



Republic of the Philippines
Province of Davao
MUNICIPALITY OF ASUNCION

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BEFORE THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 49TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ASUNCION, DAVAO DEL NORTE, HELD ON DECEMBER 15, 2020, AT THE AUDIO VISUAL ROOM (AVR) OF THE OLD MUNICIPAL HALL.

PRESENT:

- | | |
|---|-------------------------------|
| 1. Hon. Vice Mayor Joel M. Camello, MPA | - Presiding Officer |
| 2. SB Member Angelito C. Laride | - Member |
| 3. SB Member Reynaldo D. Panisal, Jr. | - Member |
| 4. SB Member Alvin S. Almeda, Sr | - Member |
| 5. SB Member Rocky Jay A. Binasbas, DMD | - Member |
| 6. SB Member Rogelio E. Bual | - Member |
| 7. SB Member Teofilo G. Dawa, Sr. | - Member |
| 8. SB Member Cecilio B. Cinco | - Member (ABC Representative) |
| 9. SB Member Madello M. Amoncio | - Member (SK Representative) |
| 10. SB Member Nestor L. Warag | - Member (IP Representative) |

ABSENT: None

ON OFFICIAL BUSINESS:

- SP Member Silvino P. Matobato, Jr., PTRP
SB Member Alan Q. Monteroso

Author/Sponsor: Hon. ROCKY JAY A. BINASBAS, DMD

Co-sponsors: Hons. ROGELIO E. BUAL, NESTOR L. WARAG, MADELO M. AMONCIO, CECILIO B. CINCO, ALVIN S. ALMEDA, SR., TEOFILO G. DAWA, SR., ANGELITO C. LARIDE AND REYNALDO D. PANISAL, JR.

MUNICIPAL ORDINANCE NO. 2020-006

“AN ORDINANCE PROVIDING FOR COMPREHENSIVE WELFARE FOR THE CHILDREN OF THE MUNICIPALITY OF ASUNCION, DAVAO DEL NORTE AND FOR OTHER PURPOSES AS AMENDED”

Be it ordained by the Sangguniang Bayan of Asuncion, in session, assembled, that:

**Article I
BASIC PRINCIPLES**


Section 1. Title. This Ordinance shall be known as the Municipality of Asuncion Children’s Welfare Code of 2020.

Section 2. Declaration of Policy. – It shall hereby be declared the policy of the Municipality of Asuncion:

- To put the best interest of children on top of its agenda. As such, the Local Government shall effectively promote, fully enhance and institutionalize the survival, protection, development and participation of children’s rights within the framework of advancing general welfare in furtherance of an integrated, sustainable and equitable development.
- To promote the welfare of children, which shall be the paramount consideration in all actions concerning them, consistent with local autonomy and the principle of the “Best of all the Child” as enunciated in the United Nations Convention on the Rights on the Child (CRC);and,
- To undertake the holistic protection and development of all children together with national government agencies and non-government organization concerned.

Section 3. Purpose- This code is enacted as a response to the felt problems and threats confronting the children of Asuncion. The code shall ensure that all the children of Asuncion are able to enjoy their survival, development, protection and participation rights. Specifically, the code aims to:

- Ensure the protection of children against all forms of abuse and exploitation;
- Ensure that children of Asuncion are able to grow and develop their full potentials and participate in community and nation building;


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- c. Facilitate the implementation of national and local laws on children; and
- d. Ensure the full participation of civil society organizations and other stakeholders in the promotion of children's rights; and
- e. implementation of programs and projects for children.

Section 4. Definition of Terms. – The following terms as used in this Code, shall be defined as:

1. "BahayPag-asa" refers to a 24-hour child-caring institution established, funded and managed by local government units (LGUs) and licensed and/or accredited nongovernment organizations (NGOs) providing short-term residential care for children in conflict with the law who are above fifteen (15) but below eighteen (18) years of age who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction;

2. Drop in Center. A facility that caters temporary residential services for minors, women and other distressed individuals and seek refuge and avail services;

3. "Barangay Council for the Protection of Children (BCPC)" is a body established in the barangays of the local Government Unit, pursuant to Department of Interior and Local Government (DILG) Memorandum Circular No.2002-121, which subsumes the ECCD Coordinating Committee. The expanded membership, responsibilities and additional functions of which shall be provided in the Implementing Rules and Regulations hereinafter promulgated;

4. "Best Interest of the Child" refers to the totality of the circumstances and conditions which are most congenial to the survival, protection and feelings of security of the child and most encouraging to the child's physical, psychological and emotional development. It also means the least detrimental available alternative for safeguarding the growth and development of the child;

5. "Bullying or Peer Abuse" refers to willful aggressive behavior that is directed, towards a particular victim who may be out-numbered, younger, weak, with disability, less confident, or otherwise vulnerable. More particularly it is:

- a. **Bullying** – is committed when a student commits an act or a series of acts directed towards another student or a series of single acts directed towards several students in a school setting or a place of learning, which results in physical and mental abuse, harassment, intimidation, or humiliation, and
- b. **Cyber-bullying-** is any conduct, as resulting in harassment, intimidation, or humiliation, through electronic means or other technology, such as, but not limited to texting, email, instant messaging, chatting, internet, social networking websites or other platforms of formats;

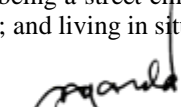
6. "Child" refers to a person below eighteen (18) years of age or one said age and who, upon evaluation of a qualified physician, psychologist or psychiatrist, is found to be incapable of taking care of himself /herself fully or of protecting himself/herself from abuse because of a physical or mental disability or condition;

7. "Child Abuse" covers the maltreatment, whether habitual or not, of the child which includes any of the following:

- i. Psychological and physical abuse, neglect, cruelty, sexual abuse or emotional maltreatment;
- ii. Any act by deeds or words which debases, degrades or demeans the inherent worth and dignity of a child as a human being
- iii. Unreasonable deprivation of the child's basic needs for survival, such as food, education, shelter, etc.
- iv. Failure to immediately give medical treatment to an injured child resulting in serious impairment of his or her growth and development or in the child's permanent incapacity or death (Sec. 3 [b], RA7610).

8. "Child Labor" is the unlawful employment of children in dangerous and/or fatiguing and/or very time-consuming occupations that restrict or damage their physical, emotional, intellectual, social, or spiritual growth as children and denies them their right to a full education;

9. "Child at Risk (CAR)" 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: being abused by any person through sexual, physical, psychological, mental, economic or any other means and the parents or guardian refuse, are unwilling, or unable to provide protection for the child; being exploited including sexually or economically; being abandoned or neglected, and after diligent search and inquiry, the parent or guardian cannot be found; coming from a dysfunctional or broken family or without a parent or guardian; being out of school; being a street child; being a member of a gang; living in a community with a high level of criminality or drug abuse; and living in situations of armed conflict;


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10. "Children Involved in Armed Conflict (CIAC)" as defined by Republic Act 11188 it refers to children who are either forcibly, compulsory recruited, or who voluntarily joined a government force or any armed group in any capacity. They may participant directly in armed hostilities as combatants or fighters; or indirectly through support roles such as scouts, spies, saboteurs, decoys, checkpoint assistance, couriers, messengers, porters, cooks or sexual objects.

11. "Children in Situations of Armed Conflict (CSAC)" refers to all children involved in armed conflict, children affected by armed conflict and internally displaced children;

12. "Child in Conflict with the Law (CICL)" as defined by RA9344, otherwise known as the Juvenile Justice Welfare Act, it refers to a child who is alleged as, accused of, or adjudged as, having committed an offense under the Philippine Laws;

13. "Child Trafficking" covers the recruitment, transfer or deployment of a child and/or harboring a receipt of child with or without the victim's consent or knowledge, through legal or illegal means, fraud or deceit, violence, coercion, intimidation, abuse of position or authority, within or across national borders for purposes or prostitution, work, services, marriage or adoption and other similar arrangements characterized by forced labor, slavery-like practices of sexual exploitation;

14. "Child Pornography" refers to any representation of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes;

15. "Comprehensive Program for Children on Special Protection (CNSP)" pertains to the coordinated program services and facilities to protect children such as: children in worst forms of child labor such as those in commercially and sexually exploitative employment; neglected and abandoned children; street children; volatile substance and prohibited drugs and prohibited drug abusers; out-of-School Youths; victims of child abuse; children in various forms of disability; children in situations of armed conflict; children of migrant indigenous people; children of religious groups suffering from discrimination; victims of child trafficking; teen-age couples; victims of child pornography and child sex ring syndicates; children of Overseas Contract Workers; children living with HIV/AIDS/STD; children of solo parents; and children victims of calamity/disaster and demolition;

16. "Diversion" is an alternative child-appropriate process of determining the responsibility and Treatment of a child in conflict with the law on the basic of his/her social, cultural, religious, economic, psychological or educational background without resorting to formal court adjudication;

17. "Diversion Program" refers to the program that the Child in Conflict with the Law(CILC) is required to undergo in lieu of formal court proceedings.

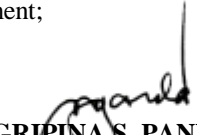
18. "Early Childhood Care and Development (ECCD)" refers to the full range of health, nutrition, early education and social services development programs that provide for the basic holistic needs of young children from age zero (0) to four (4) years; and to promote their optimum growth and development;

19. "Entertainment Establishment" are business establishments which include bars, nightclubs, beer houses, cocktail lounges and massage clinics, videoke and karaoke bars, sing-along pub houses within Asuncion;

20. "Internet Café and Kiosk" refers to a register or not registered establishment that offers or proposes to offer services to the public for the use of its computer/s or computer system for the purpose of accessing the internet, computer games or related services;

21. "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 counseling, skills training, education, and other activities that will enhance his/her psychological, emotional and psycho-social well-being;

22. "Juvenile Justice and Welfare System" refers to a system dealing with children at risk and children in conflict with the law, which provides child-appropriate proceedings, including programs and services for prevention, diversion, rehabilitation, re-integration and aftercare to ensure their normal growth and development;


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23. **“Municipal Council for the Protection of Children (MCPC)”** is a body established in the Municipality , pursuant to Department of Interior and Local Government (DILG) Memorandum Circular No.2002-121 which subsumes the Early childhood Care and Educational (ECCD) Coordinating Committee, the expanded membership and additional functions of which of which shall be provided in the Implementing Rules and Regulations of and Regulations hereinafter promulgated;

24. **“Street Children”** these children are on the streets, children of the streets or completely abandoned children who are staying on the streets. Street children can also be classified as children at risk;

25. **“Zone of Peace”**these are the sites in Asuncion with sacred, religious, historic, educational, cultural, geographical or environmental importance, which is protected and preserve by its own community. The peaceful of these sites must be preserved by all entities.

Article II
RIGHTS AND RESPONSIBILITIES OF THE CHILD

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

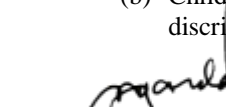
Every child shall process the following rights which are classified into Survival, Development, Protection and Participation Rights:

- a. **Survival Rights** deal with the provision in relation to parental and governmental duties and liabilities, adequate, living standard and access to basic health services and social security. It includes the: right to life; right to health; right to be cared for by the parents; right to adequate food, shelter and clothing; right to be adopted if it be for the best interest of the child.
- c. **Protection Rights** cover those who guard children against all forms of child abuse, exploitation and discrimination in the major areas where a child is considered in extremely difficult circumstances. It includes the:right to a name and nationality; right to be protected from discrimination; right to be protected from abduction and sale; right to be protected from war; right to be protected by law from drug abuse, physical abuse and degrading treatment; right to be protected from all forms of sexual abuse; right to dignity and worth even when in conflict with the law; and right to be protected from economic abuse .
- d. **Development Rights** pertain 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. It includes the:right to education; right to freedom of thought, conscience and religion; right to useful and wholesome information to prepare the child for responsible adulthood; right to rest and play; and right to enjoy a full and decent life even when mentally or physically handicapped.
- e. **Participation Rights** include child’s freedom to express oneself in matters affecting his/her life. **As capacities evolve, the child shall have increasing opportunities to take part in the activities of society as preparation for responsible parenthood.** It includes the right to freedom of expression, right to freedom of association, and right to peaceful assembly

Section 6. Participation of Children in Decision Making Process. The children in the family, school, community or other organizations or institutions shall be heard. Each child regardless of into account in any matter or procedure affecting the child. It shall be the responsibility of the leaders to provide opportunities for children to express his or her views, to obtain information, make ideas or information known, regardless of ethnicity, religion, age, or sex

Section 7. Survival, Protection and Development of Children of Indigenous Cultural Communities.

- (a) In addition to the rights guaranteed to children under this code and the existing laws, children or migrant indigenous cultural communities shall be entitled to protection, survival and development consistent with the customs and traditional of their respective communities.
- (b) Children of indigenous cultural communities shall not be subjected to any and all forms of discrimination.


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Section 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, righteous and virtuous life in accordance with the tenets of his/her religion or belief, teaching of his/her elders and mentors, and the bidding of a clean conscience.
- (b) Love, obey and respect his/her parents, family elders and cooperate with them in the strengthening of family ties;
- (c) Extend to his/her brothers or sisters, love, thoughtfulness, and helpfulness and endeavor to keep the family harmonious, united and close-knit;
- (d) Exert his/her utmost effort to develop his/her potentials for service to the country and his fellowmen, particularly by undergoing a formal education suited to his/her abilities, in order that he/she may become a useful and productive citizen of his/her country;
- (e) Respect and obey not only his/her elders but also his teachers/mentors, and also the customs and traditions of his/her people the memory of his/her people's heroes, the Divine Law, the duly constituted authorities, the laws of the land, and the principles and institutions of democracy.
- (f) Actively participate in civic affairs and in the promotion of the general welfare, recognizing that he/she is the youth who will eventually be called upon to discharge the responsibility of leadership in shaping the nation's future;
- (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 aspirations for unity and prosperity, and the furtherance of peace; and
- (h) Report of violence, sexual assault, against them to their guardians, persons in authority or any respected persons and cooperate with law enforcement agencies.

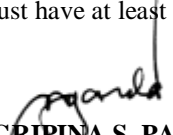
Article III SURVIVAL RIGHTS OF CHILDREN

Section 9. Primary Health Care – The Municipality of Asuncion through the Municipal Health Office shall formulate and implement a primary health care program which shall provide the following services:

1. Polio Prevention Program
2. Maternal and Child Care Program
3. Immunization Program
4. Health Education Services
5. Provision of Essential drugs
6. Garantisadong Pambata Program
7. Reproductive Health Program
8. Foster Care and adoption Program
9. Training of BNS/BHW/Child Development Teachers and other health workers,
10. Establishment of Integrated Management Childhood Illness (IMCI)
11. Other primary health care services

Section 10. Family Planning. Through the health services, the Municipality of Asuncion shall establish programs and services that enable parents to deliberately and responsibly decide the number of and spacing of their children, by avoiding for the time being, or even for an indefinite period. These include provision of free family planning commodities that are medically safe, legal, non-abortifacient, effective and culturally acceptable to all parents, conduct of information education campaign at the barangay level, establishment of family planning service package at the local government and private run hospitals and clinics, and expansion of PHIC package through the establishment of point of care and point of service.

Section 11. Child Friendly Hospital/Clinics. All hospitals in the municipality whether public or private, shall set-up child-friendly sections to include **rooming-in/breastfeeding facilities** and pediatric rooms, with appropriate mechanisms, gadgets and equipment in compliance with the policies of the DOH on breastfeeding. Furthermore, all hospitals must have at least one competent and/or specialists that can handle child victims of any forms of abuse.


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Section 11. Reproductive Health. In accordance with Responsible Parenthood and Reproductive Health Law in 2012, achieving reproductive health and rights for all should be considered by the local government unit. The following services should be establish for both male and female: family planning services, counseling and information; pre-natal, post-natal and delivery care; nutrition and health care for infants and children; treatment for reproduction tract infection and STDs; management of abortion-related complications; prevention and appropriate treatment for infertility; IEC on human sexuality, reproductive health and responsible parenthood; male involvement; adolescent reproductive health; and services to victims/survivors of violence against women.

Section 12. Environmental Sanitation. This program ensures that all households must be provided with safe drinking-water supply, enforce regulation on proper sanitation mechanism, establishment of zero open defecation program (ZODP), food sanitation, air pollution, chemical safety, WASH in emergency situations, and climate change for Health and Health Impact Assessment (HIA).

Section 13. Establishment of Integrated Clinic Information System (iClinicSys). The Municipal Health Unit must establish electronic medical health records that is harmonized with the Department of Health and PhilHealth (PHIC). It aims at improving quality health care in the municipality through technology and information sharing, maintaining overall better patient treatment, quality and safety, while reducing unnecessary cost and paperwork, and manage and coordinate patient information through an electronic medical record system.


Section 14. Nutrition Program for Children. The Municipality of Asuncion should ensure the establishment of local nutrition mechanism to fight hunger, child undernutrition, maternal undernutrition, micronutrient deficiencies, and obesity and overweight. Nutrition Program components shall include the following:

- Advocacy and implementation of breastfeeding practices;
- Micronutrient supplementation services like Vitamin A supplementation to be provided to infants and children 6-59 months of age, Iron supplementation to pregnant and lactating women and low birth weight babies and children 6-11 months of age, Iodine supplementation to women of reproductive age group, school age children, and Calcium supplementation for pregnant women;
- Universal Salt Iodization
- Food fortification
- Supplementary Feeding Program
- Monitoring and reporting of nutritional status of children

Through the Local Health Board, the following initiatives shall also be in placed:

- Municipal Special Task Force shall be constituted that shall monitor periodically, *motupropio* or upon request for assistance by the Punong Barangay, by conducting unscheduled inspection, on the quality of food-grade salt producers to the standards set by the BFAD. The Task force shall also check the compliance of food manufactures to RA 8976.
- Municipal Nutrition Council (MNC), in coordination with the municipal Information Officer, is hereby directed to: formulate and implement a public information and awareness program on the benefits or the use of iodized salt and food fortification; coordinate with MCPC/BCPC, in the conduct of awareness program on the importance and benefits of iodized salt and food fortification; cause the posting at the end of every month in at least two (2) conspicuous places, of a list of suppliers, manufactures and retailers who have complied with this code, and
- Sustain Support to Barangay Nutrition Scholars, Barangay Health Workers and Child Development Teachers (day care workers) Program. This involves the training, deployment, supervision and provision of financial assistance to BNS and BHW who administer local health and nutrition program activities.
- Formulation of Municipal Plan of Action for Nutrition (NPAN) is the municipality's response to malnutrition. It is an integral component of National Plan of Action for Nutrition (NPAN) that provides framework for improving nutritional status of children in Asuncion.

Section 15. Sentrong Sigla Movement. – the LGU through the Municipal Health Office personnel shall establish a plan to support SentrongSigla Movement (SSM) in order to assure quality health service for children. The Municipal Health Office shall improve access to and use of quality data and information on HIV/AIDS by conducting a situation assessment and analysis of young people and HIV/AIDS; and fostering young people's access to youth- friendly, gender-sensitive health services that provide voluntary and confidential HIV testing and counseling; and essential health service and treatment for sexuality transmitted infections.


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Section 16. Medical and Health Personal Development- To ensure the continuity in the provision of quality health care, a program to address the current brain drain in health manpowered particularly doctors and nurses shall be developed and implemented. The LGU shall also conduct periodic review and upgrading of the salaries and wages of medical and health personnel to make it competitive.

Section 17. Dengue Prevention and Control Program. The Municipal Health Office shall spearhead the multi-sectoral effort in controlling and eliminating Dengue in Asuncion. Among its component activities include: institutionalization of regular clean-up drives including search and destroying mosquito breeding sites and fogging in barangays, schools, and government offices; encouragement of awareness and self-protection and prevention program; provision of consultation at the nearest health centers; establishment of Dengue fast lane in local hospitals and clinics; and conduct of information and education campaign on the prevention and control of Dengue.

Section 18. Schistosomiasis and other Intestinal Parasitic Infection. The Municipality of Asuncion must ensure the interruption of transmission of Schistosomiasis and other intestinal parasitic infection caused by contaminated freshwater sources. The Municipal Health Unit shall strengthen control and elimination initiatives by adopting multi-stakeholder approach through conduct of preventive information education campaign., establishment of Water, Sanitation and Hygiene (WASH), strict implementation of veterinary public health and the promotion of animal health, and effective intermediate host control and surveillance.

Section 19. STI, HIV and AIDS Prevention Program. To reduce the transmission of STI, HIV and AIDS among the most at risk population and mitigate its impact the local government unit shall establish interventions and strategies that include: availability of counseling services and referral pathway for testing service; provision of free condom especially for entertainment establishments; peer education and outreach program; and empowerment of communities through the conduct of information education campaign and other advocacy initiatives that increase awareness on the prevention of STI, HIV and AIDS at the barangay, schools, and among support groups like LGBTQA.

Section 20. Mental Health Program. In consonance with the Republic Act Number 11036, otherwise known as the Mental Health Act, Asuncion Municipality shall a mental health services directing towards improving the health of children and adult population in schools, workplaces and barangays:

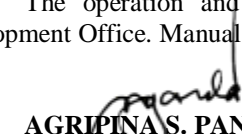
- Referral pathway should be established for patients/clients with psychiatric, neurologic, psychosocial health needs, and substance abuse disorder and other forms of addiction to proper mental health service provider.
- Provision of mental health and psychosocial support to children, families and individuals during personal and community widespread disaster.
- Establishment of wellness of daily living program at school, workplace and communities through the conduct of mental health advocacy activities, promotion of healthy lifestyle, prevention of and control of diseases, family wellness program and implementation of social protection, health and safety/security programs that are protective factors for the people of Asuncion.

Section 21. Establishment of Teen Tambayan. Teen Tambayan is an adolescent-friendly space that provides health promotion, psychosocial support and behavior change for adolescents in Asuncion. Teen Tambayan will be establish along municipal complex, schools and community based. Services may include the following: advocacy on teen-age pregnancy prevention; nutrition, safe motherhood; family planning, oral health, dangerous drugs abuse and prevention, mental health, counseling/psychosocial support, STI/HIV/AIDS prevention, women and children protection, among others.

Section 22. Pre-Marriage Counseling Seminar. In collaboration with the Municipal health office, Municipal Social Welfare and Development Office and other concerned agencies, pre-married couple who applicant for marriage license are required to participate in pre-marriage counselling (PD 965) to provide with knowledge and skills preparing them with family responsibilities and strengthen family relationship.

Section 23. Establishment of Child-Minding Center. The LGU shall establish and maintain a child-minding center to provide services to children of municipal employees and transacting clients. These services shall be provided either within their office facilities or in the areas accessible and/or acceptable to the parents. Such services shall accommodate children, aged 6 years and below, of employees with no competent household help to give assistance to parents and legal guardians in the performance of their child-rearing responsibilities, ensure the development of institutions, facilities and services for the care of children and take appropriate measures to ensure that children of working parents have the right to benefit from the child care services and facilities for which they are eligible.

The operation and maintenance of the Center shall be under the Municipal Social Welfare and Development Office. Manual of Operation/guidelines shall likewise be formulated.


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**ARTICLE IV
PROTECTION RIGHTS OF CHILDREN**

Section 24. Adoption of National Laws on Child Protection. The Local Government Unit of Asuncion shall ensure the adoption and implementation of the following National Laws concerning the Children in Need of Special Protection (CNSP) and other existing laws protecting children such as:

- Republic Act 7610 – Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act of 1994
- Republic Act 10666 – Children’s safety on Motorcycles Act of 2015
- Republic Act 9344 as Amended by Republic 10630 – Juvenile Justice Welfare Act
- Republic Act 7558 – Act Prohibiting the Employment Children Below 15 years of Age in Public and Private Undertaking of 1994 and Republic Act 9231 An Act Providing for the elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child, Amending for this Purpose RA7610
- Republic Act 9262 – Violence Against Women and their Children Act of 2006
- Republic Act 10627 – Anti-Bullying Act
- Republic Act 10175 – Cybercrime Prevention Act
- Republic Act 9775 – Anti-Child Pornography Act of 2009
- Republic Act 10364 – Expanded Anti-Trafficking in Persons Act of 2012
- Republic Act 10410 – Early Years Act
- Republic Act 10821 – Children’s Emergency Relief and Protection Act
- Republic Act 11036 - National Mental Health Policy
- Republic Act 11148 – Kalusugan at NutrisyonngMaganay
- Republic Act 11188 – Special Protection of Children in Situations of Armed Conflict
- Republic Act 9165 – Comprehensive Dangerous Drug Act
- Republic Act 9211 – Regulating the use and Distribution of Tobacco Product
- Republic Act 8353 – Anti-Rape Law
- Republic Act 8505 – Rape Victims Assistance and Protection Act of 1998
- Republic Act 7877 – Anti-Sexual Harassment Act of 1995

Section 25. Prohibiting Illegal Recruitment of Children. Hiring or offering the services of minors, 15 years old below, as payment for a debt or exchange for a favor, such as but not limited to working in agricultural industries like rice, corn, banana or rice farms; working as a housekeeper is strictly prohibited. Any person who recruits children 15 years old and above for a part time or temporary job shall be required to register with and secure permit from the office of the Punong Barangay in the place of recruitment.

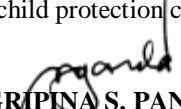
Section 26. Livelihood Support for Families of Working Children or Child Laborers. Through the Office of Municipal Public Employment Office (PSEO) the following programs and services shall be institutionalized to support the families with working children or child laborers:

- Livelihood Project for Poor Parents with Malnourished Children and Poor Parents with working Child
- Emergency Employment Program/TUPAD Program for Displaced Worker/Parents of Minor Children
- Special Program for Employment of Student (SPES) for Unemployed/underemployed/Displaced Workers.
- Livelihood/skills Training for OSY/Disadvantaged Workers/Displaced Workers
- Financial/Livelihood Assistance for Distressed OFW with Minor Children

Section 27. Establishments to Post Notices and Information at Entry or front Desks Regarding Child Protection. Written notice “Guinadili and Pagsulod sa Menor de-edad” in establishments like bars, videoke houses, inns, hotels among others; and for sari-sari stores, grocery houses must post notification of “Guinadili ang mga minors/menor de-edad na mopalit ug ilimmong makahubog ug sigarilyo” as per Municipal Ordinance Number 2020-006 series of 2020.

To ensure the compliance of the concerned establishments to this section of the Ordinance, the CCS, through the Business and License Division of the Office of the City Mayor, shall require these establishments to post such information or notices before their respective licenses shall be renewed and/or approved.

Section 28. Regulating Children in the Exposure of Mobile Phones and Social Media. Private and Public elementary and high schools may regulate excessive use of mobile phones that disrupts and destructs class sessions due to access to internet, listening music, playing mobile games, chatting and calling friends, and accessing social media applications. Further minors caught accessing pornographic sites must be provided with proper intervention through the child protection committees.


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Section 29. Curfew Hours for Minors. A person below 18 years of age shall not be allowed to loiter, wander, saunter or hang-out on around public or private streets, roads, parks, market areas, stay within internet café and business establishments from 10:00pm to 4:00pm. Those who are accompanied by parent or guardian or by any person in-charge of custody and is provided by a certificate issued by the Office of the Municipal Mayor or by Punong Barangay shall be exempted from the implementation of this provision.

Municipal social welfare and development office and Philippine National Police shall advocate the implementation of curfew for minors at the barangay level. Those repeat offender minors must undergo counseling together with their parents and if necessary, undergo community service as part of the intervention plan.

Section 30. Child Friendly School System (CFSS)- The Municipality of Asuncion shall ensure that all basic educational institutions are child-friendly, CFSS is a school system which recognizes and respects children's rights and responsibilities, provides the enabling environment to realize children's rights in the school, and helps ensure that such an environment extends beyond the school into children's homes and communities. Every school should ensure that child protection committee is functional and coordinate cases of children with the municipal or barangay council for the protection of children.

Section 31. Regulating Internet Café/Kiosk and Commercial Video Machines for the Entry of Minors. Internet café and commercial video machines are prohibited to cater children during school days from 8:00 o'clock in the morning to 5:00 o'clock in the afternoon and 9:00 o'clock in the evening. All Internet café and commercial video establishments shall post notice with this time schedule entry for children/minors.

Section 32. Monitoring the Compliance of Municipal Child Protection Policy. The LCPC shall conduct regular monitoring to all establishment catering children/minor on their compliance to all child protection policies in the Municipality of Asuncion. Establishment like stores, entertainment establishments – e.g. videoke houses, internet café, inns/hotels and other establishment that may cater minors shall be oriented on child protection policy of the local government unit as part of complying business permit application and renewal.

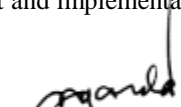
A task force within the Municipal LCPC, to monitor child protection policy compliance on banning children riding from motorcycles; prohibiting children from buying cigarettes and liquors; compliance of stores/establishment from selling junk foods, soda/soft drinks, liquors, cigarettes within the nearby vicinity of schools.

Section 33. Protection of Children during Emergencies. This is to ensure child protection before, during and after disaster and other emergency situations such as flooding, earthquakes, armed conflict among others. The MSWDO in coordination with the Municipal Disaster Coordinating Council and the Municipal Health Office and other concern agencies shall devise a program to assist children victims of disasters inclusive of the following components:

- a. Capacity Building for Responders on Child Protection. Through the Municipal Disaster Risk Reduction and Management Office, the LGU shall promote and conduct a child-responsive training program for all responders.
- b. Establishment of Child-friendly Spaces. A child-friendly space in every evacuation center in times of disaster and as needed, based on the guidelines of Camp Management and Camp Coordination.
- c. Establishment of Women-friendly Spaces. This space is an integrated spaces offering a range of services including resources, information, social networks, etc. WFS are safe spaces for women and girls in the community, culturally-appropriate and tailored to the context.

Section 34. Municipal Comprehensive Development Plan for Children. The municipal and barangays shall evolve a long-term development plan and investment program for children, which shall be divided into four (4) medium-term plans. The plans shall be prepared using the rights-based and life cycle approach which shall be updated every three years. The plans for children shall include: Medium Term Plan that integrates Comprehensive Local Juvenile Intervention Plan (CLJIP); Annual Investment Plan for Children and Local Development Investment Plan for Children.

Section 35. Process of Plan, Program and Project Formulation. The MCPC with the assistance of the MPDO shall spearhead the plan preparation, identification and formulation of programs and projects, responsive to the needs of Asuncion children. To the widest extent possible; participation of various stakeholders from the government, the civil society groups and children's representatives shall be ensured. The MCPC shall draw-up criteria for prioritizing programs in order to ensure that the interventions are responsive to the needs of the communities. The MCPC shall 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.


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Section 36. Program on Child Abuse, Exploitation and Discrimination. The MCPC shall formulate a comprehensive program for the protection of children against child prostitution and sexual abuse, child trafficking, obscene publications, indecent shows, and other acts of abuse and circumstances which endanger child survival and normal development.

Section 37. Children in Need of Special Protection- The program shall focus on the following:

- (a) Responsible and effective parenting education through community, people's organizations and other Civil Society Organizations (CSO);
- (b) Educational and vocational skills training by instituting CNSP-friendly school policies and developing alternative modes of basic education;
- (c) Livelihood, micro-credit and employment assistance by linking with existing initiatives such as Enhancing Social and Economic Opportunities for Out-of-School Youth and organizing community livelihood and credit groups;
- (d) Youth health and development promotion through life skills education in and outside of school to equip the youth with skills necessary to deal and cope with life; and
- (e) The use of mobile library and off-campus reading center shall likewise be accessible to all children within the Municipality of Asuncion.
- (f) Advocacy Team – MSWDO, MRP, MHO, PNP, Dep-Ed, BCPC, GAD Coordinator etc.

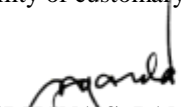
Section 38. Operation and Maintenance of Temporary Shelter for Abused, Neglected or Exploited Children- The Municipality shall ensure that the abused and neglected children shall be provided shelter in one child institution in the barangay and/or network of homes which will take in children in urgent need of protection due to a situation which endangers the child or which has exposed the child to cruelty and abuse; *provided*, that the Center, with the help and support of the barangay chairman and their barangay- level support systems, may call upon law enforcement agencies when the child needs to be rescued from an unsafe home and environment situation. As part of this program, the Asuncion Youth and reception Center (AYRC), Reception and Action Center and Boy's Town complex, which includes the boy's Home, Girl Home and Founding Home shall be upgraded and expanded. Centers/homes managed by NGOs may also be tapped for this purpose; however, prior networking shall be established. Furthermore, special attention must give to all the children at risk with AIDS/HIV. Effective information dissemination to break the silence surrounding HIV-AIDS, address stigma and discrimination against children afflicted with the disease shall be conducted as needed by these institutions and ensure that young people have the knowledge to protect themselves and their peers from HIV/AIDS.

Section 39. Rescue, Recovery and Reintegration Assistance/Program – This program shall focus on strengthening surveillance and rescue mechanism such as, the Barangay Human Rights Action Center (BHRAC), CHR, Social Welfare and Development Office involving the MAGRO, DOLE, PNP, Health Office, Department of Education, Planning and Development Office, Trial Court, DILG and MCR, and other mechanism towards improved protection of CNSP. It shall also extent psychological services to traumatized children and developing approaches in establishing community-based crisis intervention, recovery and reintegration -systems. It shall also establish an alternative family care program for children without families or those deprived of a family environment.

Section 40. Comprehensive System for Juvenile Justice Welfare System. A comprehensive system of justice for children in Asuncion shall include strengthening of the five pillars of justice and strengthening the barangay justice system though massive orientation and training on CRC and child friendliness. The community mechanism shall the supported in developing prevention and diversion program such as educational and vocational training, sports and recreation and formation, among others, so that children and young people shall be prevented from getting conflict with the law.

Section 41. Child and Gender Sensitivity Training for Local Government and National Government Employees assigned in the municipality. A comprehensive child and gender sensitivity orientation shall be developed and implemented in the municipality. All employees of the Local Government and National working in the municipality required to undergo the orientation.

Section 42. Handling cases of IP Children shall be based on Customary Laws as practiced by the tribe in pursuant to Republic Act 8371, otherwise known as the Indigenous Peoples Rights Act (IPRA), the cases of IP children and women can be settled through Customary Laws set by its tribal council. The Municipality of Asuncion shall protect the rights of IP children and women to ensure their social and cultural well being and shall recognize the applicability of customary laws governing the tribal people.


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Section 43. Protection of Children in Situation of Armed Conflict. Municipal Social Welfare and Development Office shall facilitate intervention to children in situation of armed conflict through but not limited to the following services:

- Case Management
- Referral System
- Advocacy
- Assistance to minor and family
- Relief assistance and psychosocial support

Section 44. Responsible Parenthood for IPs. Special advocacy and awareness raising programs shall be implemented for IP parents and families that include but not limited to the following services: orientation on child protection for tribal leaders and parents, advocacy on health and sanitation and no birthing at home policy among others.

Section 45. Regulating Vendors of Junk Food, Cigarettes and Liquors in School Vicinities for Sanitation Purposes and Establishing Monitoring System- The Local Government shall protect the school children from unsanitary food and junk food. In furtherance of this mandate, all vendors within the vicinity of the school campuses within the municipality shall be subjected to safety and sanitation standards.

Section 46. Promotion of Foster Care. To ensue that every neglected, abused abandoned child would benefit greatly from foster care that would lead him/her to a permanent or temporary caring, and loving family, the MSWDO shall facilitate the recruitment of foster parents, and assessment of children eligible for foster care and provision of subsidy and other incentives through the Department of Social Welfare and Development.

Section 47. Provision of Technical, Professional and Financial Assistance to Children Subjected to Court Proceedings. Through the MSWDO, financial aid will be provided to women and children who are undergoing court proceeding duty to abuse and violence.

Section 48. No Home Birthing Policy. The Municipality of Asuncion through its health services is encouraging is “merely advocating and encouraging facility-based deliveries”. Advocacy shall be initiated by the Municipal Health Office to strictly implement this policy. Further, the municipality shall operate and maintain half-way house for pregnant women in order to accommodate pregnant women coming from far-lung areas.

Section 49. Birth Registration Program. The Municipal Civil Registrar in coordination with the National Statistics (NSO) shall evolve and implement a comprehensive program on birth registration which shall include barangay-based advocacy and monitoring to ensure that every child of Asuncion is accorded the right to name and nationality. The program shall include provision for amnesty for children born in the provinces and those assisted by ‘hilots’. It shall seek the assistance of NGOs and church-based organizations to ensure that all children residing in the Municipality have been registered and to enlist the aide of all attendants to assist parents in processing documents specially for those not married parents.

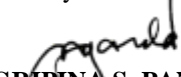
Section 50. Children as Zones of Peace. In accordance with policies stipulated under Republic Act 7610, otherwise known as the “Special protection of Children Against Child abuse, Exploitation and Discrimination Act” children in Asuncion are hereby declared as Zone of Peace. In whatever circumstances, treatment of children as Zones of Peace shall cover on the person of the child whose rights shall be protected and uphold, especially in situation of armed conflict or violence.

ARTICLE V DEVELOPMENT RIGHTS OF CHILDREN

Section 51. Comprehensive Early Childhood Care and Development (ECCD). Recognizing the synergistic effect of health, nutrition and stimulation on early child development, the Municipal Government shall evolve a comprehensive ECCD program which shall be both center-and home-based. Part of the ECCD shall include already existing programs and strategies geared towards the survival and development of children as follows:

Day Care Service Program. The total development and protection of children for the day care service shall be provided for children under four years of age, with the consent of parents; Provided, however, that in case of abused, neglected or exploited children such consent shall not be required.

Each barangay must have at least one (1) child development/day care center as provided for in RA6972 or the Barangay-level Total Development and Protection of Children Act”. These centers may be co- managed and jointly operated by the municipality and the barangays concerned.


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The Municipality of Asuncion through its ECCD Program shall provide technical and financial assistance to the implementation of early childhood care at the barangay level.

Accreditation of Child Development Centers and Child Development Workers. To ensure standard educational system, child development centers and teachers shall be subjected to regular accreditation according to the standards set by the Department of Social Welfare and Development (DSWD).

Section 52. Establishment of Learning and Leisure Area for Children. To ensure the development aspect of children municipal government and barangays shall provide spaces that children

- Playground
- Reading center/ library

Section 53. Educational Assistance. The local government unit of Asuncion shall allocate funds for education assistance to eligible high school and college students. The scholars must be enrolled in government/state universities/colleges, maintain passing grades, regularly attend classes.

Section 54. Comprehensive Scholarship Program- It is the policy of the Municipality to support the education of Asuncion constituents from non-formal, basic to higher education, thus, operation of two tertiary instructions. Apart from this, the comprehensive Scholarship Program shall provide support to poor but deserving students.

Section 55. Special Education Program (SPED) – All public schools shall be equipped with SPED facilities and provided with SPED teacher specialists. The private schools shall be encouraged to provide SPED services. Regular conduct of training for teachers and health personnel handling children with special needs shall be part of the major activities of the Local School board. Surveys on the number and location of potential SPED beneficiaries will be conducted regularly to guide program planners and implementers. Moreover, all public schools should accept children with special needs even if the latter do not have birth certificates and temporarily admit them.

Section 56. Knowledge Center on Children- A state-of-the art knowledge center on children shall be established. It shall serve as the main repository of data and information on children. Municipal libraries shall be upgraded to include adequate child friendly materials and other paraphernalia.

Section 57. Support to Alternative Learning System. The local government unit of Asuncion shall support the ALS that provided practical educational system option to the existing formal instruction through non-formal and informal sources of knowledge and skills. The LGU shall provide support by hiring ALS instructional managers and establish ALS center. With this, everyone is given the chance to have access to and complete basic education in a mode that fits their distinct situations and needs.

Section 58. School of Living Tradition for Indigenous Peoples. In order to continue passing on the indigenous knowledge to young people, Tribal Councils in Asuncion shall be support to establish, maintain and operate Schools of Living Traditions (SLT). SLT will provide IPs in Asuncion a non-formal, oral and with practical demonstrations about master/culture bearer or culture specialist skills and techniques of doing traditional art or craft.

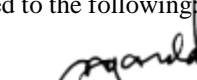
Section 59. Madrasah School and ALIVE Class. LGU Asuncion shall grant support to the sustain and maintain Madrasah schools that promotes Islamic studies and Arabic Literacy among Muslim children and learners.

ARTICLE VI PARTICIPATION RIGHTS OF CHILDREN

Section 60. Children's Congress- There shall be a Children's congress to be held in November every year to be participated in by children's Representatives from all barangay from different sectors. November shall be declared as a Children's Day for the Municipality of Asuncion Part of the Celebration of the Children's Day will be the issuance of the State of Children Report by the Local Chief Executive. Children's congress can be the venue for the election of child leaders to represent to the Municipal Council for the Protection of Children.

Section 61. Summer Camps- There shall be a Summer Camp for children with Special Needs to be held in Summer months every year to be participated in by said Children of the Municipality. Define purpose of the camp.

Section 62. Right to Organize Children's Organization. Children have the right to for democratic, autonomous and organizations as the highest expression of participation in community or in school. It shall be established through a democratic and participatory process such as elections. These organizations may include but not limited to the following:


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- Student/Pupil Supreme Government.
- Youth for Environment in Schools Organization (YES-O) – it is the premiere student organization that concerned for environmental welfare.
- Pag-asa Youth Association of the Philippines (PYAP)

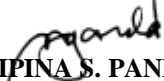
Section 63. Participation of children’s sector in Local Planning Process. The children in the family, school, community or other organization or institution shall be heard. They shall have the right to organize among themselves. Each child regardless of sex, age and tribe has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child. It shall be responsibility of the adults to provide opportunities for children to express his or her views, obtain information, make ideas or information known, regardless of tribe, religion, age and sex.

ARTICLE VII

SPECIAL CONCERNS AND ESTABLISHMENT OF CHILD PROTECTION LOCAL MECHANISM

Section 64. Establishment of Local Council for the Protection of Children (LCPC).

- a. Municipal LCPC.** Shall be created to ensure the total development and protection of children in the municipality. The MCPC the lead orchestrator for all child-related concerns of the municipality. The MCPC shall be a consultative assembly and regulatory body responsible for policy formulation, planning, programming, assessment and evaluation of existing program for children of the municipality. The MCPC shall coordinate with the RSCWC and shall provide directions to the Barangay Council for the protection of children (BCPC).
- **Composition of the Municipal Council for the Protection of Children (MCPC).** The MCPC shall be composed of the Following:
 1. Chairman, Sangguniang Bayan Committee on Women, Children and Family Welfare
 2. Chairman, Sangguniang Bayan Committee on Health, Sanitation and Social Welfare
 3. Chairman, Sangguniang Bayan Committee on Education, Culture and Arts
 4. Municipal Administrator
 5. Municipal Social Welfare Officer
 6. Municipal Health Officer
 7. Municipal Civil Registrar
 8. Municipal Planning and Development Officer
 9. Municipal Librarian
 10. Dep-Ed District Supervisor
 11. SK Federation President
 12. MLGOO
 13. PESO manager
 14. Municipal Budget Officer
 15. PNP Women’s Desk
 16. 60th IB
 17. Municipal Treasurer
 18. Municipal Nutritionist/MNAO
 19. 3 Representatives from Non-Government Offices/PO (SMRP, COW, NGO)
 20. PTA President
 21. Representative from Barangay Health Workers
 22. Representative from YMCA
 23. Ligangmga Barangay President
 24. IPMR
 25. Child Representatives (PSG, SSG)
 26. GAD Focal
- **Function of the MCPC** – In consonance with the revised guidelines issued by the Council on the Welfare of children (CWC), the Asuncion MPCP shall have the following functions:
 1. Formulate the Municipal Plan for Children; incorporating projects and programs needing assistance by the barangay; and to ensure its integration into the municipal development plan;
 2. Monitor and evaluate the implementation of the municipal and barangay action plans for children;
 3. Submit quarterly status, report on the plan implementation to the Regional Development councils’ Regional Sub- Committee on Children (RSCWC) through the MSWD;


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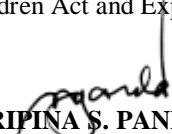

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4. Promptly address issues and concerns affecting children and youth;
5. Advocate for the passage of other relevant child and youth protective ordinances;
6. Advocate for the increased support and resource allocation for children's program and projects;
7. Provide technical assistance to the community-based front-line workers through conduct of capability building and human resource development activities; and
8. Provide contingency measures to protect children and their families in crisis situations brought about by natural and man-made calamities,
9. Advocate street education program as an alternative strategy in resuming children.
10. Ensure that all children carting centers for children must be licensed and accredited by DSWD to institutionalize the prescribed and standard operating procedures in child's general welfare protection and promotion.
11. Ensure the proper implementation of this Ordinance.
12. Assist in the strengthening of Barangay Council for the Protection of Children (BCPC) through the provision of capacity building and regular monitoring.
13. Establish Inter-agency Monitoring Task Force (IMT) and shall be compose of the following:
 - MLGOO - Chairperson
 - MSWDO - Co-chairperson
 - Dep-Ed Representative - Member
 - PNP-WCPD - Member
 - MHO - Member
 - CSO/NGO Representative - Member
 - Religious Group Representative - Member

b. Barangay LCPC. The Barangay shall create a 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 function:

1. To foster education of every child in the barangay (to ensure every child in the barangay acquires at least early childhood and elementary education);
2. 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;
3. To report all cases of child abuse to the proper authorities;
4. To protect and assist abandoned, maltreated, exploited and abused children;
5. To prevent child labor in the areas and to protect children from abuse and exploitation;
6. To take steps to prevent juvenile delinquency and to assist children with behavioral problems so that they can get expert advice;
7. To adopt measures to promote health and nutrition;
8. To promote the opening and maintenance of playgrounds and day care centers and other services that necessary for children and youth welfare;
9. To secure cooperation of organizations devoted to the welfare of children and coordinate with their activities;
10. To assist parents whenever necessary in securing expert guidance counselling from the proper government or private welfare of children agencies;
11. To advocate the passage of child-friendly barangay ordinance in response to child-related issues and concerns;
12. To prepare the barangay plans of actions for children in the community and ensure their integration into the barangay Development plan and implementation by the barangay; and
13. To submit quarterly barangay accomplishment reports on the implementation of the plan to the MCPC.

Section 65. Establishment of Local Committee Against Trafficking- Violence Against Women and Children (LCAT-VAWC). Pursuant to DILG-DSWD-DOJ Joint MC- 2010-01 the Municipality of Asuncion shall establish LCAT-VAWC to serve as the coordinating and monitoring bodies on anti-VAWC and -trafficking initiatives. Their other functions include the development of comprehensive and integrated programs to harmonize all initiatives in addressing these problems, and the creation of enabling mechanisms that shall ensure the full implementation of Republic Act 9262 and Republic Act 10364, otherwise known as Anti-Violence Against Women and their Children Act and Expanded Anti-trafficking Against Persons Act respectively.


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Section 66. Establishment of VAWC Desk in Every Barangay - VAW Desk – a facility that would address VAW cases in a gender-responsive manner, managed by a person designated by the punong barangay. It is situated within the premises of the barangay hall. In the absence of a barangay hall, the VAW Desk shall be established within the premises where the punong barangay holds office.

Section 67. Functionality of Child Protection Committee in every Elementary and High School in the Municipality of Asuncion. Pursuant to Dep-Ed Order Number 40 Series of 2012, all government and private elementary and high schools in Asuncion Municipality shall ensure institutionalization of child protection and procedures. This school mechanism shall ensure that all incidents of abuse, violence, exploitation, discrimination, bullying and other similar acts addressed in accordance with the provisions of Dep-Ed Order. Further, child protection committee in every school shall coordinate with the barangay/municipal LCPC and other appropriate agencies for reporting abuse, violence, exploitation, discrimination, bullying and other similar acts for counseling and other appropriate intervention.

Section 68. Partnership with the Women and Children Protection Desk of Philippine National Police (PNP). The Philippine National Police (PNP) shall designate a to handle cases involving youth offenders in very police office in the Municipality through its Women and Children's Protection Desk. WDC Officer and social worker shall work together with other concerned agencies and personnel to handle all cases of children.

Section 69. Appointment of a licensed social welfare officer to handle cases amended by RA 9344 as amended by RA10630, RA 7610, RA 10364, RA 9262 and other related laws on children and women. The Municipality of Asuncion through the Municipal Social Welfare and Development Office shall ensure that a licensed social worker shall act the case manager in handling all cases concerning children and women.

Section 70. Sanctions for Establishments or Enterprises which Promote Facilitate or Conduct Activities Constituting Child Prostitution and Sexual Abuse, Child Trafficking, Obscene Publications and Indecent Shows. All establishment or enterprise caught promoting or facilitating child prostitution and sexual abuse, child trafficking, obscene publications, and indecent shows, and other acts of abuse shall be immediately closed and be fined an amount of Ten Thousand Pesos (Php10,000.00) with their authority to operate permanently cancelled, without prejudice to the owner, manager and other personnel thereof for being prosecuted under RA 7610, as amended, otherwise known as “ An act providing for stronger deterrence and special protection against child abuse, exploitation and discrimination, providing penalties for its violation, and for other purposes.”

Section 71. Regulating Ambulant Vendors of Junk Food in School Vicinities for Sanitation Purposes and Establishing Monitoring System. The Local Government shall protect the school children from unsanitary food and junk food. In furtherance of this mandate, all vendors within the vicinity of the school campuses within the municipality shall be subjected to safety and sanitation standards.

Article VIII


ROLES AND FUNCTIONS OF THE VARIOUS SECTORS AND COMMUNITY SUPPORT SYSTEM

Section 72. The Family. The family is the central unit responsible for the primary socialization of children which is important in the prevention of child rights violation. Government and social effort to preserve the integrity of the family, including the extended family, should pursued.

Section 73. Primary Rights of Parents- The parents have 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 with the parents. 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. Primarily, the parents have the right and obligation to provide positive discipline to children for constructive upbringing.

Section 74. General Duties of Parents- Parents shall the following general duties towards their children:

- (a) To give time 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 creation;
- (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 community;
- (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 other child protection laws; 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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SECTION 75. 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 Mejeur 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 on their own cultural milieu.

Extended families, relative 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 to child as an outcast of society.

Section 76. Role of Education Institutions – Educational Institutions shall work together with parents, community organizations and agencies concerned with the activities of children and youth. Educational Institution shall incorporate into their curriculum a subject on the rights and responsibilities of children, subject to guidelines set by the Department of Education, Technical and Skills Development Authority and Commission on Higher Education.

Section 77. 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.

Further members of mass media and mass media outlets shall protect the rights of children by using the Principle of Confidentiality in all cases involving children. Special attention shall also be given to effective anti-drug awareness campaigns and delinquency prevention.

Section 78. Role and Participation of Civil Society Organization (CSO) – The municipality of Asuncion through the MCPC shall mobilize the active participation of diverse actors at the city, barangay and family levels including non-governmental organizations (NGOs), people's organization (PO) and other CSO which include the religious community, business groups and professional associations, in all aspect of advocacy and programming work for children. It shall actively seek the involvement of organizations that have long experience in reaching urban communities. Facilitating the formation of alliances around child rights issues among these organizations and linking them with the various relevant government agencies shall pave the way towards an improved mechanism for children rights promotion and child protection.

Considering the important role of CSO in the promotion of child and prevention of basic service for children, the MCPC, BCPCs and other bodies working for the welfare of children shall ensure their membership based on their criteria or accreditation mechanism.

Section 79. Role of Sangguniang Kabataan (SK) – The SK as established under the Local Government Code shall, in addition to its powers and functions, actively involve itself in the formulation and implementation of juvenile intervention and diversion programs, as well as, the prevention and protection programs in the community. It shall coordinate with the local councils for the protection of children for this purpose. It is encouraged that the SK shall devote at least 50% of its annual work and financial/budget to implement programs for children sector and youth.

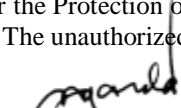
Section 80. LCPC Secretariat Support – The secretariat support shall be longed in the MSWDO and shall be responsible for the documentation of proceedings and meetings and preparation of reports and other necessary documents needed by the committee.

Section 81. Implementing Rules and Regulations – The implementing rules and regulations (IRR) of this code shall be drafted by the MCPC within one (1) year from the effectivity of this code.

Article IX FINAL PROVISION

Section 82. General Penalty – (a) Violations of any provision of this code shall be punishable by imprisonment not exceeding (1) year or a tine not exceeding Five Thousand Pesos (Php5,000.00) or both at the discretion of the court. *Provided however*, that the offender shall not be charge with and prosecuted for the same act or offense punished under this Ordinance or prosecuted under other laws protecting the welfare of children.

All establishment and enterprises which promote or facilitate child prostitution and other sexual abuse, child trafficking, obscene publications and indecent shows, and other acts of abuse shall be immediately closed and their authority or license to operate cancelled, without prejudice to the owner or manager there of being charged with and prosecuted under this act and/or the Revised Penal Code, as amended, or special laws. A sign with the words "off limits" shall be conspicuously displayed outside the establishment or enterprises by the Municipal Council for the Protection of Children for such period which shall not be less than one (1) year, as the Council may determine. The unauthorized removal of such sign shall be punishable by prison correctional.


AGRIPINA S. PANDAC
Administrative Assistant IV/
OIC-SB Secretary


ATTY. EUFRACIO P. DAYADAY, JR., MPA
Municipal Mayor

Section 83. Information Dissemination – the municipal information officer/office in coordination with the MCPC is hereby directed to formulate and implement an information dissemination program informing the general public about this code, and the printing and distribution of the same.

Section 84. Appropriation – Pursuant to Section 15 of Republic Act 9344 or An Establishing A Comprehensive and Juvenile Justice and Welfare System Creating The Juvenile Justice And Welfare Council Under The Department of Justice, Appropriating Funds Therefore And For other purposes, a Local Government, and where they have already been established, they shall be strengthened within one (1) year from the effectively of this act.

One percent (1%) of the internal revenue allotment of barangay, municipalities and cities shall be allocated for the strengthening and Implementation of the programs of the LCPC; Provided, that the disbursement of funds shall be made by the LGU concerned.

Section 85. Separability Clause. If, for any reasons, any part of the provision of this code shall be held unconstitutional or invalid, other parts of provision hereof which are not affected thereby shall continue to be in full force and effect.

Section 86. Repealing Clause. All ordinance, resolutions, executive orders and other issuances which are inconsistent with any of the provisions of this Code are hereby repealed or modified accordingly.

Section 87. Effectivity Clause. This code shall take effect after its publication in newspapers of general circulation and posting in at least two (2) conspicuous places.

CARRIED UNANIMOUSLY

I hereby certify to the correctness of the foregoing ordinance.


AGRIPINA S. PANDAC
Administrative Assistant/
OIC-SB Secretary

ATTESTED & CERTIFIED TO BE DULY APPROVED:


JOEL M. CAMELLO, MPA
Presiding Officer

Approved:


ATTY. EUFRACIO P. DAYADAY, JR., MPA
Municipal Mayor
Date Signed : January 4, 2021