



Republic of the Philippines  
**PROVINCE OF ZAMBOANGA DEL NORTE**  
 Municipality of Piñan  
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**OFFICE OF THE SANGGUNIANG BAYAN**

**EXCERPT FROM THE MINUTES OF THE 115<sup>th</sup> REGULAR SESSION OF THE 11<sup>TH</sup> SANGGUNIANG BAYAN OF PIÑAN, ZAMBOANGA DEL NORTE HELD ON OCTOBER 14, 2024 AT THE SB SESSION HALL**

**Present:**

Honorable Rommel I. Gudmalin	Municipal Vice-Mayor <i>Presiding Officer</i>
Honorable Glecerio Y. Redillas, Jr.	Sangguniang Bayan Member
Honorable Benedicto C. Cainta II	Sangguniang Bayan Member
Honorable Gina R. Aleta	Sangguniang Bayan Member
Honorable Al Immanuel U. Cantila	Sangguniang Bayan Member
Honorable Ricardo R. Sabandal	Sangguniang Bayan Member
Honorable Celso M. Montemayor	Sangguniang Bayan Member
Honorable Jose Antonio L. Galan	Sangguniang Bayan Member
Honorable Greg C. Belangoy	Sangguniang Bayan Member
Honorable Ignacio L. Galan	Ex-Officio Sangguniang Bayan Member <i>(Liga ng mga Punong Barangay- President)</i>
Honorable Joel Audrey Cristal P. Galvez	Ex-Officio Sangguniang Bayan Member <i>SKF President</i>
Honorable Jodilyn P. Tatad	Ex-Officio Sangguniang Bayan Member <i>IPMR</i>

**Absent: None**



**MUNICIPAL ORDINANCE NO. 2024-013**  
 Series of 2024

**AN ORDINANCE AMENDING SECTION 40 OF ARTICLE 1, CHAPTER IV, AND BY ADDING SECTION 40.1 AND SECTION 40.2 OF MUNICIPAL ORDINANCE NO. 17-005, SERIES OF 2017 ENTITLED “REVISING THE CHILDREN WELFARE CODE OF THE MUNICIPALITY OF PINAN, ZAMBOANGA DEL NORTE”**

*Sponsored by: Honorable Jose Antonio L. Galan  
 Co-Sponsored by: Honorable Greg C. Belangoy*

*Be it enacted by the Sangguniang Bayan of Piñan, Zamboanga del Norte in a session duly assembled, that:*

**SECTION 1. TITLE-** An Ordinance Amending Section 40 of Article I, Chapter IV, and Adding Section 40.1. and Section 40.2 of Municipal Ordinance No. 17-005, Series of 2017 entitled “Revising the Children’s Welfare Code” of the Municipality of Pinan, Zamboanga del Norte”.

**SECTION 2. PURPOSE-** The purpose of this amendment is to amend the children's' month celebration and provide additional provisions for the children's welfare.

**SECTION 3. AMENDMENTS-** The following amendments are reflected below:

a. *Section 40. Children's Month and Children's Day Celebration. October as Children's Month. In keeping with the mandate of Presidential Proclamation No. 267 signed on September 30, 1993 declaring the month of October as National Children's Month, the Municipality of Piñan shall officially declare also the month of October of every year as Children's Month.*

*The Municipality of Piñan through the Municipal Council for the Welfare of Children shall convene and plan for the whole month celebration which shall focus on information-education-dissemination- advocacy on the rights of children as well as the obligations of parents, the community, and institutions in ensuring the well-being of Filipino children. Putting a streamer in strategic places including the conduct of special activities and program by stakeholder and office to highlight the celebration shall be undertaken with a kick-off parade and program.*

As hereby amended as follows:

**Section 40. Children's Month and Children's Day Celebration. November as Children's Month.** Pursuant to Republic Act No. 10661, the National Children's Month ( NCM) or also known as the "Buwan ng Wika" is annually celebrated every November to commemorate the adoption of the United Nations Covention on the Rights of the Child (UNCRC) on November 20, 1989. With that, the Municipality of Piñan shall officially declare also the month of November of every year as Children's Month.

*The Municipality of Piñan through the Municipal Council for the Protection of Children shall convene and plan for the whole month celebration which shall focus on information-education-dissemination-advocacy on the rights of children as well as the obligations of parents, the community, and institutions in ensuring the well-being of Filipino children. Putting a streamer in strategic places including the conduct of special activities and program by stakeholder and office to highlight the celebration shall be undertaken with a kick-off parade and program.*

b. Succeeding Provisions are as follows:

**Section 40.1. Adoption of RA 11930.** Republic Act No. 11930 otherwise known as the Anti-Online Sexual Abuse or Exploitation of Children (OSEAC) and Anti-Child Abuse or Exploitation of Materials (CSAEM). It is the policy in recognizing the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, emotional, psychological and social well-being. Thus, it is the policy to provide special protections to children from all forms of sexual violence, abuse and exploitation especially those committed with the use of information and communications technology (ICT), provide sanctions for their commission and carry out programs for the prevention, deterrence and intervention in all situations of online sexual abuse and exploitation of

*children in the digital and non-digital production, distribution or possession of child sexual abuse or exploitation material.*

**Section 40.2. Safer Internet Day.** *The Office of the President issued Proclamation No. 417 dated February 5, 2018, "Declaring the Second Tuesday of February Every Year as a Safer Internet Day for Children. The Safer Internet Day which is celebrated annually as a call to action to promote better and safe internet use for everyone and to raise awareness on online issues faced by children.*

**SECTION 4. EFFECTIVITY.** This Ordinance shall take effect after its approval from the reviewing authority.

**UNANIMOUSLY APPROVED.**

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I **HEREBY ATTEST** to the correctness of the above-quoted Municipal Ordinance.

  
**MARIA CELESTE B. CANOY**  
*Secretary to the Sangguniang Bayan*

CERTIFIED CORRECT AS TO ITS  
PASSAGE ON THE THIRD AND FINAL  
READING:

  
**ROMMEL I. GUDMALIN**  
*Municipal Vice Mayor*  
*(Presiding Officer)*

APPROVED:

  
**CECILIA J. CARREON**  
*Municipal Mayor*

**17 OCT 2024**



**OFFICE OF THE SANGGUNIANG BAYAN**

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**EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
 SANGGUNIANG BAYAN OF PIÑAN, ZAMBOANGA DEL NORTE HELD ON MARCH  
 20, 2017 AT ITS SESSION HALL**

**Present:**

Honorable Louida P. Belangoy	Municipal Vice-Mayor ( <i>Presiding Officer</i> )
Honorable Greg C. Belangoy	Sangguniang Bayan Member
Honorable Rommel I. Gudmalin	Sangguniang Bayan Member
Honorable Deogracias T. Cimafranca	Sangguniang Bayan Member
Honorable Saturnino P. Sorronda	Sangguniang Bayan Member
Honorable Jose Antonio L. Galan	Sangguniang Bayan Member
Honorable Glecerio Y. Redillas, Jr.	Sangguniang Bayan Member
Honorable Alfred E. Palconayo	Sangguniang Bayan Member
Honorable Loreto C. Bagatua	Sangguniang Bayan Member

<b>Absent:</b> Honorable Nestor E. Protacio	Ex-Officio Sangguniang Bayan Member ( <i>Liga ng mga Punong Barangay- President</i> )
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**MUNICIPAL ORDINANCE NO.17-005**  
 Series of 2017

**AN ORDINANCE REVISING THE CHILDREN'S WELFARE CODE OF THE  
 MUNICIPALITY OF PIÑAN, ZAMBOANGA DEL NORTE**

*Be it enacted by the Sangguniang Bayan of Piñan, Zamboanga del Norte in session duly assembled, that:*

**CHAPTER 1**  
**GENERAL PROVISIONS**

**ARTICLE 1**  
**TITLE, POLICIES, PRINCIPLES AND PURPOSE**

**Section 1. Title.** – This ordinance shall be known as the “Revising the Children’s Welfare Code of the Municipality of Piñan, Zamboanga del Norte Providing for a Comprehensive Child-Parent-Community Network and Support System and for Other Purposes”.

**Section 2. Declaration of Policy and Principles.** – The Philippine Constitution recognizes the child as one of the most important assets of the nation. Every effort should be exerted to promote his physical, mental, social, emotional, intellectual, and moral development. It further provides that it is the duty of the State to defend the right of children to assistance including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.

In accordance with the United Nations Convention on the Rights of the Child (UN CRC) to which the Philippines is a State Party, the State shall;

1. Undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the other UNCRC. With regards to

economic, social, and cultural rights, the State shall undertake such measures to the maximum extent of its available resources and, where needed, within the framework of international cooperation;

2. Ensure to the maximum extent possible the survival, development, protection and participation rights of the child;
3. Take all appropriate legislative, administrative, social and educational measures to protect children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent/s, legal guardian/s or any other person/s who has the care of the child;
4. Assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with his or her age and maturity;
5. Render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

**Section 3. Purposes.** This code is enacted with the following purposes and goals.

- a. To advocate the rights of children and promote their welfare and development;
- b. To ensure that their rights to survival, protection, development, and participation are fully understood and are given full attention and priority by government and the civil society;
- c. To institutionalize a mechanism of providing a comprehensive and integrated approach in addressing the needs and situation of children using situational analysis, strategic planning and program implementation, monitoring and evaluation, and employment of community organizing approach of convergence, focused-targeting, social mobilization, capability-building, and sound financial management;
- d. To enhance support system to families particularly those belonging to the impoverished and underprivileged sector so that their parent role and responsibilities can be intrinsically performed to the fullest;
- e. To ensure that the Local Council for the Protection of Children and its local special bodies are functional and responsive to the needs and situation of children; and
- f. To develop a system of information and feedback mechanism that will oversee flows of collaboration, performance, and accomplishment.

## ARTICLE 2 DEFINITION OF TERMS

**Section 4. Definition of Terms.** -For purpose of this Code and for easy interpretation and understanding of terms, the following are defined operationally:

- a. **“Child”**- refers to a person under the age of 18 years old or those over but are unable to fully take responsibility to themselves from abuse, neglect, cruelty, exploitation or discrimination because of physical or mental disability or condition;

b. **“Child Abuse”**- refers to 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 or 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. **Child at Risk** – refers to a child who is vulnerable to and at the risk of committing criminal offenses because of personal, family and social circumstances such as, but not limited to the following:

1. being abused by any person through sexual, physical, psychological, mental, economic or any other means, and the parent or guardian refused, are unwilling or unable to provide protection for the child;
2. being exploited, including sexually or economically;
3. being abandoned or neglected, and after diligent search or inquiry, the parent or guardian cannot be found;
4. coming from a dysfunctional or broken family or without a parent or guardian;
5. being a street child;
6. being out-of-school
7. being a member of a gang
8. living in a community with a high level of criminality or drug abuse
9. living in a situation of armed conflict

d. **“Child in Conflict with the Law”** refers to a child who is alleged as, accused of or adjudged as, having committed an offense under the Philippine laws.

e. **“Child’s Right to Development”** pertains to the access of a child to educational opportunities, access to relevant information, play, leisure, cultural activities, and the right to freedom of thought, conscience and religion.

f. **“Child’s Rights to Participation”** includes the child’s freedom to express oneself in matters affecting his/her life as part of preparation for responsible parenthood and to freedom of association.

g. **“Child’s Rights to Protection”** covers those which guard children against all forms of child abuse, exploitation and discrimination in the major areas where a child is considered in an extremely difficult circumstance.

h. **“Child’s Rights to Survival”** deals with the provision in relation to parental and governmental duties and liabilities, adequate living standard and access to basic health and health services and social security.

- i. **“Community-Based Programs”** refers to the programs provided in a community setting developed for purposes of intervention and diversion, as well as rehabilitation of the child in conflict with the law, for reintegration into his/her family and/or community.
- j. **“Comprehensive Child-Parent-Community Network”** refers to a holistic, integrated and comprehensive system of support including planning, resource generation, program development, and program implementation to address the needs of children particularly those who are most deprived of their rights.
- k. **“Early Childhood Care and Development (ECCD) Systems”** refers to the full range of health, nutrition, early education and social service programs that provide for the basic holistic needs of young children from birth to age six (6), to promote their optimum growth and development. These programs include:
1. **“Center-Based ECCD Programs”** such as the day care service established under Republic Act No. 6972, Public and Private pre- school-based programs, community or church-based early childhood education programs initiated by non-government organizations or people’s organizations, workplace-related child care and education programs, child-minding centers, health centers and stations; and
  2. **“Home-Based ECCD Programs”** such as the neighborhood-based play groups, family day care programs, parent education and home visiting programs.
- l. **“ECCD Service Providers”** include the various professional, paraprofessionals, and volunteer caregivers who are directly responsible for the care education of young children through the various center and home-based programs. They include, but are not limited to, day care workers, teachers, aides, rural health midwives, social workers, community health workers, barangay nutrition scholars, parent effectiveness service volunteers, child development workers, and family day care providers.
- m. **“ECCD Curriculum”** refers to the age-appropriate and developmentally appropriate educational objectives, program of activities, organized learning experiences and recommended learning materials for children that are implemented by service providers through center and home-based programs. It shall consist of national program goals and guidelines, instructional objectives, and content outlines integrating local learning experiences and indigenous materials.
- n. **“Diversion”** refers to an alternative child – appropriate process of determining the juvenile’s responsibility for an alleged offense as well as in determining the measure, if any, to be undertaken to the juvenile and other persons without resorting to formal court litigation;
- o. **“Diversion Programs”** refers to the community-based programs that juveniles are required to undergo after they are found responsible for an offense, without the child being made to undergo after they are found responsible for an offense, without the child being made to undergo formal court litigation;
- p. **“Municipal Council for the Welfare of Children”** refers to the office which shall be created by the local government of Piñan, Zamboanga del Norte who is directly responsible in the implementation of this ordinance and a coordinating body of the municipality on programs and activities related to children.
- q. **“Parent Education”** refers to the various formal and alternative means of providing parents with information, skills, and support systems to assist them in their roles as their children’s primary caregivers and educators. These

include public and private parent education programs linked to center, home and media-based child care and education programs.

r. **“Special Children”** are children categorized under special or difficult circumstances because of their physical and mental disabilities or experiences which hamper their normal growth and development attributed by physical, sexual, emotional, or psychological abuse or by armed conflict.

s. **“Youth Detention Home”** refers to a 24-hour child-caring institution management by accredited local government units (LGU) providing short term residential care for children in conflict with the law who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction.

## Chapter II RIGHTS AND RESPONSIBILITIES OF THE CHILD

### Article 1 RIGHTS OF THE CHILD

**Section 5. Rights of the Child.** Every child shall be entitled to the rights herein mentioned without distinction as to legitimacy, sex, social status, religion, political antecedents, and other factors.

He also has the right to possess of the following rights which are categorized as survival, protection, development, and participation rights.

**Section 6. Survival Rights.** Survival rights ensure the child's inherent right to life and to the needs that are most basic to existence, the rights to a name and to a 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, adequate security, and rehabilitation. The following are survival rights:

1. Every child has the right to born well, endowed with the dignity and worth of a human being from the moment of his or her conception;
2. Every child has the right to a wholesome family life that will provide him or her with love, care, and understanding guidance and counseling, and moral and material security. The dependent or abandoned child shall be provided with the nearest substitute of a home;
3. 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.

**Section 7. Development Rights.** Refers to the rights of a child to education to develop his or her 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. The following are the development rights:

1. Every child has the right to a well-rounded development of her/his personality to the end that she or he may become a happy, useful, and active member of society specifically;



- i. The gifted child shall be given the opportunity and encouragement to develop her or his special talents;
  - ii. The emotionally disturbed or socially maladjusted child shall be treated with sympathy and understanding, and shall be entitled to treatment and competent care;
  - iii. The physically or mentally disabled child shall be given treatment, education and care required by her or his particular condition;
2. 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;
3. 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;
4. Every child has the right to 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 shall be directed to:
  - i. The development of the child's personality, talents and mental and physical abilities to the fullest extent;
  - ii. The preparation of the child for responsible adult life in a free society;
  - iii. 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;
  - iv. The development of respect for the natural environment.

**Section 8. Protection Rights.** Covers those rights protecting the child from all forms of abuses, neglect, cruelty, exploitation, and discrimination including children that are categorized as special and under difficult situations like children who are victims of armed conflict, working children, children using addictive substance, child in conflict with the law, children of indigenous communities, and differently-abled children.

The Local Government Unit of Piñan shall carry out the following protective responsibility to children:

1. Ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinion, or belief of the child's parents, legal guardians, or family members;
2. Intervene on behalf of the child when the parents, guardian, teacher or persons having care or custody of the child fails or is unable to protect the child against abuse, exploitation and discrimination or when such acts against the child are committed by the said parent, guardian, teacher or person having care and custody of the same.
3. Ensure that a child shall not be separated from his or her parents against their will. If the separation of the child is necessary for a valid reason and for the best interest of the child as stipulated by law in particular case like abuse or neglect of the child by the parents, a decision must be made by the local social welfare and

development office in coordination with the DSWD as to the child's place of home and residence.

4. Children of indigenous cultural communities shall be entitled to protection, survival, and development consistent with customs and traditions of their respective communities.

**Section 9. Participation Rights.** Refers to the child's rights to participate in matters that affect him or her most by providing all appropriate venues where he or she 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. The following are the participation rights;

1. Every child has the right to be provided the opportunity to be heard in any judicial and administrative proceedings him or her, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law;
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 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.

## Article 2 RESPONSIBILITIES OF THE CHILD

**Section 10. 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 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 endeavor 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 to 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 or world peace.

### CHAPTER III ROLES AND FUNCTIONS OF VARIOUS SECTORS

**Section 11. The Family.** The family is a basic social institution which public policy cherishes and protects. Accordingly, family relations are governed by laws and no custom, practice or agreement destructive of the family shall be recognized or given effect.

It is central unit responsible for the primary socialization of children which is important in the prevention of children's rights violations. Governmental and social efforts to preserve the integrity of the family, including the extended family, should be pursued.

**Section 12. The Role and Function of the Family.** 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 and, in relation to all other persons or institutions dealing with children's development, the primary right and obligation to provide for their upbringing.

**Section 13. General Duties of Parents.** Parents shall have the following general duties toward their children:

- a. To give to them affection, companionship and understanding;
- b. To extend to them the benefits of moral guidance, self-discipline and religious instruction;
- c. Parents have the right to discipline their children as may be necessary for the formation of their good character, 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 the 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 Articles 225 to 227 of the Family Code;

**Section 14. Separation of Children from their Families.** Every effort shall be made to prevent the separation of children from their families. Whenever children are separated for some reasonable cause, all efforts shall be exerted to ensure that child is safe physically, emotionally, and psychologically. The social worker of the Department of Social Welfare and Development or from the local social welfare and development office where the child resides shall take the lead role in making the appropriate alternative family care or institutional placement.

Families and community institutions working as foster homes shall be given support to help meet the special needs of children particularly orphaned, displaced and abandoned children. Efforts must be made to ensure that no child is treated as an outcast of society.

**Section 15. 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.

To achieve that and to prepare women for their various roles, equal opportunity shall be provided for the girl-children for them to benefit from the health, nutrition, education and other basic services for their full growth.

**Section 16. 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.

Equal opportunity shall be provided to the boy children for them to benefit from the health, nutrition, education and other basic services for their full growth and development.

**Section 17. 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 and shall ensure child-sensitive teachers and administrators, subject to guidelines set by the Department of Education (Dep Ed) and the Commission on Higher Education (CHED).

**Section 18. 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 a balance approach. Special attention should be given to effective anti-drug awareness campaign and delinquency prevention.

**Section 19. Role of Judicial Institutions.** In the administration of justice, courts, prosecutors and other actors shall ensure that the rights of children are protected and promoted at all times. They shall conduct programs and activities geared towards enhancing children's rights.

**Section 20. Role of the Local Government Unit.** The local government unit (LGU) shall come up with a comprehensive and integrated program for children and allocate appropriate budget for its implementation.

**Section 21. Role of the Municipal Council for the Welfare of Children.** This council shall, in addition to its existing duties and functions, coordinate with and assist their corresponding Barangay Council for the Protection of Children in coming up with a comprehensive program for children and be the primary body to oversee its program implementation.

**Section 22. Role of the Sangguniang Kabataan.** The Sangguniang Kabataan (SK) as established by law shall, in addition to its power and functions, actively involve itself in the formulation and implementation of community-based preventive and protective programs. It shall coordinate with the Municipal Council for the Welfare of Children for this purpose. It is encouraged that the SK shall devote at least 50% of its annual budget to preventive and developmental programs for the youth while the remaining budget for other support activities and projects like the development of local recreational parks and playground for children and others.

#### CHAPTER IV Article 1

#### PROGRAMS AND SERVICES FOR CHILDREN

**Section 23. Comprehensive and Integrated Development Plan for Children.** the municipality through the Municipal Council for the Welfare of Children and other sectoral entities including government and private organizations shall, within the year of the effectivity of this code and every three (3) years thereafter shall, formulate a comprehensive and integrated development plan for children covering at least three-year period. The plan shall include preventive, protective, rehabilitative, and developmental programs for children based on a situational analysis of the local conditions of children including those that are categorized as most vulnerable and special and from a reviewed consolidated development plan for children at the barangay level.

The process of institutionalizing the development plan shall be consultative and participative in nature wherein sectoral entities and experts are tapped and involved particularly child-focused institutions and non-government organizations, youth and children organizations, educational institutions, and government agencies involved in the welfare and development program for children like the Department of Social Welfare and Development (DSWD), Department of Health (DOH), and the Department of Education (DepEd) to be spearheaded by the Local Government Unit in coordination with the Municipal Council for the Welfare of Children.

Alternative measures to ensure positive result shall involve the following:

**a. Community Approach.** 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 for children 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 counseling and guidance to children and their families should be developed, or strengthened where they exist.

**b. Capability Building Program of Children.** The municipality shall develop capability building programs to encourage children's participation in community affairs and enhance their development.

**Section 24. Development of a Comprehensive and Integrated Program for Children.** The Children's Program shall be comprehensive and integrated in nature considering that the plan of activities and project derived from and a product of the comprehensive and integrated development plan developed by the municipality in a holistic and consultative manner. It draws from the situational analysis on the conditions of children and their families utilizing the strategic process of convergence, mapping, and focus targeting.

The LGU should see to it that the children and youth themselves participate in the formulation, development and implementation of these programs, particularly in the identification of needs.

**Section 25. Periodic Program Review and Assessment of the Comprehensive and Integrated Program for Children.** There shall be a regular and periodic program review and assessment of the Comprehensive and Integrated Program Plan for Children yearly within the month of October (National Children's Month) at the discretion of the Municipal Council for the Welfare of Children. The program review shall cover the strengths and weakness of the program to the beneficiaries including problems, issues and concerns in program implementation.

**Section 26. Preventive Programs.** Prevention programs which shall be an important component of the Comprehensive Children's Program shall be implemented by the LGU through the Municipal Council for the Welfare of Children's, 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 primarily in the overall interest of the children guided by fairness and equality.

**Section 27. Parent Education Sessions.** Parent Education shall be strengthened in the municipality to ensure that every couple and parent shall understand their obligations and responsibilities as couple and as parents to children. Every office of the local government unit of Piñan particularly those delivering basic services shall ensure that programs on parent education shall be integrated in their regular program of activities.

- a. **Responsible Parenting Session and Movement (RPS).** There shall be a couple session on Responsible Parenting in the barangay by a trained team on Responsible Parenting Movement through the Local Population Office in

partnership with the Municipal Health Office, Municipal Social Welfare and Development Office, and non-government organizations advocating family welfare and natural family planning. This intends to improve marital and parenting roles and responsibilities that advocate a friendly, supportive, and caring family system. Topics will include Responsible Parenting along the sub-topic in Essence and Meaning of Children, Duties and Responsibilities of Parents, Rights of Children, Family Formation, Family Health, Parenting the Pre-teen, and Parenting the Teenager; Family Relationship along the sub-topic in Making Marriage Work, Husband-Wife Relationship, Parent-Child Relationship, and Relationship with Relatives and In-Laws; Home Management and Budgeting along the sub-topic in Financial Management, and Maintaining the Home; and Fertility Awareness and Natural Family Planning along the sub-topic in Fertility Awareness, and Natural Family Planning Methods.

Couples who are graduates of the Parenting Session shall be organized into a Responsible Parenting Movement who will reach out other couples of reproductive age and provide the same session to couples.

**b. Family Development Session (FDS).** The Municipal Social Welfare and Development Office shall spearhead the conduct of a modular session on Parent Effectiveness Services in the barangay both Day Care Service-Parent Group (DCSPG) and Community-Based Parent Effectiveness Session to parents with children 0 to 6 years old.

**c. Marriage Counseling (MC).** Marriage applicants shall be required to attend and participate in a Marriage Counseling Session by the Municipal Social Welfare and Development Office prior to the issuance of a marriage license by the Office of the Local Civil Registrar as mandated by the Family Code. This shall be an inter-agency endeavor comprising of MHO, MSWDO, MAO, Municipal PopDev., and representatives from the non-government organizations in line with the provisions provided under Municipal Ordinance No. 17-002, Series of 2017.

**d. Modular Women Session.** The Municipal Social Welfare and Development Office of the municipality of Piñan in partnership with the non-government organization and barangay women organization shall conduct a community-based modular women session particularly those that are considered economically and socially vulnerable. Topics for discussion will include "woman and herself", "woman as a girl", "women as a wife", "woman as a mother", and "woman as a member of the community".

**e. Mother's Class.** The Municipal Health Office shall regularly conduct a Mother's Class among mothers belonging to the reproductive age. Topics for discussion shall include maternal and child health, responsible parenthood, health and sanitation, and home management.

**f. Intensive Nutrition Education-Information-Dissemination.** The Office of the Municipal Nutrition Council in partnership with the Barangay Nutrition Council shall conduct an intensified Nutrition Education-Information-Dissemination in all the barangays through the Barangay Nutrition Scholars to ensure that the community particularly parents are aware on proper nutrition and the maintenance of a healthy life and lifestyle.

**g. PTCA-Parent Education Session and Congress.** The district office of the Department of Education of Piñan shall spearhead the conduct of PTCA- Parent Education Session in all schools and the holding of an annual Municipal PTCA Congress once every other year in partnership with the local government unit of Piñan funding in which shall be taken from the budget of the Local School Board.

Department heads of local offices that have program on children and family including national offices assigned in the municipality shall attend the congress and consider the issues and problems shall be taken into consideration in the implementation of their regular office and department programs and projects. The DepEd district office shall develop a training and congress design for this purpose.

**Section 28. Promotion of Primary Health Care Programs.** The barangay health centers shall implement the primary health care program. Each barangay health center shall designate a barangay child health officer to monitor children's health in the barangay level, with a salary commensurate to the task assigned.

To further ensure the implementation of this Section, the municipal government of Piñan shall take appropriate measures:

- a. To combat disease and malnutrition within the framework of primary health care through, inter alia, application of readily available technology and 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;
- c. Health and child-rearing practices in the context of the Filipino psychology and culture;
- d. To monitor the full implementation of the Milk Code of the Philippines and advocate for the prosecution of milk firms which violate such code;
- e. To conduct massive information and education on breastfeeding, utilizing existing reference materials for effective breastfeeding education program. Integrating information on breastfeeding shall be an integrated shall be an integral part of all school curricula.

**Section 29. Child and Gender Sensitivity Training for Employees and Child Friendly Stakeholders.** All employees of the municipality of Piñan either local and national including non-government organizations shall required to attend training courses on child and gender sensitivity to be conducted by the Municipal for the Welfare of Children.

**Section 30. Child-and-Family Friendly Clinics and Health Centers.** All clinics and health centers shall set up child-friendly units to include rooming-in facilities and pediatric appropriate mechanisms and gadgets. They shall also not deny husbands/partners inside the delivery room during delivery of their wives/partners. This shall be spearheaded by the Municipal Health Office.

**Section 31. Programs for Children with Special Needs.** The Municipal Government of Piñan through the Municipal Council for the Welfare of Children 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 services (health, nutrition and education) for children with special needs.

**Section 32. Educators and Health Professionals' Training in the Management of Special 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 of Piñan.



**Section 33. Full Implementation of Early Childhood Care and Development Program.** Pursuant to Republic Act No. 8980 otherwise known as the Early Childhood Care and Development Act, the municipality of Piñan through the Municipal Council for the Welfare of the Children and the Municipal ECCD Coordinating Committee shall ensure the full implementation of ECCD Program in the municipality. These programs cover:

**a. Center-Based ECCD Program which include:**

**a.1 Day Care Service.** There shall be established one accredited and licensed day care center in every barangay of the municipality of Piñan as mandated under Republic Act No. 6972 under the management and supervision of the Municipality Social Welfare and Development Office that provides a holistic development of pre-school children ages 3 to 6 years old with the local government units both the municipality and barangays shall ensure that the day care workers as service provider will be justly compensated and supported in their work.

**a.2. Public and Private Center-Based ECCD Program including Community or Church-Based ECCD Programs.** Public and private center-based ECCD program including community or church-based Programs shall ensure that the operation of their centers are legal and met standars for operation. The Municipal ECCD Coordinating Committee of the Municipal Council for the Welfare of Children shall monitor the operation of ECCD Centers and provides technical assistance to provide quality services to children.

**b. Home-Based ECCD Program.** The Municipality of Piñan through the Municipal Social Welfare and Development Office shall develop programs for children aging 0 to 6 years old particularly in areas where there are no existing day care center or other ECCD centers. These include the establishment of a Neighborhood-Based Play Groups, and Family Day Care Program.

**c. Municipal Early Childhood Care and Development Resource Center.** The Municipality of Piñan shall establish a Municipal ECCD Resource Center as library, research and resource center to children and for all ECC service providers. Funding for this purpose and maintenance shall be taken from the twenty (20) percent Economic Development Fund of the municipality and from other sources.

**d. Organization of the Municipal ECCD Coordinating Committee.** There shall be organized Municipal ECCD Coordinating Committee under the existing municipal council for the welfare of children to be headed by the Municipal Mayor with an appointed municipal ECCD Coordinator from the Municipal Social Welfare Development Office.

**Section 34. Municipal and Barangay Children's Playground.** There shall be established in every barangay and in the municipality a Children's Playground as play area and apparatus for children by the Sangguniang Kabataan. Fund for this purpose shall be taken from ten (10) percent budget for Sangguniang Kabataan.

**Section 35. Development and Revival of Indigenous Games Recreation.** A barangay-level program for the indigenous games and recreation shall be developed and revived. Research and documentation of indigenous games and pastimes shall be undertaken by the Municipal Council for the Welfare of Children through the Department of Education (DepEd) and the SangguniangKabataan. Every barangay in the municipality shall allocate funds for recreational activities and various athletic and sports program for children and youth particularly during special celebration and festivity in the barangay.

**Section 36. Establishment of a Youth Detention Home.** The Municipal Council for the Welfare of Children through the initiative of the Municipal Mayor shall establish in the municipality a Youth Detention Home as 24-hour child-caring home to cater to Children in Conflict with the Law (CICL) who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction. It shall be closely supervised and maintained by the Municipal Social Welfare and Development Office in partnership with the Philippine National Police and other members of the MCWC. Pursuant to Municipal Ordinance No. 17-001, Series of 2017 under Section 4 (k), Article 1 that a Drop -In Center shall be established as an intensive juvenile intervention and support center.

**Section 37. Establishment of a Municipal Children and Youth Sports and Recreational Center.** The Municipality of Piñan through the initiative of the Municipal Council for the Welfare of Children and the Sangguniang Kabataan Federation shall establish a Municipal Children and Youth Sports and Recreational Center to cater to sports and recreational needs of children and youth. This will also serve as diversion facility for the out-of-school youth in their unoccupied time in the barangay. Facilities of the center will include sports and play paraphernalia for table tennis, boxing, chess, dart and other.

**Section 38. Annual Barangay and Municipal Children's Congress.** The Municipality of Piñan through the Sangguniang Kabataan Federation in coordination with the Municipal Social Welfare and Development Office, Department of the Interior and Local Government, Department of Education, and other members of the Municipal Council for the Welfare of Children shall conduct shall conduct an annual Municipal Children's Congress to be participated by children in the elementary and high school including out-of-school youth of the Pag-asa Youth Association of the Philippines (PYAP) Municipal Federation ages 10 to 17 years old. This in- house and encampment congress shall include lectures on the rights and responsibilities of children, developmental theories, leadership, and other including workshops on issues affecting children and a development of an annual plan of action as Annual Strategic Plan for children.

Likewise, a Barangay Children's Congress shall be conducted also at the barangay level through the initiative of the Local Council for the Protection of Children.

**Section 39. Spiritual and Moral Development Program for Children.** Pursuant to the thrust of the Municipality of Piñan to provide an atmosphere of rectitude for its children, the municipality of shall provide activities aimed to develop the psycho-social and spiritual development of children in partnership with the non- government and religious organizations based in Piñan.

Local offices and national offices based in Piñan that are implementing program for children and youth are encouraged to integrate programs on spiritual and moral formation of children in their regular program.

**Section 40. Children's Month and Children's Day Celebration. October as Children's Month.** In keeping with the mandate of Presidential Proclamation No.267 signed on September 30, 1993 declaring the month of October as National Children's Month, the municipality of Piñan shall officially declare also the month of October of every year as Children's Month.

The Municipality of Piñan through the Municipal Council for the Welfare of Children shall convene and plan for the whole month celebration which shall focus on information-education-dissemination - advocacy on the rights of children as well as the obligations of parents, the community, and institutions in ensuring the well-being of Filipino children. Putting of streamers in strategic places including the conduct of special activities and program by stakeholder and office to highlight the celebration shall be undertaken with a kick-of parade and program.

## CHAPTER V

### Article 1 SPECIAL CONCERNS

**Section 41. Prohibited Acts.** In addition to all acts defined and penalized under Republic Act 7610 on Child Abuse and Exploitation, Republic Acts 7658 on Child labor and other pertinent laws, the following acts shall likewise be punishable;

- a. Illegal Recruitment – any person who recruits other persons for work shall be required to register with and secure a permit from the Office of the Punong Barangay in the place of recruitment with an undertaking not to recruit children.
  - i. There is a presumption of illegal recruitment when a person is found together with minor/s not his/ her relatives at any exit point for the purpose of transporting the minor to another place without any permit from the Punong Barangay.
- b. Trafficking of Children- the recruitment, transportation, transfer or harboring, or receipt of children within or across national boundaries for the purpose of exploitation which includes prostitution and other forms of sexual exploitation, force labor or services, slavery, servitude or the removal or sale of organs, among other;
- c. Peonage of Children- offering a child or the services of a child as payment for a debt or in exchange for a favor;
- d. Pre- arrangement for Marriage – pre arrangement (*buya*) made by parents or guardians to marry off their children or wards. One manifestation of prearrangement may be when two (2) families meet to seriously talk about the marriage of their children to each other;
- e. Discrimination of children by prohibiting and depriving them of formal education and other learning opportunities;
- f. Discrimination of illegitimate Children– for school to discriminate illegitimate children as follows but not limited to the following
  - i. Refusal to accept enrollment of illegitimate in the school by reason of one's illegitimacy;
  - ii. Requiring the marriage contract of parents as a requirement for enrolment of the child;
- g. Discriminatory school rules and regulations against pregnancy – for school to have discriminatory rules and regulation against children who get pregnant which will cause their non- continuance in school and graduation;
- h. Physical and Degrading forms of Punishment – subjecting the child to physical, verbal, emotional, psychological and other forms of degrading punishment such as, but not limited to the following;
  1. Ordering or directing a child to kneel on salt and other pain – inflicting objects/ substance;
  2. Placing a child inside a sack or hanging him/ her;

3. Shaving the head of a child;
4. Harsh whipping of the child with the tail of a stingray (pagi), 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 closed structure;
7. Tying up the child or otherwise detaining him/her;
8. Throwing objects such as but not limited to eraser, chalk, 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;
12. Subjecting the child to extreme embarrassment and ridicule;
- i. Pushing/Enticing Minors- it shall be unlawful 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;
- j. Sexual Exploitation of Minors – Sexual exploitation of children by any person, foreigner or otherwise, shall be prohibited. Consorting with children not related by affinity or consanguinity, with public display of lascivious conduct shall be considered prima facie evidence exploitation;
- k. Publishing Entry, Selling and Distribution of Pornographic Materials – the Municipal Council for the Welfare of Children/local law enforcers shall monitor and prevent the entry of pornographic materials. It shall be unlawful for any person to publish, sell and distribute such materials;
- l. Selling Liquor, Cigarettes, Rugby and other Addicting Substance to a Child – It shall be unlawful for any person to sell liquor; cigarette, rugby or any addicting substance to a child;
- m. Smoking in Enclosed Places and Public Conveyances – Smoking in any enclosed place or public conveyance shall be prohibited;

The above acts which are likewise punishable in RA 7610 or the Child Abuse Act, RA 7658 on Child Labor, the Revised Penal Code, or other pertinent national laws shall be penalized thereunder. Acts or omissions not falling under said laws shall be administratively penalized by a fine of not more than One Thousand Pesos (P 1,000.00).

**Section 42. Control on Children's Exposure to Commercial Video Games and other computer generated games including billiard and other entertainment venues.** Commercial establishments renting out electronic video games or allowing children access to computer-generated games or play billiards and other similar activities during school days (7:00 o'clock in the morning to 12:00 noon and from 1:00 o'clock to 5:00 in the afternoon, except on holidays, Saturday's and Sunday's or when accompanied by parents or legal guardians, shall be subjected to the penalties as stipulated in Municipal Ordinance No. 2007- 001, Series of 2075 entitled " An Ordinance Regulating the Operation of Video Games within the Municipality of Piñan, Zamboanga del Norte".

**Section 43. Control on Children's Exposure to Internet Cafe's.** Internet cafes catering to children except college students during school days from 8:00 o'clock in the morning to 12:00 o'clock noon and from 1:00 o'clock to 4:00 in the afternoon shall be subjected to the penalties as stipulated in Municipal Ordinance No. 2011-008, s. of 2011. Provided, that children who avail of the services of these internet cafes during the aforementioned time of the day for researched and completion of school assignment purposes shall be accompanied by a parent or legal guardian.

**Section 44. Children in Situation of Armed Conflict.** 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 or the Anti-Child Abuse Act.

**Section 45. Rights of Children of Indigenous Peoples.** In addition to the rights guaranteed to children under this Code and existing laws, children of indigenous peoples shall be entitled to protection, survival and development consistent with the customs and traditions of their respective communities.

Children of indigenous people shall not be subjected to any form of discrimination.

**Section 46. Rights of the Juveniles.** Every child alleged or accused of having infringed the penal law is entitled under this Code and existing laws, children of indigenous peoples shall be entitled to protection, survival and development consistent with the customs and traditions of their respective communities.

## CHAPTER VI

### Article 1 IMPLEMENTING MECHANICS

**Section 47. Creation of the Municipal Council for the Welfare of Children.** The Municipality of Piñan shall create a council for children known as the Municipal Council for the Welfare of Children (MCWC) and coordinate with barangays in the creation and organization of the Barangay Council for the Protection of Children (BCPC) at the barangay level. This is in keeping with the mandate of the MCWC to coordinate the formulation, implementation and enforcement of all policies, programs, and projects relative to the survival, development and protection of children of the Municipal Councils.

The MCWC shall ensure the effective implementation of the Philippine Government's commitment to the Convention on the Rights of the Child, World Declaration on the Survival, Development and Protection of Children, and the Child 21 Framework.

It shall plan and implement programs and services for children by virtue of the LGU's power and authority to plan and implement local socio-economic development plans, policies, and programs.

**Section 48. 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;
  - i. The Municipal Mayor;

- ii. The Chairperson of the Sangguniang Bayan Committee on Women, Children, and Family Affairs,;
  - iii. The Municipal Planning and Development Coordinator;
  - iv. The Municipal Social Welfare and Development Officer;
  - v. The Municipal Health Officer;
  - vi. The District Supervisors of Piñan District;
  - vii. The Municipal Trial Court Judge;
  - viii. The Municipal Budget Officer;
  - ix. The Municipal Local Government Operations Officer of the Department of Interior and Local Government (DILG);
  - x. The Chief of Police of the Philippine National Police Municipal Command;
  - xi. The Municipal Nutrition Action Officer;
  - xii. The President of the Association of Barangay Councils (ABC);
  - xiii. A member of the Local Finance Committee;
  - xiv. Two (2) People's Council representatives; and
- b. The MCWC shall have the following functions;
- i. To formulate the municipal plan of action for children, incorporating projects and programs needing assistance submitted by their constituent barangays; and ensure the integration of these plans into the Municipal Development Plan;
  - ii. To review and integrate the municipal programs and projects needing assistance into the Municipal Comprehensive Program for Children;
  - iii. To monitor and evaluate implementation of the barangay and municipal plans and programs;
  - iv. To submit quarterly status reports on the implementation of the Municipal Comprehensive Program for Children through the Municipal Development Council (MDC);
  - v. To recommend policies and programs to the MDC;
  - vi. To provide the necessary technical assistance to the municipal and barangay councils, if called for;
  - vii. To advocate for the passage of relevant child and youth protective ordinances;
  - viii. To advocate for increased support and resource allocation for children's programs and projects from municipal government and secure resources for the same from other sources;
  - ix. To provide technical assistance to the community-based frontline workers through the conduct of capability building and human resource development activities;

x. To prepare contingency measures to protect children and their families in crisis brought about by the natural and human-made calamities; and

xi. To identify and recommend programs and services to be contracted for implementation by NGO's and other entities in the implementation of this Code.

Secretariat support shall be provided by the Office of the Municipal Social Welfare and Development. The secretariat shall be responsible for the documentation of proceeding of meeting and preparation of the reports and other necessary documents as needed by the Council.

There shall also be established a separate office of the Municipal Council for the Welfare of Children under the Office of the Municipal Mayor to be manned by a designated employee of the Local Government Unit of Piñan under the supervision of the Municipal Social Welfare and Development Office. There shall be an independent budget for the operation of the office from any appropriated budget of the Chief Executive.

**Section 49. Creation of the 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;
- b. To ensure that every child in the barangay acquires at least an elementary education;
- c. 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;
- d. To report all cases of child abuse to the proper authorities;
- e. To protect and assist abandoned; maltreated and abused children and facilitate their cases filed against child abusers;
- f. To prevent child labor in their area to protect working children from abuse and exploitation;
- g. To take steps to prevent juvenile delinquency and to assist children with behavioral problems so the they can get expert advice;
- h. To adopt measures to promote the health and nutrition of children;
- i. To promote the opening and maintenance of playgrounds and day care centers and other services that are necessary for child and youth welfare;
- j. To secure the cooperation of organizations devoted to the welfare of children and coordinate their activities;
- k. To promote wholesome entertainment in the community especially in movie houses;
- l. To assist parents whenever necessary in securing expert guidance counseling from the proper governmental or private welfare agencies;

- m. To advocate for the passage of child-friendly barangay ordinances in response to child-related issues and concerns;
- n. 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
- o. To submit quarterly barangay accomplishment reports on the implementation of the plan to the MCWC.

**Section 50. Internal Rules of the Municipal Council for the Welfare of Children.** The MCWC shall adopt its 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.

**Section 51. Creation of a Desk for Women and Children's Concerns.** There shall be created a Desk for Women and Children's Concerns under the Office of the Municipal Social Welfare and Development who will handle cases of abused women and children who are abused, neglected, abandoned, differently-including children in conflict with law.

## CHAPTER VII

### Article 1

#### REMEDIAL MEASURES AND PENAL PROVISIONS

**Section 52. 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. An Officer, social worker or representative of a licensed child-caring institution;
- e. An Officer or social worker of the Department of Social Welfare and Development;
- f. An Officer or social worker of the Local Social Welfare and Development Office;
- g. Punong Barangay; or
- h. At least three (3) concerned responsible citizens residing in the community where the violation occurred as secretariat for the MCWC;

**Section 53. Protective Custody of the Child.** The offended party shall be immediately placed under the protective custody of the Department of Social Welfare and Development through the Municipal 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 Department of Social Welfare and Development shall be free from any administrative, civil or criminal liability. Custody proceedings shall be in accordance with the provisions of Presidential Decree No. 603.



**Section 54. 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 editor of the film in case of the movie industry, to cause undue and sensationalized and suffering of the offended party.

**Section 55. Reporting.** A person who learns of facts or circumstances that give rise to the believe that a child has suffered abuse may report the same, either orally or in writing, to the Department of Social Welfare and Development (national office), the Office of the Municipal Social Welfare and Development, to the law enforcement agency or to the BCPC concerned.

**Section 56. 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.

**Section 57. 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, barangay officials, and correction officers 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.

**Section 58. Failure to Report.** Any individual mentioned in Sections 55-57 of this Code 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.

**Section 59. Immunity for Reporting.** Any person who, acting in good faith, reports a case of child abuse shall be free from any civil or administrative liability arising therefrom. There shall be a presumption that any person acted in good faith.

**Section 60. Penalties.** For offenses punishable under R.A. 7610, R.A. 7658, the Revised Penal Code or any other law as well as this Code, the offended party and/or any party so authorized shall file a complaint under the national law, and the penalty in such national law shall be imposed.

## CHAPTER VIII

### Article 1 BUDGETARY APPROPRIATION

**Section 61. Appropriation for Children's Programs.** The Municipal Government of Piñan shall appropriate funds as part of their annual budget for the implementation of children's programs. It shall allocate funds necessary for the implementation of this code, drafting and publication of the IRR, training and orientation of stakeholders, and promotion of this Code to the general public.

## CHAPTER IX

### Article SEPARABILITY/APPLICABILITY/REPEALING/EFFECTIVITY CLAUSES

**Section 62. Separability Clause.** If, for any reason or reasons, any part or provision of this Code shall be held unconstitutional or invalid, other parts or provisions hereof which are not effected shall continue to be in full force and effect.

**Section 63. 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 Piñan, and to all persons, who may be subject to the provisions of this Code.

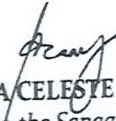
**Section 64. Repealing Clause.** All ordinances, resolutions, executive orders and other issuances which are inconsistent with any of the provisions of this Code are hereby repealed or modified accordingly.

**Section 65. Effectivity Clause.** This Code shall effect thirty (30) days after completion of its publication in a newspaper of general circular within its jurisdiction and posting in at least three (3) conspicuous places in the Municipality of Piñan.


**CARRIED UNANIMOUSLY.**

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I HEREBY CERTIFY to the correctness of the foregoing excerpt.

  
**MARIA CELESTE B. CANOY**  
*Secretary to the Sangguniang Bayan*

ATTESTED:

  
**LOUIDA P. BELANGOY**  
*Municipal Vice Mayor*  
*(Presiding Officer)*

APPROVED:

  
**CECILIA J. CARREON**  
*Municipal Mayor*

22 MAR 2017