



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF BULALACAO

OFFICE OF THE SANGGUNIANG BAYAN

Municipal Building, Poblacion, Bulalacao, 5214, Oriental Mindoro

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO HELD ON MAY 12, 2017 AT THE SANGGUNIANG BAYAN SESSION HALL.

PRESENT:

Hon. Edwin C. Aceron	Temporary Presiding Officer
Hon. Dexter R. Gonzales	Sangguniang Bayan Member
Hon. Dennes M. Faner	Sangguniang Bayan Member
Hon. Edezer F. Aceron	Sangguniang Bayan Member
Hon. Guillermo G. Salas, Jr.	Sangguniang Bayan Member
Hon. Elpidio N. Contreras, Jr.	Sangguniang Bayan Member
Hon. Teresita S. Bantugan	Sangguniang Bayan Member
Hon. Enrico C. Villas	Pangulo, Liga ng mga Barangay
Hon. Tulay M. Caring	IPM Representative

ABSENT:

Hon. Ramon G. Magbanua	Acting Municipal Mayor
Hon. German S. Acosta	Sangguniang Bayan Member-O.B.

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MUNICIPAL ORDINANCE NO. 17-05-184

AN ORDINANCE ENACTING THE MUNICIPAL CODE ON CHILDREN WELFARE OF BULALACAO, ORIENTAL MINDORO, PROVIDING FOR ITS FUNCTIONS, APPROPRIATING FUNDS AND FOR OTHER PURPOSES

SPONSORS:

SB MEMBER DENNES M. FANER

CHAIRPERSON: Committee on Social Welfare & Community Development

SB MEMBER EDEZER F. ACERON

CHAIRPERSON: Committee on Ordinances and Legal Matters

SB MEMBER DEXTER R. GONZALES

CHAIRPERSON: Committee on Finance, Budget and Appropriation

“WHEREAS, the Philippine Government ratified the United Nations Convention on the Rights of the Child (UNCRC), and other international treaties and conventions for the survival, development and protection of children;

“WHEREAS, the Province of Oriental Mindoro recognizes that children are important assets of society and it is only when children are able to exercise their rights that they develop their full potentials;

“WHEREAS, there is a need to codify the laws relating to children’s rights to apply particularly to the Municipality of Bulalacao;

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"WHEREAS, there is a need to coordinate the various existing government agencies and non-government agencies (NGOs) in providing services for children in Bulalacao, Oriental Mindoro;

NOW THEREFORE, be it ordained by the Sangguniang Bayan of Bulalacao, Oriental Mindoro duly assembled, that:

ARTICLE 1
TITLE, SCOPE, POLICIES, DEFINITION, STATE OBLIGATIONS

SECTION 1. Title. – This ordinance shall be known and cited as the **"An Ordinance enacting the Municipal Code on Children Welfare of Bulalacao, Oriental Mindoro, providing for its functions, appropriating funds and for other purposes."**

SEC. 2. Declaration of Policy and Principles. – The Municipal Government of Bulalacao recognizes the vital role of the children in nation building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.

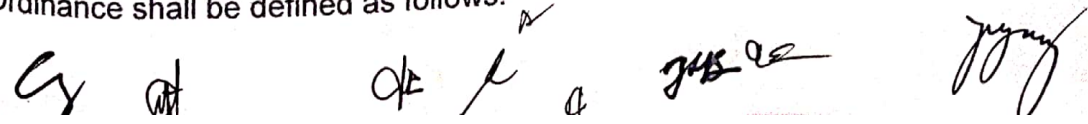
SEC. 3. Purposes. – This code is enacted with the following purposes:

- a) To ensure the protection of children against all forms of abuse and exploitation;
- b) To advocate for children's rights and promote their welfare and development;
- c) To ensure that children's rights are given priority attention both in government and civil society;
- d) To improve the quality of life of children enabling them to fully develop their potentials and participate in community life and nation building.

SEC. 4. All Proceedings to be conducted in the Best Interest of the Child. – Proceedings before any authority should be conducted in the best interest of the child. All doubts in the implementation and interpretation of the provisions of this code shall be resolved taking into consideration the best interest of the child.

SEC. 5. Participation of the Child. – All proceedings before any authority shall be conducted in a manner which allows children to fully participate and to express themselves freely. Participation of children in program and policy formulation and implementation related with children's concerns shall be ensured by the concerned government agency or local government unit (LGU).

SEC. 6. Definition of Terms. – The following terms used in this Ordinance shall be defined as follows:



- a. "Child" refers to a person below the age of 18 years or over 18 years old who, on account of some physical, psychological, mental or emotional disability, cannot fully protect themselves against abuse, exploitation or discrimination.
- b. "Child abuse" refers to the maltreatment, whether habitual or not, of the child which includes any of the following:
 - 1. Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;
 - 2. Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;
 - 3. Unreasonable deprivation of his/her basic needs for survival, such as food and shelter; or
 - 4. Failure to immediately give medical treatment to an injured child resulting in serious impairment of his or her growth and development or in his or her permanent incapacity or death.
- c. "Survival rights" refer to the child's inherent right to life and to the needs that are most basic to existence, the right to a name and nationality, the right to identity and those dealing with parental and governmental duties and obligations, adequate and decent standard of living, access to basic health care and medical services, social security, and rehabilitation.
- d. "Development rights" refer to the rights of a child to education to develop her or his personality, talents and mental and physical abilities to the fullest extent. These also include participation in cultural activities, access to appropriate and relevant information, and opportunities for rest, play and leisure.
- e. "Protection rights" cover those rights protecting the child from all forms of abuses and discrimination such as protection from cruelty, torture, arbitrary separation from family, abuses in the justice and penal system, involvement in armed conflict, child labor, drug abuse, sexual abuse, and exploitation.
- f. "Participation rights" refer to the child's rights to participate in matters that affect him or her most by providing all appropriate venues where he or she can express his or her opinions freely and to have these opinions taken into account, involvement in decision-making and a consultative process, freedom of association and peaceful assembly, including the following:
 - 1. Every child has the right to be provided the opportunity to be heard in any judicial and administrative proceedings affecting him or her, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law;

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2. Every child has the right to freedom of thought, conscience and religion, subject to appropriate parental guidance;
 3. Every child has the right to freedom of statement. This right shall include freedom to seek, receive and impart information and responsible ideas of all kinds;
 4. Every child has the right to express his or her opinions freely and to have these opinions taken into account in any matter or procedure affecting him or her;
 5. Every child has a right to privacy and shall be protected against unlawful interference with such privacy, family, home or correspondence, and to unlawful attacks against his or her honor and reputation.
- g. "Circumstances which gravely threaten or endanger the survival and normal development of children" include, but are not limited to, the following:
1. Being in a community where there is armed conflict or being affected by armed-conflict-related activities;
 2. Working under conditions hazardous to life, safety and morals or any form of child labor which unduly interfere with their normal development;
 3. Living in or fending for them in the streets of urban or rural areas without the care of parents or a guardian or any adult supervision needed for their welfare;
 4. Being children of indigenous peoples and/or living under conditions of extreme poverty or in an area which is underdeveloped and/or lacks or has inadequate access to basic services needed for a good quality of life;
 5. Being a victim of a human-made or natural disaster or calamity; or
 6. Analogous circumstances which endanger the life, safety or normal development of children.
- h. "Day care" is the provision of substitute parental care and stimulating activities for the total development of children zero to five (0-5) years old when their parents are unable to take care of them during part of the day because of work and some other situation.
- i. "Day care center" is a facility where day care services are provided by an accredited day care worker particularly for children in the three-to-five (3-5)-year age bracket.

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- j. "Child-minding Center" is a work-place related child care facility for children in the two-months to three-years of age bracket with trained day care service providers.
- k. "Child in Conflict with the Law" refers to a child who is alleged as, accused of, or adjudged as, having committed an offense under Philippine laws.
- l. "Intervention" refers to a series of activities which are designed to address issues that caused the child to commit an offense. It may take the form of an individualized treatment program which may include counselling, skills training, education, and other activities that will enhance his/her psychological, emotional and psycho-social well-being.
- m. "Diversion" shall refer to an alternative child-appropriate process of determining responsibility and treatment of a child in conflict with the law on the basis of his/her social, cultural, economic, psychological or educational background without resorting to formal court proceedings.
- n. "Diversion programs" shall refer to programs that a child in conflict with the law is required to undergo after he/she is found responsible for an offense, without resorting to formal court proceedings.
- o. "Community reintegration programs" shall refer to the programs established for the purpose of rehabilitation and preparing the child for reintegration into the community.
- p. "Special children" or "children with special needs" are children with either physical, psychological or mental disability or condition, whether congenital or acquired after birth.
- q. "Child Labor" shall refer to any work or economic activity performed by a child that subjects him/her to any form of exploitation or is harmful to his/her health and safety or physical, mental, or psychosocial development.
- r. "Council" shall refer to the Oriental Mindoro Provincial Council for the Protection of Children.
- s. "LGU" shall refer primarily to the Local Government Unit of Oriental Mindoro Province and subsequently to the component city, municipalities and barangays under its jurisdiction.

ARTICLE 2
RIGHTS AND OBLIGATIONS OF THE CHILD

SEC. 7. Rights of the Child.—

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- a. Every child is entitled to survival, development, protection and participation rights without distinction as to legitimacy, race, sex, social status, religion, political antecedents, and other factors.
- b. Every child has the right to be born well, endowed with the dignity and worth of a human being from the moment of his or her conception; Every child has the right to a wholesome family life that will provide him or her with love, care, and understanding, guidance and counselling, and moral and material security. The dependent or abandoned child shall be provided with the nearest substitute of a home;
- c. Every child has the right to a balanced diet, adequate clothing, sufficient shelter, proper medical attention, and all the basic physical requirements of a healthy and vigorous life.
- d. Every child has the right to a well-rounded development of her or his personality to the end that she or he may become a happy, useful, and active member of society specifically:
 - (1) The gifted child shall be given the opportunity and encouragement to develop her or his special talents;
 - (2) The emotionally disturbed or socially maladjusted child shall be treated with sympathy and understanding, and shall be entitled to treatment and competent care;
 - (3) The physically or mentally disabled child shall be given treatment, education and care required by her or his particular condition;
- e. Every child has the right to be brought up in an atmosphere of morality and rectitude for the enrichment and the strengthening of her or his character;
- f. Every child has the right to grow up as a free individual in an atmosphere of peace, understanding, tolerance, and universal sisterhood/brotherhood, and with the determination to contribute her or his share in the building of a better world;
- g. Every child has the right to quality education. Primary education must be compulsory and higher education must be available and accessible to all on the basis of capacity by every appropriate means. The education of the child must be directed to:
 - (1) The development of the child's personality, talents and mental and physical abilities to the fullest extent;
 - (2) The preparation of the child for responsible adult life in a free society;

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- (3) The development of respect for the child's parents, her or his cultural identity, language and values, and the cultural background and values of others;
- (4) The development of respect for the natural environment;
- h. Every child has the right to full opportunities for safe and wholesome recreation and activities, individual as well as social, for the wholesome use of her or his leisure hours;
- i. Every child has the right to live in a community and a society that can offer her or him an environment free from pernicious influences and conducive to the promotion of her or his health and the cultivation of her or his desirable traits and attributes.

SEC. 8. Responsibilities of the Child. – Every child, regardless of the circumstances of birth, sex, religion, social status, political antecedents and other factors shall:

- a. Strive to lead an upright and virtuous life in accordance with the tenets of his or her religion, the teaching of his or her elders and mentors, and the bidding of a clean conscience;
- b. Love, respect and obey his or her parents, and cooperate with them in the strengthening of the family;
- c. Extend to his or her brothers and sisters love, thoughtfulness, and helpfulness, and endeavour with them to keep the family harmonious and united;
- d. Exert his or her utmost to develop his or her potentialities for service, particularly by undergoing a formal education suited to his or her abilities, in order that he or she may become an asset to himself or herself and to society.
- e. Respect not only his or her elders but also the customs and traditions of His or her people, the memory of his or her people's heroes, the duly constituted authorities, the laws of the country, and the principles and institutions of democracy;
- f. Actively participate in civic affairs and in the promotion of the general welfare, recognizing that it is the youth who will eventually be called upon to discharge the responsibility of leadership in shaping the nation's future; and
- g. Help in the observance of individual human rights, the strengthening of freedom everywhere, the fostering of cooperation among nations in the pursuit of their common aspiration for unity and prosperity, and the furtherance of world peace.

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ARTICLE 3 ROLES AND FUNCTIONS OF VARIOUS SECTORS

SEC. 9. The Family. – The family is the basic and autonomous unit of society responsible for the proper caring and rearing of children. The family has the primary responsibility of nurturing and protecting children from infancy to adolescence. Introduction of children to the culture, values and norms of their society shall begin in the family. The parents shall have the right to the company of their children and, in relation to all other persons or institutions dealing with children's development, the primary right and obligation to provide for their upbringing.

SEC. 10. Rights Under the Family Code. – Parents shall continue to exercise the rights mentioned in Articles 209 to 237 of the Family Code over the person and property of their children.

SEC. 11. Right to Discipline Children. – Parents have the right to discipline their children as may be necessary for the formation of their good character, provided it does not constitute child abuse. Parents may require from their children obedience to just and reasonable rules, suggestions and admonitions.

SEC. 12. General Duties of Parents. – Parents shall have the following general duties toward their children:

- a. To give them affection, companionship and understanding;
- b. To extend to them the benefits of moral guidance, self-discipline and religious instruction;
- c. To supervise their activities, including their recreation;
- d. To inculcate in them the value of industry, thrift and self reliance;
- e. To stimulate their interest in civic affairs, teach them the duties of citizenship, and develop their commitment to their country;
- f. To advise them properly on any matter affecting their development and well-being;
- g. To always set a good example;
- h. To provide them with adequate support, as defined in Article 194 of the Family Code; and
- i. To administer their property, if any, according to their best interest, subject to the provisions of Article 225 to 227 of the Family code.

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SEC. 13. Separation of Children from Their Families. – Every effort shall be made to prevent the separation of children from their families. Whenever children are separated from their families owing to force majeure or in their own best interest, arrangements shall be made for appropriate alternative family care or institutional placement, due regard being paid to the desirability of continuity in children's upbringing in their own cultural milieu. Extended families, relatives and community institutions shall be given support to help meet the special needs of orphaned, displaced and abandoned children. Efforts must be made to ensure that no child is treated as an outcast of society.

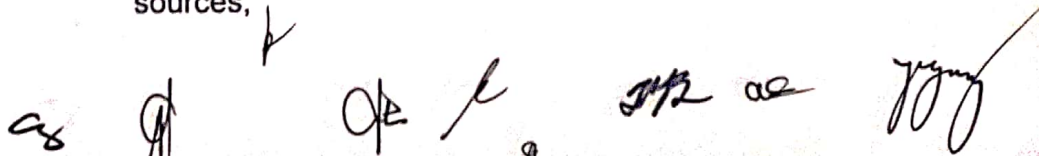
SEC. 14. Role of Women. – Women in their various roles play a critical role in the well-being of children. Efforts for the enhancement of women's status and their roles in development must begin with girl children. The enhancement of the status of women and their equal access to education, training, credit, reproductive health, and other extension services constitute a valuable contribution to a nation's social and economic development.

SEC. 15. Role of Fathers. – Fathers play a vital role in their children's lives. Policies and legislation shall be enacted and programs shall be designed and implemented for the inclusion of their critical role. Fathers shall be equally responsible in the rearing and nurturing of the children in the home and be their role models.

SEC. 16. Role of Educational Institutions. – Educational institutions shall work together with parents, community organizations and agencies concerned with the activities of children and youth. Educational institutions shall incorporate into their curriculum a subject on the rights and responsibilities of children, subject to guidelines set by the Department of Education (DepEd), TESDA and the Commission on Higher Education (CHED).

SEC. 17. Role of the Mass Media. – The mass media shall be aware of their extensive social role and responsibility, as well as their influence, in communications relating to children. They should use their power to protect the rights of children by relaying consistent messages through balanced and responsible reporting. Special attention should be given to effective anti-drug awareness campaigns, premarital sex prevention and delinquency prevention. Confidentiality must always be observed in the reporting and handling of child abuse and related cases involving children. In all publicity concerning children, the best interest of the child shall be the primordial concern. Any undue, inappropriate and sensationalized publicity of any case involving a child is considered a violation of the rights of the child. Publication of the details regarding the circumstances of case shall not be reported to prevent publication of details of violence. The mass media shall be encouraged:

1. To ensure that children have access to information and material from a diversity of national and international sources;



2. To portray the positive contribution of children to society, and
3. To disseminate information on the existence of services, facilities and opportunities for children in society

SEC. 18. Role of Local Government Unit. – The LGUs shall come up with comprehensive programs for children and allocate appropriate budgets to ensure their implementation. The LGUs shall ensure the establishment of child minding center in the locality.

SEC. 19. Role of Local Council for the Protection of Children. Local councils shall, in addition to their existing duties and functions, coordinate with and assist the LGU in coming up with comprehensive programs for children and be the primary body to oversee the implementation of such programs.

SEC. 20. Role of the Sangguniang Kabataan. – The Sangguniang Kabataan (SK) or its equivalent shall be tapped to actively involve itself in the formulation and implementation of prevention and protection programs in the community. It shall coordinate with the local councils for the protection of children for this purpose.

ARTICLE 4 PROGRAMS AND SERVICES FOR CHILDREN

A. Comprehensive Programs for Children

SEC. 21. Comprehensive Program for Children. – The municipality and barangays shall, have effectivity of this Code, formulate a comprehensive program for children covering at least a three-year period or as often as may be appropriate under the circumstances. Such program shall include the survival, development, participation, protection rights, and prevention programs for children, and shall emphasize prevention of children's rights violations to include prevention of child abuse, worst forms of child labor, juvenile delinquency, drug addiction, and other children's concerns.

SEC. 22. The Community Approach. – The community approach shall be given special attention in the comprehensive program for children. This involves addressing community-wide issues and improving the overall environment of the neighborhood in order to prevent violations of children's rights through mobilization of human resources within the community. Volunteerism among members of the community to assist in the implementation of the programs shall be encouraged. Community based services and programs which respond to the special needs, problems, interests and concerns of young persons and which offer appropriate counselling and guidance to children and their families should be developed, or strengthened where they exist.

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SEC. 23. Process in Formulating Comprehensive Children's Programs. – The process in coming up with Comprehensive Children's Programs shall be participatory and consultative. The LGU in coordination with the local council for the protection of children shall call on all sectors concerned, particularly child focused institutions, NGOs, people's organizations, youth organizations, children's councils, educational institutions and government agencies involved with children's concerns. The Municipal Social Welfare and Development Office (MSWD), Municipal Health Office (MHO), shall spear lead and shall participate in the planning process. The LGU should see to it that the children themselves participate in the formulation, development and implementation of these programs, particularly in the identification of needs.

SEC. 24. Periodic Review and Assessment of the Comprehensive Children's Programs. – The Comprehensive Children's Programs shall be reviewed and assessed annually by the LGU in coordination with the local council for the protection of children. The BCPC shall submit a copy of the programs for monitoring and evaluation purposes. The MCPC may provide technical assistance to the BCPC.

B. Programs to Prevent Children's Rights Violations

SEC. 25. Prevention Programs. – Prevention programs shall be an important component of the Comprehensive Children's Programs to be implemented by the LGU through the local council for the welfare of children, schools, youth organizations and other concerned agencies. These programs shall consist of three levels:

- a. Primary prevention – general measures to promote social justice and equal opportunity which tackle perceived root causes of children's rights violations such as poverty and other forms of marginalization;
- b. Secondary Prevention – measures to assist children who are identified as being more particularly at risk such as those whose parents are themselves in special difficulty or are not caring appropriately for them;
- c. Tertiary Prevention – schemes to avoid and prevent children's rights violations from happening again. In all three levels of prevention, official intervention should be pursued primarily in the overall interest of the young person and guided by fairness and equity.

C. Other Proactive Programs

1. Parenting Orientation Courses

SEC. 26. Parenting Orientation Courses. –

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- a. Parenting Orientation Courses shall be integrated into the curriculum of all high schools in Bulalacao subject to DepEd rules and regulations, and in curriculum of (BTVC) subject to TESDA regulation.
- b. Marriage license applicants shall be required to participate in a Parenting Orientation Course with all related modules, among other requirements, prior to issuance of a marriage license by the Municipal Civil Registry Office. The Municipal Council for the Protection of Children in close coordination with the Municipal Health Office, Municipal Civil Registry Office, Municipal Population Office, and other concerned local government offices shall formulate the design of the family planning seminar in compliance with this Code.
- c. Such course may also be incorporated in Parent-Teacher Association (PTA) activities for every school year in elementary and high school levels. The Municipal Council for the Protection of Children and Youth and the Municipal Social Welfare and Development Office shall initiate the designing of modules for these courses in close coordination with NGOs with child-focused programs.

2. Health Care

SEC. 27. Primary Health Care. – The Local Government Unit of Bulalacao thru the Municipal Health Office and MSWDO shall implement primary health care and nutrition programs for children in utilizing the services of such offices, in close coordination with the Dep-ED.

SEC. 28. Promotion of Primary Health Care Programs. – The barangay health centers shall implement the primary health care program and designate a barangay child health officer to monitor children's health at the barangay level. To further ensure the implementation of this Section, the Municipal Government of Bulalacao shall take appropriate measures:

- a. To combat disease and malnutrition within the framework of primary health care through the provision of adequate nutritious foods and clean drinking water, taking into consideration the dangers and risks of environmental pollution;
- b. To establish a comprehensive Parents Orientation Development Program which includes gender-responsive courses on reproductive health, child health and child-rearing practices in the context of the Filipino psychology;
- c. To monitor the full implementation of the Milk Code of the Philippines;

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- d. To conduct massive information and education on infant and young children feeding with emphasis on breastfeeding and complementary feeding strategy.

SEC. 29. Child and Gender Sensitivity Training for Health Workers. – The municipal barangay health workers shall be required to attend training courses on child and gender sensitivity to be conducted by organizations duly accredited by the Municipal Council for the Welfare Protection of Children.

SEC. 30. Child and Family-Friendly Hospital – The Municipality of Bulalacao shall encourage the District hospital to set up child-friendly units to include rooming-in facilities and pediatric appropriate mechanisms. They shall also not deny husbands/parents inside the delivery room during delivery of their wives/partners.

SEC. 31. Program for Children with Special Needs. – The Municipal Government of Bulalacao shall make a periodic child focused and child-specific comprehensive survey on children with disabilities in the municipality as basis for a more systematic coordination of basic services for children with special needs.

SEC. 32. Educators' and Health Professionals' Training for the Special Program on Children with Special Needs. – A training program for educators and health professionals handling children with disabilities and special needs shall form part of the priority of the municipal government.

SEC. 33. Programs Framework. – The Municipal Government of Bulalacao shall ensure to the maximum extent possible the survival, growth and development of the child. This shall include the following:

- a. Monitoring of registration of births and the completion of the immunization series for prevention of tuberculosis, pertussis, tetanus, measles, poliomyelitis and such other diseases for which vaccines have been developed for administration to children up to six (6) years of age;
- b. The barangay officials and their barangay-level support systems, may call upon law enforcement agencies when there is an abused, neglected and exploited child who needs to be rescued from an unbearable home situation;
- c. A barangay level network of assistance from among the adults of the community for the total growth, development and protection of children;
- d. Setting up of day care centers in every Sitio and Barangay;

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- e. Establishment of child-minding centers in the municipality;
- f. Protect and promote the right of all children to quality education and shall take appropriate steps to make such education accessible to all;
- g. Ensure that basic education shall prepare children to become mature and responsible members of society; with opportunities for a full and happy life.

SEC. 34. Day Care Centers. Pursuant to Republic Act 6972 or the Barangay-Level Total Development and Protection of Children Act, Day care centers shall be set up in every barangay in the municipality of Bulalacao. The number of such centers shall depend on the population level of the children and how depressed the barangay is as determined by the municipal council for the welfare of children in coordination with their respective social welfare office. The local government unit concerned shall pay for the day care worker's allowance and honorarium. The local social welfare and development officer shall provide continuing technical assistance and supervision to the center services. Specifically, the Day Care Center aims to help the child:

- a. Become physically fit through proper care and nutrition;
- b. Develop self-confidence, self-statement and self-discipline;
- c. Relate well with others;
- d. Develop mental, intellectual, verbal and psychomotor skills;
- e. Develop strong spiritual, socio-cultural and nationalistic values as well as positive attitudes towards the family, community and society in general;
- f. Be protected from all forms of neglect, abuse, cruelty and exploitation.

The center-based early childhood care and development shall be accredited using the Standards for Day Care, other ECCD Centers and Service Providers as provided under Administrative Order No. 29, Series of 1994 of the DSWD.

SEC. 35. Local Children's Literature. – In support of the thrust for the socio-cultural development of children in Bulalacao, shall invest in the promotion and production of local literature for children and other relevant educational materials.

SEC. 36. Other Child-Friendly Facilities. – Local government units in partnership with NGOs and civic organizations are also encouraged to put up and maintain other child-friendly facilities such as but not limited to learning resource centers, reading centers, libraries, museums, parks and playgrounds.

3. Children's Month and Children's Day Celebration

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SEC. 37. November as Children's Month. – In keeping with the mandate of R.A. 10661 declaring the month of November as national children's month, the local councils for the protection of children shall conduct child-focused activities for the month promoting the rights and responsibilities of Filipino children as well as the obligations of the people and institutions responsible in ensuring the well-being of Filipino children.

SEC. 38. November 21 of Every Year, as Municipal Children's Day. – This Ordinance declares the 21 day of November of every year as municipal children's day, the local councils for the protection of children shall conduct child-focused activities for the month promoting the rights and responsibilities of Filipino children as well as the obligations of the people and institutions responsible in ensuring the well-being of Filipino children.

D. Crisis Intervention Program

SEC. 39. The Municipality of Bulalacao establish the Crisis Intervention Center. consistent with the spirit and letter of the Constitutional provisions and Republic Act No. 7610 mandating the protection against child abuse, exploitation and discrimination and likewise Republic Act 8505 mandating the establishment of a crisis center in every province and municipality the appropriation of funds shall endeavour to establish a crisis intervention center. Services of the center shall not be limited to abused children but shall equally cater to the other vulnerable sectors of society particularly women.

SEC. 40. Objectives of the Crisis Intervention Center. – The Crisis Intervention Center shall have the following objectives:

- a. To provide temporary shelter and basic services to abused children and women;
- b. To network with non-government organizations and government agencies for the provision of the needed medical, psycho-social and legal services necessary in restoring/building the self-esteem of its client;
- c. To encourage and build the capacities of abused children and women to come into the open and pursue cases in court whenever they are ready;
- d. To provide life skills and livelihood training to abused children and women while in the center to enable them to be productive members of society and as a form of therapy;
- e. To provide livelihood assistance and placement to abused children and women who are ready to be reintegrated with their families and communities;

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- f. To conduct a municipal-wide education and advocacy program aimed at raising public awareness on the evils of child abuse and domestic violence, and a massive information dissemination on the rights of children and women;
- g. To link up with local government entities mandated to formulate and enforce legislation aimed at the protection of children and women for policy reforms and enforcement of laws.

SEC. 41. Organizational Structure, Management and Operations of the Center.

- a. The Municipal Council for the Protection of Children will formulate the organizational structure of the center depending on the need for its services;
- b. The member agencies of the Municipal Council for the Protection of Children and other national agencies and NGOs which have pledged support for the center will sign a Memorandum of Agreement for their commitment of service and/or resources to ensure the sustainability of the center's services;
- c. The center will be under the supervision of the Municipal Social Welfare and Development Office;
- d. The Municipal Social Welfare and Development Office and the Municipal Council for the Welfare of Children shall issue the necessary rules, policies, regulations and guidelines for the effective implementation of the programs of the center.

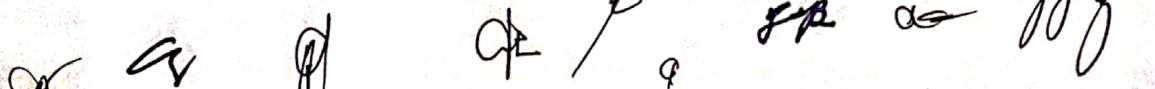
SEC. 42. Budget Allocation for the Crisis Intervention Center Operations and Maintenance. – The Municipal government of Bulalacao shall provide support for the construction, maintenance and continued operations of the crisis intervention center by appropriating specific funds which shall form part of the Municipal Social Welfare and Development Office's annual appropriation.

**ARTICLE 5
SPECIAL CONCERNS**

SEC. 43. Prohibited Acts. – In addition to all acts defined and penalized under the Act No. 3815 as Amended (The Revised Penal Code), P.D. 603 (The Child and Youth Welfare Code), Republic Act 7610 (Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act) as amended by Republic Act 9231 (An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Protection for the Working Child), Republic Act 9208 (Anti-Trafficking in Persons Act of 2003), Republic Act 9262 (Anti-Violence Against Women and Their Children), and other pertinent laws, administrative orders, executive orders and issuances involving a child, the following acts shall likewise be punishable:

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- a. **Illegal Recruitment** – Any recruiter operating in the Municipality of Bulalacao shall be required to register with and secure a permit to operate/recruit from the authorized and Punong Barangay, with an undertaking not to recruit children.
- b. **Illegal Trafficking of Persons** – There is a presumption of illegal trafficking when a person is found together with one or more child/children not his/her relatives at the pier or port of exit for the purpose of transporting the minors to another place without any permit from the Barangay Captain of the place where the children came from. The Barangay Captain who issues a false permit or makes false statements in the permit shall also be liable under this section.
- c. **Peonage of Children** – Offering a child or the services of a child as payment for a debt or in exchange for a favor, such as but not limited to:
 - 1. Working in agricultural industries like rice, corn and sugarcane plantations or farms;
 - 2. Working as house helpers.
- d. **Pre-arrangement for Marriage** – Pre-arrangement (buya) made by parents or guardians to marry off their children or wards. One manifestation of pre-arrangement may be when two (2) families meet to seriously talk about the marriage of their children to each other.
- e. **Using children as Commodities in Benefit Dances** – Organizers of benefit dances, persons facilitating or anchoring such benefit dances shall be penalized under this section if they shall use children as dancing partners for payment, fee, or any other monetary consideration to the organizers.
- f. **Discrimination of Girl Children** – Discrimination of girl children by prohibiting and depriving them of formal education by reason of their gender.
- g. **Discrimination of Illegitimate Children** – For schools to discriminate against illegitimate children as follows but not limited to the following:
 - 1. Refusal to accept enrolment of illegitimate children in the school by reason of one's illegitimacy;
 - 2. Requiring the marriage contract of parents as a requirement for enrolment of the child.



- h. Expulsion by Reason of Pregnancy and being a teenage Father– For schools to impose a penalty of expulsion against a child who has complied with all academic requirements by reason of her pregnancy. Schools may impose any other penalty which shall be made applicable to both the pregnant girl and her partner if he is also enrolled in the same school.
- i. Refusal to Graduate by Reason of teenage Father Pregnancy – For schools to refuse to graduate a child who has complied with or is willing to comply with all academic requirements by reason of pregnancy;
- j. Refusal to Issue Clearances by Reason of teenage Father Pregnancy – For schools to issue clearances to a child by reason of pregnancy;
- k. Physical and Degrading Form of Punishment – Subjecting the child to physical and degrading forms of punishment such as, but not limited to the following:
 - 1. Ordering or directing a child to kneel on salt;
 - 2. Placing a child inside a sack or any container, or hanging him/her;
 - 3. Shaving the head of a child;
 - 4. Harsh whipping of the child with the tail of a stingray (pigi), stick, belt and other similar objects;
 - 5. Stripping the child of his/her clothes;
 - 6. Locking up the child in a cabinet or aparador or any enclosed structure;
 - 7. Tying up the child or otherwise detaining him/her;
 - 8. Throwing objects such as but not limited to erasers, chalk, books and notebooks at the child;
 - 9. Pulling the hair of the child;
 - 10. Making the child stand under the heat of the sun;
 - 11. Exposing the child to be bitten by ants.
- l. Pushing/Enticing Minors to Live-In Arrangements – For parents to entice, encourage and/or push their children to live together with any person as husband and wife in exchange for money or any other consideration.

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- m. Sexual Exploitation of Minors – Sexual exploitation of children by a parent, any person, foreigner or otherwise using of any mode of ICT, social media and internet. Consorting with children in any sexual or lascivious conduct, or public display of sexual or lascivious conduct involving children shall be considered prima facie evidence of sexual exploitation.
- n. Entry, Selling and Distribution of Pornographic Materials – Selling, distributing or showing of pornographic materials to children, or possessing, selling, distributing or showing pornographic materials in places where children are present. There is a prima facie evidence of violation of this section when the act is done in the presence of a child.
- o. Selling Liquor, Cigarettes, Rugby and Other Addicting Substances to a Child – It shall be unlawful for any person to sell liquor, cigarette, rugby or any addicting substance to a child.
- p. Smoking in Enclosed Places and Public Conveyances – Smoking in any enclosed place or public conveyance.
- q. Recruitment of children as laborers in pyrotechnic industries, illegal fishing, sugar plantations, and other worst forms of child-labor practices.
- r. Using children in social and/or cultural activities where they are encouraged or compelled to wear skimpy outfits and/or perform sexually suggestive movements.
- s. Allowing or inducing children/infants to smoke, drink alcoholic beverages, use or possess illegal drug, and use or possess any deadly weapon. Any adult who has in his company a child who smokes, drinks, use or possess illegal drug, or use or possess deadly weapon shall be presumed guilty of this provision.
- t. Allowing any child below 12 years of age to drive or operate a pedicab/trisikad The owner of the pedicab/trisikad driven/operated by the child is presumed to have allowed the child to drive/operate such pedicab/trisikad.
- u. Failure to provide possible medical and educational opportunities to a child living in a house other than his own home or to a child working as a household helper.
- v. Bringing of a child below 15 years of age to public gatherings or any other situations which may expose the child to harm and danger. The above acts which shall be punishable by imprisonment of six (6) months and/or a fine of not more than Two Thousand Five Hundred Pesos (P2, 500.00).

A. Control on Exposure to New Technology

SEC. 44. Control on Children's Exposure to Video Games. – Commercial establishments renting out digital/electronic video games to children during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon, shall be subjected to the suspension of their business permit for ten (10) days and to pay a fine of One Thousand Pesos (P1, 000.00) during the first offense and, fifteen (15) day suspension of the same and Two Thousand Five Hundred Pesos (P2, 500.00) fine for the second offense. Confiscation of computer units and cancellation of the business permit of said establishments shall constitute the penalty for the third offense. Commercial establishments catering to video games shall not be established within 100 meters from primary and secondary school campuses. Violation of this provision shall lead to the closure of the business establishment.

SEC. 45. Control on Children's Exposure to Internet Cafes. – Internet cafes allowing children to view pornographic sites shall be subjected to suspension of the business permit for ten (10) days and to pay a fine of One Thousand Pesos (P1,000.00) during the first offense and, fifteen (15) days suspension of the same and Two Thousand Five Hundred Pesos (P2,500.00) fine for the second offense. Confiscation of computer units and cancellation of the business permit of said establishments shall constitute the penalty for the third offense.

B. Children in Situations of Armed Conflict

SEC. 46. Protection for Children. – Children in situations of armed conflict shall be considered victims and shall be afforded full protection in accordance with the provisions of R.A 7610, Article X.

C. Children of Indigenous Peoples

SEC. 47. Rights of Children of Indigenous Peoples.

- a. In addition to the rights guaranteed to children under this Code and the Indigenous Peoples Right Act (Republic Act No. 8371), children of indigenous cultural communities (ICCs) /indigenous peoples (IPs) shall be entitled to protection, survival and development consistent with the customs and traditions of their respective communities.
- b. The Municipal Council for the Welfare Protection of Children in coordination with the local DepEd division office shall encourage and support the integration into the IP curriculum the Indigenous Knowledge Systems and practices (IKSP) relevant to the needs and interests of ICC/IP children.
- c. The delivery of basic social services on health and nutrition to ICCs/IPs should be given priority. Service providers in hospitals and other health institutions shall be culture sensitive in dealing with indigenous peoples especially children. They shall not be subjected to any form of discrimination and verbal abuses that degrade their dignity and self-esteem. Their traditional health knowledge, beliefs and practices should be respected.

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D. Children in Conflict with the Law

SEC. 48. Guarantees under the United Nation Convention on the Rights of the Child (UN CRC) – Pursuant to the UN CRC, every child alleged or accused of having infringed the penal law has at least the following guarantees:

- a. To be presumed innocent until proven guilty according to law;
- b. To be informed promptly and directly of the charges against him or her, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defense;
- c. To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;
- d. Not to be compelled to give testimony or to confess guilt; to examine adverse witness and to obtain the participation of and examination of the witness on his or her behalf under conditions of equality;
- e. If considered to have infringed the penal law, to have the decision and any measure imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;
- f. To have the free assistance of an interpreter if the child cannot understand or speak the language used;
- g. To have his or her privacy fully respected in all stages of the proceedings

SEC. 49. Rights of the Child in Conflict with the Law – Every child in conflict with the law shall have the following rights, including but not limited to:

- a) the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment;
- b) the right not to be imposed a sentence of capital punishment or life imprisonment, without the possibility of release;
- c) the right not to be deprived, unlawfully or arbitrarily, of his/her liberty, detention or imprisonment being a disposition of last resort, and which shall be for the shortest appropriate period of time;

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- d) the right to be treated with humanity and respect for the inherent dignity of the person, and in a manner which takes into account the needs of a person of his/her age. In particular, a child deprived of liberty shall be separated from adult offenders at all times. No child shall be detained together with adult offenders. He/she shall await hearing of his/her own case in a separate holding area. A child in conflict with the law shall have the right to maintain contact with his/her family through correspondence and visits, save in exceptional circumstances;
- e) the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his/her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on such action;
- f) the right to bail and recognizance, in appropriate cases;
- g) the right to testify as a witness in his/her own behalf under the rule on examination of a child witness;
- h) the right to have his/her privacy respected fully at all stages of the proceedings;
- i) the right to diversion if he/she is qualified and voluntarily avails of the same;
- j) the right to be imposed a judgment in proportion to the gravity of the offense where his/her best interest, the rights of the victim and the needs of society are all taken into consideration by the court, under the principle of restorative justice;
- k) the right to have restrictions on his/her personal liberty limited to the minimum, and where discretion is given by law to the judge to determine whether to impose fine or imprisonment, the imposition of fine being preferred as the more appropriate penalty;
- l) in general, the right to automatic suspension of sentence;
- m) the right to probation as an alternative to imprisonment, if qualified under the Probation Law;
- n) the right to be free from liability for perjury, concealment or misrepresentation; and
- o) other rights as provided for under existing laws, rules and regulations.

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SEC. 50. Duty to Inform Child of His/Her Offense. – The competent authorities are duty-bound to explain to the minor in a language known and understood by her/him the consequences of her/his acts and/or omission. The minor's responsibility for the commission of any felony shall be explained to her/him with a view towards counselling and rehabilitating her/him, and avoiding her/his contact with the criminal justice system and indemnifying the victim/s if there be any.

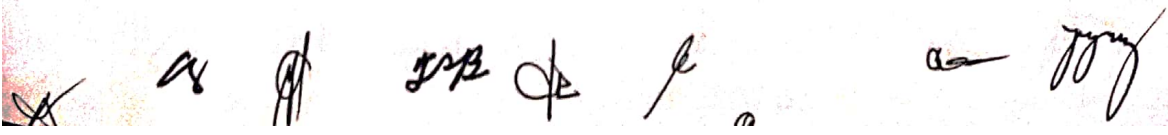
SEC. 51. Intervention and Delinquency Prevention – The LGU shall establish programs for juvenile intervention and delinquency prevention to address issues that caused the child to commit an offense, taking into consideration the following:

1. Emphasis on the intervention or prevention policies facilitating the successful socialization and integration of all children with the family, through the community, peer groups, schools, vocational training and world of work, as well as through voluntary organizations;
2. Due respect should be given to the proper personal development of children, and they should be accepted as full and equal partners in socialization and integration processes. The LGU shall comply with the guidelines prescribed in the National Intervention Program by the Juvenile Justice Welfare Council (JJWC) as provided for in Republic Act No. 9344 (Juvenile Justice Welfare Act of 2006) and its Implementing Rules and Regulations, in the formulation of its Juvenile Intervention and Delinquency Prevention Programs.

SEC. 52. Indigenous Modes of Intervention. – Indigenous modes of conflict resolution in harmony with international and national human rights and child's rights standards shall be resorted to and encouraged. The minor's and her/his family's active participation in efforts towards conflict resolution shall be optimized. The family shall be held answerable as well as exercise parental care and supervision over the person of the minor.

SEC. 53. Prohibition Against Labeling. – In all conduct of the proceedings beginning from the initial contact of the child, the competent authorities must refrain from branding or labelling minors as young criminals, juvenile delinquents, prostitutes, snatchers, rugby boys or attaching to them in any manner any other derogatory names. Likewise, no discriminatory remarks and practices shall be allowed particularly with respect to the minor's class or ethnic origins. The officer violating this provision shall be administratively liable.

SEC. 54. Prohibited Acts Against Children in Conflict with the Law – Any and all acts and practices which are prejudicial and detrimental to the psychological, emotional, social, spiritual, moral and physical health and well-being of the minor shall be prohibited. Authorities shall refrain from employing threats of whatever kind and nature and or abusive, coercive and punitive measures in dealing with



minors. Such practices, whether committed directly or indirectly by persons in authority, their representatives or any other persons acting under them or in their behalf--- such as cursing, beating, stripping, and detaining minors in cells--- shall be dealt with administratively and criminally; Likewise, degrading, inhuman and cruel forms of punishment such as shaving the heads of minors, pouring irritating, corrosive or harmful substances over their bodies, or forcing minors to walk around the community wearing signs which embarrass, humiliate, and degrade their personhood and dignity and which harm them psychologically, emotionally, spiritually, morally, and physically shall be prohibited; No minor shall likewise be made subject to involuntary servitude in any and all forms under any and all instances by their arresting officers and or custodians. Designating and or compelling minors to act and serve as errand boys/girls, cleaners, or helpers is also prohibited. Any violation shall be penalized with six months imprisonment and a fine of not more than Two Thousand Peso (2, 000). However, if these violations are likewise penalized in any national, the penalty imposed in such national shall be followed.

SEC. 55. Intervention Programs, When Proper. – Where the parties and or the competent authorities decide that the child must undergo intervention program, such a program shall be formulated with the cooperation of the complainant, the child and the parents/guardian of the child, in accordance with the provisions of R.A 9344 (Juvenile Justice and Welfare Act of 2006), its implementing rules and regulations, and other pertinent laws.

SEC. 56. Factors in Determining Intervention Programs. – In determining the appropriate intervention and prevention program, the following factors shall be taken into consideration:

- a. The circumstances of the child (e.g. Age, level of development, educational background, etc.)
- b. Needs of the child especially if disadvantaged, i.e. street child, or child with mental or physical difficulties;
- c. Family and social background of the child;
- d. Influence of the family and environment on the growth of the child;
- e. Ability and willingness of the parents or guardians to guide and supervise the child;
- f. Nature and circumstances of the offense charged;
- g. Availability of community-based programs for intervention and prevention;
- h. Safety and security of the child.

SEC. 57. Intervention Programs. – The intervention program shall include adequate socio-cultural and psychological responses and services for the child. Intervention programs can include, but are not limited to the following:

1. Counselling;
2. Peer counselling and life skills training and education;
3. Provision of support services to the family, e.g. parent effectiveness service, livelihood programs, skills trainings, etc.
4. Referral to other agencies for appropriate services, e.g. education, health, skills training, etc.; and
5. Access to child and youth organizations in the community, such as but not limited to the Sangguniang Kabataan;

SEC. 58. Diversion – The LGU shall establish diversion programs pursuant to Republic Act No. 9344, its implementing Rules and Regulations and other pertinent laws, for children in conflict with the law who need to undergo diversion programs.

SEC. 59. Designation of Officer to Handle Cases Involving Youth Offenders. – The LGUs shall designate local social welfare and development officers to handle cases involving youth offenders. These social welfare and development officers shall handle all cases involving children, family relations and domestic violence, and shall be required to undergo annual mandatory training on handling such cases.

SEC. 60. Right of the Juvenile to Counsel. – From custodial investigation and throughout the proceedings, the juvenile shall have the right to be represented by counsel. The arresting officer, prosecutor or judge shall ensure that the juvenile is represented by counsel before proceeding with the investigation or trial. Any confession or admission made in any proceeding without the assistance of counsel shall be null and void.

SEC. 61. Confidentiality of Proceedings and Records. – All records and proceedings involving children shall be confidential. The public shall be excluded during all proceedings and the records shall not be disclosed directly or indirectly to anyone by any of the parties or the participants in the proceedings. The competent authorities shall undertake all measures, including non-disclosure of records to the media, maintaining a separate police blotter for cases involving children and adopting a system of coding to conceal material information which will lead to the child's identity. Records of juvenile offenders shall not be used in adult proceedings in subsequent cases involving the same offenders.

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SEC. 62. Care and Maintenance of Juveniles. – The parents or other person liable to support the child shall pay the expenses for the care and maintenance of said child whose disposition of the case is institutionalization. The disposition shall include the proportion of support in such cases is not capable of paying the whole amount and the rest shall be paid by the local government unit maintaining such a facility.

SEC. 63. Reintegration Programs. – The local government units are encouraged to implement reintegration programs for a juvenile who is released by the court. This is for the purpose of preparing the juvenile for reintegration to the community.

ARTICLE 6 IMPLEMENTING MECHANISMS

A. Local Council for the Welfare of Children

SEC. 64. Creation of the Municipal Council for the Welfare of Children. – The Sangguniang Bayan shall maintain the council for children known as Municipal Council for the Welfare of Children (MCWC or Council) and coordinate with NGOs and other concerned agencies in the creation and organization of the Municipal Council for the Welfare of Children and the Barangay Council for the Protection of Children (BCPC) at the barangay level. This is in keeping with the mandate of the Council for the Welfare of Children (CWC) to coordinate the formulation, implementation and enforcement of all policies, programs, and projects relative to the survival, development and protection of children of the local councils. The MCWC shall ensure the effective implementation of the Philippine Government's commitment to the Convention of the Rights of the Child, World Declaration on the Survival, Development, and Protection of Children, and the Philippine Plan of Action for Children (PPAC). It shall plan and implement programs and services for children by virtue of the LGU power and authority to plan and implement local socio-economic development plans, policies, and programs.

SEC. 65. Composition and Functions of the Municipal Council for the Welfare of Children (MCWC). –

a. Members of the MCWC shall include the following agencies/units or offices, and other agencies it deems important depending on the current specific situation/problems of the locality:

1. The Municipal Mayor, as chairperson;
2. The Chairperson of the Sangguniang Bayan Committee on Women and Family Affairs, as co-chairperson;
3. The Municipal Planning & Development Coordinator;
4. The Municipal Social Welfare & Development Officer;

5. The Municipal Treasurer;
6. The Municipal Health Officer;
7. The Municipal Agriculturist;
8. The Schools Division Supervisors of DepEd;
9. The Municipal Trial Court Prosecutor or his representative;
10. The President of the Municipal Federation of the Sangguniang Kabataan (SK);
11. Three (3) CSO representatives;
12. A child representative;
13. The President of the Liga Ng Barangay Councils (LBC);
14. The Municipal Accountant;
15. The Municipal Budget Officer
16. The Municipal Local Government Operations Officer of DILG;
17. The Philippine National Police; and

a. The MCWC shall have the following functions

1. Formulate plans programs and policies for children that are gender fair, culturally relevant and responsive to the needs of children from 0 to below 18 years of age.
2. Prepare Annual Work and Financial Plan (AWFP) for children for incorporation in the LGU Annual Budget.
3. Provide coordinative linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
4. Establish and maintain database on children in the Municipality;
5. Recommend local legislation promoting child survival, protection, participation and development, especially on the quality of television shows and media prints and coverage, which are detrimental to children, and with appropriate funding support;

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6. Conduct capability building programs to enhance knowledge and skills in handling children's programs;
7. Monitor and evaluate the implementation of the children's program and submit quarterly status reports to the chairman, MCMC;
8. Perform such other functions as provided for in the ECCD Law (R.A. 8980) and other child related laws. Secretariat support shall be provided by the Municipal Social Welfare and Development Office. The secretariat shall be responsible for the documentation of proceedings of meetings and preparation of the reports and other necessary documents as needed by the Council and shall provide administrative and technical support services to MCPC..


SEC. 66. Creation of Barangay Councils for the Protection of Children (BCPC). – The Barangay Council shall create a Barangay Council for the Protection of Children (BCPC), the composition of which shall be determined by the former depending on the needs and circumstances in the area. The BCPC shall have the following functions:

- a. To foster education of every child in the barangay; (To ensure every child in the barangay acquires at least an elementary education);
- b. To encourage the proper performance of the duties of parents and provide learning opportunities on the adequate rearing of children and on positive parent-child relationships;
- c. To report all cases of child abuse to the proper authorities;
- d. To protect and assist abandoned, maltreated and abused children and facilitate their cases filed against child abusers;
- e. To prevent child labor in their area and to protect working children from abuse and exploitation;
- f. To take steps to prevent juvenile delinquency and to assist children with behavioural problems so that they can get expert advice;
- g. To adopt measures to promote the health and nutrition of children;

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- h. To promote the opening and maintenance of playgrounds and day care centers and other services those are necessary for child and youth welfare;
- i. To secure the cooperation of organizations devoted to the welfare of children and coordinate their activities;
- j. To promote wholesome entertainment in the community;
- k. To assist parents whenever necessary in securing expert guidance counselling from the proper governmental or private welfare agencies;
- l. To advocate for the passage of child-friendly barangay ordinances in response to child-related issues and concerns;
- m. To prepare the barangay plans of action for children which address the needs of children in the community and ensure their integration into the Barangay Development Plan and implementation by the barangay; and
- n. To submit quarterly barangay accomplishment reports on the implementation of the plan to the MCWC
- o. To hold classes and seminars on the proper rearing of children. It shall distribute to parents available literature and other information on child guidance. The council shall assist parents, with behavioural problems whenever necessary in securing expert guidance counselling from the proper government or private welfare agency;
- p. To take custody of the child in conflict with the law who is found to be fifteen (15) years of age or below if the parents, guardians or nearest relatives of the child cannot be located, or if they refuse to take custody of the said child;
- q. To be present in the initial investigation of the child in conflict with the law in the absence of the child's parents, guardian, or nearest relative, and the Municipal Social Welfare and Development Office (MSWDO).

SEC. 67. Representation of Non-governmental Organizations in the Council for Children. The local legislative council shall invite NGOs with child-focused programs for membership in the council for the protection of children, provided that these non-government organizations are duly accredited by the local Sanggunian concerned based on its criteria of accreditation.



SEC. 68. Internal Rules of Councils for the Welfare of Children. – The local council for the welfare of children shall adopt their own internal rules of procedures and regulations to serve as guidelines for the members in the discharge of their official functions such as the organization's structure, parliamentary procedure, order of meeting and quorums, discipline, and such other rules the council may adopt.

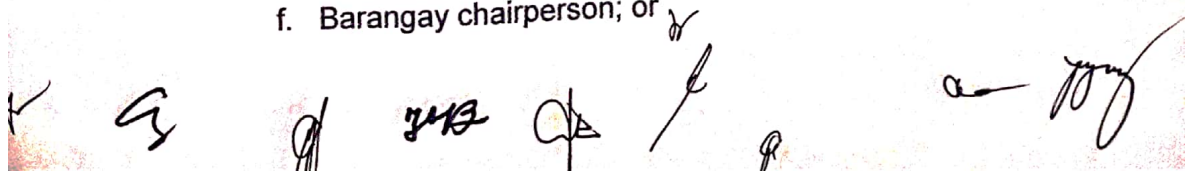
SEC. 69. Mandatory Consultations. – Prior to the implementation of any national project by any and all national government agencies, bureaus, or offices affecting children, the express approval by the Mayor and the Sangguniang Bayan shall be obtained after the holding of the public hearings on the matter. MCPC shall provide criteria for the selection of qualified member/representative. To recommend policies and program interventions to address concerns of children in the locality. Monitor and evaluate the programs and activities that involve children, either by the government or from the NGOs. To spearhead and facilitate programs or activities that will help the children through seminars, training, skills development and community outreach program. Formulate and consolidate plans and projects that are to be implemented. To set forth rules and regulations within the organizations. Initiate allocation of funds for the projects envisioned by the children's congress.

Section 70. Child Representatives. – Aside from the youth representative from the Sangguniang Kabataan, a seat shall be provided for a child representative in the provincial, municipal councils for the protection of children coming from the Children's Association as created under Article 6 hereof to represent children below 15 years of age. The local government councils should see to it that the child is able to genuinely participate in decision-making particularly in matters involving children's concerns.

ARTICLE 7 REMEDIAL MEASURES AND PENAL PROVISIONS

SEC. 71. Persons Who May File a Complaint. – Complaints on unlawful acts committed against children as enumerated herein may be filed by the following:

- a. Offended party;
- b. Parents or guardians;
- c. Ascendant or collateral relative within the third degree of consanguinity;
- d. Officer, social worker or representative of a licensed child-caring institution;
- e. Officer or social worker of the Municipal Social Welfare and Development Office;
- f. Barangay chairperson; or



- g. At least three concerned responsible citizens residing in the community where the violation occurred.

SEC. 72. Protective Custody of the Child. – The offended party shall be immediately placed under the protective custody of the Department of Social Welfare and Development Office through the local social welfare and development officer pursuant to Executive Order No. 56, series of 1986. In the regular performance of this function, the officer of the Municipal Social Welfare and Development Office shall be free from any administrative, civil or criminal liability. Custody proceedings shall be in accordance with the provisions of Presidential Decree No. 603.

SEC. 73. Confidentiality. – At the instance of the offended party, his/her name may be withheld from the public until the court acquires jurisdiction over the case. It shall be unlawful for any editor, publisher, and reporter or columnist in case of printed materials, announcer or producer in case of television and radio broadcasting, producer and director of the film in case of the movie industry, to cause undue and sensationalized publicity of any case of violation of this Act which results in the moral degradation and suffering of the offended party.

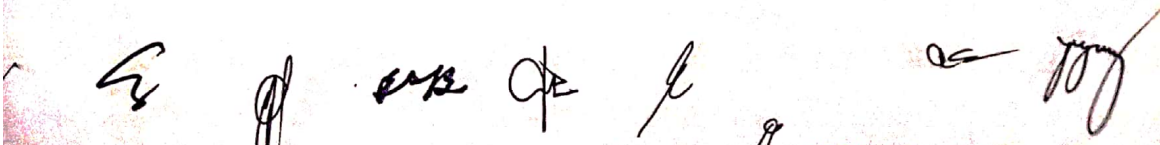
SEC. 74. Reporting. – A person who learns of facts or circumstances that give rise to the belief that a child has suffered abuse may report the same, either orally or in writing, to the Municipal Social Welfare and Development Office, to the law enforcement agency or to the BCPC concerned.

SEC. 75. Mandatory Reporting. – The head of any public or private hospital, medical clinic and similar institution, as well as the attending physicians and nurses, shall report, either orally or in writing, to the above-mentioned department or agency the examination and/or treatment of a child who appears to have suffered abuse within forty-eight (48) hours from the knowledge of the same.

SEC. 76. Duty of Government Workers to Report. – It shall be the duty of all teachers and administrators in public schools, probation officers, government lawyers, law enforcement officers, barangays officials, and other government officials and employees whose work involves dealing with children to report of possible child abuse to the authorities mentioned in the preceding sections.

SEC. 77. Failure to Report. – Any individual mentioned in Section 92 who possesses knowledge of a possible child abuse and fails to report the case to the proper authorities shall be punishable under R.A. 7610.

SEC. 78. Immunity for Reporting. – Any person who acting in good faith, reports a case of child abuse shall be free from any civil, criminal or administrative liability arising there from. There shall be a presumption that any such person acted in good faith.



SEC. . . Penalties. – The penalty for any violation of this Code, which is not penalized elsewhere in other sections of this Code or in a national law, shall be imprisonment of two months to six months and/or a fine ranging from P1,000 to P2,500.00 (Philippine currency). For first time offenders, in cases not otherwise punishable under national laws where the offender is the parent or teacher of the child or relatives within the fourth degree of consanguinity or affinity, if the offender admits the offense and is sincere and willing to reform, the foregoing penalty may be waived subject to the consent of the child and the following measure imposed instead:

- a. Attendance in a parenting or any appropriate seminar;
- b. Community service of 10 to 15 days;
- c. Counselling sessions;
- d. Family therapy;
- e. Participation in appropriate training courses. For offenses punishable under Act No. 3815 as Amended (The Revised Penal Code), P.D. 603 (The Child and Youth Welfare Code), Republic Act 7610 (Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act) as amended by Republic Act 9231 (An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Protection for the Working Child), Republic Act 9208 (Anti-Trafficking in Persons Act of 2003), Republic Act 9262 (Anti-Violence Against Women and Their Children), Republic Act No. 9344 (Juvenile Justice and Welfare Act of 2006) or of any other law, the offended party and/or any party so authorized may file a complaint under the national law, and the penalty in such national law shall be imposed. Failure to comply with pertinent provision of this code by the concerned local chief executive, members of legislative bodies and/or head of offices or bodies shall constitute dereliction of duty subject to penalties prescribed under the Local Government Code and other pertinent laws.

**ARTICLE 8
BUDGETARY APPROPRIATIONS**

SEC. 80. Appropriations for Children's Programs. – The local government unit shall appropriate funds as part of their annual budget for the implementation of children's programs. The amount equivalent to at least one per cent (1%) of the internal revenue allotment (IRA) shall be appropriated by the LGU to implement the provisions of this Code and programs for children, drafting and publication of the IRR, training and orientation of stakeholders and dissemination of this to the general public. Said appropriation cannot be realigned or used for other programs or purposes other than what is herein intended. Local Council may organize fund raising activities to support their programs and projects. The utilization of funds shall be subject to the usual accounting and auditing procedures.

/s/

The bottom of the page features several handwritten signatures and initials. From left to right, there is a stylized signature, a circular stamp or mark, the initials 'SAB.', another set of initials, a signature that appears to be 'P', and a large, cursive signature on the far right.

**Article 9
SEPARABILITY/ APPLICABILITY/ REPEALINGEFFECTIVITY
CLAUSES**

SEC. 81. Separability Clauses. – If, for any reason or reasons, any part or provision of this Code shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SEC. 82. Applicability Clause. – All other matters relating to the impositions or regulations provided in this Code shall be governed by the pertinent provisions of existing laws and other ordinances. This Code shall apply to all the people within the territorial jurisdiction of the Municipality of Bulalacao as well, and all persons, who may be subject to the provision of this Code.


SEC. 83. Repealing Clause. – All ordinances, resolutions executive orders and other issuances which are inconsistent with any of the provisions of this code are hereby repealed or modified accordingly.

SEC. 84. Effectivity Clauses. – This Code shall take effect 30 days after completion of its publication in a newspaper of general circulation within its jurisdiction and posting in at least three conspicuous places in the Municipality of Bulalacao.

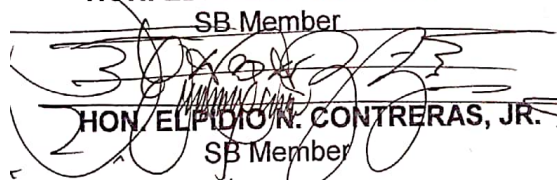
ENACTED this 12th day of May, 2017. Bulalacao, Oriental Mindoro.


HON. DEXTER R. GONZALES
SB Member


HON. DENNES M. FANER
SB Member



HON. EDEZER F. ACERON
SB Member


HON. GUILLERMO G. SALAS, JR.
SB Member


HON. ELPIDIO N. CONTRERAS, JR.
SB Member


HON. TERESITA S. BANTUGAN
SB Member



HON. TULAY M. CARING
Indigenous People Mandatory Representative


HON. ENRICO C. VILLAS
Pangulo, Liga ng mga Barangay

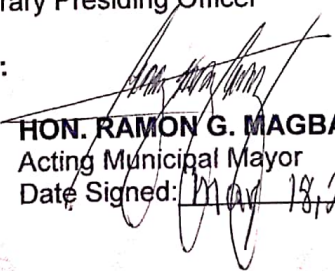
CERTIFIED TRUE AND CORRECT:


PERLITA L. PAZ
Secretary to the Sanggunian

ATTESTED:


HON. EDWIN C. ACERON
SB Member/Temporary Presiding Officer

APPROVED:


HON. RAMON G. MAGBANUA
Acting Municipal Mayor
Date Signed: May 18, 2017