrative regulations, or parts thereof which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 17. SEPARABILITY CLAUSE. – If for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in force and effect.

SECTION 18. EFFECTIVITY CLAUSE. – This Ordinance shall take effect 15 days after publication in at least one (1) newspaper of general circulation.

ENACTED: December 9, 2024.

GIAN G. SOTTO
City Vice Mayor
Presiding Officer

ATTESTED:

ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)

APPROVED: MAY 29 2025

MA. JOSEFINA G. BELMONTE
City Mayor

CERTIFICATION

This is to certify that this Ordinance was APPROVED by the City Council on Second Reading on December 9, 2024 and was PASSED on Third/Final Reading under Suspended Rules on the same date.

ATTY. JOHN THOMAS S. ALFEROS, III
City Government Department Head III
(City Council Secretary)