



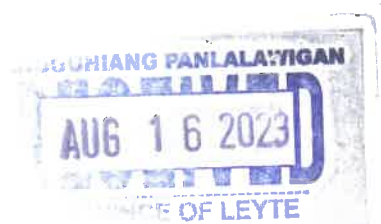
Republic of the Philippines
Province of Leyte



Office of Honorable Raissa J. Villasin

August 16, 2023

HON. LEONARDO M. JAVIER, JR.
Vice Governor
Province of Leyte



Dear Honorable Vice Governor:

Warm greetings!

Respectfully endorsing to your good office the following to be included in our agenda, for first reading:

- AN ORDINANCE PROVIDING FOR A COMPREHENSIVE CHILD SUPPORT SYSTEM IN THE PROVINCE OF LEYTE;
- AN ORDINANCE ENACTING THE INSTALLATION OF BEHAVIORAL NUDGES IN PRIORITY SETTINGS;

Thank you very much and Best Regards!

Very Truly Yours,


HON. RAISSA J. VILLASIN
Chairperson, Committee On Health

Cc: Hon. Atty. Carlo P. Loreto, Floor Leader



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Republic of the Philippines
PROVINCE OF LEYTE



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OFFICE OF THE SANGGUNIANG PANLALAWIGAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF LEYTE CONDUCTED AT THE SESSION HALL, LEYTE PROVINCIAL GOVERNMENT COMPLEX ON

PHYSICALLY PRESENT:

VIRTUALLY PRESENT:

RESOLUTION NO. 2023-__

A RESOLUTION APPROVING ON THIRD AND FINAL READING, PROVINCIAL ORDINANCE NO. 2023- , ENTITLED: AN ORDINANCE PROVIDING FOR A COMPREHENSIVE CHILD SUPPORT SYSTEM IN PROVINCE OF LEYTE

WHEREAS, it is the policy of the State to provide special protection to children from all forms of abuse, neglect, cruelty, exploitation, and discrimination, to provide sanctions for their commission, to carry out a program for the prevention and deterrence of such, and to ultimately promote the welfare of children and enhance their opportunities for a useful and happy life;

WHEREAS, the State values the dignity of women and children and guarantees full respect for human rights. The State also recognizes the need to protect the family and its members, particularly women and children, from violence and threats to their personal safety and security.

WHEREAS, the State recognizes the vital role of the youth in nation-building and shall endeavor to promote and protect their physical, moral, spiritual, intellectual, and social well-being;

WHEREAS, Section 30 of Republic Act No. 11223 or the Universal Health Care Act and its Implementing Rules and Regulations strengthen the adoption of integrated and comprehensive approach in ensuring that all Filipinos are health literate, provided with healthy living conditions, and protected from hazards and risks that could affect their health status, by directing Local Government Units (LGUs) to issue and implement effective health promotion policies and programs that promote health literacy and healthy lifestyle among their constituents, prioritizing programs that address key risk factors to prevent and control disease as well as to advance population health and individual well-being;

NOW THEREFORE, on motion of Honorable _____, and duly seconded by Honorable _____, be it

RESOLVED to enact, as it is hereby **ENACTED** on third and final reading, the following:

-over-

ORDINANCE NO. 2023-___
Series of 2023

SPONSOR: HON. RAISSA J. VILLASIN
Chairperson, Committee on Health and Sanitation

CO-AUTHORS:

**AN ORDINANCE PROVIDING FOR A COMPREHENSIVE CHILD SUPPORT
SYSTEM IN THE PROVINCE OF LEYTE**

Be it ordained by the Sangguniang Panlalawigan of Leyte, that:

CHAPTER I. GENERAL PROVISIONS

SECTION 1. TITLE. This Ordinance shall be known as the "**COMPREHENSIVE CHILD SUPPORT SYSTEM IN PROVINCE OF LEYTE**";

SECTION 2. DECLARATION OF POLICY. This Ordinance seeks to:

- a. Reinforce the provision or establishment of a comprehensive child support system in the Province of Leyte that promotes and protects the overall well-being of its youth;
- b. Promote the dignity and welfare of children and enhance their opportunities for a useful and happy life by taking proactive measures to keep them away from violence and injury;
- c. Prevent the occurrence of violence and protect children from threats to their personal safety and security in their homes, schools, communities, and other settings;
- d. Provide a safe and supportive environment for all people, especially for vulnerable groups such as children, to live, study/work, play, and perform other activities in their communities.

CHAPTER II. DEVELOPMENT RIGHTS OF CHILDREN

SECTION 3. EDUCATION AND INFORMATION PROGRAM. The Social Welfare and Development Office (SWDO), together with other related agencies, organizations, and individuals, shall endeavor to develop, implement, maintain, and sustain a continuing education and information program, including but not limited to:

- a. **Early Childhood Care and Development.** The SWDO, through its Early Childhood Care and Development Unit, shall be responsible for the creation and implementation of the Day Care Worker and Day Care Service Manual which shall form part of the rules and regulations and implementing guidelines to be applied to both publicly and privately-owned centers.
- b. **Establishment of Day Care Centers.** The Province of Leyte Government shall be mandated to establish day care centers in every barangay. The number of day care centers shall depend on the population of children in the barangay. Materials, workbooks,

- c. and other needs of every child in day care shall be duly provided for by the Provincial Government of Leyte.
- d. **Special Education.** The SWDO, in collaboration with the Schools Division Office (SDO) of the Province of Leyte, shall continuously develop, sustain, and support Special Education with the assistance of other related agencies, organizations, and individuals. Likewise, the SWDO shall be responsible for the creation and implementation of the Special Education Manual which shall form part of the rules and regulations and implementing guidelines to be applied to both publicly and privately-owned learning institutions. Materials, workbooks, and other needs of every child in special education shall be duly provided for by the Provincial Government of Leyte.
- e. **Responsible Parenthood Orientation Course.** Would-be couples shall be required to undergo a Responsible Parenthood Orientation Course in addition to the Family Planning and Pre-Marriage Counseling Seminars being provided by the Provincial Government of Leyte through its SWDO. This course shall be an integral part of existing related programs and shall include discussions on the Conventions of Rights of Children. It shall also serve as a prerequisite to the issuance of a Marriage License by the Local Civil Registrar.
- f. **Training Seminars on the Rights of Children.** The Local Council for the Protection of Children (LCPC), in cooperation with other related agencies, organizations, and individuals, such as the Local Health Office Health Promotion Unit (HPU) and Barangay Health Workers (BHW) in their capacity as barangay-level Health Education and Promotion Officers (HEPO), shall regularly provide training workshops, seminars, and other such capacity development sessions for identified target audiences or the general public on the Rights of Children.
- g. **Training Seminars for Handling Differently-Abled Children.** The LCPC, in cooperation with the Local Health Office and other related agencies, organizations, and individuals, shall regularly provide training workshops, seminars, and other such capacity development sessions for educators, school personnel, health workers, and barangay officials and personnel on proper handling and treatment of differently-abled children.
- h. **Information Dissemination on the Prevention of Child Sexual Abuse and Other Forms of Child Abuse.** The SWDO, Local Health Office HPU, Province of Leyte Peace and Order Council, and the Public Information Office shall institutionalize a comprehensive and effective information and communication campaign utilizing various materials and platforms or channels to inform the public about the prevention of child sexual abuse and other forms of abuse in the Province of Leyte.
- i. **Personal Safety Lessons.** The SDO shall include modules or lessons on Personal Safety in elementary and high school curricula, based on DepEd Order No. 40, Series of 2012.
- j. **Educational Supplies.** The Province of Leyte Government shall provide every public elementary school student with adequate educational supplies, including but not limited to: backpack, complementary work-texts, notebooks, pens, pencils, and tumbler.
- k. **Infrastructure Program.** The Province of Leyte Government, through its Engineering Office, shall continuously construct and maintain education facilities and renovate outdated and dilapidated facilities to ensure that all students will have a safe, comfortable,

SECTION 4. CHILD-FRIENDLY BUILDINGS AND ESTABLISHMENTS. The creation and provision of Child-Friendly Facilities shall be required and monitored by the Office of the Building Official, Provincial Engineer's Office, and the Provincial Planning and Development Office based on the provisions of the National Building Code before the approval of plans and permits pertinent to the construction or renovation of any structure, including but not limited to, commercial buildings, hotels, recreational centers, malls, cinemas and theaters, markets and groceries, department stores, commercial complex, parks and other public spaces.

The LCPC may recommend Child-Friendly Facilities other than those listed hereunder, for the establishment and maintenance of the Leyte Provincial Engineer's Office and the Provincial Planning and Development Office:

- a. Mini playground covering an area not less than nine (9) square meters
- b. Handwashing facilities, lavatories, and urinals in toilets and comfort rooms appropriate and exclusive for children's use
- c. Diaper changing area
- d. Balusters, railings, and similar structures constructed in a manner that prevents children from accidentally falling through. The height of which shall be such that children will be prevented from climbing and accidentally falling
- e. Evacuation centers with areas or safe spaces for play and leisure
- f. Adequate lighting fixtures and surveillance equipment
- g. Minimal or absence of areas that are isolated or concealed and may result in entrapment

For existing establishments, structures, and buildings enumerated in the preceding paragraph, Child-Friendly Facilities shall be required to be installed within twelve (12) months after the approval of this Ordinance.

CHAPTER III. PROTECTION RIGHTS OF CHILDREN

SECTION 5. PROGRAM AGAINST EXPLOITATION, CHILD ABUSE AND DISCRIMINATION. The Provincial Government of Leyte shall adopt and implement a comprehensive program developed by the LCPC, in cooperation with related agencies, organizations, and individuals, which shall also cover the strict implementation of the provisions of R.A. 7610 (Special Protection of Children Against Abuse, Exploitation and Discrimination Act), P.D. 603 (Child and Youth Welfare Code) and other related laws and local ordinances. The LCPC may also formulate plans and/or recommend the passage of related ordinance/s to the Sangguniang Panlalawigan of Leyte to further reinforce the effective implementation of said program.

The Province of Leyte Government shall also adopt a coordinated program of services and facilities to protect children against:

- a. Child prostitution and other sexual abuse;
- b. Child trafficking;
- c. Obscene publication and indecent shows;
- d. Hazardous work and activities;
- e. Circumstances which threaten or endanger the survival and development of children; and
- f. Other acts of child abuse.

SECTION 6. ANTI-DRUG ADDICTION PROGRAM. The Local Anti-Drug Abuse Council, Philippine National Police (PNP), SWDO, Local Health Office, and Dep. Ed shall implement a drug addiction prevention program which includes a

comprehensive information and education program which aims to educate the youth, especially more vulnerable sectors such as Out of School Youth (OSY) and street children, regarding the negative effects of drug use and addiction.

SECTION 7. ADOPTION OF THE BARANGAY PROTOCOL IN MANAGING CASES OF CHILDREN AT RISK (CAR) AND CHILDREN IN CONFLICT WITH THE LAW (CICL). The Provincial Government of Leyte, in coordination with the SWDO, Women and Children's Protection Unit/Desk, and Liga ng mga Barangay President, shall adopt the Barangay Protocol in Managing Cases of Children at Risk and Children in Conflict with the Law.

SECTION 8. ADOPTION OF THE CHILD ABUSE PREVENTION AND INTERVENTION NETWORK (CAPIN) PROGRAM IN MANAGING CASES OF CHILD ABUSE. The Leyte Provincial Government, in coordination with the SWDO, Women and Children's Protection Unit/Desk (WCPU/D), and Liga ng mga Barangay President, shall adopt the CAPIN Program in managing cases of child abuse.

- i. **Information Dissemination and Capacity Development.** The Province of Leyte shall ensure the provision and dissemination of information regarding the abovementioned protocol and program for cases of abuse, CICL, and CAR in the LGU, as well as the training of relevant personnel handling such cases and implementing these protocols and programs such as social workers, lawyers, police, members of the Barangay Council for the Protection of Children, barangay health workers.
- ii. **Funding.** The Province of Leyte shall fund the operation of its Child Protection Unit from the 1% of the Internal Revenue Allotment (IRA) as required by R.A. 9344, otherwise known as the Juvenile Justice and Welfare Act of 2006.

SECTION 9. REFERRAL OF CASES. To promote early intervention in cases of abuse of children, including but not limited to physical and sexual abuse, the WCPU/D, SWDO and Local Health Office shall ensure proper coordination between them once any information about child abuse is received. Any public officer or employee, including but not limited to police officers, school teachers or counselors, barangay officials, barangay VAWC Desk officers, and barangay health workers, who first encounters a child victim shall have the following duties and responsibilities:

- a. Respond immediately to a call for help or request for assistance or protection of the victim whether or not a protection order has been issued and ensure the safety of the victim/s;
- b. Transport or escort the victim/s to a safe place of their choice or to a clinic or hospital;
- c. assist the barangay officials and other government officers and employees who respond to a call for help;
- d. Immediately report the case for assessment or assistance of SWDO or accredited non-government organizations (NGO).

The SWDO shall then immediately assess if the victim should be placed under protective custody to ensure their safety and to effectively build a case.

SECTION 10. HEALTHCARE PROVIDER RESPONSE TO ABUSE AND MANDATORY REPORTING. Pursuant to R.A. 9262 (Anti-Violence Against Women and Their Children), any healthcare provider, including but not limited to, an attending physician, nurse, clinician, barangay health worker, therapist or counselor, head of any public or private hospital, medical clinic or similar institutions, who

suspects abuse or has been informed by the victim of violence shall have the following duties and responsibilities:

- a. Report, orally or in writing, to the SWDO the examination or treatment of a child who appears to have or has suffered from abuse within forty-eight (48) hours from knowledge of the same;
- b. Properly document any of the victim's physical, emotional or psychological injuries;
- c. Properly record any of victim's suspicions, observations and circumstances of the examination or visit;
- d. Provide the victim free of charge a medical certificate concerning the examination or visit;
- e. Safeguard the records and reports and make them available to the victim upon request; and
- f. Provide the victim immediate and adequate notice of rights and remedies, and services available to them.

Other government workers, especially those whose work involves dealing with children, including but not limited to teachers and school administrators, probation officers, government lawyers, law enforcement officers, barangay officials, and corrections officers shall also be responsible for reporting all incidents of possible child abuse to the SWDO within forty-eight (48) hours from knowledge of the same.

- i. **Failure to Report.** Failure of any of the individuals mentioned in Sections 10 and 11, as well as other responsible individuals to report a possible case of child abuse may be punishable with a fine of not more than Php2,000.00.
- ii. **Immunity for Reporting.** Any person, whether private individual or public officials, including those mentioned in Sections 10 and 11, who witnessed a crime involving child abuse and who shall report the same to appropriate authorities shall be free from any civil or administrative liability arising therefrom. There shall be a presumption that any such person acted in good faith. In addition, individuals who, acting in accordance with the law, shall respond to or intervene in a case of child abuse without using violence or restraint greater than necessary to ensure the safety of the victim, shall likewise not be liable for any criminal, civil or administrative liability resulting therefrom.
- iii. **Confidentiality.** All records pertaining to cases of violence against children or child abuse, including those in the barangay, shall remain confidential and all public officers and employees of public or private clinics or hospitals shall respect the right to privacy of the victim. Whoever publishes or causes to be published, in any format, the name, address, telephone number, school, business address, employer, or other identifying information of a victim or an immediate family member, without the latter's consent, shall be liable to the contempt power of the court. and shall suffer the penalty of one (1) year imprisonment and a fine of not more than Php500,000.00.

SECTION 11. SPECIAL SERVICES, PROTECTION, AND LEGAL ASSISTANCE PROGRAM.

The Leyte Provincial Government shall create special programs through the LCPC, in coordination with other concerned agencies, organizations, and individuals, for children who are victims of incest, rape, and other related child abuse cases needing special protection and legal assistance. The monitoring of criminal charges filed by children and other appropriate assistance shall be accorded by the Province through the SWDO, PNP, Department of Justice (DOJ), Local Health Office, and Prosecutor's Office. The Province of Leyte, through the SWDO shall also assist qualified children to apply for claims for compensation under R.A. 7209 (An Act Creating

a Board of Claims for Victims of Unjust Imprisonment or Detention and Victims of Violent Crimes).

SECTION 12. EMPLOYMENT OF CHILDREN. Children as defined under the law shall not be employed, except:

- a. When the minimum requirements stated in Sections 2 and 3 of R.A. 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 R.A. 7610) are present;
- b. When the employer registers the child with the LCPC, to enjoy the benefits and protection as may be provided by the said Council;
- c. When allowed under R.A. 10917 (An Act Amending Certain Provisions of Republic Act No. 9547 Otherwise Known as an Act Strengthening and Expanding the Coverage of the Special Program for Employment of Students, Amending for the Purpose Provisions of R.A. 7323);
- d. When the company hiring minors has informed the Department of Labor and Employment (DOLE), Workers' Affairs Office (WAO), or the SWDO of the details of employment, i.e., job description, compensation, and number of hours of work per day; and
- e. When the hiring of children as provided for under this Ordinance shall be with express written consent of their parents or legal guardians.

SECTION 13. POSTING OF NOTICES AND INFORMATION REGARDING CHILD PROTECTION AT POINTS OF ENTRY AND/OR OTHER STRATEGIC PLACES. All establishments, such as bars, night clubs, beer houses, taverns, disco houses, sauna baths, hotels, motels, inns, and others rendering similar services or considered high-risk for children shall be required to post notices and information regarding child protection at points of entry and/or other strategic places within the premises in order to serve as deterrent to committing child trafficking, prostitution, other sexual exploitation, and other forms of child abuse.

SECTION 14. REGULATING AMBULANT VENDORS IN SCHOOL VICINITIES AND ESTABLISHING A MONITORING SYSTEM THEREOF. The Leyte Provincial Government through the Local Health office shall endeavor to protect school children from unsanitary food and drinks. All ambulant vendors within the vicinity of all school campuses in the jurisdiction of the LGU shall be subjected to regular safety and sanitation inspections. No vendor shall be allowed to sell or ply their trade without undergoing training on food safety and proper food handling, as well as securing a health certificate.

CHAPTER IV. PARTICIPATORY RIGHTS OF CHILDREN

SECTION 15. PARTICIPATION OF CHILDREN IN DECISION MAKING PROCESSES. The interest and welfare of children in the family, community, or other organization/institution, especially on matters affecting them, shall be taken into account and respected. It shall be the responsibility of the Provincial Government to provide opportunities for children to express their views, organize themselves, obtain information, express ideas or information regardless of age, sex and gender, religious beliefs, and ethnicity.

SECTION 16. MANDATORY ACTIVITIES. Parents and/or legal guardians of children shall be required to attend meetings and activities called for or organized by school authorities or the Parents Teachers Association (PTA).

Likewise, children are encouraged to attend and participate in all programs and activities organized by the school and/or the Provincial Government.

CHAPTER V. FINAL PROVISIONS

SECTION 17. MONITORING. The LCPC and other related agencies and offices, shall be tasked to monitor the implementation of this Ordinance. The LCPC shall be tasked further to study the effects of this Ordinance during its implementation in order to make a comprehensive analysis that would substantiate the need for any amendments.

SECTION 18. APPROPRIATIONS. The Leyte Provincial Government shall provide the necessary funds for the effective implementation of the provisions of this Ordinance in accordance with the approved Local Development Plan for Children. The source of funds shall be in accordance with the provisions of Section 15 of R.A. 9344 which states that 1% of the IRA of barangays, municipalities, and cities shall be allocated for strengthening and implementing programs of the LCPC.

SECTION 19. IMPLEMENTING RULES AND REGULATIONS. The LCPC shall promulgate rules and regulations necessary for an efficient and effective implementation of this Ordinance that shall have the full force and effect of the law.

SECTION 20. PENALTIES. Any person who violates any provision of this Ordinance shall suffer the penalty of not more than one (1) year of imprisonment or a fine of not more than Php5,000.00 or both at the discretion of the court. When the offender is a foreigner, the penalty provided herein shall be imposed in its maximum period and they shall be deported immediately after service of sentence. The penalty provided in this Ordinance shall be imposed in its maximum period if the offender has been previously convicted under R.A. 7610, P.D. 603, or other related laws.

SECTION 21. SEPARABILITY CLAUSE. If any provision of this Ordinance is held invalid or unconstitutional, the other provisions not affected thereby shall remain valid and enforceable.

SECTION 22. REPEALING CLAUSE. Any provincial ordinance, resolution, rules and regulations, or parts thereof, in conflict with or inconsistent with any of the provisions of this Ordinance are hereby amended, modified, or repealed accordingly.

SECTION 23. EFFECTIVITY CLAUSE. This Ordinance shall take effect fifteen (15) working days upon approval.

Approved unanimously.

I HEREBY CERTIFY to the correctness of the foregoing resolution.

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

ATTESTED:

HON. WILSON S. UY
SangguniangPanlalawigan Member

ATTY. RONNAN CHRISTIAN M. REPOSAR
SangguniangPanlalawigan Member

HON. TRINIDAD G. APOSTOL
SangguniangPanlalawigan Member

HON. RAISSA J. VILLASIN
SangguniangPanlalawigan Member

HON. MA. CORAZON M. REMANDABAN
SangguniangPanlalawigan Member

HON. MARIE KATHRYN VELOSO-KABIGTING
SangguniangPanlalawigan Member

HON. FLAVIANO C. CENTINO JR.
SangguniangPanlalawigan Member

HON. VINCENT L. RAMA
SangguniangPanlalawigan Member

HON. MICHAEL L. CARI
SangguniangPanlalawigan Member

ATTY. CARLO P. LORETO
SangguniangPanlalawigan Member

HON. NOLIE C. CAÑA
SangguniangPanlalawigan Member

HON. CARMEN L. CARI
SangguniangPanlalawigan Member

HON. JO VANILLE CHUA-MERILO
SangguniangPanlalawigan Member

HON. LEONARDO JAVIER, JR
Vice Governor and Presiding Officer

Approved:

CARLOS JERICHO L. PETILLA
Governor