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Item No.: 11  
Date: MAY 02 2023

Republic of Philippines  
PROVINCE OF LEYTE

SANGGUNIANG PANLALAWIGAN  
**RECEIVED**  
25 April 2023  
PROVINCE OF LEYTE

PROVINCIAL LEGAL OFFICE

2nd Indorsement  
April 17, 2023

Province of Leyte  
Legal Office  
Released  
Date: 4.25.23

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 02, S. 2023 of the SB of La Paz, Leyte, recommending for the declaration of its validity pursuant to its power under Section 56 (c) of R.A 7160, for it is within the power of the local council to repeal/amend its prior acts either expressly or by the passage of an essentially inconsistent resolution (Constantino v. Desierto, 288 SCRA 654).

ATTY. JOSE RAYMUND A. ACOL  
Asst. Provincial Legal Officer

*(Signature of Atty. Jose Raymund A. Acol)*



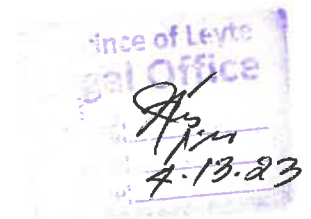
Republic of the Philippines  
**PROVINCE OF LEYTE**  
Tacloban City



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**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**2<sup>nd</sup> Endorsement**  
12 April 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations, on the herein enclosed **MUNICIPAL ORDINANCE NO. 02 Series 2023, of LA PAZ, LEYTE, "AMENDING MUNICIPAL ORDINANCE NO. 2 S 2017 – PROVIDING FOR THE CHILDRENS WELFARE CODE IN THE MUNICIPALITY OF LA PAZ, LEYTE"**.

  
**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian

SP RECORDS  
4122023/v



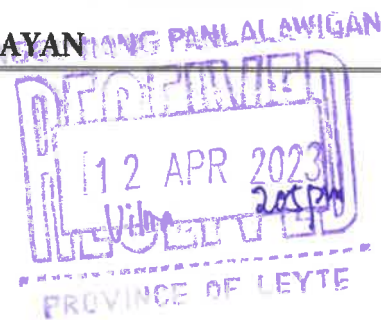
Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF LA PAZ  
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OFFICE OF THE SANGGUNIANG BAYAN

11 April 2023

**FLORINDA JILL S. UYVICO**  
Secretary to the Sanggunian  
Sangguniang Panlalawigan  
Province of Leyte  
Legislative Bldg., Capitol Complex  
Palo, Leyte



Madam:

Respectfully submitting herewith copies of the **MUNICIPAL ORDINANCE NO. 02, SERIES OF 2023 - AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 02, SERIES OF 2017 - AN ORDINANCE PROVIDING FOR THE CHILDREN'S WELFARE CODE IN THE MUNICIPALITY OF LA PAZ, LEYTE** for review and perusal of that office.

Please acknowledge receipt hereof and requesting the same be given due course and appropriate action.

Early action hereon will be highly appreciated.

Thank you.

Very truly yours,

**ERWIN M. CERNAL**  
*Secretary of the Sangguniang Bayan*



Republic of the Philippines  
Province of Leyte  
**MUNICIPALITY OF LA PAZ**  
-oOo-



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**OFFICE OF THE SANGGUNIANG BAYAN**

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11 April 2023

**HON. LEONARDO "SANDY" JAVIER, JR.**

Vice Governor and Presiding Officer

The Honorable Members

Sangguniang Panlalawigan

Province of Leyte

Legislative Bldg., Capitol Complex

Palo, Leyte

Dear Honorable Ladies and Gentlemen:

Respectfully submitting herewith copies of the **MUNICIPAL ORDINANCE NO. 02, SERIES OF 2023 – AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 02, SERIES OF 2017 – AN ORDINANCE PROVIDING FOR THE CHILDREN'S WELFARE CODE IN THE MUNICIPALITY OF LA PAZ, LEYTE** for review and perusal of that office.

Please acknowledge receipt hereof and requesting the same be given due course and appropriate action.

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Thank you.

Very truly yours,

**ERWIN M. CERNAL**

*Secretary of the Sangguniang Bayan*



Republic of the Philippines  
**PROVINCE OF LEYTE**  
 Municipality of La Paz  
 -oOo-



SANGGUNIANG BAYAN  
**RECEIVED**  
 APR 2023  
 2057M  
 PROVINCE OF LEYTE

**OFFICE OF THE SANGGUNIANG BAYAN**

**RESOLUTION NO. 2023 - 126**

**RESOLUTION ENACTING MUNICIPAL ORDINANCE NO. 02, SERIES 2023 - AN  
 ORDINANCE PROVIDING FOR THE CHILDREN'S WELFARE CODE IN THE  
 MUNICIPALITY OF LA PAZ, LEYTE**

**WHEREAS**, the Philippine Government is a signatory to the United Nation's Convention on the Rights of the Child (UNCRC), as well as The World Declaration on the Survival Development Protection and Participation of Children, which constitute several laws and development plans for children in support of these international instruments;

**WHEREAS**, Article XV, Section 3 (2) of the Philippine Constitution states that "The state shall define the rights of children to assistance, including proper care and nutrition, special protection from all form of neglect, abuse, cruelty, exploitation and other condition prejudicial to their development.";

**WHEREAS**, the Municipal Government of La Paz, Leyte believes that children are wealth of society; it recognizes their rights and acknowledges the fact that the exercise of these rights will ensure their development into exemplary citizens of the country;

**WHEREAS**, there is a need to enact local ordinances to substantiate existing laws relating to children's rights and to support sustained efforts of the provincial government to address specific situations and problems prevailing in the province;

**WHEREAS**, the passage of this ordinance will strengthen the child-friendly programs being implemented by the municipality and eventually improve the current state of our children and eradicate traditional practices which tend to violate children's rights;

**NOW THEREFORE**, on motion of the Honorable Relly F. Relano, duly seconded by Honorable Pio S. Baroña, be it;

**BE IT ORDAINED** by the Sangguniang Bayan of La Paz, Leyte in a session assembled to enact:

**MUNICIPAL ORDINANCE NO. 02  
 Series 2023**

**AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 02, SERIES OF 2017 - AN  
 ORDINANCE PROVIDING FOR THE CHILDREN'S WELFARE CODE  
 IN THE MUNICIPALITY OF LA PAZ, LEYTE**

**Article I  
 BASIC PRINCIPLES**

**Section 1. SHORT TITLE.** This ordinance shall be known as "The Children's Welfare Code of the Municipality of La Paz, Leyte".

**Section 2. DECLARATION OF POLICY.** It is hereby declared the policy of the Municipality of La Paz, Leyte to defend the rights of children, provide every child with proper care, nutrition, equal access to quality education and special protection against all forms of neglect, abuse, cruelty exploitation as well as other forms of conditions prejudicial to their development. It recognizes the vital role of youth in nation building and encourages their involvement in public and civic affairs. The municipality is a strong advocate for children's rights and ensures the promotion and protection of these rights so as to enable children to develop their potentials and facilities.

**Section 3. DEFINITION OF TERMS.** As used in this ordinance, the following terms shall mean:

- A. **Child Abuse** – refers to the maltreatment of the child, whether habitual or not, 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 that debases; degrades or demeans the intrinsic worth and dignity of a child as a human being;
  3. Unreasonable deprivation of his/her basic needs for survival, such as food and shelter; and
  4. Failure to immediately give medical treatment to an injury resulting in serious impairment of his/her growth and development or in his/her permanent incapacity or death.
- B. **Children** – refer to persons below eighteen (18) years of age and those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelties, exploitation and/or discrimination because of physical or mental disability or condition.
- C. **Children in Conflict with the Law (CICL)** – refers to a child who is, alleged as, accused of, or unjudged as, having committed an offense under Philippine laws.
- D. **Circumstances which gravely threaten or endanger the survival and normal development of children include, but not limited to the following:**
1. Being in the community where there is armed conflict or being affected by armed conflict related activities;
  2. Working under conditions hazardous to life, safety and morals which unduly interfere with their normal development;
  3. Living or fending for themselves in the streets of urban or rural areas without the care of parents or a guardian or an adult supervision needed for their welfare;
  4. Being a member of an indigenous cultural community and/or living under conditions of access to basic services needed for a good quality of life;
  5. Being a victim of a man-made or natural disaster/calamity; and
  6. Circumstances analogous to those above stated which endanger life, safety or normal development of children.
- E. **Comprehensive program against child exploitation and discrimination** – refers to the coordinated program of services and facilities to protect children against:
1. Child prostitution and other sexual abuse;
  2. Child trafficking;
  3. Obscene publications and indecent shows;
  4. Other acts of abuse;
  5. Circumstances which threaten or endanger the survival and normal development of children.
- F. **Day Care Center** – is a facility where early childhood care services are provided by an accredited day care worker particularly for children in the three-to-five (3-5) year age bracket.
- G. **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 conscience and religion.
- H. **Differently-Abled Children/Special Children or Children with Special Needs** – are children with either physical or mental infirmities whether congenital or acquired after birth.
- I. **Diversion** – shall refer to an alternative process of managing children in conflict with the law (CICL) without resorting to formal court system.

- J. **Diversion Programs** - shall refer to activities that CICL's are required to undergo after they are found responsible for an offense, without the child being made to undergo formal court litigation.
- K. **Participation Rights** - include 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.
- L. **Pre-school Education** - refers to the age from 3 to 6 years old and known to be the critical phase of the child's psychomotor development. It is also the phase when activities for development stimulation for children must be provided.
- M. **Pre-school Services** - includes the following such as but not limited to programs, activities, initiatives, facilities and similar undertakings to address needs of 0-6 years old children.
- N. **Protection Rights** - cover those which guard children against all forms of child abuse, exploitation and discrimination in areas where a child is considered in extremely difficult circumstances.
- O. **Special Education** - refers to the education of persons who are gifted or talented and those who have physical, mental, social or sensory impairment and cultural differences such as to require modification of the school curricula, programs and special services and physical facilities to develop them to their maximum capacity.
- P. **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.
- Q. **Youth** - as used in this code, refers to a person, regardless of sex, race, religion ages 1-17 years old, single, either out-of-school or in school.

## Article II SURVIVAL AND DEVELOPMENT RIGHTS

**Section 1. REGISTRATION OF CHILD AT BIRTH.** A child has the right to name, nationality and all the rights inherent to a citizen. Since civil registration is a basic framework in establishing the fundamental right to determine civil status of every citizen, the parents shall cause the early birth registration of the child with the Office of the Local Civil Registrar of the Municipality where the child is born. To promote an effective and efficient timely registration of births and other vital events, the municipality in coordination with the National Statistics Office, barangays shall implement the Barangay Civil Registration System (BCRS) pursuant to Republic Act No. 3743 or the Civil Registry Law.

- A. **Maternal and Child Health Care and Nutrition Program and Health Nutrition Related Activities.** The Municipal Government of La Paz, Leyte shall strengthen the implementation of primary health care and nutrition program that cater to the health of the mother in her prenatal period to ensure the delivery of a healthy baby, and to the child, throughout the early childhood years. This shall include the provision of technical assistance and augmentation support of the following programs:
  - a. **Women's Health and safe Motherhood Program.** The program shall ensure fetal development and maternal well-being from pregnancy, delivery, to post-partum period. Thus, the province includes programs that would improve access to health facilities with basic emergency obstetric case. The following activities are undertaken to ensure fetal and maternal welfare:
    - Review of Maternal Deaths
    - Conduct of Prenatal and Post-partum Visits
    - Provision of Tetanus Toxoid Immunization
    - Family Planning Services
    - Promotion of exclusive Breastfeeding
    - Promote establishment of birthing facilities where deliveries are handled by trained health personnel.

- Discourage handling deliveries of “hilots”.
  - b. **Child Health and Nutrition Program.** The program shall provide for services to ensure children’s full growth and development. This includes the following activities to wit: Extend Program on Immunization, Environmental Sanitation, Infant and Youth Child Feeding, National Guidelines for Filipinos, Children’s growth Monitoring and Deworming.
  - c. **Undernutrition and Micronutrients Deficiency Program.** The program shall be undertaken to ensure that women and children are protected from under nutrition and consequences of micronutrient deficiency such as Vitamin A Deficiency Disorder, Iron Deficiency, Anemia and Iodine Deficiency Disorder. Thus, the province supports the implementation of RA 8976 otherwise known as the Philippine Food Fortification Act of 2000. Moreover, to address undernutrition, the supplemental feeding of 90-120 days is given to undernourished preschoolers in selected municipalities. In support to the initiatives to ensure decrease in the incidence of micronutrient deficiency, the conduct of Garantisadong Pambata every April and October of every year shall be continued.
  - d. **Female Functional Literacy and Enhanced Child Growth.** The program shall improve the health caring and seeking behavior among families of the poor, vulnerable and hard to reach population. This also aims to empower women by improving literacy among them as mothers and caregivers.
- B. **Day Care Service Program.** The Municipal Government of La Paz, Leyte shall continue to augment in the implementation o Day Care Service Program.
- C. **Early Childhood Care and Development.** The municipality shall adopt Republic Act 10410 – AN ACT RECOGNIZING THE AGE FROM ZERO (0) TO EIGHT (8) YEARS AS THE FIRST CRUCIAL STAGE OF EDUCATION DEVELOPMENT AND STRENGTHENING THE EARLY CHILDHOOD CARE AND DEVELOPMENT SYSTEM, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES, and Republic Act 8980 – AN ACT PROMULGATING A COMPREHENSIVE POLICY AND A NATIONAL SYSTEM FOR EARLY CHILDHOOD CARE AND DEVELOPMENT (ECCD), PROVIDING FUNDS THEREFORE AND FOR OTHER PURPOSES to provide technical assistance in the implementation of center-based programs such as, Barangay Day Care Program and the National Pre-School Education Program (PTCA Initiated Pre-School Classes, Pre-School Service Contracting Program and Regular DepEd Pre-School Classes).
- D. **Strengthening of the ECCD Council.** The ECCD Council shall be strengthened to ensure the State's focus on building a strong foundation for the development and learning of children during the early years from age zero (0) to four (4) years, to support the full range of health and sanitation, nutrition, early education, child protection, social services development and human development and ensure sustained interagency and multisectoral collaboration.
- E. **Training Program for Teachers, Health Workers and other ECCD Providers and the Special Program on Children with Special Needs.** Training Program for Teachers, Health Workers, and other ECCD Providers and the Special Program on Children with Special Needs shall be part of the priority program of the municipality.
- F. **Out of School Youth Program.** The municipality, through the Local Social Welfare and Development Office in coordination with the Department of Education (DepEd) and Technical Education Skills Development Authority (TESDA) shall implement programs such as alternative literacy programs and technical skills training for the out of school youth and other disadvantaged youth to help re-integrate to the regular school program or for them to acquire technical skills that would help them become self-reliant, economically productive and socially responsible citizens.



**Article III**  
**ESTABLISHMENT OF DATA BANKING FOR**  
**CHILDREN WITH DISABILITIES**

**Section 1. SUPPORT TO SPECIAL EDUCATION PROGRAM (SPED).** The municipality shall support the SPED program being undertaken by the DepEd and shall ensure that SPED classes be set up in public schools wherever necessary to allow special children to enroll within nearby barangay.

**Article IV**  
**PROTECTION RIGHTS**

**Section 1.** No child below fifteen (15) years of age shall be employed or allowed to work, except when he works directly under the sole responsibility of his parents or guardians, and his employment or work does not in any way interfere with his schooling, or his non-hazardous to him/her.

A hazardous work is one where the employee or worker is exposed to any risk which constitute an imminent danger to his life, safety, health and morals.

**Section 2.** The Local Government Unit (LGU) of La Paz, Leyte shall intervene on behalf of the child and the parent, guardian or person having custody of the child fails or is unable to protect the child against abuse or exploitation.

**Section 3. SYSTEM OF DIVERSION.** The concerned municipality Local Government Unit (LGU) of residence of the offender shall be responsible for the development of a diversion program and shall spearhead the implementation thereof. The Provincial Government shall assist the municipality if necessary.

**Section 4. ESTABLISHMENT OF WOMEN AND CHILDREN CONCERN CENTER (WCCC).** The Municipal Police Stations shall establish Women and Children Concern Center managed by policewomen to receive complains and problems, and assist victims and abuses. The Municipal Government of La Paz, Leyte, through the Municipal Police Office shall assist in strengthening and monitoring sustainability of Women and Children and Concern Center in all areas within the municipality.

**Section 5. REPORTING THE COVERAGE OF CASES INVOLVING CHILDREN.** Media practitioners have the duty to maintain the highest ethical and professional standards in reporting and covering cases of children and should observe in all publicity concerning children, the best interest of children shall be the primordial and paramount concern. Media practitioners shall at all times adhere to the guidelines on the reasonable reporting and coverage cases involving children.

**Section 6. E-PRONOGRAPHY AND COMPUTER GAMING.** All internet cafes shall keep the facilities transparent and open to deter costumers specially children from accessing pornographic sites and computer games. Operators who maintain enclosed and/or secured cubicles or rooms shall be subjected to cancellation of business permits in addition to the penalty provided in Section 28 hereof. The Municipality in coordination with the Municipal Council or Protection of Children shall conduct regular monitoring on the cases of E-Pornography and Computer Gaming.

**Article V**  
**PARTICIPATION RIGHTS**

**Section 1.** The Municipal Government of La Paz, Leyte shall encourage the child's freedom to express herself in matters affecting his/her life by supporting political, religious, socio-cultural and community development activities which will develop his mental and physical capabilities in preparation for adulthood.

**Section 2. Sangguniang Kabataan to Promote Children's Rights.** The Sangguniang Kabataan shall be the potent partner in the promotion of children's rights, and therefore, shall be equipped with the necessary leadership skills through trainings and capability building to be initiated and conducted the municipality/city LGUs in cooperation with the province and in partnership with one concerned agencies/stakeholders.

**Section 3.** Participation rights of differently-abled and out-of-school-youth shall be given special attention by concerned agencies, in coordination with the municipal government and the private sector through skills trainings and related activities.

**Section 4. The Municipal Government shall Strengthen the Youth Organizations as Venues for Participation.** Technical, material and financial support shall be given to their projects and activities to encourage membership among the youth.

#### **Article VI PROHIBITED ACTS**

**Section 1. Prohibited Acts.** In addition to all acts defined and penalized under Republic Act No. 7610 (Special Protection of Children Against Abuse, Exploitation and Discrimination Act as Amended by Republic Act No. 9321), Republic Act No. 10666 (An Act Providing for the Safety of Children Aboard Motorcycles), Republic Act No. 7568 (An Act Prohibiting the Employment of Children below Fifteen (15) Years of Age Amending Section 12 of R.A. No. 7610) (Anti-Violence Against Women and their Children Act of 2004), and other pertinent laws, the following act shall likewise be prohibited and punishable:

- a. **Child Trafficking** – any person who shall travel with a child not his/her relative within the fourth civil degree without clearance from the Department of Social Welfare and Development or the nearest Local Social Welfare and Development Office or written permit or clearance from the child’s parents or legal guardian shall be punished. There is a presumption of illegal trafficking when a person is found together with a child or minor not his/her relative without the said clearance or permit at the airport or port of exit for the purpose of travelling to other destination.
- b. **Employment of Children** – allowing a child to work as porter (kargador), pedicab driver, motorcycle driver, motor boat operator or as an assistant (kandulong), peddlers, farm laborer, laborer in construction work or in quarrying activities as a stone splitter and other similar activities which are hazardous and/or hamper the child’s education and development.
- c. **Discrimination of Illegitimate Children** – it shall be prohibited for schools to discriminate illegitimate children including but not limited to:
  1. Refusal to accept enrolment of illegitimate children in the school by reason of one’s illegitimacy.
  2. Requiring the marriage contract of parents in the enrolment of the child.
- d. **Expulsion by Reason of Pregnancy** – no shall impose penalty of expulsion against a child who has complied with all academic requirements by reason of pregnancy.
- e. **Refusal to Graduate a Child by Reason of Pregnancy** – it is prohibited for schools to refuse to graduate a child who has complied with or willing to comply with all academic requirements on reason of pregnancy.
- f. **Sexual Exploitation of Children** – sexual exploitation of children by any person is prohibited. Consorting children with public display of lascivious conduct shall be considered prima fact evidence of sexual exploitation.
- g. **Entry, Selling, Distribution, Patronage and Showing of Pornographic and Violent Multimedia Materials** – the local council for the welfare of children/local law enforces shall monitor and prevent the entry of pornographic and violent multimedia materials. It shall be unlawful for any person to sell, distribute, patronage and show such materials.
- h. **Computer/Internet and Gaming** – all computer shops and all internet cafes are prohibited from allowing school children to use the facility for gaming during school days from 7 o’clock in the morning to 5 o’clock in the afternoon. Children doing research work may be allowed provided. They can present written permission from their teachers or parents/guardians, and they shall be closely supervised by the owner/manager. Signages

to this effect shall be conspicuously posted in the establishment. Any violation hereof by the establishment shall be penalized with a suspension of the business permit for fifteen (15) days for the first offense; one-month suspension of the business permit for the second offense; and cancellation of the business permit for the third offense. This provision shall not in any way amend, modify or repeal a different time, daily schedule and penalty provision of a similar ordinance of a lower level Local Government Unit which shall continue to be in force and effect.

- i. **Selling and/or Giving Liquor, Cigarettes, Rugby and Other addictive Substances to Children** – It shall be unlawful for any person to sell or give liquor, cigarettes, rugby or any addictive substance to a child.
- j. Children shall be prohibited at cockpit premises and shall not be allowed in participating any cockfights.
- k. **Peonage of Children** – offering a child or the services of the child as payment for a debt or in exchange for a favour, such as but not limited to:
  - 1. Working in agricultural farms.
  - 2. Working as house helper.
- l. **Pushing/Enticing Children/Minors to Live-In Arrangement** – 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.
- m. It shall be unlawful for any person to a two (2)-wheeled motorcycle with a child on board on public roads where there is heavy volume of vehicles, there is a high density of fast-moving vehicles or where a speed limit of more than 60/kph is imposed, unless:
  - 1. The child passenger can comfortably reach his/her feet on the standard foot peg of the motorcycle;
  - 2. The child's arms can reach around and grasp the waist of the motorcycle rider; and
  - 3. The child is wearing a standard protective helmet referred to under Republic Act No. 10054, otherwise known as the "Motorcycle Helmet Act of 2009.

Notwithstanding the prohibition provided in the preceding section, this Act shall not apply to cases where the child to be transported requires immediate medical attention.

- n. **Physical and Other Degrading Forms of Punishments** – subjecting a child to physical and degrading forms of punishment such as but not limited to the following:
  - 1. Directing a child to kneel on salt and other similar granular object.
  - 2. Shaving the head of the child.
  - 3. Harsh whipping of the child with the stick, belt and other similar object.
  - 4. Tying up the child, placing him/her inside a sack, locking him/her up in cabinet or any closed structure, and otherwise detaining him/her.
  - 5. Pulling the hair of the child.
  - 6. Throwing objects such as, but not limited to, erasers, chalk and notebook at the child.
  - 7. Causing the child to stand under the heat of the sun.
  - 8. Defamatory utterances directed to the child.
  - 9. Disallowing enrolment of children on temporary status due to absence of birth certificate.
  - 10. Directing the child to stand in front of the class as punishment of an act or omission.
  - 11. Disallowing children from taking examination by reason of non-submission of projects.

Any person who commits any of the abovementioned prohibited acts shall be penalized.

**Article VII  
SPECIAL CONCERNS**

**Section 1. Organization and Strengthening of Local Councils for the Protection of Children.** The Local Council for the Protection of Children shall be organized at the municipal and barangay levels, respectively. The members of the LCPC are:

**Chairperson** – Local Chief Executive (LCE)

**Co-Chairperson** – chosen by the LCE from the members

**Members:**

- SP/SB Member (Chairperson, Committee on Women and Children)
- Provincial/Municipal high ranking officers of:

DILG

Social Welfare and Development Office

DOLE

DepEd

Planning and Development Office

MBO

Health Office

PNP

Treasury Office

SK Federation President

Nutrition Officer

Child Representative

At least three (3) representatives of private sector, two (2) of whom are appointed by the committee handling ECCD programs and one (1) from the labor union sector.

**Functions of LCPCs:**

1. Formulate plans, programs and policies for children that are gender-fair, culturally relevant and responsive to the needs of diverse group of children from 0 to below 18 years of age;
2. Prepare Annual Work and Financial Plan (AWFP) for children and recommend appropriations to the Sanggunian;
3. Provide coordinate linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
4. Provide technical assistance and recommend financial support to the lower level councils;
5. Establish and maintain database on children in their area of responsibility.
6. Recommend local legislations promoting child survival, protection, participation and development especially on the quality of television shows and media prints and coverage, with appropriate finding support;
7. Conduct capability building programs to enhance knowledge and skills in handling children's programs;
8. Monitor and evaluate the implementation of programs and submit reports to the appropriate agency;
9. Perform such other functions as provided for in the ECCD Law and other released laws.

**Article VIII  
PENALTY CLAUSE**

**Section 1. Penalties.** The penalty for any violation of this code which is not penalized elsewhere in other sections of this code or in any national law, shall be a fine of not less than One thousand Pesos (Php1,000.00) and not more than Two Thousand Five Hundred Pesos (Php2,500.00) or an imprisonment of not less than six (6) months and not more than one (1) year, or both such fine and imprisonment, at the discretion of the court.

For first time offenders of the prohibited acts enumerated in this code, except for Section 20 (g) hereof, and in cases where the offenders is the parent or teacher of the child or relative within the fourth degree of consanguinity, and admits the offense and is sincere and willing to reform, the penalty may be lowered,

subject to the consent of the child and any of the following measure may be imposed:

1. Attendance in a parenting and/or counselling sessions;
2. Community service of 10 to 15 days.
3. Participation in appropriate training courses.

For offense punishable under Presidential Decree No. 603 (Child and Youth Welfare Code) Republic Act No. 7610 (Special Protection of Children against Abuser, Exploitation and Discrimination Act, as amended by Republic Act No. 9231); Republic Act 10410 – An Act Recognizing the Age from Zero (0) to Eight (8) Years as the First Crucial Stage of Education Development and Strengthening the Early Childhood Care and Development System, Appropriating Funds Therefor and for Other Purposes, Republic Act No. 10666 (An Act Providing for the Safety of Children Aboard Motorcycles), Republic Act No. 7658 (An Act Prohibiting the Employment of Children below Fifteen (15) Years of Age Amending Section 12 of R.A. 7619), Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003), Republic Act No. 9262 (Anti-Violence Against Women and their Children Act of 2004); the Revised Penal Code or any law as well as this Code, the offended party and/or any party so authorized may file a complaint under the national law, and the penalty in such national law shall be imposed.

#### **Article IX FINAL PROVISION**

**Section 1. Implementing Rules and Regulations (IRR).** Within six (6) months after the approval of this Code, that Local Chief Executive, assisted by the Municipal and/or Provincial Legal Office and the Provincial Prosecutors Office shall formulate and issue rules and regulations necessary for the effective implementation of this ordinance.

**Section 2. Penalty for Refusal or Neglect of any Government Official or Employees Implement this Ordinance.** Any government official or employee, charged with the duty to implement this ordinance, and who refuses or neglects his duty, shall be punished with six (6) months suspension from the service without pay, provided that due process on administrative discipline as established under the Civil Service Law and other pertinent laws shall be strongly observed before said penalty is imposed to such offender.

**Section 3. Appropriations for Children’s Programs.** Local government units shall appropriate funds, as part of its annual budget, for the implementation of children’s program. The Local Government Unit shall allocate funds necessary for the implementation of this Code. Including the drafting and publication of the IRR, training and orientation of stakeholders and promotion on this Code to the general public.

**Section 4. Suppletory Application.** The applicable provisions of Presidential Decree No. 603 (Child and Youth Welfare Code) Republic Act No. 7610 (Special Protection of Children against Abuser, Exploitation and Discrimination Act, as amended by Republic Act No. 9231); Republic Act No. 7658 (An Act Prohibiting the Employment of Children below Fifteen (15) Years of Age Amending Section 12 of R.A. No. 7610), Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003), Republic Act No. 9262 (Anti-Violence Against Women and their Children Act of 2004); and the Revised Penal Code or any other law as well as this Code.

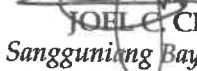
**Section 5. Separability Clause.** If for any reason a provision of this Ordinance is declared invalid or unconstitutional other parts or provisions hereof which are not affected thereby and continue to be in full force and effect.

**Section 6. Repealing Clause.** All ordinances, resolutions, executive orders and other local issuances which are inconsistent with any of the provisions of this Code are hereby repealed and modifies accordingly.

**Section 7. Effective Clause.** This code shall take effect fifteen (15) days after its approval by the Sangguniang Panlalawigan.

**UNANIMOUSLY approved.**

  
**ALVIN M. TEJOME**  
Sangguniang Bayan Member

  
**JOEL C. CINCO**  
Sangguniang Bayan Member

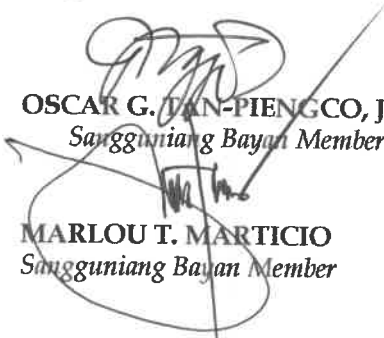
  
**ARACELI P. GO**  
Sangguniang Bayan Member

  
**RELLY F. RELANO**  
Sangguniang Bayan Member

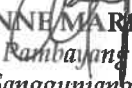
  
**JOSE L. CARTEL**  
Sangguniang Bayan Member

  
**TITO S. BARONA**  
Sangguniang Bayan Member

  
**OSCAR G. TAN-PIENGGCO, J. D.**  
Sangguniang Bayan Member

  
**MARLOU T. MARTICIO**  
Sangguniang Bayan Member

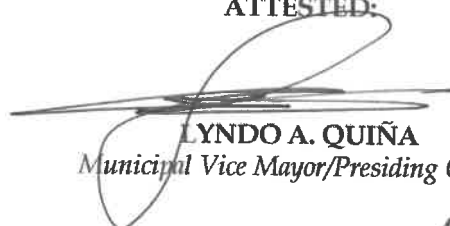
**NOEL M. SIA**  
Liga ng mga Barangay President

  
**ARIANNE MARIE P. GO**  
President, Rambayang Pederasyon  
ng mga Sangguniang Kabataan

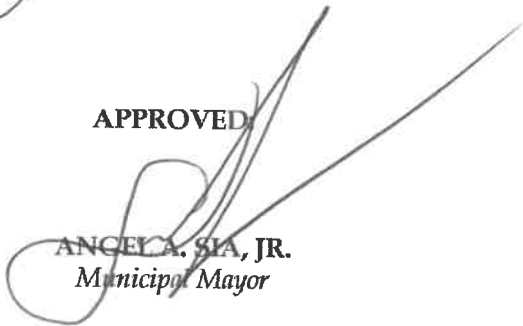
I HEREBY CERTIFY to the correctness of the foregoing quoted Municipal Ordinance which was duly adopted by the Sangguniang Bayan of La Paz, Leyte during its regular session held on March 20, 2023.

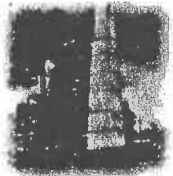
  
**ERWIN M. CERNAL**  
Secretary of the Sangguniang Bayan

ATTESTED:

  
**LYNDO A. QUIÑA**  
Municipal Vice Mayor/Presiding Officer

APPROVED:

  
**ANGELCA S. SIA, JR.**  
Municipal Mayor



Republic of the Philippines  
**PROVINCE OF LEYTE**  
 Municipality of La Paz  
 -oOo-



**OFFICE OF THE SANGGUNIANG BAYAN**

**EXCERPT FROM THE MINUTES OF THE FIRST REGULAR SESSION OF THE SANGGUNIANG BAYAN OF LA PAZ, LEYTE HELD ON MAY 03, 2017 AT THE TEMPORARY SESSION HALL**

**PRESENT:**

|              |    |        |                                |
|--------------|----|--------|--------------------------------|
| HON. JOEL    | C. | CINCO  | Municipal Vice-Mayor/Presiding |
| HON. LYNDY   | A. | QUINA  | SB Member                      |
| HON. JOSE    | T. | CARTEL | SB Member                      |
| HON. ODELL   | R. | BARONA | SB Member                      |
| HON. GLORIA  | M. | TEJOME | SB Member                      |
| HON. EDUARDO | R. | CAALIM | SB Member                      |
| HON. JUL     | C. | CO     | SB Member                      |
| HON. ANTONIA | A. | ALPINO | SB Member                      |
| HON. ARVIN   | G. | TERADO | SB Member                      |
| HON. DANILO  | F. | GOMEZ  | LIGA Federation President      |

MAY 25 2017

**ABSENT: NONE**

**RESOLUTION NO. 2017 - 68**

**RESOLUTION ENACTING AND APPROVING MUNICIPAL ORDINANCE NO. 2, SERIES 2017 ENTITLED "AN ORDINANCE PROVIDING FOR THE CHILDREN'S WELFARE CODE IN THE MUNICIPALITY OF LA PAZ, LEYTE"**

WHEREAS, the Philippine Government is a signatory to the United Nation's Convention on the Rights of the Child (UNCRC), as well as The World Declaration on the Survival Development Protection and Participation of Children, and such, has several laws and development plans for children in support of these international instruments.

WHEREAS, Article XV, Section 3 (2) of the Philippine Constitution states that "The state shall define the rights of children to assistance, including proper care and nutrition, special protection from all form of neglect, abuse, cruelty, exploitation and other condition prejudicial to their development".

WHEREAS, the Municipal Government of La Paz, Leyte believes that children are wealth of society; it recognizes their rights and acknowledges the fact that the exercise of these rights will ensure their development into exemplary citizens of the country.

WHEREAS, there is a need to enact local ordinances to substantiate existing laws relating to children's rights and to support sustained efforts of the provincial government to address specific situations and problems prevailing in the province.

WHEREAS, the passage of this ordinance will strengthen the child-friendly programs being implemented by the municipality and eventually improve the current state of our children and eradicate traditional practices which tend to violate children's rights.

WHEREFORE, on motion of the Honorable Jose T. Cartel, unanimously seconded by all its members present, be it;

BE IT ORDAINED by the Sangguniang Bayan of La Paz, Leyte in a session assembled to enact the following ordinances:

**MUNICIPAL ORDINANCE NO. 02  
 Series 2017**

**AN ORDINANCE PROVIDING FOR THE CHILDREN'S WELFARE CODE IN THE MUNICIPALITY OF LA PAZ, LEYTE**

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Article I  
BASIC PRINCIPLES

Section 1. SHORT TITLE. This ordinance shall be known as "*The Municipality of La Paz, Leyte Children's Welfare Code*".

Section 2. DECLARATION OF POLICY. It is hereby declared the policy of the Municipality of La Paz, Leyte to defend the rights of children to assistance. Provide every child with proper care, nutrition, equal access to quality education and special protection against all forms of neglect, abuse, cruelty exploitation as well as other forms of conditions prejudicial to their development. It recognizes the vital role of youth in nation building and encourages their involvement in public and civic affairs. The municipality is a strong advocate for children's rights and ensures the promotion and protection of these rights so as to enable children to develop their potentials and facilities.

Section 3. DEFINITION OF TERMS. As used in this ordinance, the following terms shall mean.

- a. **Child Abuse** - refers to the maltreatment of the child, whether habitual or not, 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 that debases; degrades or demeans the intrinsic worth and dignity of a child as a human being;
  3. Unreasonable deprivation of his/her basic needs for survival, such as food and shelter; and
  4. Failure to immediately give medical treatment to an injury resulting in serious impairment of his/her growth and development or in his/her permanent incapacity or death.
- b. **Children** - refer to persons below eighteen (18) years of age and those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelties, exploitation and/or discrimination because of physical or mental disability or condition.
- c. **Children in Conflict with the Law (CICL)** - refers to a child who is, alleged as, accused of, or unjudged as, having committed an offense under Philippine laws.
- d. Circumstances which gravely threaten or endanger the survival and normal development of children include, but not limited to the following:
1. Being in the community where there is armed conflict or being affected by armed conflict related activities;
  2. Working under conditions hazardous to life, safety and morals which unduly interfere with their normal development;
  3. Living or fending for themselves in the streets of urban or rural areas without the care of parents or a guardian or an adult supervision needed for their welfare;
  4. Being a member of an indigenous cultural community and/or living under conditions of access to basic services needed for a good quality of life;
  5. Being a victim of a man-made or natural disaster/calamity; and
  6. Circumstances analogous to those above stated which endanger life, safety or normal development of children.
- e. **Comprehensive program against child exploitation and discrimination** - refers to the coordinated program of services and facilities to protect children against:
1. Child prostitution and other sexual abuse;
  2. Child trafficking;
  3. Obscene publications and indecent shows;
  4. Other acts of abuse;
  5. Circumstances which threaten or endanger the survival and normal development of children.
- f. **Day Care Center** - is a facility where early childhood care services are provided by an accredited day care worker particularly for children in the three-to-five (3-5) year age bracket.

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- g. **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 conscience and religion.
- h. **Differently-Abled Children/Special Children or Children with Special Needs** - are children with either physical or mental infirmities whether congenital or acquired after birth.
- i. **Diversion** - shall refer to an alternative process of managing children in conflict with the law (CICL) without resorting to formal court system.
- j. **Diversion Programs** - shall refer to activities that CICL's are required to undergo after they are found responsible for an offense, without the child being made to undergo formal court litigation.
- k. **Participation Rights** - include 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.
- l. **Pre-school Education** - refers to the age from 3 to 6 years old and known to be the critical phase of the child's psychomotor development. It is also the phase when activities for development stimulation for children must be provided.
- m. **Pre-school Services** - includes the following such as but not limited to programs, activities, initiatives, facilities and similar undertakings to address needs of 0-6 years old children.
- n. **Protection Rights** - cover those which guard children against all forms of child abuse, exploitation and discrimination in areas where a child is considered in extremely difficult circumstances.
- o. **Special Education** - refers to the education of persons who are gifted or talented and those who have physical, mental, social or sensory impairment and cultural differences such as to require modification of the school curricula, programs and special services and physical facilities to develop them to their maximum capacity.
- p. **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.
- q. **Youth** - as used in this code, refers to a person, regardless of sex, race, religion ages 1-17 years old, single, either out-of-school or in school.

## Article II

### SURVIVAL AND DEVELOPMENT RIGHTS

**Section 4. REGISTRATION OF CHILD AT BIRTH.** A child has the right to name, nationality and all the rights inherent to a citizen. Since civil registration is a basic framework in establishing the fundamental right to determine civil status of every citizen, the parents shall cause the early birth registration of the child with the Office of the Local Civil Registrar of the Municipality where the child is born. To promote an effective and efficient timely registration of births and other vital events, the municipality in coordination with the National Statistics Office, barangays shall implement the Barangay Civil Registration System (BCRS) pursuant to Republic Act. No. 3743 or the Civil Registry Law

- A. **Maternal and Child Health Care and Nutrition Program and Health Nutrition Related Activities.** The Municipal Government of La Paz, Leyte shall strengthen the implementation of primary health care and nutrition program that cater to the health of the mother in her pre-natal period. To ensure the delivery of healthy baby, and to the child, throughout the early childhood years. This shall include the provision of technical assistance and augmentation support of the following programs:


a. **Women's Health and safe Motherhood Program.** The program shall ensure fetal development and maternal well-being from pregnancy, delivery, to post-partum period. Thus, the province includes programs that would improve access to health facilities with basic emergency obstetric case. The following activities are undertaken to ensure fetal and maternal welfare:

- Review of Maternal Deaths
- Conduct of Prenatal and Post-partum Visits
- Provision of Tetanus Toxoid Immunization
- Family Planning Services
- Promotion of exclusive Breastfeeding
- Promote establishment of birthing facilities where deliveries are handled by trained-health personnel.
- Discourage handling deliveries of "hilots".

b. **Child Health and Nutrition Program.** The program shall provide for services to ensure children's full growth and development. This includes the following activities to wit: Extend Program on Immunization, Environmental Sanitation, Infant and Youth Child Feeding, National Guidelines for Filipinos, Children's growth Monitoring and Deworming.

c. **Undernutrition and Micronutrients Deficiency Program.** The program shall be undertaken to ensure that women and children are protected from under nutrition and consequences of micronutrient deficiency such as Vitamin A Deficiency Disorder, Iron Deficiency, Anemia and Iodine Deficiency Disorder. Thus, the province supports the implementation of RA 8976 otherwise known as the Philippine Food Fortification Act of 2000. Moreover, to address undernutrition, the supplemental feeding of 90-120 days are given to undernourished pre-schoolers in selected municipalities. In supports to the initiatives to ensure decrease in the incidence of micronutrient deficiency, the conduct of Garantisadong Pambata every April and October of every year shall be continued.

d. **Female Functional Literacy and Enhanced Child Growth.** The program shall improve the health caring and seeking behavior among families of the poor, vulnerable and hard to reach population. This also aims to empower women by improving literacy among them as mothers and caregivers.

B. **Day Care Service Program.** The Municipal Government of La Paz, Leyte shall continue to augment in the implementation o Day Care Service Program.

C. **Early Childhood Care and Development.** The municipality shall adopt the Early Childhood Care and Development Programs pursuant to R.A. 8980 otherwise known as the Early Childhood Care and Development (ECCD) Act and shall provide technical assistance in the implementation of center based programs such as, Barangay Day Care Program and the National Pre-School Education Program (PTCA Initiated Pre-School Classes, Pre-School Service Contracting Program and Regular DepEd Pre-School Clsses).

#### **Section 5. ESTABLISHMENT OF DATA BANKING FOR CHILDREN WITH DISABILITIES.**

**Section 6. OUT OF SCHOOL YOUTH PROGRAM.** The municipality, through the Local Social Welfare and Development Office in coordination with the Department of Education (DepEd) and Technical Education Skills Development Authority (TESDA) shall implement programs such as alternative literacy programs and technical skills training for the out of school youth and other disadvantaged youth to help re-integrate to the regular school program or for them to acquire technical skills that would help them become self-reliant, economically productive and socially responsible citizens.

**Section 7. TRAINING PROGRAM FOR TEACHERS, HEALTH WORKERS AND OTHER ECCD PROVIDERS AND THE SPECIAL PROGRAM ON CHILDREN WITH SPECIAL NEEDS.** Training Program for Teachers, Health Workers, and other ECCD Providers and the Special Program on Children with Special Needs shall be part of the priority program of the municipality.

**Section 8. SUPPORT TO SPECIAL EDUCATION PROGRAM (SPED).** The municipality shall support the SPED program being undertaken by the DepEd and shall ensure that SPED classes the set up public schools wherever necessary to allow special children to enroll within nearby barangay.

Article III  
PROTECTION RIGHTS

Section 9. No child below fifteen (15) years of age shall be employed or allowed to work, except when he works directly under the sole responsibility of his parents or guardians, and his employment or work does not in any way interfere with his schooling, or his non-hazardous to him/her.

A hazardous work is one where the employee or worker is exposed to any risk which constitute an imminent danger to his life, safety, health and morals.

Section 10. The Local Government Unit (LGU) of La Paz, Leyte shall intervene on behalf of the child and the parent, guardian or person having custody of the child fails or is unable to protect the child against abuse or exploitation.

Section 11. SYSTEM OF DIVERSION. The concerned municipality Local Government Unit (LGU) of residence of the offender shall be responsible for the development of a diversion program and shall spearhead the implementation thereof. The Provincial Government shall assist the municipality if necessary.

Section 12. ESTABLISHMENT OF WOMEN AND CHILDREN CONCERN CENTER (WCCC). The Municipal Police Stations shall establish Women and Children Concern Center managed by policewomen to receive complains and problems, and assist victims and abuses. The Municipal Government of La Paz, Leyte, through the Municipal Police Office shall assist in strengthening and monitoring sustainability of Women and Children and Concern Center in all areas within the municipality.

Section 13. REPORTING THE COVERAGE OF CASES INVOLVING CHILDREN. Media practitioners have the duty to maintain the highest ethical and professional standards in reporting and covering cases of children and should observe in all publicity concerning children, the best interest of children shall be the primordial and paramount concern. Media practitioners shall at all times adhere to the guidelines on the reasonable reporting and coverage cases involving children.

Section 14. E-PORNOGRAPHY AND COMPUTER GAMING. All internet cafes shall keep the facilities transparent and open to deter costumers specially children from accessing pornographic sites and computer games. Operators who maintain enclosed and/or secured cubicles or rooms shall be subjected to cancellation of business permits in addition to the penalty provided in Section 28 hereof. The Municipality in coordination with the Municipal Council or Protection of Children shall conduct regular monitoring on the cases of E-Pornography and Computer Gaming.

Article IV

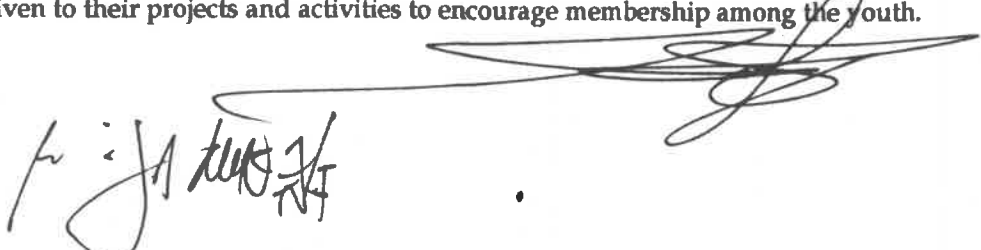
PARTICIPATION RIGHTS

Section 16. The Municipal Government of La Paz, Leyte shall encourage the child's freedom to express herself in matters affecting his/her life by supporting political, religious, socio-cultural and community development activities which will develop his mental and physical capabilities in preparation for adulthood.

Section 17. SANGGUNIANG KABATAAN TO PROMOTE CHILDREN'S RIGHTS. The Sangguniang Kabataan shall be the potent partner in the promotion of children's rights, and therefore, shall be equipped with the necessary leadership skills through trainings and capability building to be initiated and conducted the municipality/city LGUs in cooperation with the province and in partnership with one concerned agencies/stakeholders.

Section 18. Participation rights of differently-abled and out-of-school-youth shall be given special attention by concerned agencies, in coordination with the municipal government and the private sector through skills trainings and related activities.

Section 19. THE MUNICIPAL GOVERNMENT SHALL STRENGTHEN THE YOUTH ORGANIZATIONS AS VENUES FOR PARTICIPATION. Technical, material and financial support shall be given to their projects and activities to encourage membership among the youth.



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Article V

PROHIBITED ACTS

Section 20. PROHIBITED ACTS. In addition to all acts defined and penalized under Republic Act No. 7610 (Special Protection of Children Against Abuse, Exploitation and Discrimination Act as Amended by Republic Act No. 9321, Republic Act. No. 7568 (*An Act Prohibiting the Employment of Children below Fifteen (15) Years of Age Amending Section 12 of R.A. No. 7610*) (*Anti-Violence Against Women and their Children Act of 2004*), and other pertinent laws, the following act shall likewise be prohibited and punishable:

**Child Trafficking** - any person who shall travel with a child not his/her relative within the fourth civil degree without clearance from the Department of Social Welfare and Development or the nearest Local Social Welfare and Development Office or written permit or clearance from the child's parents or legal guardian shall be punished. There is a presumption of illegal trafficking when a person is found together with a child or minor not his/her relative without the said clearance or permit at the airport or port of exit for the purpose of travelling to other destination.

- a. **Employment of Children** - allowing a child to work as porter (kargador), pedicab driver, motorcycle driver, motor boat operator or as an assistant (kandulong), peddlers, farm laborer, laborer in construction work or in quarrying activities as a stone splitter and other similar activities which are hazardous and/or hamper the child's education and development.
- b. **Discrimination of Illegitimate Children** - it shall be prohibited for schools to discriminate illegitimate children including but not limited to:
  - 1. Refusal to accept enrolment of illegitimate children in the school by reason of one's illegitimacy.
  - 2. Requiring the marriage contract of parents in the enrolment of the child.
- c. **Expulsion by Reason of Pregnancy** - no shall impose penalty of expulsion against a child who has complied with all academic requirements by reason of pregnancy.
- d. **Refusal to Graduate a Child by Reason of Pregnancy** - it is prohibited for schools to refuse to graduate a child who has complied with or willing to comply with all academic requirements on reason of pregnancy.
- e. **Sexual Exploitation of Children** - sexual exploitation of children by any person is prohibited. Consorting children with public display of lascivious conduct shall be considered prima fact evidence of sexual exploitation.
- f. **Entry, Selling, Distribution, Patronage and Showing of Pornographic and Violent Multimedia Materials** - the local council for the welfare of children/local law enforces shall monitor and prevent the entry of pornographic and violent multimedia materials. It shall be unlawful for any person to sell, distribute, patronage and show such materials.
- g. **Computer/Internet and Gaming** - all computer shops and all internet cafes are prohibited from allowing school children to use the facility for gaming during school days from 7 o'clock in the morning to 5 o'clock in the afternoon. Children doing research work may be allowed provided. They can present written permission from their teachers or parents/guardians, and they shall be closely supervised by the owner/manager. Signages to this effect shall be conspicuously posted in the establishment. Any violation hereof by the establishment shall be penalized with a suspension of the business permiiy for fifteen (15) days for the first offense; one month suspension of the business permit for the second offense; and cancellation of the business permit for the third offense. This provision shall not in any way amend, modify or repeal a different time, daily schedule and penalty provision of a similar ordinance of a lower level Local Government Unit which shall continue to be in force and effect
- h. **Selling and/or Giving Liquor, Cigarettes, Rugby and Other addictive Substances to Children** - It shall be unlawful for any person to sell or give liquor, cigarettes, rugby or any addictive substance to a child.

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- i. Children shall be prohibited at cockpit premises and shall not be allowed in participating any cockfights.
- j. **Peonage of Children** - offering a child or the services of the child as payment for a debt or in exchange for a favour, such as but not limited to:
  1. Working in agricultural farms.
  2. Working as house helper.
- k. **Pushing/Enticing Children/Minors to Live-In Arrangement** - 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.
- l. **Physical and Other Degrading Forms of Punishments** - subjecting a child to physical and degrading forms of punishment such as but not limited to the following:
  1. Directing a child to kneel on salt and other similar granular object.
  2. Shaving the head of the child.
  3. Harsh whipping of the child with the stick, belt and other similar object.
  4. Tying up the child, placing him/her inside a sack, locking him/her up in cabinet or any closed structure, and otherwise detaining him/her.
  5. Pulling the hair of the child.
  6. Throwing objects such as, but not limited to, erasers, chalk and notebook at the child.
  7. Causing the child to stand under the heat of the sun.
  8. Defamatory utterances directed to the child.
  9. Disallowing enrolment of children on temporary status due to absence of birth certificate.
  10. Directing the child to stand in front of the class as punishment of an act or omission.
  11. Disallowing children from taking examination by reason of non-submission of projects.

Any person who commits any of the abovementioned prohibited acts shall be penalized.

#### Article VI

#### SPECIAL CONCERNS

**Section 21. ORGANIZATION AND STRENGTHENING OF LOCAL COUNCILS FOR THE PROTECTION OF CHILDREN.** The Local Council for the Protection of Children shall be organized at the municipal and barangay levels, respectively. The members of the LCPC are:

**Chairperson** - Local Chief Executive (LCE)

**Co-Chairperson** - Chosen by the LCE from the members

**Members:**

- SP/SB Member (Chairperson, Committee on Women and Children)
- Provincial/Municipal high ranking officers of:

DILG  
Social Welfare and Development Office  
DOLE  
DepEd  
Planning and Development Office  
MBO  
Health Office  
PNP  
Treasury Office  
SK Federation President  
Nutrition Officer  
Child Representative

At least three (3) representatives of private sector, two (2) of whom are appointed by the committee handling ECCD programs and one (1) from the labor union sector.

**Functions of LCPCs:**

1. Formulate plans, programs and policies for children that are gender-fair, culturally relevant and responsive to the needs of diverse group of children from 0 to below 18 years of age;
2. Prepare Annual Work and Financial Plan (AWFP) for children and recommend appropriations to the Sanggunian;
3. Provide coordinate linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
4. Provide technical assistance and recommend financial support to the lower level council
5. Establish and maintain database on children in their area of responsibility.
6. Recommend local legislations promoting child survival, protection, participation and development especially on the quality of television shows and media prints and coverage, with appropriate finding support;
7. Conduct capability building programs to enhance knowledge and skills in handling children's programs;
8. Monitor and evaluate the implementation of programs and submit reports to the appropriate agency;
9. Perform such other functions as provided for in the ECCD Law and other released laws.

**Article VII**

**\* PENALTY CLAUSE**

**Section 22. PENALTIES.** The penalty for any violation of this code which is not penalized elsewhere in other sections of this code or in any national law, shall be a fine of *not less than ONE THOUSAND PESOS (Php1,000.00) and not more than FIVE THOUSAND PESOS (Php5,000.00), or an imprisonment of not less than six (6) months and not more than one (1) year, or both such fine and imprisonment, at the discretion of the court.*

For first time offenders of the prohibited acts enumerated in this code, except for Section 20 (g) hereof, and in cases where the offenders is the parent or teacher of the child or relative within the fourth degree of consanguinity, and admits the offense and is sincere and willing to reform, the penalty may be lowered, subject to the consent of the child and any of the following measure may be imposed:

1. Attendance in a parenting and/or counselling sessions;
2. Community service of 10 to 15 days.
3. Participation in appropriate training courses.

For offense punishable under Presidential Decree No. 603 (Child and Youth Welfare Code) Republic Act No. 7610 (Special Protection of Children against Abuser, Exploitation and Discrimination Act, as amended by Republic Act No. 9231); Republic Act NO. 7658 (An Act Prohibiting the Employment of Children below Fifteen (15) Years of Age Amending Section 12 of R.A. 7619), Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003), Republic Act No. 9262 (Anti-Violence Against Women and their Children Act of 2004); the Revised Penal Code or any law as well as this Code, the offended party and/or any party so authorized may file a complaint under the national law, and the penalty in such national law shall be imposed.

**Article VIII**

**FINAL PROVISION**

**Section 23. IMPLEMENTING RULES AND REGULATIONS (IRR).** Within six (6) months after the approval of this Code, that Local Chief Executive, assisted by the Municipal and/or Provincial Legal Office and the Provincial Prosecutors Office shall formulate and issue rules and regulations necessary for the effective implementation of this ordinance.

**Section 24. PENALTY FOR REFUSAL OR NEGLECT OF ANY GOVERNMENT OFFICIAL OR EMPLOYEES IMPLEMENT THIS ORDINANCE.** Any government official or employee, charged with the duty to implement this ordinance, and who refuses or neglects his duty, shall be punished with six (6) months suspension from the service without pay, provided that due process on administrative discipline as established under the Civil Service Law and other pertinent laws shall be strongly observed before said penalty is imposed to such offender.

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**Section 25. APPROPRIATIONS FOR CHILDREN'S PROGRAMS.** Local government units shall appropriate funds, as part of its annual budget, for the implementation of children's program. The Local Government Unit shall allocate funds necessary for the implementation of this Code. Including the drafting and publication of the IRR, training and orientation of stakeholders and promotion on this Code to the general public.


**Section 26. SUPPLEMENTARY APPLICATION.** The applicable provisions of Presidential Decree No. 603 (Child and Youth Welfare Code) Republic Act No. 7610 (*Special Protection of Children against Abuser, Exploitation and Discrimination Act, as amended by Republic Act No. 9231; Republic Act No. 7658 (An Act Prohibiting the Employment of Children below Fifteen (15) Years of Age Amending Section 12 of R.A. No. 7610), Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003), Republic Act No. 9262 (Anti-Violence Against Women and their Children Act of 2004); and the Revised Penal Code or any other law as well as this Code.*

**Section 27. SEPARABILITY CLAUSE.** If for any reason a provision of this Ordinance is declared invalid or unconstitutional other parts or provisions hereof which are not affected thereby and continue to be in full force and effect.

**Section 28. REPEALING CLAUSE.** All ordinances, resolutions, executive orders and other local issuances which are inconsistent with any of the provisions of this Code are hereby repealed and modifies accordingly.

**Section 29. EFFECTIVE CLAUSE.** This code shall take effect fifteen (15) days after its approval by the Sangguniang Panlalawigan and posting in conspicuous places in the municipality.

Date Enacted: MAY 03, 2017

  
ERWIN M. CERNAL  
Board Secretary V  
(Secretary to the Sanggunian)


ATTESTED:

  
HON. JOEL C. CINCO  
Municipal Vice-Mayor/Presiding

  
HON. LYNDY A. QUIÑA  
Sangguniang Bayan Member

  
HON. JOSE T. CARTEL  
Sangguniang Bayan Member

  
HON. ODELL R. BARONA  
Sangguniang Bayan Member

  
HON. GLORIA M. TEJOME  
Sangguniang Bayan Member

  
HON. EDUARDO R. CAALIM  
Sangguniang Bayan Member

  
HON. JULIE C. CONT  
Sangguniang Bayan Member

  
HON. ANTONIA A. ALPINO  
Sangguniang Bayan Member

  
HON. ARVIN G. TERADO  
Sangguniang Bayan Member

  
HON. DANILO F. GOMEZ  
LIGA Federation President

APPROVED:

  
HON. LESMES C. LUMEN, M.D.  
Municipal Mayor



Republic of the Philippines  
Province of Leyte  
MUNICIPALITY OF LA PAZ  
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OFFICE OF THE SANGGUNIANG BAYAN

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CERTIFICATION OF POSTING

TO WHOM THIS MAY CONCERN:

**THIS IS TO CERTIFY** that **POSTING** in prominent places in the Municipal Hall and other conspicuous places in the locality was undertaken and copies of said ordinances was remain posted for three (3) consecutive weeks pursuant to Section 59 (b) of Republic Act 7190, in relation on the ordinance - **MUNICIPAL ORDINANCE NO. 02, SERIES OF 2023 – AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 02, SERIES OF 2017 – AN ORDINANCE PROVIDING FOR THE CHILDREN’S WELFARE CODE IN THE MUNICIPALITY OF LA PAZ, LEYTE.**

Subject ordinance is being forwarded to that Body for review in compliance with Section 56 of Republic Act 7160.

ISSUED this 11<sup>th</sup> day of April 2023 at the office of Sangguniang Bayan, La Paz, Leyte.

Very truly yours,

A handwritten signature in black ink, appearing to read "Erwin M. Cernal".

**ERWIN M. CERNAL**

*Secretary of the Sangguniang Bayan*