



Republic of the Philippines
Supreme Court
Office of the Court Administrator
Manila

OCA CIRCULAR NO. 05-2023

TO : ALL CONCERNED SECOND LEVEL COURTS

SUBJECT: EN BANC RESOLUTION DATED 29 NOVEMBER 2022 IN A.M. NO. 22-10-133-RTC (RE: REQUEST OF REGIONAL TRIAL COURT JUDGES FOR CLARIFICATION ON THE JURISDICTION OVER THE CRIME OF TRAFFICKING IN PERSONS)

For information, guidance, and strict observance, quoted below, and attached as Annex "A", is the Resolution of the Court *en banc* dated 29 November 2022 in A.M. No. 22-10-133-RTC (Re: Request of Regional Trial Court Judges for Clarification on the Jurisdiction over the Crime of Trafficking in Persons):

A.M. No. 22-10-133-RTC (Re: Request of Regional Trial Court Judges for Clarification on the Jurisdiction over the Crime of Trafficking in Persons).- The Court Resolved, upon the recommendation of the Office of the Court Administrator, to

(a) NOTE the request of Regional Trial Court Judges for clarification regarding the jurisdiction over the crime of trafficking in persons; and

(b) DELINEATE the jurisdiction over the crime of trafficking in persons under Republic Act No. 11862, otherwise known as the Expanded Anti-Trafficking in Persons Act of 2022, as follows:

(i) If one or more of the accused is below eighteen (18) years of age but not less than nine (9) years of age, or where one or more of the victims is a minor at the time of the commission of the offense, the case shall be heard before a Family Court pursuant to Section 5(a) of Republic Act No. 8369, otherwise known as the Family Courts Act of 1997; and

(ii) If the accused or victim is any person other than those mentioned in the preceding paragraph, the case shall be heard before a regular Regional Trial Court.

06 January 2023



RAUL B. VILLANUEVA
Court Administrator



Annex "A"

Republic of the Philippines
Supreme Court
Bacolod City

EN BANC

NOTICE

Sirs/Mesdames:

Please take notice that the Court en banc issued a Resolution dated NOVEMBER 29, 2022, which reads as follows:

"A.M. No. 22-10-133-RTC (Re: Request of Regional Trial Court Judges for Clarification on the Jurisdiction over the Crime of Trafficking in Persons).- The Court Resolved, upon the recommendation of the Office of the Court Administrator, to

(a) **NOTE** the request of Regional Trial Court Judges for clarification regarding the jurisdiction over the crime of trafficking in persons; and

(b) **DELINEATE** the jurisdiction over the crime of trafficking in persons under Republic Act No. 11862, otherwise known as the Expanded Anti-Trafficking in Persons Act of 2022, as follows:

(i) If one or more of the accused is below eighteen (18) years of age but not less than nine (9) years of age, or where one or more of the victims is a minor at the time of the commission of the offense, the case shall be heard before a Family Court pursuant to Section 5(a) of Republic Act No. 8369, otherwise known as the Family Courts Act of 1997; and

(ii) If the accused or victim is any person other than those mentioned in the preceding paragraph, the case shall be heard before a regular Regional Trial Court." Dimaampao, J., on official leave. Marquez, J., on official business. (adv69)

By authority of the Court:


MARIFE M. LOMIBAO-CUEVAS
Clerk of Court *per*

Court Administrator

*~~HON.~~ RAUL B. VILLANUEVA (x)

Deputy Court Administrators

HON. JENNY LIND R. ALDECOA-DELORINO (x)

HON. LEO T. MADRAZO (x)

Assistant Court Administrators

HON. LILIAN BARRIBAL-CO (x)

HON. MARIA REGINA ADORACION

FILOMENA M. IGNACIO (x)

Supreme Court



A.M. No. 22-10-133-RTC
sarah 112922 (adv69) 120922

***For circularization**

IN: 02-2023