



Republic of the Philippines  
Province of Aklan  
MUNICIPALITY OF MALAY



*Office of the Sangguniang Bayan*

MUNICIPAL ORDINANCE NO. 160  
Series of 2002

**AN ORDINANCE PROHIBITING PROSTITUTION, PANDERING AND FACILITATING PROSTITUTION WITHIN THE MUNICIPALITY OF MALAY AND PROVIDING PENALTIES FOR VIOLATION THEREOF.**

SECTION 1. - **PROHIBITION ON PROSTITUTION, PANDERING AND FACILITATING PROSTITUTION.** It shall be prohibited of anybody to practice prostitution or to pander or to facilitate prostitution within the jurisdiction of the Municipality of Malay.

SECTION 2. - **PROHIBITION ON PROSTITUTION PATRONAGE.** It shall be prohibited of any individual to engage the services of any pimp or prostitute for purposes of satisfying the sexual passion or desire of such individual through sexual contact.

SECTION 3. - **PRESUMPTION OF KNOWLEDGE.** For purposes of this ordinance, it is conclusively presumed that operators of establishments have establish full knowledge of any negotiations to transact and/or consummate prostitution in their respective establishment hence liable under this ordinance as facilitators to commit prostitution.

SECTION 4. - **DEFINITION OF TERMS.** The following terms as used in this ordinance shall mean:

- (1) **PROSTITUTION** - refers to an act or business of offering by any individual of his or her body or service to anybody, for a consideration, for purposes of satisfying the latter's sexual passion and desire through sexual contact.
- (2) **Pandering** - refers to pimping, an act of procuring services of any prostitute to cater to the sexual passion and desire of another through sexual contact.
- (3) **PROSTITUTES** - refer to someone who offers his/her body or service to anybody, for a consideration, for the satisfaction of the latter's sexual passion and desire.
- (4) **FACILITATING PROSTITUTION** - refers to an act of providing opportunities to prostitutes and pimps to conduct their trade, such as tolerance to use his place for transaction and or consummation of prostitution.
- (5) **ESTABLISHMENTS** - refer to cottages, disco houses, restaurants, hotels, hostels, boarding houses, stores, fun houses, bars, diving shops, karaoke bars, KTV bars and other entertainment centers or any private places.

SECTION 5. - **REPEALING CLAUSE.** All ordinances, rules and regulations, or parts thereof provisions of which are in conflict with, or contrary to, the provision of this ordinance are hereby repealed, amended, or modified accordingly.

SECTION 6. - **PENALTIES.** Any person who violates this ordinance shall be sanctioned as follows:

<b>OFFENDERS</b>	<b>FIRST OFFENSE</b>	<b>SECOND &amp; SUBSEQUENT OFFENSES</b>
(1) Prostitutes	Fine of ONE THOUSAND PESOS (₱1,000.00), two (2) days counseling with MSWD & signing of undertaking, HIV Determination check-up and Smearing.	Fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00), Fifteen (15) days imprisonment, HIV determination check-up and smearing.
(2) Pimps	Fine of ONE THOUSAND PESOS (₱1,000.00), two (2) days counseling with MSWD & signing of undertaking.	Fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) & Thirty (30) days imprisonment
(3) Operators of Establishments	Fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00), Stern warning & signing of undertaking.	Fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00), Cancellation of business permit to operate & 30 days imprisonment
(4) Clients	Fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00), Warning and signing of undertaking, HIV Determination check-up.	Fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) & five(5)days imprisonment, HIV Determination check-up

SECTION 7. **EFFECTIVITY.** This ordinance shall take effect immediately upon approval.

**ENACTED.** MARCH 13, 2002.

**APPROVED.** MAY 15, 2002.

CERTIFIED TRUE COPY:



**CONCORDIA S. ALCANTARA**

Secretary to the Sangguniang Bayan

**APPROVED SP IN RESOLUTION NO. 02-198, dtd. 6-28-02**

