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PROVINCE OF LEYTE
Palo, Leyte

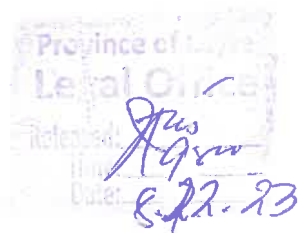
Item No.: 11

Date: SEP 05 2023

PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
August 18, 2023



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 14 S. 2023 of the Sangguniang Bayan of Jaro, 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 powers 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). Provided that, the penalty of community service desired in Section 1, Article IX, paragraph 2(B) does not violate the 1987 constitutional prohibition against involuntary servitude.

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

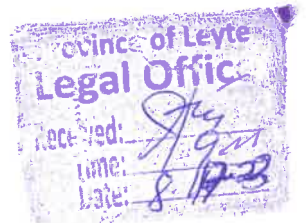


Republic of the Philippines
PROVINCE OF LEYTE
Tacloban City



OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
16 August 2023



The Provincial Legal Office is respectfully requested to review and submit recommendations, on the herein enclosed **ORDINANCE NO. 14 SERIES OF 2023 OF THE MUNICIPALITY OF JARO, LEYTE, ENTITLED: "AN ORDINANCE AMENDING BY INCLUSION OF SOME SPECIFIC PROVISIONS TO ORDINANCE NO. 11 SERIES OF 2017, ENTITLED: THE CHILDREN WELFARE CODE OF JARO, LEYTE"**.


FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

SP RECORDS
8162023



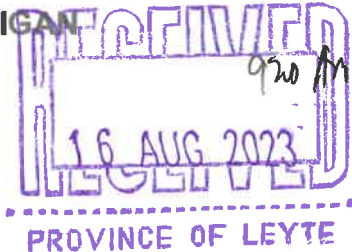
Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JARO
Office of the Sangguniang Bayan Secretary
Legislative Building
Corner Del Carmen and Real Streets

August 7, 2023

THE HONORABLE SANGGUNIANG PANLALAWIGAN
Provincial Capitol Complex
Tacloban City

Thru: **Florinda Jill S. Uyvico**
Secretary to the Sanggunian

SANGGUNIANG PANLALAWIGAN



Madam;

Respectfully forwarding **ORDINANCE NO. 14, SERIES OF 2023, OTHERWISE KNOWN AS "AN ORDINANCE AMENDING BY INCLUSION OF SOME SPECIFIC PROVISIONS TO ORDINANCE NO. 11, SERIES OF 2017, ENTITLED: "THE CHILDREN WELFARE CODE OF JARO, LEYTE",** for review and favorable action by the Honorable Sangguniang Panlalawigan.

Thank you in advance for your kind consideration on the matter.

Very truly yours,

NICOMEDES R. BORJA
Board Secretary V
Secretary to the Sanggunian

NOTED:

RODRIGO C. ARBAS
Municipal Vice-Mayor
SB Presiding Officer

Attachment:

1. Minutes, 43rd Regular Session
2. Certificate of Posting



Republic of the Philippines
PROVINCE OF LEYTE
MUNICIPALITY OF JARO

SANGGUNIANG PANGALAMIGAN

RECEIVED
16 AUG 2023

TANGGAPAN NG SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 43rd REGULAR SESSION OF THE
SANGGUNIANG BAYAN OF JARO, LEYTE HELD AT THE SB SESSION HALL,
LEGISLATIVE BUILDING ON JUNE 19, 2023.

PRESENT:

- | | | | |
|---|--------------------------------|--|--|
| | HON. RODRIGO C. ARBAS | -Municipal Vice-Mayor/Presiding Officer |  |
| | HON. JONELL MARTIN A. QUE | -SB Member | |
| x | HON. LANDILINO T. KATANGKATANG | -SB Member | |
| | HON. JULIAN L. EMNAS | -SB Member | |
| | HON. FRANCISCO R. ALTRES | -SB Member/Majority Floor Leader | |
| | HON. LEO ANGELO T. PORMIDA | -SB Member | |
| | HON. GUALBERTO V. ELISES | -SB Member/Presiding Officer Pro-Tempore |  |
| | HON. ALEXANDER N. SALGADO | -SB Member | |
| | HON. REY P. AURE | -SB Member | |
| | HON. CARMENCITA G. TAÑALA | -SB Member/LIGA Fed.-President | |
| x | HON. TRINA MAE R. SOLEDAD | -SB Member/SK Fed.-President | |

ABSENT: MARKED (x)

ORDINANCE NO. 14
SERIES OF 2023

AN ORDINANCE AMENDING BY INCLUSION OF SOME SPECIFIC
PROVISIONS TO ORDINANCE NO. 11, SERIES OF 2017,
ENTITLED: "THE CHILDREN WELFARE CODE OF JARO, LEYTE"

INTRODUCED BY: HONORABLE JULIAN L. EMNAS

Committee Chairman on Women's Children, Disabled Persons
and Senior Citizens



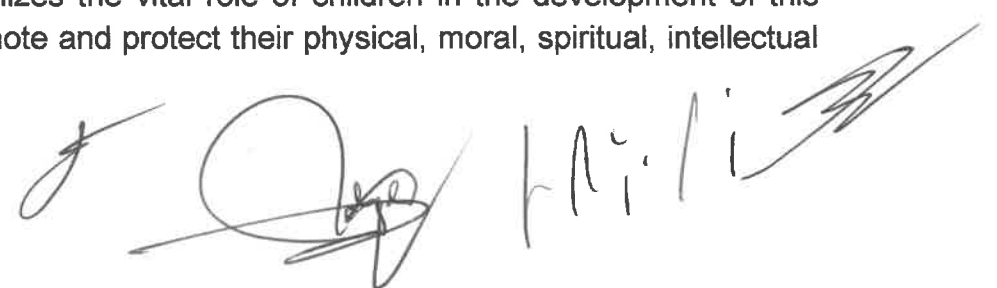
BE IT ORDAINED by the Sangguniang Bayan in session duly assembled that:

ARTICLE I

TITLE, DECLARATION OF POLICY AND PRINCIPLES, PURPOSES AND
DEFINITION OF TERMS:

SECTION 1. TITLE - This Ordinance shall be known as the "THE
CHILDREN'S WELFARE CODE OF JARO, LEYTE".

SECTION 2. DECLARATION OF POLICY AND PRINCIPLES - The
municipality of Jaro recognizes the vital role of children in the development of this
municipality and shall promote and protect their physical, moral, spiritual, intellectual
and social well-being.



It recognizes that children have rights as provided for in the United Nations Convention on the Rights of the Child and Other Laws. It recognizes the importance of effectivity promoting, enhancing and institutionalizing the survival, development, protection and participation right of the children.

The Local Government Unit shall respect the responsibilities, rights and duties and parents or where applicable the members of the extended family or community as provided by the local customs, legal guardians and other child caregivers responsible to provide guidance.

The Local Government Unit shall render appropriate assistance to parents and legal guardians in the performance of their child rearing responsibilities and shall ensure on their development and providing institutions, facilities and services for the care of children.

SECTION 3. PURPOSES – This Code is enacted with the following purposes:

- A. To ensure protection of children against all forms of abuse and exploitation;
- B. To advocate for children's right and promote their welfare and development;
- C. To ensure that children's right is given priority attention both in government and the civil society;
- D. To ensure that the municipality of Jaro, Leyte be transformed into a Child Friendly Community;
- E. To improve the quality-of-life of children of Jaro, Leyte enabling them to fully develop their potentials and participate in community life and nation building as well.

SECTION 4. DEFINITION OF TERMS – as used in this code.

- A. **Children** - refers to persons below 18 years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect cruelty and exploitation or discrimination because of physical or mental disability or condition.
- B. **Survival Rights of Children (SRC)** - refers to inherent rights and needs that are basic to existence which include the following:
 - 1. Right to life;
 - 2. Right from birth to a name;
 - 3. Right to acquire a nationality;
 - 4. Right to know his/her parents and be cared for by them;

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Casacita Amara

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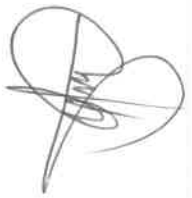
5. Right to adequate and decent standard of living; and
6. Right to access to basic health care and services.

C. Development Rights of Children (DRC) - refers to access of education which includes the following:

1. Right to education opportunity;
2. Right to access to appropriate information;
3. Right to leisure, recreation, cultural and artistic activities;
4. Right to develop to the fullest of the child's physical and mental abilities.

D. Protection Rights of Children (PRC) - cover those rights, protecting the child from all forms of abuse, exploitation and discrimination which includes the following:

1. Protection of the child from all forms of physical and mental abuse;
2. Rights of the child to be protected from injury, neglect and maltreatment;
3. Protection from exploitation, sexual and economic abuse, including prostitution and involvement in pornography;
4. In case of child's rape, they must be referred directly to the hospital for proper genital exam and laboratory with parental consent;
5. Protection from sale, trafficking and abduction;
6. Right to special protection and assistance if without a family;
7. Right for treatment for necessary and reintegration of abused or exploited;
8. Right to periodic review if placed under care, protection on treatment;
9. Right of protection in situation of armed conflict;
10. Right of children in conflict with the law;
11. Right of freedom from torture, death, penalty, life imprisonment and deprivation of liberty.;
12. Right to protection from child labor; and
13. Right to be protected from the use of narcotics, psychotropic drugs and from being involved in the production or distribution.



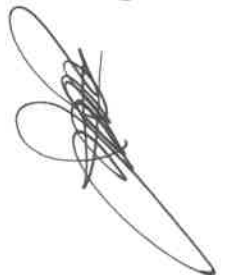
Corina Lopez



- E. Participation Rights of Children (PRC)** - refers to the right of children to participate, give opinion and be heard, which includes the following:
1. Right to express his/her opinion freely and to have that opinion taken into account;
 2. Right to obtain information and present ideas;
 3. Freedom of thought, conscience and religion subject to appropriate parental guidance;
 4. Freedom to join association and peaceful assemblies;
 5. Right to be heard in judicial and administrative proceedings; and
 6. Right to privacy.
- F. Child Abuse** - refers to the maltreatment whether habitual or not of the child that includes any of the following:
1. Physical and psychological abuse, emotional, sexual, neglect and cruelty;
 2. Any acts by deeds or words which degrades the dignity of a child as a human being;
 3. Unreasonable deprivation of his/her basic needs such as food, shelter and clothing; and
 4. Failure to immediately give medical treatment to an injured child resulting in serious impairment of growth and development of permanent incapacity or death.
- G. Exploitation (RA 9208)** - means hiring, employment, persuasion, inducement or coercion of a child to perform in obscure exhibitions and indecent shows, whether live or in videos or film or pose or act as a model in obscure publication or pornographic materials for sell or for distribution.
- H. Early Child Care and Development (ECCD)** - refers to the full range of health, nutrition, early education and social services programs that provides for the basic holistic needs of young children from birth to age eight (8), to promote their optimum growth and development.



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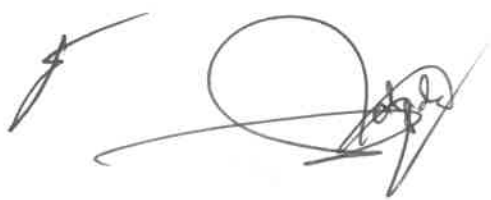
- I. **Pre-School Education** – refers to the age from birth up to five (0-5) known to be critical phase of child’s psychomotor development. It is the phase when 90% of the human brain is developed, hence, the need for early childhood care and development program.
- J. **Day Care** - is the provision of substitute parental care and stimulating activities for the total development of children from zero to five (0-5) years when their parents are unable to take care of them during part of the day because of work and some other situation.
- K. **Day Care Center** - is a facility where Day Care Services are provided by an accredited Day Care Worker particularly on the 3-5 years’ age bracket.
- L. **Special Concern** – are circumstances which gravely threatens or endanger the survival and normal development of children including but not limited to the following:
 - 1. Being in a community where there is armed conflict or being affected by armed conflict related activities.
 - 2. Working under conditions hazardous to life safety and morals which unduly interfere with their normal development.
 - 3. Living in for themselves in the streets without the care of parents and guardians or any adult supervision needed for their welfare.
 - 4. Being a member of indigenous cultural community and/or living under condition of extreme poverty or in an area which is underdeveloped and/or lack or has inadequate access to basic services needed for a good quality of life.
 - 5. Being a victim of man-made or natural disaster calamity.
 - 6. Circumstances analogous to those above stated which endanger life, safety or normal development of children.
- M. **Comprehensive Program Against Child Abuse, Exploitation and Discrimination** – refers to the coordinated program of services and facilities to protect children against:
 - 1. Child prostitution and other child abuse;
 - 2. Child trafficking;
 - 3. Obscene publication and indecent shows;



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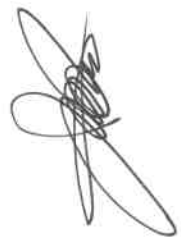
4. Other acts or abuse detrimental to the well-being of child; and
 5. Circumstances which threaten or endanger the survival and normal development of child.
- N. Anti-Social Related Activities** – are those acts against property, chastity and person which include but not limited to the following:
1. Petty crimes such as snatching, shoplifting and misrepresentation;
 2. Using and pushing prohibited drugs, selling illegal or bad reading materials;
 3. Pimping for and young and old prostitutes doing or participating in obscene show's;
 4. Gambling of any form;
 5. Rape and incest;
 6. Unjust and inhumane manner of eviction and demolition; and
 7. Any other circumstances as defined in existing laws.
- O. Child in conflict with the law (CCL)** – refers to a child who is alleged, accused of, or adjudged as having committed offenses under Philippines laws.



ARTICLE II
RIGHTS AND OBLIGATION OF THE CHILD

SECTION 1. RIGHTS OF THE CHILD

- A. Every child shall be entitled to the rights herein set forth without distinction as to the legitimacy, sex, social status, religion, political antecedents, and other factors.
- B. Every child shall possess the following rights which are classified into survival, development, protection, and participation rights:
 1. **Survival Rights** – ensure the child's inherent right to life and to the needs that are most basic to existence, the rights to a name and to a nationality, the right to identify and those dealing with parental and government duties and obligations, adequate and decent standard of living, access to basic health care and medical services, social security, and rehabilitation.



The following are the survival rights:

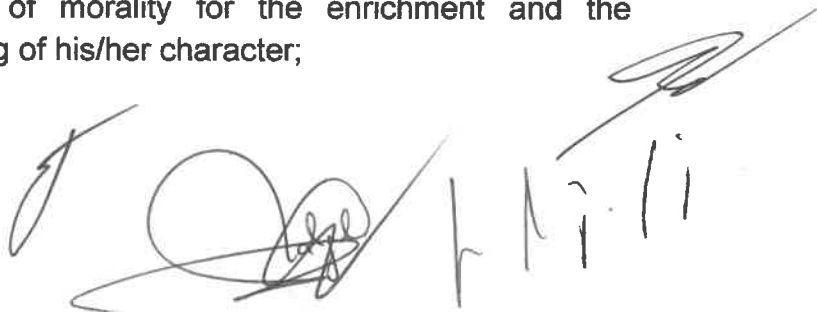
- a. Every child has the right to be born well, endowed with the dignity and worth of a human being from the moment of his or her conception;
 - b. Every child has the right to a wholesome family life that will provide him/her with love, care and understanding, guidance and counseling, and moral and material security. The dependent or abandoned child shall be provided with the nearest substitute of a home;
 - c. Every child has the right to balanced diet, adequate clothing, sufficient shelter, proper medical attention, and all the basic physical requirements of a healthy and vigorous life.
2. **Development Rights** – refers to the rights of a child to education to develop his/her personality, talents and mental and physical abilities to the fullest extent.

These also include participation in cultural activities, access to appropriate and relevant information and opportunities for rest, play and leisure. The following are the development rights:

- a. Every child has the right to a well-rounded development of his/her personality to the end that he/she may become a happy, useful, and active member of a society specifically:
 - 1. The gifted child shall be given the opportunity and encouragement to develop his/her special talents;
 - 2. The emotionally disturbed or socially mal-adjusted child shall be treated with sympathy and understanding and shall be entitled to treatment and competent care;
 - 3. The physically or mentally disabled child shall be given treatment, education and care required by her or his particular condition;
- b. Every child has the right to be brought up in an atmosphere of morality for the enrichment and the strengthening of his/her character;



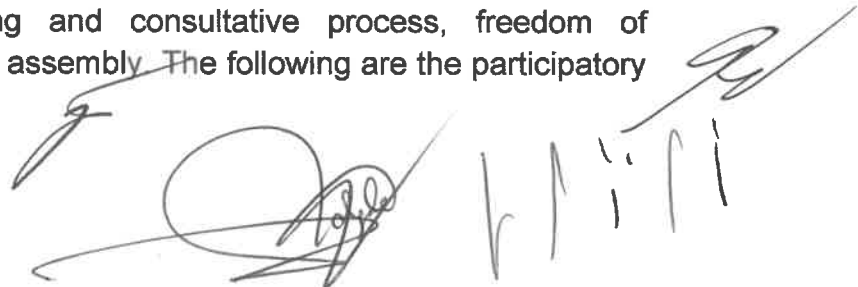
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- c. Every child has the right to grow up as a free individual in an atmosphere of peace, understanding tolerance, and complete brotherhood/sisterhood, and with the determination to contributed his/her share in the building of better community;
 - d. Every child has the right to education. Primary education must be compulsory and higher education must be available and accessible to all on the basis of capacity by every appropriate means. The education of the child shall be directed to:
 - 1. The development of the child's personality, talents and mental and physical abilities to the fullest extent;
 - 2. The preparation of the child for responsible adult life in a free society;
 - 3. The development of respect for the child's parents his/her cultural identity, language and values and the cultural background and values of others; and
 - 4. The development of respect for the natural environment.
 - e. Every child has the right to full opportunities for safe and wholesome recreation and activities, individual as well as social for the wholesome use of his/her leisure hours.
 - f. Every child has the right to live in a community and a society that can offer him/her an environment free from pernicious influences and conducive to the promotion of his/her health and the cultivation of her or his desirable traits and attributes.
3. **Protection Rights** - cover those rights protecting the child from all forms of abuses and discrimination such as protection from cruelty, torture, arbitrary, separation from family, abuse in the justice and penal system, involvement in armed conflict, child labor, drug abuse, sexual abuse, and exploitation.
4. **Participation Rights** - refer to child's rights to participate in matters that affect him or her providing all appropriate venues where he or she can express his/her opinions freely and to have those opinions taken into account, involvement in decision making and consultative process, freedom of association and assembly. The following are the participatory rights:



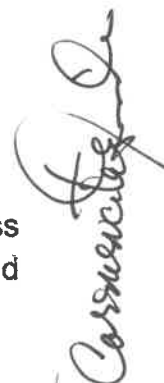
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- a. Every child has the right to be provided the opportunity to be heard in any judicial and administrative proceedings affecting him or her, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law;
- b. Every child has the right to freedom of thought, conscience and religion, subject to appropriate parental guidance;
- c. Every child has the right to freedom of statement. This right shall include freedom to seek, receive and impart information and ideas of all kinds;
- d. Every child has the right to express his or her opinions freely and to have these opinions taken into account in any matter or procedure affecting him or her; and
- c. Every child has the right to privacy and shall be protected against unlawful interference, and to unlawful attacks against his or her honor and reputation.

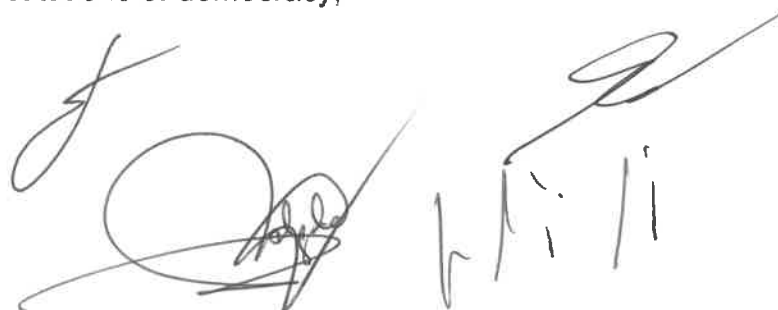


Constitution

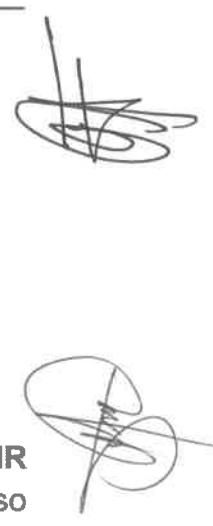


SECTION 2. RESPONSIBILITIES OF THE CHILD – Every child, regardless of the circumstances of birth, sex, religion, social status, political antecedents and other factors shall:

- A. Strive to lead an upright and virtuous life in accordance with the tenets of his or her religion, the teaching of his or her elders and mentors, and the bidding of a clean conscience;
- B. Love, respect and obey his or her parents, and cooperate with them in the strengthening of the family;
- C. Extend to his or her brothers and sisters love, thoughtfulness, and endeavor with them to keep the family harmonious and united;
- D. Exert his or her outmost to develop his or her potentialities for service, particularly by undergoing a formal education suited to his or her abilities, in order that he or she may become an asset to himself or herself and to society;
- E. Respect not only his or her elders but also the customs and traditions of his or her people, the memory of his or her people heroes, the duly constituted authorities, the laws of their country, and the principles and institutions of democracy;



- F. Actively participate in civic affairs and in the promotion of the general welfare, recognizing the youth will eventually be called upon to discharge the responsibility of leadership in shaping the nation's future; and
- G. Help in the observance of the individual human rights, the strengthening of freedom everywhere, the fostering of cooperation among nations in the pursuits of the common aspiration for unity and prosperity, and the furtherance of world peace.



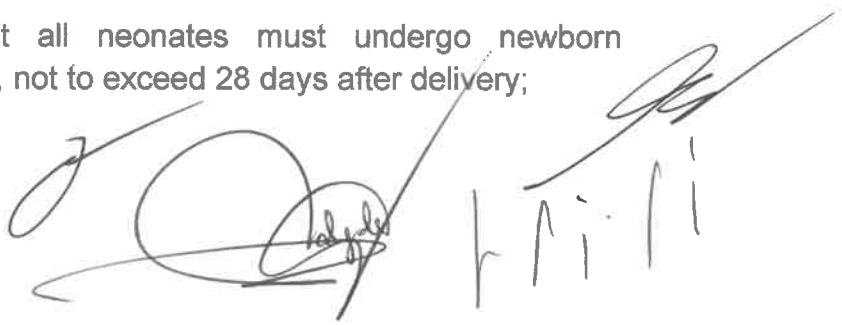
SECTION 3. RESPONSIBILITIES OF PARENTS TOWARDS THEIR CHILDREN – Control and discipline should start at the early stage of children's life so that they will grow a mature and disciplined child of the society.


**ARTICLE III
SURVIVAL RIGHTS OF CHILDREN**

SECTION 1. PRIMARY HEALTH CARE - The Local Government of Jaro shall implement and sustain the Primary Health Care Program. To ensure the implementation of this Section, it shall take appropriate measure to support the program on health under the following frameworks of primary health and preventive care. In accordance to Health Care Act (RA 11223) that provides that all Filipinos must be a PhilHealth member.


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- A. **MATEMAL AND CHILD CARE PROGAM** - The LGU shall continue to implement and support maternal and child care services program. The program on preventive child care and health services shall include the following:
 - 1. Quality pre-natal of pregnant women during the course of pregnancy should include laboratory examinations like urinalysis in the first trimester CBC and hepatitis (HB an HA);
 - 2. Monitoring and registration of birth, by parents to avoid error of entry at the MCR office;
 - 3. Completion of immunization series for prevention of tuberculosis, diphtheria, pertussis, neonatal, tetanus, measles poliomyelitis, hepatitis and such other diseases for which vaccine have been developed;
 - 4. To ensures that all neonates must undergo newborn screening at birth, not to exceed 28 days after delivery;






5. Deliveries must be attended by trained midwives, nurses and physicians.
 6. Primigravida and Gravida (5) pregnant women must deliver at the hospital with proper referrals parental records and emergency plans.
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SECTION 2. NUTRITION PROGRAM - The LGU shall establish and sustain a growth and nutritional monitoring with nutrition feeding and supervision of nutritional intake of children in home and in school by:



- A. Encouraging mothers to **EXCLUSIVE BREASTFEEDING** on their babies on the first 0-6 months and by stressing to the mother the importance and benefits of complementary feeding to continue on the next succeeding six months until 2 years of age of the baby;
 - B. Implementation of RA 8172 otherwise known as "An Act Promoting the Salt Iodization Nationwide" this program on Nutrition shall be under the administration and supervision of the MHO;
 - C. The program on Nutrition shall include a monitoring and evaluation system which shall be established by the Municipal Nutrition Action Officer, that "**Operation Timbang**" is conducted yearly to be evaluated every quarter to identify the underweight and monthly to identify the severely underweight;
 - D. Regulating plastic toys in the canteen and stores in school vicinities for health purposes and establishing monitoring system; and
 - E. Good nutrition particularly protein intake of the mother specially under first 20 weeks of pregnancy or gestation is vital for brain development of the baby.
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SECTION 3. COMPREHENSIVE PARENT ORIENTATION PROGRAM - The LGU shall establish a Comprehensive Parent Orientation Development Program which includes gender responsive courses on:

- A. Reproductive Health;
 - B. Child Health and Child Rearing Practice;
 - C. Parent Effectiveness Services; and
 - D. Pre-Marriage and Marriage Counseling.
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**ARTICLE IV
DEVELOPMENT RIGHTS OF CHILDREN**

SECTION 1. EARLY CHILDHOOD CARE AND DEVELOPMENT PROGRAM - shall include the following:

- A. DAY CARE SERVICE PROGRAM** - The Local Government Unit shall develop, implement and sustain its Day Care Services Program which is center based and community based.
- B. IMPORTANCE OF DAY CARE SERVICE PROGRAM** - Day Care Service Program addresses the needs of crucial stage of a child's growth by the age of four (4) of child brain has already grown to 90 percent of its adult weight and much of the way he/she envision and interacts with the world has been shaped, thus, the formative years and the care that he/she gets during this period would significantly affect the learning capacity, personal and social interaction into adulthood.
- C. DAY CARE CENTERS** - Be set up in every barangay which shall serve 3-4 years old children, the number of which shall depend of the population of the barangay. Day Care Centers aims to help the child to: become physically fit through proper care and nutrition; develop self-confidence, self-statement and self-discipline; relate well with others; develop strong spiritual, socio-cultural and nationalistic values, good attitude towards the family.
- D. DAY CARE WORKERS AND SUPPORT GROUP:**
1. The Barangay shall provide the benefits to Day Care Worker/s (Honoraria) and likewise the LGU thru the local MSWD shall provide a continuing technical assistance to the center.
 2. A volunteer parent Day Care group shall be organized to be an effective support group to the center. The volunteer group shall help mobilize resources for the improvement of the center. Acquisition of more learning materials and play equipment and other support activities.
- E. SETTING UP OF DAY CARE CENTERS BY COMMUNITY BASED ORGANIZATIONS** - Community Based Organizations can help mobilized resources to complement the effort of the Local Government Unit in establishing day care centers. In this way more children needing attention can be reached.

SECTION 2. RECREATIONAL AND CULTURAL PROGRAMS

- A. Every barangay in the Municipality of Jaro shall allocate space for recreational facilities appropriate for different age groups;
- B. A year-round cultural program appropriate to age group shall be designed with due respect to cultural diversity; and
- C. Indigenous game shall be encouraged in various athletic and sports programs of the LGU.

SECTION 3. LOCAL CHILDREN LITERATURE - In support for the threat for the socio-cultural development of Children, the Local Government Unit of Jaro shall invest in the promotion and production of local literature of Children and other relevant materials.

SECTION 4. OTHER CHILD FRIENDLY FACILITIES - the Local Government Unit in partnership with NGO's and Civic Organizations are encourage to put up and maintain child-friendly facilities such as but not limited to libraries, museums, parks and play grounds.

SECTION 5. SPIRITUAL DEVELOPMENTS

- A. The spiritual and moral upliftment of Children shall be the responsibility of the parents, schools, teachers, different churches and religious groups in the municipality;
- B. Every family shall admonish their children to heed the teachings of their church, attend actively and get involved in their respective religious church activities such as mass, catechism, worship, bible studies, retreats, seminars, family day, prayer meeting and the like to ensure a strong family relationship and God-fearing community;
- C. Religious education of children in all public and private schools is a legitimate concern of the church to which the student belongs, all churches may offer religious instruction in public and private elementary and secondary schools subject to the requirements of the constitution and existing laws.



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ARTICLE V
PROTECTION RIGHTS OF THE CHILD

SECTION 1. THE LOCAL GOVERNMENT UNIT OF JARO SHALL ENSURE THE ADOPTION AND IMPLEMENTATION OF THE FOLLOWING NATIONAL LAWS CONCERNING THE CHILDREN IN NEED OF SPECIAL PROTECTION (CNSP), and other existing laws protecting children such as:

1. **R.A. 7610** - Special Protection of Children Against Abuse, Exploitation and Discrimination Act of 1994;
2. **R.A. 7658** - An Act Prohibiting the Employment of Children. Below 15 Years of Age in Public and Private Undertakings of 1994;
3. **R.A. 8505** - Anti-Rape (1997);
4. **R.A. 8505** - Rape Victim Assistance and Protection Act of 1998;
5. **R.A. 7877** - Anti-Sexual Harassment Act of 1995;
6. **R.A. 9262** - Anti-Violence Against Women and Their Children Act of 2004;
7. **R.A. 9344** - Juvenile Justice and Welfare Act of 2006;
8. **R.A. 9208** - Anti-Trafficking in Persons Act of 2003;
9. **R.A. 9165** - Comprehensive Dangerous Drugs Act of 2002;
10. **R.A. 8980** - Early Childhood Care and Development Act of 2000;
11. **R.A. 9231** - Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act of 2003;
12. **R.A. 9211** - Tobacco Regulation Act of 2003;
13. **R.A. 10410** - Early Years Act (EYA) of 2013;
14. **R.A. 10666** - Children's Safety on Motorcycles Act of 2015;
15. **R.A. 10821** - Children's Emergency Relief and Protection Act 2015;
16. **R.A. 11036** - Mental Health Act of 2017;
17. **R.A. 11037** - Masustansyang Pagkain para sa Batang Pilipino Act of 2017;
18. **R.A. 11148** - Kalusugan at Nutrisyon ng Mag-Nanay Act of 2018;
19. **R.A. 11188** - Special Protection of Children in Situations of Armed Conflict Act of 2018;

20. R.A. 9775 - Anti-Child Pornography Act of 2009;
21. R.A. 11596 - An Act Prohibiting the Practice of Child Marriage and Imposing Penalties for Violations Thereof
22. R.A. 11930 - Anti-Online Sexual Abuse or Exploitation of Children and Anti-Child Sexual Abuse or Exploitation Materials Act of 2022;
23. R.A. 11862 - Expanded Anti-Trafficking in Persons Act of 2022;
24. R.A. 11861 - Expanded Solo Parents Act of 2021;
25. R.A. 10165 - Foster Care Act of 2012
26. R.A. 11642 – Domestic Administrative Adoption and Alternative Child Care Act;
27. R.A. 11222 – Simulated Birth Rectification Act.
28. R.A. 10152 - An Act Providing for Mandatory Basic Immunization Services for Infants and Children, Repealing for the Purpose Presidential Decree No. 996, as Amended.


SECTION 2. OTHER PROHIBITED ACTS – In addition to all acts defined and penalized under Republic Acts enumerated above, and other pertinent laws, the following acts shall likewise be punishable:

- A. **ILLEGAL RECRUITMENT** – Any person who recruits other person to work shall be required to register with and secure a permit from the office of the Barangay Chairman in the place or recruitment. Recruiting children without Barangay Permit is illegal;
- B. **PEONAGE OF CHILDREN** - Offering a child or the services of a child as payment for a debt or in exchange of a favor;
- C. **PRE-ARRANGEMENT TO MARRIAGE** - Pre-arrangement made by parents or guardians on their children;
- D. **USING GIRLS AS COMMODITIES IN BENEFIT DANCE** - Organizers of benefit dance, persons, facilitating or anchoring such benefit dances shall have penalized under this section if they shall use children a dancing partners for payment or fee to the organizers.
- E. **DISCRIMINATION OF GIRL CHILDREN** – Discrimination of girl children by prohibiting and depriving them of formal education;

- F. DISCRIMINATION OF NON-MARRIAGE CHILDREN** - For schools to discriminate non-marriage children as follows but not limited to the following:
1. Refusal to accept enrollment of illegitimate children in the school, by reason of one's illegitimacy;
 2. Requiring marriage contract of parents as requirement for enrollment of the child.
- G. EXPULSION OF DROPPING BY REASON OF PREGNANCY** - For schools to impose a penalty of expulsion against child (minor) who has complied with all academic requirements by reason of her pregnancy. Schools may impose any other penalty which shall be may applicable based from existing laws rules and regulations of the government to both the pregnant girl and her partner if he is also enrolled in the same school;
- H. REFUSAL TO GRADUATE BY REASON OF PREGNANCY** - For schools to refuse a child to graduate by reason of pregnancy if she has complied with all academic requirements;
- I. REFUSAL TO ISSUE CLEARANCE BY REASON OF PREGNANCY** - For schools to refuse issuance of clearance to children by reason of pregnancy;
- J. PHYSICAL AND DEGRADING FORMS OF PUNISHMENT** - Subject the child to physical and degrading forms of punishment such as but not limited to:
1. Pulling of the hairs of a child;
 2. Making the child stand for long hours in classrooms;
 3. Stripping the child of his/her clothes;
 4. Shaving the head of a child;
 5. Throwing objects such as but not limited to erasers, chalk, etc. at the child;
 6. Shouting and uttering humiliating words that affects the emotional and psychological of the child;
 7. Other acts that tried to belittle the child.



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- K. ENTICING MINORS TO LIVE-IN ARRANGEMENTS** – It shall be unlawful to parents to entice encouragement and/or push their children to live in together with any person as husband and wife in exchange for money or any other consideration.

SECTION 3. CONTROL ON EXPOSURE TO NEW TECHNOLOGY - Control on Children's Exposure to Commercial Video Machines and Internet Cafés - commercial video machines and internet cafés catering to children (except college students) during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon and beyond 9:00 o'clock in the evening. Violation of this section shall be penalized as follows:

- A. **1st Offense** – 15 days suspension of business permit;
B. **2nd Offense** – 30 days suspension of business permit;
C. **3rd Offense** – confiscation of the video game and internet machine and cancellation of business permit of the said establishment.

SECTION 4. CONTROL OF CHILDREN'S EXPOSURE IN DISCO, BISTRO, VIDEOKE AND OTHER NIGHTTIME ENTERTAINMENT – For the protection of children 18 years of age, the owner or operator of establishment are prohibited to allow minors to enter night-time entertainment. Violation of this section shall be penalized as follows:

- A. **1st Offense** – 15 days suspension of business permit;
B. **2nd Offense** – 30 days suspension of business permit;
C. **3rd Offense** – cancellation of business permit, confiscation of machine and filing of case in court.

SECTION 5. RESPONSIBILITIES OF PARENTS/GUARDIANS – the family (parents/guardians) has the primary responsibility and duty to provide protection to their children from infancy to adolescence. Introduction of children to the culture, values and norms of their society shall begin in the family. The parents shall have the right to accompany their children and in relation to all other persons or institutions dealing with children's development, the primary right and obligation to provide for their upbringing.

Parents/guardian shall take care to prevent the child from becoming addicted to intoxicating drinks, narcotic drugs, smoking, gambling and other vices harmful practices.

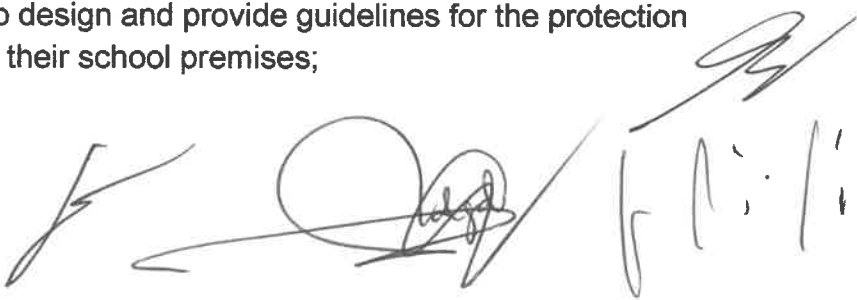
ARTICLE VI
ROLES AND RESPONSIBILITIES OF VARIOUS SECTORS

SECTION 1. GENERAL DUTIES OF PARENTS/GUARDIANS - Parents shall have the following general duties toward their children:

- A. To give them affection, companions and understanding;
- B. To extend to them the benefits of moral guidance, self-discipline and religious instruction; send their children to schools offering pre-elementary and basic education;
- C. To supervise their activities, including their recreation;
- D. To inculcate in them the value of the industry, thrift and self-reliance;
- E. To stimulate their children in civic affairs, teach them the duties of citizenship and develop their commitment to their county;
- F. To advise them properly on any matter affecting their development and well-being;
- G. To always set a good example;
- H. To provide them with adequate support as defined in Art. 194 of the Family Code.
- I. To administer their property, if any, according to their best interest, subject to the provisions of Art. 225 to 227 of the Family Code.
- J. Whenever a parent or guardian is found to have been unreasonably neglecting on his/her duties toward the child, he/she shall be admonished by the MSWD or by the Municipal Council for the Protection of Children (MCPC); and
- K. To send their children to schools offering pre-elementary and basic education.

SECTION 2. EDUCATIONAL INSTITUTIONS

- A. Educational Institutions shall work together with parents, community organization and agencies concerned with the activities for children. It is the responsibility of the school administrations to design and provide guidelines for the protection of children within their school premises;



- B. Schools, parents and local government officials shall see to it that school children and students are provided with adequate school room instructional materials and facilities including, playground, space and facilities for sports and physical development activities. Such officials should see to it that the school environment is free from hazards to the health and safety of students and that there are adequate safety measures for any emergency such as accessible exits, fire-fighting equipment and the like. All children shall have the free access to adequate dental and medical services;
- C. **School Based Child Protection Team** shall be established to have a mechanism that would help in the early detection, prevention and solution to abuse committed against children; and
- D. **Parent-Teacher Association** all over the municipality shall aid the Municipal and school authorities in the enforcement of juvenile delinquency control measures and in the implementation of programs and activities to promote child welfare.

SECTION 3. ROLE OF MASS MEDIA

- A. The Mass Media shall be aware of their extensive social role and responsibility as well as their influence, in communications relating with the children. They should use their power to protect the rights of children by relaying consistent message through a balanced approach; and
- B. Protect the rights of children by using the Principle of Confidentiality in all cases involving children. Special attention shall also be given to effective anti-drug awareness campaigns and delinquency prevention.

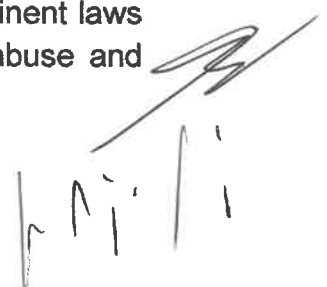

SECTION 4. ROLE OF PEOPLES ORGANIZATION AND NON-GOVERNMENT ORGANIZATIONS - To provide support to Government Organizations and other various stakeholders in promoting the Children's Welfare particularly along prevention, protection, rehabilitation and reintegration programs and services through involvement in the following strategic activities:

A. ADVOCACY AND SOCIAL MOBILIZATION

- 1. To act as volunteer trainer/speaker in conducting public awareness/community education on children's pertinent laws and possible actions for the prevention of child abuse and exploitation;



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2. To act as partner implementer in mobilizing communities into action to prevent child abuse and exploitation at the community level;
3. To get involved in undertaking and sustaining media campaign and information dissemination.



B. CAPABILITY BUILDING - To participate in the training/seminars offered/given by concerned NGOs in order to continuously upgrade knowledge and skills in handling and responding to child abuse and be part of the frontline workers in the implementation of such.



C. DATA COLLECTION AND MANAGEMENT - To participate in immediate reporting of child abuse and exploitation cases through coordination to concerned authorities;

D. ALLIANCE BUILDING AND NETWORKING:

1. Establish and maintain collaborative linkages with concerned authorities by joining the local Women's Organization on activities particularly periodical meetings;
2. Actively participate in local discussions and initiatives that seeks to protect and uphold the rights of children;
3. Foster cooperation and coordination with the law enforcement agencies in the surveillance and rescue of children victims of abuse and exploitation and take part in giving protective custody to the child victim.

Coordinated In

E. RESEARCH, POLICY STUDIES AND DOCUMENTATION - Cooperate in regular sharing of information with concerned agencies intended for the documentation of best practices and research.



1. **Institutional Mechanism** - Get involved in the inter-agency coordinative preventive mechanism on government programs.

SECTION 5. SIGNIFICANT ROLE OF THE LOCAL PNP

A. The Local Philippine National Police based in the municipality shall ensure police visibility in places frequented by children especially in the evening to provide protection and immediate assistance in case of harmful situations;



- B. Police officers, Barangay Official and Barangay Tanod/s shall escort minors found loitering in public places beyond 9:00 o'clock in the evening, to their proper domicile, to ensure their safety;
- C. They should also advise their parents and/or guardians to limit the time they allowed their children to stay outside their homes to until 9:00 o'clock in the evening, or when necessary, minors shall be accompanied by his/her relative within fourth degree by affinity and consanguinity. (Ref. Municipal Ordinance No. 14, dated November 16, 1992);
- D. All hospitals, clinics and other institution as well as private physicians providing treatment for any case of maltreated or abuse child shall within 48 hours from knowledge of the case report in writing to the Local PNP, or to the nearest unit of MSWD or to the MCPC; and
- E. Violation of this provision shall subject the hospital, clinic, institution, a physician who finds to make such report to a fine of not more than P 1,000.00 filing of administrative case to the institution.

SECTION 6. SIGNIFICANT ROLE OF THE MUNICIPAL CIVIL REGISTRAR

- A. The Civil Registrar shall ensure the immediate registration of newborn children thru regular coordination with the barangay health workers, midwives, hospitals, clinics.
- B. The office shall also issue foundling certificate for those abandoned children in coordination with the Municipal Social Welfare and Development Office.

SECTION 7. ESTABLISHMENT OF BANTAY BATA HOTLINE - A round the clock reporting and monitoring base against child abuse shall be established and anchored by the Municipal Social Welfare and Development office. Said Bantay Bata Hotline shall act as the 24-hour vanguard of children in all crimes and abuses committed against them by any person. Upon receiving information regarding any crime committed against a child, the Bantay Bata Hotline shall immediately report to the JARO-PNP Station and to other appropriate authorities such incident and shall monitor every progress that may occur in relation to the apprehension and prosecution of the criminal.



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**ARTICLE VII
PARTICIPATION OF CHILDREN**

SECTION 1. RIGHTS TO OPINION- Opinions of children shall be heard in the family, school, community or other organization or institution. Every child has the right to express his opinion freely in so far as such opinion is not contrary to law, morals, good customs, public safety and policy and to have that opinion be taken into account in all matters of procedure affecting the child. It shall be the responsibility of the adults to provide opportunities for children to express their views, organized among themselves, obtain information, make ideas or information known regardless of tribe, sex and religious belief.

SECTION 2. PARTICIPATION OF CHILDREN ON ACTIVITIES THAT HARNESS THEIR POTENTIALS AND GIFTED TALENTS - Parents are encouraged to allow their children to join and participate in school activities like scouting, school organization, sport of interest, competitions on arts, sciences and other social and cultural activities that will develop their well-being, such as, among others:

- A. Youth Association** - as used in this code, shall refer to any club organization or association of individuals below 18 years of age which is directly or indirectly carrying out child and youth welfare programs and activities. All youth organization shall enjoy the same rights and discharges the same responsibilities as civic association as maybe permitted by law.
- B. Students Organizations** - All student's organization in public and private school shall include in their objectives the cultivation of harmonious relationship among their members and with the various segments of the community; and
- C.** Likewise, the Municipal Government shall assist and support children with exceptional talents in singing, dancing, sports and academic intelligence to excel in the field.

SECTION 3. CONVENTIONS OF MINORS FOR PURPOSES OF CONSULTATION - The LGU shall encourage conventions of minors to hear their opinions and views in matters affecting their growth and progress. It is necessary that minors ages 3 to 6, 7 to 12 and 13 to 17 years old are convened once a year, especially during Children's month of October.



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SECTION 4. OCTOBER AS CHILDREN'S MONTH AND OCTOBER 17 OF EVERY YEAR AS NATIONAL CHILDREN'S DAY - Presidential Proclamation No. 74 dated October 16, 1992 declaring October 17 of every year as National Children's Day to honor Filipino Children and to emphasize the importance of their roles within the family and in the society and Proclamation No. 267 dated September 30, 1993 declaring the month of October as National Children's Month.

The Municipal Council for the Protection of children (MCPC), MSWD and other concerned local agencies shall conduct child focused activities for the month and observe Children's Day with programs highlighting the rights, role and responsibilities of children.

**ARTICLE VIII
IMPLEMENTING MECHANISM**

SECTION 1. CREATION AND ORGANIZATION OF THE MUNICIPAL AND BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN (MCPC AND BCPC)

LEGAL BASIS:

- A. Republic Act 7610 Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act.
- B. Article 359 and 360 of the Civil Code of the Philippines provides that "the government shall establish council for the protection of children".
- C. Likewise, Art 87 of Presidential Decree (PD 603) Children and Youth Welfare Code- states that every "Barangay Council shall encourage the organization of Local Council for the protection of children and shall coordinate with the council for the welfare of children and drawing and implementing plans for the promotion of child and youth welfare".

There is therefore a need to organized BCPC in every barangay in the Local Government Unit of Jaro to ensure synchronization and integration policies, programs and projects for children.

- D. RA 8980 otherwise known as "Early Childhood and Care Development (ECCD)" act promulgated a comprehensive policy and national system for children from 0-6 years old.
- E. The MCPC shall be the umbrella organization for all programs on children an e ECCD coordinating committee shall be one of the committees under it.

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SECTION 2. THE MUNICIPAL COUNCIL FOR THE PROTECTION OF CHILDREN (MCPC)

COMPOSITION:

Chairperson :Municipal Mayor

Co – Chairperson:Municipal Vice-Mayor

Members :Sanggunian Bayan Chairperson-Committee on Women's and Children
DIGL/MLGOO
Chief of Police/JARO-PNP
Municipal Civil Registrar
Municipal Social Welfare & Dev't Officer
Local School Supervisor/s
Municipal Nutrition Action Officer
Sangguniang Bayan Chairperson-Committee on Labor and Employment
President- LIGA-Ng Mga Barangay
Municipal Planning and Dev't. Officer
Municipal Budget Officer
Municipal Accountant
Municipal Treasurer
Municipal Health Officer (MHO)
Child Representative (Municipal Federation President)
At least one (1) Representative each from NGO's, CSO's, PO's.



SECTION 3. FUNCTION OF MCPC

- A. Formulate plans, programs and policies for children that are gender-fair, culturally relevant and responsive to the needs of diverse groups of children from 0 to below 18 years of age;
- B. Prepare Annual Work and Financial Plan (AWFP) for children and recommended appropriations to the Sanggunian;



- C. Provide coordination and linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
- D. Provide technical assistance and recommended financial support to the MCPC;
- E. Establish and maintain database on children in the municipality;
- F. Foster education of every child;
- G. Advocate for the establishment and maintenance of playgrounds, day care center and youth development;
- H. Recommend local legislations promoting child survival protection, participation and development, especially on the quality of television shows', media prints and coverage which are detrimental to children and with appropriate funding support;
- I. Assist children in need of special protection and refer cases filed against child abuses to proper agencies/institutions;
- J. Conduct capability building programs to enhance knowledge and skills in handling children's program;
- K. Document barangay best practices on children;
- L. Monitor and evaluate the implementation of the program and submit quarterly status reports to PCPC; and
- M. Perform such other functions as provided for in the ECCD and other child related laws.

SECTION 4. THE BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN (BCPC)

COMPOSITION:

Chairperson : Punong Barangay

Co-Chairperson : Barangay Kagawad, Chairperson on women, Family and Social Services

Members : Barangay Nutrition Scholar
Barangay Day care Worker
Barangay Health Nurse/Midwife
Barangay Health Worker



DepEd. Principal/Teacher-in-charge
Chief Tanod
Children's Representative
PTA President
Ngo's, Cso's/Po's Representatives



SECTION 5. FUNCTIONS OF THE BCPC

- A. Foster education of every child;
- B. Take steps to prevent juvenile delinquency and assist parents of children with behavioral problems so that they can get expert advice;
- C. Adopt measures for the health of children;
- D. Conduct capability building projects to increase knowledge and skills in handling children's programs;
- E. Encourage the proper performance of the duties and responsibilities of parents and provide learning opportunities on the adequate rearing of children and positive parent-child relationship;
- F. Promote wholesome entertainment in the community, especially in movie houses;
- G. Prepare AWWP for children and recommend appropriations to the Sanggunian;
- H. Provide coordination and linkages with the other agencies and institutions in the planning, monitoring and evaluation of plans;
- I. Establish and maintain database on children in the barangay;
- J. Advocate for the establishment and maintenance of playgrounds, day care centers and others facilities necessary for child and youth development;
- K. Advocate for the passage of barangay resolution/ ordinances responsive to child-related issues and concerns and ensure the inclusion of children's program in the executive agenda;



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- L. Protect and assist children in need of special protection (e.g., abandoned, maltreated and dependents) and refer cases filed against child abuses to proper agencies/institution;
- M. Monitor situational reports on children and prepare quarterly update, and dividing the implementation of children's program and make recommendations to the MCPC for consideration and municipal wide application; and
- N. Prepare such other functions and other child related laws especially in matters of child and parent educations, health, entertainment, etc.



SECTION 6. SECRETARIAT - The MSWDO shall be the secretariat of the MCPC.

SECTION 7. FUNDING - Upon the recommendation of the MCPC/BCPC the LGU shall provide funding for programs/projects/activities on children and ensure that these are effectively being implemented.

SECTION 8. ROLE OF DILG

- A. The MLGOO shall oversee the organization and functionality of the MCPC and BCPC;
- B. Monitoring the advocacy of the gifted children in the context of the convention on the Rights of children (CRC), right based approach and result based management;
- C. Promote functional bodies dealing with children;
- D. Monitoring the integration of children's rights in LGPMS: use of social child rights indicator in performance review; and
- E. Monitoring the status of the Local Legislative system and processes to ensure that the system is effectively implemented.



**ARTICLE IX
REMEDIAL MEASURES AND PENAL PROVISIONS**

SECTION 1. PENALTIES - The penalty for violation of this code, which is not penalized elsewhere in other Section or in any National Law, shall be:



- A. **First Offense** - A fine of Five Hundred Pesos (P 500.00) or imprisonment of one (1) day to fifteen (15) days or both depending upon the description of the court;
- B. **Second Offense** - A fine One Thousand Five Hundred Pesos (P 1,500.00) or imprisonment of fifteen (15) days to thirty (30) days, or both, depending upon the description of the court; and
- C. **Third Offense** - A fine of Two Thousand Pesos (P 2,000.00) or imprisonment of one (1) month to two (2) months, or both, depending upon the discretion of the court.

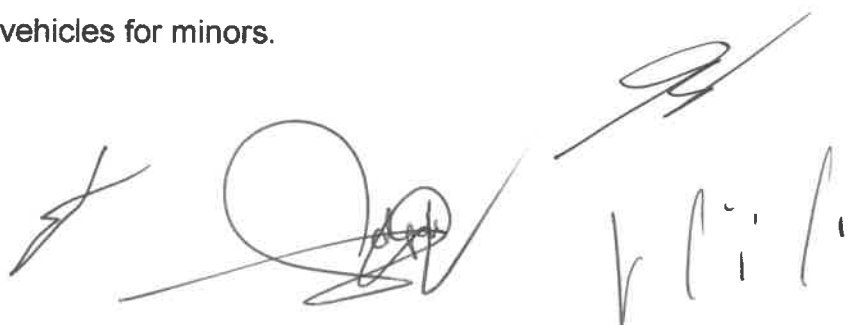
For first time offender of the prohibited act enumerated in this Code and in cases where the offender is the parent or teachers of the child or relative within the fourth degree of consanguinity, and admits the offense and is sincere and willing to reform, the penalty maybe lowered subject to the consent of the child, and any of the following measures may be imposed:

- A. Attendance in parenting and/or counseling sessions;
- B. Community Service of ten (10) to fifteen (15) days;
- C. Participation in appropriate training/rehabilitation course.

ARTICLE X ADMINISTRATIVE PROVISION

SECTION 1. PROVISIONS TO ADDRESS CRIMES AND VIOLENCE INVOLVING MINOR CHILDREN.

- A. More intensive advocacy campaign on responsible parenting;
- B. Activate the organizations on women for parent's awareness;
- C. Parents liability (impose penalties if necessary);
- D. Ordinance to unanimously implement curfew hours;
- E. Ordinance to delimit the sell of liquors and cigarettes to minor children;
- F. Installation of lighting device to dark places; and
- G. Strict non-driving of vehicles for minors.



**ARTICLE XI
FINAL PROVISION**

SECTION 1. IMPLEMENTING RULES AND REGULATIONS (IRR) - Within six (6) months after the approval of this code, the MSWD, MHO, PPW II/MNAO/GAD/FP shall formulate and issue Rules and Regulations for the effective implementations of this Code.

SECTION 2. Penalty for Refusal or neglect of any government official or employee to implement this Code, and who refuses his/her 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 strictly observed before said penalty imposed to such offender.

SECTION 3. Appropriations for Children Programs the Local Government Unit of Jaro, Leyte including all Barangay shall appropriate funds, as part of its Annual Budget, for the implementation of children's welfare programs. The Municipality shall allocate funds necessary for the implementation of this Code, including the drafting and dissemination of the IRR, training and orientation of stakeholders and promotion of this Code to the general public.

SECTION 4. SUPPLEMENTARY APPLICATION - For offense punishable under Presidential Decree No. 603 (Child and Youth Welfare Code); RA No. 7610 (Special Protection of Children Against Abuses, Exploitation, and Discriminations Act, as amended by RA No.9231) RA No. 7658 (An Act Prohibiting the Employment of Children below 15 years of age, amending Section 12 of RA No. 7610); RA No.9208 (Anti Trafficking in Persons Act Of 2003); RA No. 9262 (Anti Violence Against Women under Children Act of 2004); Revised Penal Code or any other law as well as this Code, the offended party and/ or any party so authorized may file complaint under the National Law and the penalty in such National Law shall be imposed.

SECTION 5. SEPARABILITY CLAUSE - If, for any reasons any part or provisions of this code shall be held to be unconstitutional or invalid other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 6. APPLICABILITY CLAUSE - This code shall apply to all persons within the territorial jurisdiction of the Municipality of Jaro, Leyte and to all persons who may be subject to the provision of this code.



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SECTION 7. REPEALING CLAUSE - All local ordinances, resolutions, executive orders and other issuances which are inconsistent with any of the provision of this code are hereby repealed or modified accordingly.

SECTION 8. EFFECTIVITY CLAUSE - This code shall take effect 15 days after the completion of its posting in at least four (4) conspicuous places in the Municipality of Jaro as mandated for under R.A. 7160 or otherwise known as the Local Government Code of 1991.

ENACTED ON JUNE 19, 2023.

APPROVED:


HON. JONELL MARTIN A. QUE
SB Member

HON. LANDILINO T. KATANGKATANG
SB Member
Absent


HON. JULIAN L. EMNAS
SB Member


HON. FRANCISCO R. ALTRES
SB Member/Majority Floor Leader


HON. LEO ANGELO T. PORMIDA
SB Member


HON. GUALBERTO V. ELISES
SB Member/Presiding Officer Pro-Tempore



HON. ALEXANDER N. SALGADO
SB Member


HON. REY P. AURE
SB Member



HON. CARMENCITA G. TAÑALA
SB Member/LIGA FED.-President

HON. TRINA MAE R. SOLEDAD
SB Member/SK FED.-President
Absent

I HEREBY CERTIFY, to the correctness of the foregoing Ordinance.


NICOMEDES R. BORJA
Board Secretary V
Secretary to the Sanggunian

ATTESTED:


HON. RODRIGO C. ARBAS
Municipal Vice-Mayor
SB Presiding Officer

APPROVED:


HON. JASSIE LOU TAÑALA
Municipal Mayor



Republic of the Philippines
 PROVINCE OF LEYTE
 MUNICIPALITY OF JARO

TANGGAPAN NG SANGGUNIANG BAYAN

**MINUTES OF THE 43rd REGULAR SESSION OF THE SANGGUNIANG BAYAN
 OF JARO, LEYTE HELD AT THE SB SESSION HALL LEGISLATIVE BUILDING
 ON JUNE 19, 2023**

PRESENT:

- | | | |
|---|--------------------------------|--|
| | HON. RODRIGO C. ARBAS | -Municipal Vice-Mayor/Presiding Officer |
| | HON. JONELL MARTIN A. QUE | -SB Member |
| x | HON. LANDILINO T. KATANGKATANG | -SB Member |
| | HON. JULIAN L. EMNAS | -SB Member |
| | HON. FRANCISCO R. ALTRES | -SB Member/Majority Floor Leader |
| | HON. LEO ANGELO T. PORMIDA | -SB Member |
| | HON. GUALBERTO V. ELISES | -SB Member/Presiding Officer Pro-Tempore |
| | HON. ALEXANDER N. SALGADO | -SB Member |
| | HON. REY P. AURE | -SB Member |
| | HON. CARMENCITA G. TAÑALA | -SB Member/LIGA Fed.-President |
| x | HON. TRINA MAE R. SOLEDAD | -SB Member/SK Fed.-President |

ABSENT: MARKED (X)

I. Call to order, one-minute silent prayer, the singing of the national anthem, roll-call, and then reading and approval of previous minutes.

Honorable Rodrigo C. Arbas, Vice-Mayor and SB Presiding Officer, called to order the *43rd Regular Session of the Sangguniang Bayan at 9:31 in the morning*, followed by the one-minute silent prayer, the singing of the national anthem and the roll-call to determine the quorum as follows:

PRESENT: (8) SBM

**ABSENT: (2) SBM-HON. LANDILINO T. KATANGKATANG-EXCUSED
 HON. TRINA MAE R. SOLEDAD-OFFICIAL LEAVE**

And thereby with a quorum of Eight (8) SB members present, the Chair request Honorable Francisco R. Altres to proceed to the Calendar of Business for the day.

Hon. Altres took the floor and then request the reading on the minutes of the previous SB Regular Session and after it has been read, the Chair asks from the floor for any amendments to the minutes, and hearing none, declared that the minutes of the 42nd SB Regular Session is duly adopted/approved without corrections thereto as read by the SB Secretary.

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II. READING AND REFERRAL OF PROPOSED MEASURES:

ITEM NO. 1-EXECUTIVE AGENDA:

PROPONENT: HONORABLE LANDILINO T. KATANGKATANG
Committee Chairman on Environmental Protection

A PROPOSED RESOLUTION ADOPTING SANGGUNIANG BARANGAY RESOLUTION NO. 011, SERIES OF 2023, DATED MARCH 29, 2023 OF BARANGAY STA. CRUZ, INTERPOSING NO OBJECTION TO THE SAG-EXTRACTION OPERATION, APPLICATION OF MR. JONAS A. MERCADO AT TAYTAY RIVER WITHIN THE AREA OF BARANGAY STA. CRUZ JARO, LEYTE.

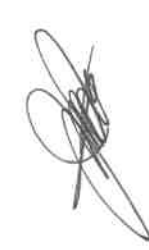
ITEM NO. 2-EXECUTIVE AGENDA:

PROPONENT: HONORABLE LANDILINO T. KATANGKATANG
Committee Chairman on Environmental Protection

A PROPOSED RESOLUTION ADOPTING SANGGUNIANG BARANGAY RESOLUTION NO. __, SERIES OF 2022, DATED SEPTEMBER 10, 2022 OF BARANGAY MAG-ASO, INTERPOSING NO OBJECTION ON THE APPLICATION OF INDUSTRIAL SAND AND GRAVEL QUARRY WITH CRUSHING PLANT BY GINA B. PORSUELO IN BARANGAY MAG-ASO JARO, LEYTE.

Honorable Francisco R. Altres said that the proponent is absent, and suggest to defer the proposed legislative measures, and to refer the same to the committee level for review, and asks for the opinion of the SB members.

Honorable Leo Angelo T. Pormida opines and concurs to the suggestions of Hon. Altres for the following reasons: (1) there is no complete attachment to the SAG applications particularly the attendance and minutes of the Public Hearing; (2) why is it that there was already a resolution of no objection to the SAG application enacted by the Sangguniang Barangay, for as far as he knows there was no Public Hearing conducted in Barangay Sta. Cruz.



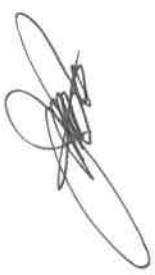
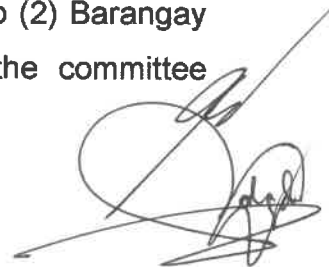
Honorable Gualberto V. Elises opines and said that on his opinion considering that the proposed legislative measures are an executive agenda, it must be given utmost priority, and the Sanggunian has to adopt Item No. 01 and Item No. 02.

Hon. Altres opines and said that there is a need to refer first the matter to the concerned committee for compliance to the appropriate procedure and to give the SAG-Permit Applicant to comply the lacking documents, if there is any and considering further that there are no copies of the said documents provided to the SB members.

Hon. Pormida opines and said that if the Sangguniang Bayan will approve the two (2) legislative measures as suggested by Hon. Elises, it follows that it is by principle is duly adopted by the Sanggunian without review under the committee level, he also suggests that during the committee meeting to invite the SAG-Permit Applicant and the two (2) Punong Barangay concerned. And for the records Hon. Pormida informed the Body that as far as he knows, one of the SAG-Permit Applicant in the person of Gina B. Porsuelo is somewhat a most controversial person, in fact she has outstanding credit of diesel of Php 40,000.00 to Orion Fuels, she did not pay and just disappeared.

The Chair opines and said that it is the usual procedure of the Sangguniang Bayan that before enacting a resolution of no objections to SAG-Permit Applicant, there is a need first to refer the matter to the concerned committee for review and to determine if the documents are complete and suggests to re-produce the available documents and provide copies of the same to the SB members.

Honorable Julian L. Ennas opines and said that as far as he can remember, under the committee level the SB Committee on Environmental Protection conduct first an ocular inspection on the area subject for SAG-Permit in order to determine the met and bounds where the SAG Extraction Operation will be operated and further suggests inviting the two (2) Barangay Chairman of Barangay Sta. Cruz and Mag-aso to attend the committee meeting.



The Chair declared to conduct the committee meeting the SB members convening as a committee as a whole to review the two (2) legislative measures on June 22, 2023 (Thursday) at 9:00 A.M. and to invite the SAG-Permit Applicant and the Punong Barangay of Barangay Sta. Cruz and Barangay Mag-Aso to attend the committee meeting which all the SB members concurs thereto.

ITEM NO. 3—REFERRED TO THE COMMITTEE ON FINANCE, BUDGET AND APPROPRIATIONS CHAIRED BY HONORABLE LEO ANGELO T. PORMIDA – IN MATTERS PERTAINING TO THE “PREPARATION ON THE DRAFT OF THE 2024 ANNUAL BUDGET PROPOSAL OF THE SANGGUNIANG BAYAN FOR SUBMISSION TO THE LOCAL FINANCE COMMITTEE THRU THE MUNICIPAL BUDGET OFFICE – ON OR BEFORE JULY 17, 2023”.

Honorable Leo Angelo T. Pormida opines and informed the Body, that the Municipal Budget Office has already issued the Budget Preparation Flow Chart for the Budget Year 2024, and the different Municipal Department has to submit their respective proposed budget on or before July 17, 2023.

Hon. Pormida further suggest to conduct the SB budget preparation on June 22, 2023 (Thursday) right after the committee meeting of the Committee on Environmental Protection and then asks from the Body if there is a need to invite Mr. Juancho C. Bonayon-MBO to attend the committee meeting for the formulation of the SB proposed Annual Budget for C.Y. 2024.

The Chair suggest for the SB to conduct the committee meeting to draft the SB 2024 budget even without the presence of the Budget Officer, which all the SB members concurs thereto.



ITEM NO. 4—FIRST READING RULE:

ORDINANCE NO. __, SERIES OF 2023

PROPONENT: HONORABLE CARMENCITA G. TAÑALA

Committee Chairman on Social Welfare &
Development and Human Rights

A PROPOSED ORDINANCE NO. __, SERIES OF 2023, OR OTHERWISE KNOWN AS "AN ORDINANCE ADOPTING THE NEW CHILDHOOD CARE AND DEVELOPMENT AND CONVERTING DAY CARE CENTERS SERVICES TO QUALITY EARLY CHILDHOOD CARE DEVELOPMENT APPROPRIATING FUNDS THEREOF AND FOR OTHER PURPOSES.

Honorable Carmencita G. Tañala took the floor and then moves the above proposed ordinance under the first-reading-rule and it was duly seconded by the Body.

The Chair opines and then referred the above proposed ordinance to the concerned committee for the committee review and then after asks Hon. Tañala, on the schedule of their committee meeting.

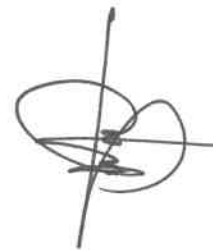
Hon. Tañala reply and then request the members of the committee on Social Welfare & Development and Human Rights for a committee meeting on June 22, 2023 (Thursday) 1:00 P.M. at the SB Session Hall and all the committee members concurs thereto.

III. UNFINISHED BUSINESS:

ITEM NO. 1—PROPONENT: HONORABLE GUALBERTO V. ELISES

Committee Chairman on Agriculture and Accreditation

A PROPOSED RESOLUTION APPROVING THE APPLICATION FOR ACCREDITATION OF THE DIFFERENT CSOs AND POs AS FOLLOWS:



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1. OFW AND BENEFICIARIES OF JARO ASSOCIATION (**OBJA**) JARO, LEYTE.
2. UNITED FARMERS ASSOCIATION OF BRANGAY TUBA JARO, LEYTE.
3. JARO LEYTE ELECTRICIANS ASSOCIATION (**JLEA**) WITH OFFICE ADDRESS AT BARANGAY KALINAWAN JARO, LEYTE.
4. JARO HIAGSAM TRICYCLE OPERATORS AND DRIVERS' ASSOCIATION (**JAHTODA**) WITH OFFICE ADDRESS OF BARANGAY HIAGSAM JARO, LEYTE.

Honorable Gualberto V. Elises, before the final motion, informed the Body that the above proposed measures, have been tabled already in the previous SB sessions and it has already been reviewed under the committee level. However, due to unavoidable circumstances the committee reports have not been formulated by his previous secretary, he assures the Body that the committee has thoroughly reviewed the documents of the four (4) applicants for accreditation and found the attached documents complete, and further request the SB members for their concurrence to approve the above proposal considering that it is already long-overdue.

The Chair opines and suggest to Hon. Elises that the moment the minutes of the committee meeting will be formulated to file the same at the SB Office for records and reference purposes, the Chair asks also from Hon. Elises pertaining to the Jaro Leyte Electricians Association (JLEA), if the association is exclusively for Barangay Kalinawan.

Hon. Elises reply that Barangay Kalinawan and Hibucawan is the official office address of the two (2) association and then moves to amend by inclusion the word "with office address" in the title of the above proposed resolutions.



And with no further discussions, the Chair request Hon. Elises to offer the final motion and it was duly seconded en masse, and then after the Chair declared that for Item No. 1, under the unfinished business, which is for the approval on the accreditation of four (4) CSOs/POs has been moved, carried and then approved en masse.

ITEM NO. 2--SECOND READING/PLENARY DISCUSSION:
ORDINANCE NO. __, SERIES OF 2023
SPONSORED BY HONORABLE ALEXANDER N. SALGADO
Committee Chairman on Peace and Order, Public Safety
and Transportation

A PROPOSED RESOLUTION APPROVING ON SECOND-READING
ORDINANCE NO. __, SERIES 2023, OR OTHERWISE KNOWN AS
"THE REVISED TRAFFIC CODE OF THE MUNICIPALITY OF JARO,
PROVINCE OF LEYTE.

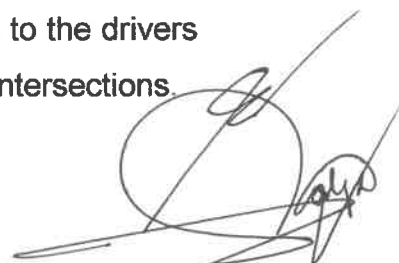
Honorable Alexander N. Salgado took the floor and request for the continuance on the deliberations/plenary discussion of the proposed ordinance under the Second-Reading.

Plenary Discussion:

Honorable Gualberto V. Elises, proposed an amendment by inclusion under Article III, paragraph (a), "Designation", to include "San Isidro Street" as thru-streets;

The Chair opines and invite the attentions of the SB members on Article III, "Designation", under the par (b), sub-par 1 to 4, to correct M-Francisco to San Francisco Street;

Honorable Francisco R. Altres opines and then suggest to the proponent, that all thru-streets, there should be warning signs to the drivers of vehicles or motorcycle to full stop before crossing the road intersections.



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Likewise, Hon. Altres asks from Hon. Salgado if those drivers over-taking a vehicle, motorcycle at the right-side of the road, is considered a traffic violation, and if it is provided in the proposed ordinance.

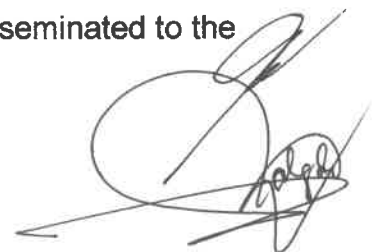

Hon. Salgado, opines and informed the Body that Corner Real and Del Carmen Streets going to San Antonio Street are not considered priority of passage; However, considering it is declared as thru-street, drivers are required to a full stop at every corner before crossing San Isidro and San Antonio Streets, and also from Corner Real and Del Carmen Street going to Granja High School.

Hon. Salgado further said as to the inquiry Hon. Altres if those drivers over-taking at the right-side of the road, it is considered a traffic violation, and it is already included in the proposed ordinance.

The Chair opines and suggest to Hon. Salgado for the Committee on Peace and Order, Public Safety and Transportation, to conduct seminar to educate drivers on the different traffic violations, different traffic road signs to avoid fines and penalties for violations of the proposed ordinance.

Honorable Gualberto V. Elises opines and suggests to Hon. Salgado to mobilize the Municipal Traffic Enforcers to give warning to the municipal constituents, specifically in the Poblacion area on the prohibition of illegal parking of vehicles, motorcycle (MCH), specifically during the night, embankment of sand and gravel and other similar aggregates using the municipal streets and further suggests to install "warning signs", containing the corresponding fines or penalties for violation of the Ordinance.

Hon. Salgado informed the Body that the proposed Ordinance contains different types of traffic violations, the corresponding fines/penalties (ex. Illegal parking, SAG stock-filing space using municipal streets and through the local PNP, each type of violations and penalties will be disseminated to the municipal constituents for their awareness.



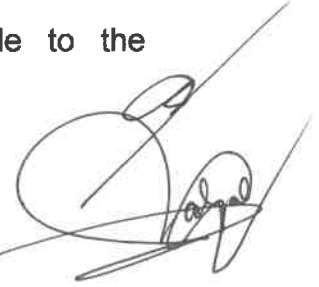

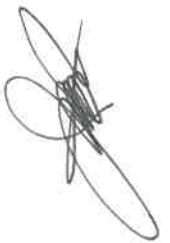
Honorable Leo Angelo T. Pormida opines and said that on his observations the presence of illegal parking of vehicles, motorcycles specifically in "Real and Nazareno Streets" is a long-time problem in the municipality, that on his opinion there is no strict enforcement of the existing traffic ordinance resulting to the traffic congestions in those areas.

Hon. Pormida further said the Local PNP has authority to tow illegal parked vehicles, motorcycles and let the driver/owner of the vehicle, motorcycle claim the same at the PNP station for he believes that issuing a citation ticket is not effective, the procedure and provisions for illegal parking should be enhanced and penalties should be strictly be imposed to traffic violators, for there are occasions that he could see that driver/owner of a vehicle, motorcycle, pedicab parked wherein the signage of no parking is installed.

Hon. Salgado opines that the procedure being implemented by the Traffic Enforcers is first offense for illegal parking is warning and the owner/driver of the vehicle, motorcycle, pedicab is informed the corresponding fines/penalty, and for succeeding violations fines/penalties is already imposed. He further said that the PNP-Traffic Enforcers is regularly conducting inspections to motorist to identify those driving without a license, and there are drivers that has been apprehended by the local PNP, and were issued citation tickets, and has to pay the fine at the MTO.

The Chair opines and asks Hon. Salgado on those vehicles, motorcycles found to be without appropriate documents (ex. registration) what is the procedure of the local PNP Traffic Enforcers being implemented to penalize the owner/driver of a vehicle or motorcycle.

Hon. Salgado reply that those vehicles, motorcycles without LTO registration and/or appropriate documents are impounded at the PNP station, the owner/driver is issued citation tickets and has to be pay the fines at the MTO, before the PNP will release the vehicle or motorcycle to the owner/driver.



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Honorable Rey P. Aure opines and asks Hon. Salgado if all the PNP personnel are deputized by the LTO to issue citation tickets, conduct arrest for traffic violations. Hon. Salgado reply that not all of the local PNP personnel are deputized by the LTO to issue citation tickets for traffic violations.

In addition, thereto the Chair informed the Body, that not all of the local PNP are deputized to issue citation ticket for traffic violation, there are only some PNP personnel assigned as Traffic Enforcers and they were deputized by the LTO to issue citation tickets.

The Chair further informed the Body, that there are instances that the local PNP personnel who are not deputized by the LTO, conduct arrest to traffic violators, their usual procedure is to call a deputized PNP who will be the one to issue citation ticket for the traffic violations.

Likewise, the Chair invite the attention of the Body, on article III, par (b) "One Way Streets", and asks Hon. Salgado to explain more further the provisions and its rationale for the consumption of the Body.

Hon. Salgado replies to the Body that the purpose of Article III, par (b) of declaring one-way streets: (1) the road intersection of Real and Msgr. Gonzaga Streets starting from 6:00 A.M. to 9:00 A.M.; (2) the road intersection of San Francisco and Msgr. Gonzaga Streets starting from 4:00 P.M. to 6:00 P.M.; (3) the road intersection of San Francisco and Del Carmen Streets starting from 6:00 A.M. to 9:00 A.M.; (4) the intersection of Real and Del Carmen Streets from 4:00 P.M. to 6:00 P.M., for these areas/streets are school zones and the time are peak hours for the school students entering and leaving their schools; hence, there is a need to prohibit entry of vehicles, motorcycles to protect the students from any harmful untoward vehicular accident.



Honorable Carmencita G. Tañala opines and then inform the Body that the Sangguniang Barangay of Brgy I, is already implementing the Road Clearing Ordinance enacted by the Sanggunian, which was sponsored by Hon. Altres. "Illegal Parking" of vehicles, motorcycles (MCH), single motor, Pedicab along Real, Nazareno and San Antonio streets is prohibited. Hon. Tañala further said, when the dry-run has been conducted by Brgy. I, mobilizing only the Barangay Tanod, it was effective, and she suggest that the Traffic Enforcers, should likewise adopt the procedure along Real and Del Carmen Streets street to prevent traffic congestions in these areas. In addition, thereto, Honorable Gualberto V. Elises said that "Illegal parking" of motorist along Real, Nazareno and Corner of San Isidro is a perennial problem, which the PNP Traffic Enforcers could not control resulting to traffic congestion in these areas, specifically infront of the commercial establishment (ex. Palawan Pawnshop, Ngo's Store, etc.).



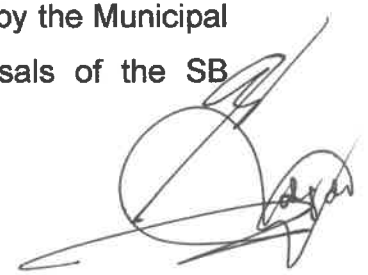
Honorable Francisco R. Altres opines and then suggest to the proponent, to specifically provide provision on "Illegal Parking" at the Cabayongan River Bridge, for it used as a parking area by vehicles, motorcycles during Sundays (Tabo Day), the PNP Traffic Enforcers should strictly enforce "No Parking" along the bridge.



Hon. Salgado replies that the Municipal Traffic Management Board, after the enactment of the proposed ordinance, will be formulating the details of the ordinance, and it would include prohibiting illegal parking along the municipal roads (ex. Cabayongan Bridge, Real, Nazareno Streets, going to Corner of Nazareno and San Isidro corner of San Antonio and Nazareno.



The Chair opines that the proposed ordinance will contain the general law of the traffic ordinance and after approval of the Sanggunian, the Implementing Rules and Regulations (IRR) will be formulated by the Municipal Traffic Management Board, to include some of the proposals of the SB members.



The Chair said further that in the ordinance under Article III, Paragraph (f), number 1-9, provide for the prohibited places for parking along the municipal streets, specifically within the Poblacion area, which could be strictly enforced by the Municipal Traffic Enforcer to solve traffic congestions along Real, Nazareno to Corner of Nazareno and San Antonio Streets.

Honorable Julian L. Ennas opines and then informed the Body, that on his observations in Alang-alang, Leyte, the LGU Traffic Enforcers is assisted by the Local PNP which is not being practiced in Jaro, and then suggest to Hon. Salgado as the Chairman on Peace and Order, Public Safety and Transportation, to request the Jaro-PNP to assist the LGU-Traffic Enforcers, specifically the areas of school zones, Real, Nazareno to Corner of San Antonio, which is rampant of illegal parking of motorists.

In addition, thereto, Honorable Jonell Martin A. Que, said that on his observations the frequent cause of traffic congestions is due to the delivery vans/trucks along Nazareno Street, which is used as loading and unloading area, and then suggest to Hon. Salgado to specifically provide in the ordinance, the loading and unloading area for delivery vans/trucks.

Hon. Salgado opines and said that in the business sector area in Barangay I, there is no specific area for loading and unloading which have been established by the Sangguniang Barangay and he concur to the suggestion of Hon. Que to include the same in the proposed ordinance.

The Chair opines and then suggests to declare the open spaces in front of Ainas Bake Shop, the Public Terminal in Barangay I, as the permanent loading and unloading area for delivery vans/trucks to minimize traffic congestion along Nazareno Street.

Honorable Francisco R. Altres opines that on his observations the open spaces in front of Ainas Bake Shop located at the Public Market area, is used daily by some vendors of merchandise and during tabo Day, if the plan is to utilize the said space, is for the Sangguniang Barangay of Poblacion I to prohibit those vendors to use the said site, so that it could be use by the delivery vans/trucks to unload their commodities from Mondays to Saturdays.

Honorable Carmencita G. Tañala opines and said that the instruction of the Barangay to the vendors is to set up their tents in the open space in front of Ainas Bake Shop is every Saturday afternoon only in preparation for the Tabo Day during Sundays.

However, according to Hon. Tañala there are local market vendors which are really hard headed, and does not follow the instruction of the Sangguniang Barangay for they keep on using the open space from Mondays through Sundays and it is a perennial problem of the barangay on how to deal these people/ market vendors.

The Chair opines and suggest to Hon. Tañala to conduct a dialogue again with these vendors and to inform them that the said site will be used for loading and unloading area of delivery vans/trucks, and they will not be permitted to use the same from Mondays to Saturdays.

The Chair discuss also Article II, par (47) "Speed Limit", he noticed that there is no speed limit indicated, which would be the authorized speed within designated thoroughfares or road network, specifically inside the Poblacion proper, and on his opinion, it should be included in the ordinance for motorist awareness.

*Honorable Alexander N. Salgado said that the observation of the Chair is noted and it should be included in the proposed ordinance and suggest a **20 kph speed** limit within the main thoroughfares in the Poblacion proper which all the SB members concurs thereto.*

Honorable Leo Angelo T. Pormida opines and then suggest to Hon. Salgado that aside from the speed limit, is to verify also minors driving motorcycle with improvised muffler roaming around the municipal roads at night causing disturbances to the local residents and further suggests to specifically provide in the ordinance the prohibitions of minors to drive single motorcycles.

The Chair opines and asks from the floor for any further discussions on the proposed ordinance and hearing none, request Hon. Salgado to offer the final motion for its approval under the second-reading.


Hon. Salgado took the floor and then moves the above proposed "Revised Traffic Code of the Municipality of Jaro, Province of Leyte" under the second-reading and it was duly seconded en masse by the SB members present.

And then the Chair declared that the proposed ordinance has been move, carried and then approved by the August Body, and further said that the subject ordinance will still undergo the procedure of Public Hearing, and plenary discussion may be continued during the adoption on the minutes of the Public Hearing, before its final adoption of the Sanggunian

On motion of Hon. Altres duly seconded the Chair declared recess at 11:50 A.M., session resumed at 12: 15 A.M.

**ITEM NO. 3—SECOND READING/PLENARY DISCUSSION:
ORDINANCE NO. 15, SERIES OF 2023
SPONSORED BY HONORABLE FRANCISCO R. ALTRES
Committee Chairman on Legal Matters, Laws &
Privileges**

AN ORDINANCE NO.15, SERIES OF 2023, OR OTHERWISE KNOWN AS "AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE.

 SB/SEC_jam_jac_rbo_nrb 2023















Honorable Francisco R. Altres took the floor and then moves the above proposal and it was duly seconded en masse.

And then after the Chair, declared that Item No. 03, under the unfinished business which is for approval of the proposed ordinance No. 15, series of 2023, or otherwise known as "An Ordinance Institutionalizing the Business Permit and Licensing System (BPLS) of the municipality of Jaro, Province of Leyte has been moved, carried and approved en masse by the August Body, under the second-reading.




IV. BUSINESS FOR THE DAY:

**ITEM NO. 1—APPROVAL ON THE THIRD-AND-FINAL READING:
ORDINANCE NO. 14, SERIES OF 2023
SPONSORED BY HONORABLE JULIAN L. EMNAS
Committee Chairman on Women’s Children, Disabled
Persons and Senior Citizens**

AN ORDINANCE AMENDING BY INCLUSION OF SOME SPECIFIC PROVISIONS TO ORDINANCE NO. 11, SERIES OF 2017 ENTITLED: THE CHILDRENS WELFARE CODE OF JARO, LEYTE.



The Chair before the final motion asks from the floor for any further discussion on the proposed ordinance and hearing none from the floor, request Hon. Emnas to offer the final motion for its approval under the third-and-final-reading.

Honorable Julian L. Emnas, took the floor and then moves for the approval of Ordinance No. 14, series of 2023, under the Third-and-Final Reading and it was duly seconded en masse by all SB members present



And then after the Chair declared that Ordinance No. 14, Series of 2023 has formally been moved under the Third-and-Final reading, duly seconded en masse by all SB members present: **(Present: (8) SBM; Absent: (2) SBM).**






ITEM NO. 2- PROPONENT: HONORABLE LEO ANGELO T. PORMIDA
Committee Chairman on Health and Sanitation

A PROPOSED RESOLUTION GRANTING AUTHORITY TO MAYOR JASSIE LOU TAÑALA TO ENTER AND SIGN FOR AND IN BEHALF OF THE MUNICIPALITY OF JARO, LEYTE A MEMORANDUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF HEALTH, REGIONAL OFFICE 8, REPRESENTED BY THE REGIONAL DIRECTOR EXUPERIA B. SABALBERINO, MD, MPH, CESe IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF JARO SUPER HEALTH CENTER IN THE AMOUNT OF Php 10,000,000.00 PESOS.



Before the formal motion the Chair asks from Hon. Pormida, if the LGU is required by the DOH, to put-up and equity for the construction of the Super Health Center. Hon. Pormida reply that the proposed Super Health Center is a total grant of the DOH, the LGUs responsibility is to provide the lot for the building

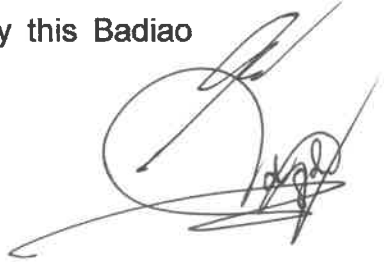
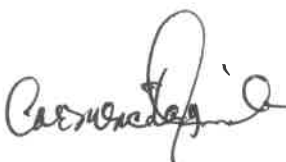


And with no further discussion, the Chair asks Hon. Pormida to offer the final motion, and it was duly seconded en masse. And then after the Chair declared that for Item No. 02, under the Business for the Day has been formally been moved, carried and then approved en masse by the August Body.

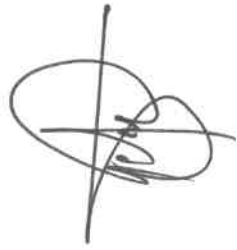


IV. UNASSIGNED BUSINESS/OTHER MATTERS:

1. Honorable Carmencita G. Tañala informed the Body pertaining to their present problem regarding the Badioo people who keeps on returning to Jaro, and using the Bagsakan Market as their shelter, and charging stations for their cellphones/gadgets. Hon. Tañala asks for the assistance of the LGU to control this Badioo people which around 50 persons more or less, for Barangay I, could not conduct monitoring of this people during midnight for there might be other activities being conducted by this Badioo people.



2. Honorable Jonell Martin A. Que informed the Body that last June 15, 2023, while on his way to the Poblacion from Barangay Parasan, at around 7:00 p.m., he has come across a tricycle accident within the area of Barangay Malobago, in front of the Talipapa/Market, where there is an on-going road re-blocking, on his conversation with the Barangay Officials, the contractor of the said road re-blocking is Duros Construction which is not from Region 8, the Barangay Officials is requesting the LGU, to informed the DPWH to command the contractor to install warning devices for it causes road accidents to motorist for about three incidents already. Hon. Que further address the problem to the Committee on Peace and Order, Public Safety and Transportation and to the Committee on Infrastructure to look into the matter.



In addition, thereto Hon. Emnas said that the Barangay Officials of Brgy. Malobago has to file complaint address to the DPWH, which has the authority to instruct the contractor to install immediately a warning device, within the perimeter of the construction site.



The Chair opines and said that the failure of the contractor to install warning devices within the area of the road construction is negligence on the part of the contractor. He further advice Hon. Salgado-Chairman of the Committee on Peace and Order, public Safety and Transportation, the Committee on Infrastructure to identify the real and actual contractor of the road re-blocking in Barangay Malobago; so that they will have knowledge on the multiple road accidents of motorist in that area for their failure to install warning devices.



The Chai further informed the Body on the following notices of meeting as follows:

- a. June 23, 2023 Quarterly Meeting for the members of MPOC, MADAC and ELCAC @ 9:00 A.M. at the ABC Hall, and encourage the SB members concerned to attend meeting.
- b. Pre-Assessment Activity for the 2023 SGLG on June 20, 2023 @ 1:00 at SB Session Hall, and then request the SB to be present during the meeting.

And with no further business to be transacted, on motion to adjourn by the Honorable Alexander N. Salgado, duly seconded the Chair declared the **43rd Regular Session adjourned at 12:48 P.M.**

EXCERPT RESOLUTIONS/ORDINANCE:

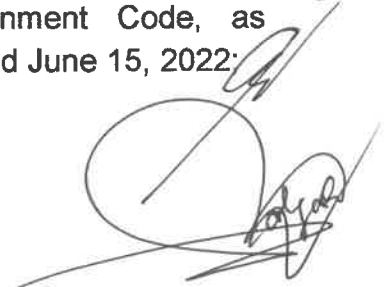
ITEM NO. 1—PROPONENT: HONORABLE GUALBERTO V. ELISES
Chairman Committee on Agriculture, Commerce & Industry

RESOLUTION NO. 2023 - 237

A RESOLUTION APPROVING THE APPLICATION FOR ACCREDITATION OF THE OFW AND BENEFICIARIES OF JARO ASSOCIATION (OBJA) OF THE MUNICIPALITY OF JARO, LEYTE.

WHEREAS, OFW and Beneficiaries of Jaro Association (OBJA) with official address at Municipality of Jaro, Leyte has applied to the Local Government Unit of Jaro of their accreditation as a Civil Society Organization;

WHEREAS, OFW and Beneficiaries of Jaro Association (OBJA) is registered association with the Department of Labor and Employment Registration Certificate No. R08-NLFO-2023-01-WA-2084, and has satisfactorily complied with the requirement of accreditation pursuant to the Local Government Code, as promulgated in the DILG Memorandum Circular No. 2022-83, dated June 15, 2022;



WHEREAS, for the meaningful participation of the above-named association in the pursuit of local autonomy and in the furtherance of community development and for the mutual aid and protection of its members, recognition is utmost importance;

NOW, THEREFORE, on motion presented by **Honorable Gualberto V. Elises**, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

RESOLVED, AS IT IS HEREBY RESOLVED TO APPROVED THE APPLICATION FOR ACCREDITATION OF THE OFW AND BENEFICIARIES OF JARO ASSOCIATION (OBJA);

RESOLVED FINALLY, that copy of this resolution be furnished to the Municipal Mayor, OFW AND BENEFICIARIES OF JARO ASSOCIATION (OBJA), MPDC, DILG/MLGOO for their information and guidance.

APPROVED: JUNE 19, 2023

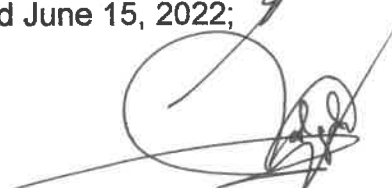
ITEM NO. 2-PROPONENT: HONORABLE GUALBERTO V. ELISES
Chairman Committee on Agriculture, Commerce & Industry

RESOLUTION NO. 2023 - 238

A RESOLUTION APPROVING THE APPLICATION FOR ACCREDITATION OF THE UNITED TUBA FARMERS ASSOCIATION (UTFA) OF BARANGAY TUBA JARO, LEYTE.

WHEREAS, United Tuba Farmers Association (UTFA) with official address at Barangay Tuba Jaro, Leyte has applied to the Local Government Unit of Jaro of their accreditation as a Farmers Organization;

WHEREAS, United Tuba Farmers Association (UTFA) is registered association with the Department of Labor and Employment Registration Certificate No. R08-NLFO-2023-01-WA-2085, and has satisfactorily complied with the requirement of accreditation pursuant to the Local Government Code, as promulgated in the DILG Memorandum Circular No. 2022-83, dated June 15, 2022;



WHEREAS, for the meaningful participation of the above-named association in the pursuit of local autonomy and in the furtherance of community development and for the mutual aid and protection of its members, recognition is utmost importance;

NOW, THEREFORE, on motion presented by **Honorable Gualberto V. Elises**, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

RESOLVED, AS IT IS HEREBY RESOLVED TO APPROVED THE APPLICATION FOR ACCREDITATION OF THE UNITED TUBA FARMERS ASSOCIATION (UTFA);

RESOLVED FINALLY, that copy of this resolution be furnished to the Municipal Mayor, UNITED TUBA FARMERS ASSOCIATION (UTFA), MPDC, DILG/MLGOO for their information and guidance.

APPROVED: JUNE 19, 2023

ITEM NO. 3—PROPONENT: HONORABLE GUALBERTO V. ELISES
Chairman Committee on Agriculture, Commerce & Industry

RESOLUTION NO. 2023 - 239

A RESOLUTION APPROVING THE APPLICATION FOR ACCREDITATION OF THE JARO LEYTE ELECTRICIANS ASSOCIATION (JLEA) WITH OFFICE ADDRESS AT BARANGAY KALINAWAN JARO, LEYTE.

WHEREAS, Jaro Leyte Electricians Association (JLEA) with official address at Barangay Kalinawan Jaro, Leyte has applied to the Local Government Unit of Jaro of their accreditation as a Civil Society Organization;

WHEREAS, Jaro Leyte Electricians Association (JLEA) is registered association with the Department of Labor and Employment Registration Certificate No. R08-NLFO-2016-WA-893, and has satisfactorily complied with the requirement of accreditation pursuant to the Local Government Code, as promulgated in the DILG Memorandum Circular No. 2022-83, dated June 15, 2022;

WHEREAS, for the meaningful participation of the above-named association in the pursuit of local autonomy and in the furtherance of community development and for the mutual aid and protection of its members, recognition is utmost importance;

NOW, THEREFORE, on motion presented by **Honorable Gualberto V. Elises**, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

RESOLVED, AS IT IS HEREBY RESOLVED TO APPROVE THE APPLICATION FOR ACCREDITATION OF THE JARO LEYTE ELECTRICIANS ASSOCIATION (JLEA);

RESOLVED FINALLY, that copy of this resolution be furnished to the Municipal Mayor, JARO LEYTE ELECTRICIANS ASSOCIATION (JLEA), MPDC, DILG/MLGOO for their information and guidance.

APPROVED: JUNE 19, 2023

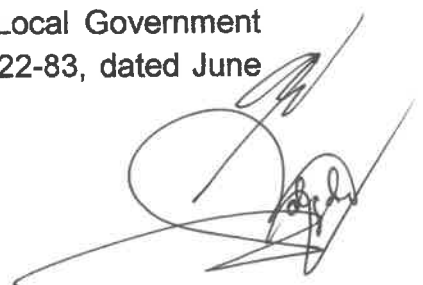
ITEM NO. 4-PROPONENT: HONORABLE GUALBERTO V. ELISES
Chairman Committee on Agriculture, Commerce & Industry

RESOLUTION NO. 2023 - 240

A RESOLUTION APPROVING THE APPLICATION FOR ACCREDITATION OF THE JARO HIAGSAM TRICYCLE OPERATORS AND DRIVERS' ASSOCIATION (JAHTODA) WITH OFFICE ADDRESS AT BARANGAY HIBUCAWAN JARO, LEYTE.

WHEREAS, Jaro Hiagsam Tricycle Operators and Drivers Association (JAHTODA) with official address at Barangay Hibucawan Jaro, Leyte has applied to the Local Government Unit of Jaro of their accreditation as a Civil Society Organization;

WHEREAS, Jaro Hiagsam Tricycle Operators and Drivers Association (JAHTODA) is registered association with the Department of Labor and Employment Registration Certificate No. R08-NLFO-2023-02-WA-2115, and has satisfactorily complied with the requirement of accreditation pursuant to the Local Government Code, as promulgated in the DILG Memorandum Circular No. 2022-83, dated June 15, 2022;



WHEREAS, for the meaningful participation of the above-named association in the pursuit of local autonomy and in the furtherance of community development and for the mutual aid and protection of its members, recognition is utmost importance;

NOW, THEREFORE, on motion presented by **Honorable Gualberto V. Elises**, duly seconded en masse by the Honorable Members present, this Sangguniang Bayan-

RESOLVED, AS IT IS HEREBY RESOLVED TO APPROVE THE APPLICATION FOR ACCREDITATION OF THE JARO HIAGSAM TRICYCLE OPERATORS AND DRIVERS' ASSOCIATION (JAHTODA);

RESOLVED FINALLY, that copy of this resolution be furnished to the Municipal Mayor, JARO HIAGSAM TRICYCLE OPERATORS AND DRIVERS ASSOCIATION (JAHTODA), MPDC, DILG/MLGOO for their information and guidance.

APPROVED: JUNE 19, 2023

ITEM NO. 5--PROPONENT: HONORABLE ALEXANDER N. SALGADO
Chairman Committee on Peace & Order, Public Safety & Transportation

RESOLUTION NO. 2023 - 241

A RESOLUTION APPROVING ON SECOND-READING OF ORDINANCE NO. _____, SERIES OF 2023, OR OTHERWISE KNOWN AS, "THE REVISED TRAFFIC CODE OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE.

On motion of **Honorable Alexander N. Salgado**, duly seconded en masse by the Honorable Sangguniang Bayan members present, be it-

RESOLVED, AS IT IS HEREBY RESOLVED, TO APPROVE ON SECOND-READING ORDINANCE NO. _____ SERIES OF 2023, OR OTHERWISE KNOWN AS, "THE REVISED TRAFFIC CODE OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE;

RESOLVED FINALLY, a copy of this resolution be furnished the Municipal Mayor, and to all offices concerned for their information and guidance.

APPROVED ON JUNE 19, 2023.

[Handwritten signatures and initials]

ITEM NO. 6--PROPONENT: HONORABLE FRANCISCO R. ALTRES
Chairman Committee on Legal Matters, Laws and Privileges

RESOLUTION NO. 2023 - 242

A RESOLUTION APPROVING ON SECOND-READING OF ORDINANCE NO.15, SERIES OF 2023, OR OTHERWISE KNOWN AS "AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE.

On motion of **Honorable Francisco R. Altres**, duly seconded en masse by the Honorable Sangguniang Bayan members present, be it-

RESOLVED, AS IT IS HEREBY RESOLVED, TO APPROVE ON SECOND-READING ORDINANCE NO.15, SERIES OF 2023, OR OTHERWISE KNOWN AS "AN ORDINANCE INSTITUTIONALIZING THE BUSINESS PERMIT AND LICENSING SYSTEM (BPLS) OF THE MUNICIPALITY OF JARO, PROVINCE OF LEYTE;

RESOLVED FINALLY, a copy of this resolution be furnished the Municipal Mayor, and to all offices concerned for their information and guidance.

APPROVED ON JUNE 19, 2023.

ITEM NO. 7--APPROVAL ON THIRD-AND-FINAL READING:

**ORDINANCE NO. 14,
SERIES OF 2023**

AN ORDINANCE AMENDING BY INCLUSION OF SOME SPECIFIC PROVISIONS TO ORDINANCE NO. 11, SERIES OF 2017, ENTITLED: "THE CHILDREN WELFARE CODE OF JARO, LEYTE"

INTRODUCED BY: HONORABLE JULIAN L. EMNAS

Committee Chairman on Women's Children, Disabled Persons and Senior Citizens

BE IT ORDAINED by the Sangguniang Bayan in session duly assembled that:



ARTICLE I
TITLE, DECLARATION OF POLICY AND PRINCIPLES, PURPOSES AND
DEFINITION OF TERMS:

SECTION 1. TITLE - This Ordinance shall be known as the "THE CHILDREN'S WELFARE CODE OF JARO, LEYTE".

SECTION 2. DECLARATION OF POLICY AND PRINCIPLES - The municipality of Jaro recognizes the vital role of children in the development of this municipality and shall promote and protect their physical, moral, spiritual, intellectual and social well-being.

It recognizes that children have rights as provided for in the United Nations Convention on the Rights of the Child and Other Laws. It recognizes the importance of effectivity promoting, enhancing and institutionalizing the survival, development, protection and participation right of the children.

The Local Government Unit shall respect the responsibilities, rights and duties and parents or where applicable the members of the extended family or community as provided by the local customs, legal guardians and other child caregivers responsible to provide guidance.

The Local Government Unit shall render appropriate assistance to parents and legal guardians in the performance of their child rearing responsibilities and shall ensure on their development and providing institutions, facilities and services for the care of children.

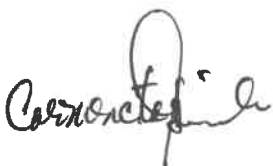
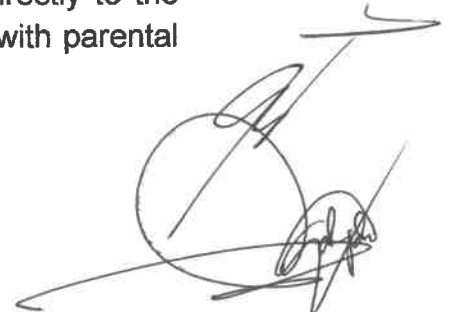
SECTION 3. PURPOSES - This Code is enacted with the following purposes:

- A. To ensure protection of children against all forms of abuse and exploitation;
- B. To advocate for children's right and promote their welfare and development;
- C. To ensure that children's right is given priority attention both in government and the civil society;
- D. To ensure that the municipality of Jaro, Leyte be transformed into a Child Friendly Community;
- E. To improve the quality-of-life of children of Jaro, Leyte enabling them to fully develop their potentials and participate in community life and nation building as well.

SECTION 4. DEFINITION OF TERMS - as used in this code.

The bottom of the page features several handwritten signatures and initials. On the left, there is a signature that appears to be 'J'. In the center, there is a signature that looks like 'Carmelita'. To the right of that is another signature, possibly 'Alde'. On the far right, there are several large, overlapping signatures and initials, including one that looks like 'N. N.' and another that looks like 'J. J.'.

- A. Children** - refers to persons below 18 years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect cruelty and exploitation or discrimination because of physical or mental disability or condition.
- B. Survival Rights of Children (SRC)** - refers to inherent rights and needs that are basic to existence which include the following:
1. Right to life;
 2. Right from birth to a name;
 3. Right to acquire a nationality;
 4. Right to know his/her parents and be cared for by them;
 5. Right to adequate and decent standard of living; and
 6. Right to access to basic health care and services.
- C. Development Rights of Children (DRC)** - refers to access of education which includes the following:
1. Right to education opportunity;
 2. Right to access to appropriate information;
 3. Right to leisure, recreation, cultural and artistic activities;
 4. Right to develop to the fullest of the child's physical and mental abilities.
- D. Protection Rights of Children (PRC)** - cover those rights, protecting the child from all forms of abuse, exploitation and discrimination which includes the following:
1. Protection of the child from all forms of physical and mental abuse;
 2. Rights of the child to be protected from injury, neglect and maltreatment;
 3. Protection from exploitation, sexual and economic abuse, including prostitution and involvement in pornography;
 4. In case of child's rape, they must be referred directly to the hospital for proper genital exam and laboratory with parental consent;
 5. Protection from sale, trafficking and abduction;



6. Right to special protection and assistance if without a family;
7. Right for treatment for necessary and reintegration of abused or exploited;
8. Right to periodic review if placed under care, protection on treatment;
9. Right of protection in situation of armed conflict;
10. Right of children in conflict with the law;
11. Right of freedom from torture, death, penalty, life imprisonment and deprivation of liberty.;
12. Right to protection from child labor; and
13. Right to be protected from the use of narcotics, psychotropic drugs and from being involved in the production or distribution.



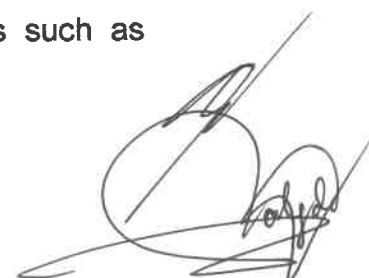
E. Participation Rights of Children (PRC) - refers to the right of children to participate, give opinion and be heard, which includes the following:

1. Right to express his/her opinion freely and to have that opinion taken into account;
2. Right to obtain information and present ideas;
3. Freedom of thought, conscience and religion subject to appropriate parental guidance;
4. Freedom to join association and peaceful assemblies;
5. Right to be heard in judicial and administrative proceedings; and
6. Right to privacy.

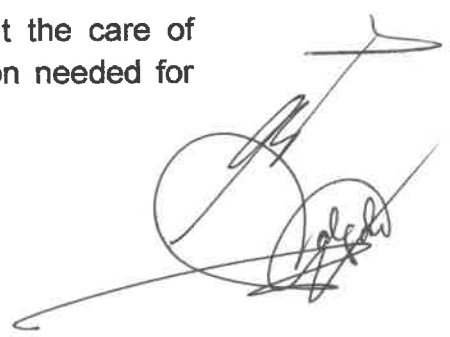


F. Child Abuse - refers to the maltreatment whether habitual or not of the child that includes any of the following:

1. Physical and psychological abuse, emotional, sexual, neglect and cruelty;
2. Any acts by deeds or words which degrades the dignity of a child as a human being;
3. Unreasonable deprivation of his/her basic needs such as food, shelter and clothing; and



4. Failure to immediately give medical treatment to an injured child resulting in serious impairment of growth and development of permanent incapacity or death.
- G. Exploitation (RA 9208)** - means hiring, employment, persuasion, inducement or coercion of a child to perform in obscure exhibitions and indecent shows, whether live or in videos or film or pose or act as a model in obscure publication or pornographic materials for sell or for distribution.
- H. Early Child Care and Development (ECCD)** - refers to the full range of health, nutrition, early education and social services programs that provides for the basic holistic needs of young children from birth to age eight (8), to promote their optimum growth and development.
- I. Pre-School Education** – refers to the age from birth up to five (0-5) known to be critical phase of child's psychomotor development. It is the phase when 90% of the human brain is developed, hence, the need for early childhood care and development program.
- J. Day Care** - is the provision of substitute parental care and stimulating activities for the total development of children from zero to five (0-5) years when their parents are unable to take care of them during part of the day because of work and some other situation.
- K. Day Care Center** - is a facility where Day Care Services are provided by an accredited Day Care Worker particularly on the 3-5 years' age bracket.
- L. Special Concern** – are circumstances which gravely threatens or endanger the survival and normal development of children including but not limited to the following:
1. Being in a community where there is armed conflict or being affected by armed conflict related activities.
 2. Working under conditions hazardous to life safety and morals which unduly interfere with their normal development.
 3. Living in for themselves in the streets without the care of parents and guardians or any adult supervision needed for their welfare.



4. Being a member of indigenous cultural community and/or hiring under condition of extreme poverty or in an area which is underdeveloped and/or lack or has inadequate access to basic services needed for a good quality of life.
5. Being a victim of man-made or natural disaster calamity.
6. Circumstances analogous to those above stated which endanger life, safety or normal development of children.

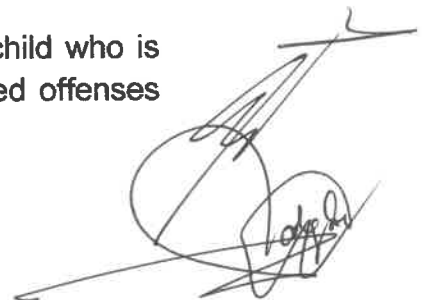
M. Comprehensive Program Against Child Abuse, Exploitation and Discrimination – refers to the coordinated program of services and facilities to protect children against:

1. Child prostitution and other child abuse;
2. Child trafficking;
3. Obscene publication and indecent shows;
4. Other acts or abuse detrimental to the well-being of child; and
5. Circumstances which threaten or endanger the survival and normal development of child.

N. Anti-Social Related Activities – are those acts against property, chastity and person which include but not limited to the following:

1. Petty crimes such as snatching, shoplifting and misrepresentation;
2. Using and pushing prohibited drugs, selling illegal or bad reading materials;
3. Pimping for and young and old prostitutes doing or participating in obscene show's;
4. Gambling of any form;
5. Rape and incest;
6. Unjust and inhumane manner of eviction and demolition; and
7. Any other circumstances as defined in existing laws.

O. Child in conflict with the law (CCL) – refers to a child who is alleged, accused of, or adjudged as having committed offenses under Philippines laws.



**ARTICLE II
RIGHTS AND OBLIGATION OF THE CHILD**

SECTION 1. RIGHTS OF THE CHILD

- A. Every child shall be entitled to the rights herein set forth without distinction as to the legitimacy, sex, social status, religion, political antecedents, and other factors.
- B. Every child shall possess the following rights which are classified into survival, development, protection, and participation rights:

- 1. **Survival Rights** – ensure the child’s inherent right to life and to the needs that are most basic to existence, the rights to a name and to a nationality, the right to identify and those dealing with parental and government duties and obligations, adequate and decent standard of living, access to basic health care and medical services, social security, and rehabilitation.

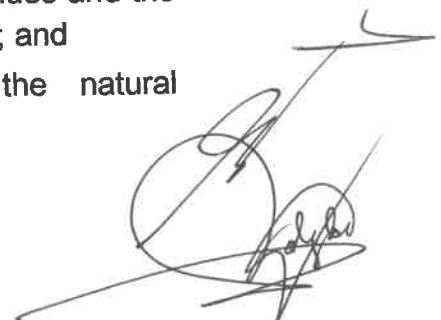
The following are the survival rights:

- a. Every child has the right to be born well, endowed with the dignity and worth of a human being from the moment of his or her conception;
 - b. Every child has the right to a wholesome family life that will provide him/her with love, care and understanding, guidance and counseling, and moral and material security. The dependent or abandoned child shall be provided with the nearest substitute of a home;
 - c. Every child has the right to balanced diet, adequate clothing, sufficient shelter, proper medical attention, and all the basic physical requirements of a healthy and vigorous life.
- 2. **Development Rights** – refers to the rights of a child to education to develop his/her personality, talents and mental and physical abilities to the fullest extent.

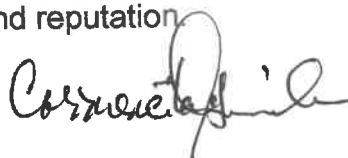
These also include participation in cultural activities, access to appropriate and relevant information and opportunities for rest, play and leisure. The following are the development rights:



- a. Every child has the right to a well-rounded development of his/her personality to the end that he/she may become a happy, useful, and active member of a society specifically:
 - 1. The gifted child shall be given the opportunity and encouragement to develop his/her special talents;
 - 2. The emotionally disturbed or socially mal-adjusted child shall be treated with sympathy and understanding and shall be entitled to treatment and competent care;
 - 3. The physically or mentally disabled child shall be given treatment, education and care required by her or his particular condition;
- b. Every child has the right to be brought up in an atmosphere of morality for the enrichment and the strengthening of his/her character;
- c. Every child has the right to grow up as a free individual in an atmosphere of peace, understanding tolerance, and complete brotherhood/sisterhood, and with the determination to contributed his/her share in the building of better community;
- d. Every child has the right to education. Primary education must be compulsory and higher education must be available and accessible to all on the basis of capacity by every appropriate means. The education of the child shall be directed to:
 - 1. The development of the child's personality, talents and mental and physical abilities to the fullest extent;
 - 2. The preparation of the child for responsible adult life in a free society;
 - 3. The development of respect for the child's parents his/her cultural identity, language and values and the cultural background and values of others; and
 - 4. The development of respect for the natural environment.



- e. Every child has the right to full opportunities for safe and wholesome recreation and activities, individual as well as social for the wholesome use of his/her leisure hours.
 - f. Every child has the right to live in a community and a society that can offer him/her an environment free from pernicious influences and conducive to the promotion of his/her health and the cultivation of her or his desirable traits and attributes.
3. **Protection Rights** - cover those rights protecting the child from all forms of abuses and discrimination such as protection from cruelty, torture, arbitrary, separation from family, abuse in the justice and penal system, involvement in armed conflict, child labor, drug abuse, sexual abuse, and exploitation.
4. **Participation Rights** - refer to child's rights to participate in matters that affect him or her providing all appropriate venues where he or she can express his/her opinions freely and to have those opinions taken into account, involvement in decision making and consultative process, freedom of association and assembly. The following are the participatory rights:
- a. Every child has the right to be provided the opportunity to be heard in any judicial and administrative proceedings affecting him or her, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law;
 - b. Every child has the right to freedom of thought, conscience and religion, subject to appropriate parental guidance;
 - c. Every child has the right to freedom of statement. This right shall include freedom to seek, receive and impart information and ideas of all kinds;
 - d. Every child has the right to express his or her opinions freely and to have these opinions taken into account in any matter or procedure affecting him or her; and
 - C. Every child has the right to privacy and shall be protected against unlawful interference, and to unlawful attacks against his or her honor and reputation.

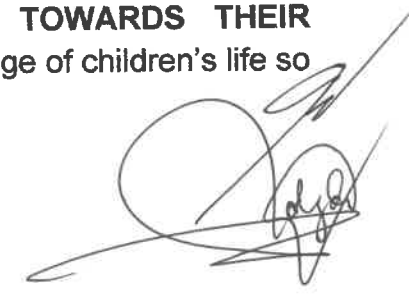



SECTION 2. RESPONSIBILITIES OF THE CHILD – Every child, regardless of the circumstances of birth, sex, religion, social status, political antecedents and other factors shall:

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



SECTION 3. RESPONSIBILITIES OF PARENTS TOWARDS THEIR CHILDREN – Control and discipline should start at the early stage of children's life so that they will grow a mature and disciplined child of the society.



**ARTICLE III
SURVIVAL RIGHTS OF CHILDREN**

SECTION 1. PRIMARY HEALTH CARE - The Local Government of Jaro shall implement and sustain the Primary Health Care Program. To ensure the implementation of this Section, it shall take appropriate measure to support the program on health under the following frameworks of primary health and preventive care. In accordance to Health Care Act (RA 11223) that provides that all Filipinos must be a PhilHealth member.

A. MATEMAL AND CHILD CARE PROGAM - The LGU shall continue to implement and support maternal and child care services program. The program on preventive child care and health services shall include the following:

1. Quality pre-natal of pregnant women during the course of pregnancy should include laboratory examinations like urinalysis in the first trimester CBC and hepatitis (HB an HA);
2. Monitoring and registration of birth, by parents to avoid error of entry at the MCR office;
3. Completion of immunization series for prevention of tuberculosis, diphtheria, pertussis, neonatal, tetanus, measles poliomyelitis, hepatitis and such other diseases for which vaccine have been developed;
4. To ensures that all neonates must undergo newborn screening at birth, not to exceed 28 days after delivery;
5. Deliveries must be attended by trained midwives, nurses and physicians.
6. Primigravida and Gravida (5) pregnant women must deliver at the hospital with proper referrals parental records and emergency plans.

SECTION 2. NUTRITION PROGRAM - The LGU shall establish and sustain a growth and nutritional monitoring with nutrition feeding and supervision of nutritional intake of children in home and in school by:

- A.** Encouraging mothers to **EXCLUSIVE BREASTFEEDING** on their babies on the first 0-6 months and by stressing to the mother the importance and benefits of complementary feeding to continue on the next succeeding six months until 2 years of age of the baby;



- B. Implementation of RA 8172 otherwise known as "An Act Promoting the Salt Iodization Nationwide" this program on Nutrition shall be under the administration and supervision of the MHO;
- C. The program on Nutrition shall include a monitoring and evaluation system which shall be established by the Municipal Nutrition Action Officer, that "Operation Timbang" is conducted yearly to be evaluated every quarter to identify the underweight and monthly to identify the severely underweight;
- D. Regulating plastic toys in the canteen and stores in school vicinities for health purposes and establishing monitoring system; and
- E. Good nutrition particularly protein intake of the mother specially under first 20 weeks of pregnancy or gestation is vital for brain development of the baby.

SECTION 3. COMPREHENSIVE PARENT ORIENTATION PROGRAM –
The LGU shall establish a Comprehensive Parent Orientation Development Program which includes gender responsive courses on:

- A. Reproductive Health;
- B. Child Health and Child Rearing Practice;
- C. Parent Effectiveness Services; and
- D. Pre-Marriage and Marriage Counseling.

**ARTICLE IV
DEVELOPMENT RIGHTS OF CHILDREN**

SECTION 1. EARLY CHILDHOOD CARE AND DEVELOPMENT PROGRAM - shall include the following:

- A. **DAY CARE SERVICE PROGRAM** - The Local Government Unit shall develop, implement and sustain its Day Care Services Program which is center based and community based.
- B. **IMPORTANCE OF DAY CARE SERVICE PROGRAM** - Day Care Service Program addresses the needs of crucial stage of a child's growth by the age of four (4) of child brain has already grown to 90 percent of its adult weight and much of the way he/she envision and interacts with the world has been shaped, thus, the formative years and the care that he/she gets during this period would significantly affect the learning capacity, personal and social interaction into adulthood.

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C. DAY CARE CENTERS - Be set up in every barangay which shall serve 3-4 years old children, the number of which shall depend of the population of the barangay. Day Care Centers aims to help the child to: become physically fit through proper care and nutrition; develop self-confidence, self-statement and self-discipline; relate well with others; develop strong spiritual, socio-cultural and nationalistic values, good attitude towards the family.

D. DAY CARE WORKERS AND SUPPORT GROUP:

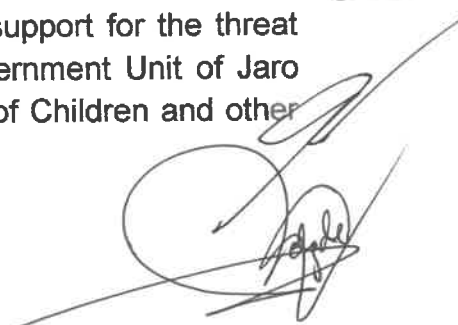
1. The Barangay shall provide the benefits to Day Care Worker/s (Honoraria) and likewise the LGU thru the local MSWD shall provide a continuing technical assistance to the center.
2. A volunteer parent Day Care group shall be organized to be an effective support group to the center. The volunteer group shall help mobilize resources for the improvement of the center. Acquisition of more learning materials and play equipment and other support activities.

E. SETTING UP OF DAY CARE CENTERS BY COMMUNITY BASED ORGANIZATIONS - Community Based Organizations can help mobilized resources to complement the effort of the Local Government Unit in establishing day care centers. In this way more children needing attention can be reached.

SECTION 2. RECREATIONAL AND CULTURAL PROGRAMS

- A. Every barangay in the Municipality of Jaro shall allocate space for recreational facilities appropriate for different age groups;
- B. A year-round cultural program appropriate to age group shall be designed with due respect to cultural diversity; and
- C. Indigenous game shall be encouraged in various athletic and sports programs of the LGU.

SECTION 3. LOCAL CHILDREN LITERATURE - In support for the threat for the socio-cultural development of Children, the Local Government Unit of Jaro shall invest in the promotion and production of local literature of Children and other relevant materials.



SECTION 4. OTHER CHILD FRIENDLY FACILITIES - the Local Government Unit in partnership with NGO's and Civic Organizations are encourage to put up and maintain child-friendly facilities such as but not limited to libraries, museums, parks and play grounds.

SECTION 5. SPIRITUAL DEVELOPMENTS

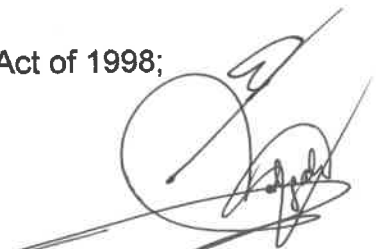
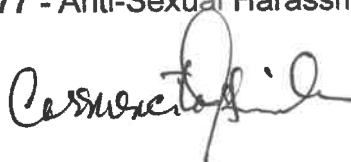
- A. The spiritual and moral upliftment of Children shall be the responsibility of the parents, schools, teachers, different churches and religious groups in the municipality;
- B. Every family shall admonish their children to heed the teachings of their church, attend actively and get involved in their respective religious church activities such as mass, catechism, worship, bible studies, retreats, seminars, family day, prayer meeting and the like to ensure a strong family relationship and God-fearing community;
- C. Religious education of children in all public and private schools is a legitimate concern of the church to which the student belongs, all churches may offer religious instruction in public and private elementary and secondary schools subject to the requirements of the constitution and existing laws.



**ARTICLE V
PROTECTION RIGHTS OF THE CHILD**

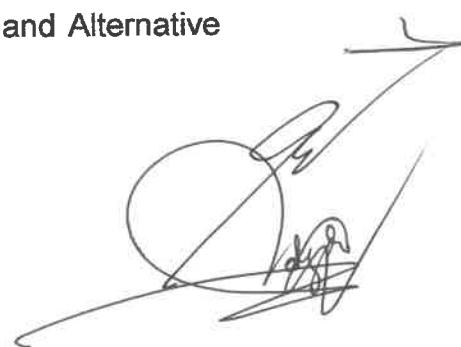
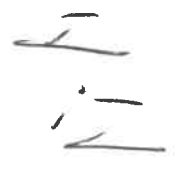
SECTION 1. THE LOCAL GOVERNMENT UNIT OF JARO SHALL ENSURE THE ADOPTION AND IMPLEMENTATION OF THE FOLLOWING NATIONAL LAWS CONCERNING THE CHILDREN IN NEED OF SPECIAL PROTECTION (CNSP), and other existing laws protecting children such as:

- 1. **R.A. 7610** - Special Protection of Children Against Abuse, Exploitation and Discrimination Act of 1994;
- 2. **R.A. 7658** - An Act Prohibiting the Employment of Children. Below 15 Years of Age in Public and Private Undertakings of 1994;
- 3. **R.A. 8505** - Anti-Rape (1997);
- 4. **R.A. 8505** - Rape Victim Assistance and Protection Act of 1998;
- 5. **R.A. 7877** - Anti-Sexual Harassment Act of 1995;



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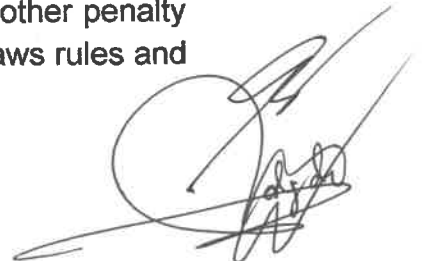
6. R.A. 9262 - Anti-Violence Against Women and Their Children Act of 2004;
7. R.A. 9344 - Juvenile Justice and Welfare Act of 2006;
8. R.A. 9208 - Anti-Trafficking in Persons Act of 2003;
9. R.A. 9165 - Comprehensive Dangerous Drugs Act of 2002;
10. R.A. 8980 - Early Childhood Care and Development Act of 2000;
11. R.A. 9231 - Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act of 2003;
12. R.A. 9211 - Tobacco Regulation Act of 2003;
13. R.A. 10410 - Early Years Act (EYA) of 2013;
14. R.A. 10666 - Children's Safety on Motorcycles Act of 2015;
15. R.A. 10821 - Children's Emergency Relief and Protection Act 2015;
16. R.A. 11036 - Mental Health Act of 2017;
17. R.A. 11037 - Masustansyang Pagkain para sa Batang Pilipino Act of 2017;
18. R.A. 11148 - Kalusugan at Nutrisyon ng Mag-Nanay Act of 2018;
19. R.A. 11188 - Special Protection of Children in Situations of Armed Conflict Act of 2018;
20. R.A. 9775 - Anti-Child Pornography Act of 2009;
21. R.A. 11596 - An Act Prohibiting the Practice of Child Marriage and Imposing Penalties for Violations Thereof
22. R.A. 11930 - Anti-Online Sexual Abuse or Exploitation of Children and Anti-Child Sexual Abuse or Exploitation Materials Act of 2022;
23. R.A. 11862 - Expanded Anti-Trafficking in Persons Act of 2022;
24. R.A. 11861 - Expanded Solo Parents Act of 2021;
25. R.A. 10165 - Foster Care Act of 2012
26. R.A. 11642 - Domestic Administrative Adoption and Alternative Child Care Act;
27. R.A. 11222 - Simulated Birth Rectification Act.




28. R.A. 10152 - An Act Providing for Mandatory Basic Immunization Services for Infants and Children, repealing for the Purpose Presidential Decree No. 996, as Amended.

SECTION 2. OTHER PROHIBITED ACTS – In addition to all acts defined and penalized under Republic Acts enumerated above, and other pertinent laws, the following acts shall likewise be punishable:

- A. **ILLEGAL RECRUITMENT** – Any person who recruits other person to work shall be required to register with and secure a permit from the office of the Barangay Chairman in the place or recruitment. Recruiting children without Barangay Permit is illegal;
- B. **PEONAGE OF CHILDREN** - Offering a child or the services of a child as payment for a debt or in exchange of a favor;
- C. **PRE-ARRANGEMENT TO MARRIAGE** - Pre-arrangement made by parents or guardians on their children;
- D. **USING GIRLS AS COMMODITIES IN BENEFIT DANCE** - Organizers of benefit dance, persons, facilitating or anchoring such benefit dances shall have penalized under this section if they shall use children a dancing partners for payment or fee to the organizers.
- E. **DISCRIMINATION OF GIRL CHILDREN** – Discrimination of girl children by prohibiting and depriving them of formal education;
- F. **DISCRIMINATION OF NON-MARRIAGE CHILDREN** - For schools to discriminate non-marriage children as follows but not limited to the following:
 - 1. Refusal to accept enrollment of illegitimate children in the school, by reason of one's illegitimacy;
 - 2. Requiring marriage contract of parents as requirement for enrollment of the child.
- G. **EXPULSION OF DROPPING BY REASON OF PREGNANCY** - For schools to impose a penalty of expulsion against child (minor) who has complied with all academic requirements by reason of her pregnancy. Schools may impose any other penalty which shall be may applicable based from existing laws rules and



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regulations of the government to both the pregnant girl and her partner if he is also enrolled in the same school;

- H. REFUSAL TO GRADUATE BY REASON OF PREGNANCY –**
For schools to refuse a child to graduate by reason of pregnancy if she has complied with all academic requirements;
- I. REFUSAL TO ISSUE CLEARANCE BY REASON OF PREGNANCY -** For schools to refuse issuance of clearance to children by reason of pregnancy;
- J. PHYSICAL AND DEGRADING FORMS OF PUNISHMENT -**
Subject the child to physical and degrading forms of punishment such as but not limited to:
1. Pulling of the hairs of a child;
 2. Making the child stand for long hours in classrooms;
 3. Stripping the child of his/her clothes;
 4. Shaving the head of a child;
 5. Throwing objects such as but not limited to erasers, chalk, etc. at the child;
 6. Shouting and uttering humiliating words that affects the emotional and psychological of the child;
 7. Other acts that tried to belittle the child.
- K. ENTICING MINORS TO LIVE-IN ARRANGEMENTS –** It shall be unlawful to parents to entice encouragement and/or push their children to live in together with any person as husband and wife in exchange for money or any other consideration.



SECTION 3. CONTROL ON EXPOSURE TO NEW TECHNOLOGY -
Control on Children's Exposure to Commercial Video Machines and Internet Cafés
commercial video machines and internet cafés catering to children (except college students) during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon and beyond 9:00 o'clock in the evening. Violation of this section shall be penalized as follows:

- A. 1st Offense – 15 days suspension of business permit;
- B. 2nd Offense – 30 days suspension of business permit;



- C. **3rd Offense** – confiscation of the video game and internet machine and cancellation of business permit of the said establishment.

SECTION 4. CONTROL OF CHILDREN'S EXPOSURE IN DISCO, BISTRO, VIDEOKE AND OTHER NIGHTTIME ENTERTAINMENT – For the protection of children 18 years of age, the owner or operator of establishment are prohibited to allow minors to enter night-time entertainment. Violation of this section shall be penalized as follows:

- A. **1st Offense** – 15 days suspension of business permit;
- B. **2nd Offense** – 30 days suspension of business permit;
- C. **3rd Offense** – cancellation of business permit, confiscation of machine and filing of case in court.

SECTION 5. RESPONSIBILITIES OF PARENTS/GUARDIANS – the family (parents/guardians) has the primary responsibility and duty to provide protection to their children from infancy to adolescence. Introduction of children to the culture, values and norms of their society shall begin in the family. The parents shall have the right to accompany their children and in relation to all other persons or institutions dealing with children's development, the primary right and obligation to provide for their upbringing.

Parents/guardian shall take care to prevent the child from becoming addicted to intoxicating drinks, narcotic drugs, smoking, gambling and other vices harmful practices.

**ARTICLE VI
ROLES AND RESPONSIBILITIES OF VARIOUS SECTORS**

SECTION 1. GENERAL DUTIES OF PARENTS/GUARDIANS - Parents shall have the following general duties toward their children:

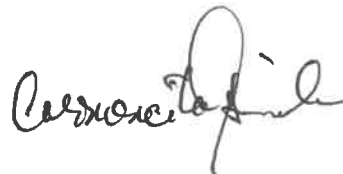
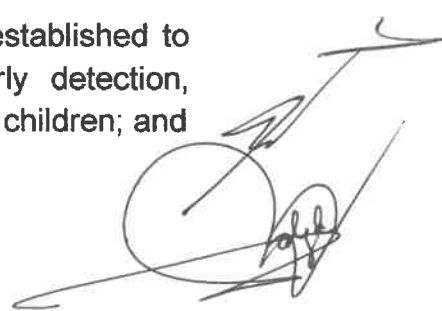
- A. To give them affection, companions and understanding;
- B. To extend to them the benefits of moral guidance, self-discipline and religious instruction; send their children to schools offering pre-elementary and basic education;
- C. To supervise their activities, including their recreation;
- D. To inculcate in them the value of the industry, thrift and self reliance;

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- E. To stimulate their children in civic affairs, teach them the duties of citizenship and develop their commitment to their county;
- F. To advise them properly on any matter affecting their development and well-being;
- G. To always set a good example;
- H. To provide them with adequate support as defined in Art. 194 of the Family Code.
- I. To administer their property, if any, according to their best interest, subject to the provisions of Art. 225 to 227 of the Family Code.
- J. Whenever a parent or guardian is found to have been unreasonably neglecting on his/her duties toward the child, he/she shall be admonished by the MSWD or by the Municipal Council for the Protection of Children (MCPC); and
- K. To send their children to schools offering pre-elementary and basic education.

SECTION 2. EDUCATIONAL INSTITUTIONS

- A. Educational Institutions shall work together with parents, community organization and agencies concerned with the activities for children. It is the responsibility of the school administrations to design and provide guidelines for the protection of children within their school premises;
- B. Schools, parents and local government officials shall see to it that school children and students are provided with adequate school room instructional materials and facilities including, playground, space and facilities for sports and physical development activities. Such officials should see to it that the school environment is free from hazards to the health and safety of students and that there are adequate safety measures for any emergency such as accessible exits, fire-fighting equipment and the like. All children shall have the free access to adequate dental and medical services;
- C. **School Based Child Protection Team** shall be established to have a mechanism that would help in the early detection, prevention and solution to abuse committed against children; and



- D. **Parent-Teacher Association** all over the municipality shall aid the Municipal and school authorities in the enforcement of juvenile delinquency control measures and in the implementation of programs and activities to promote child welfare.

SECTION 3. ROLE OF MASS MEDIA

- A. The Mass Media shall be aware of their extensive social role and responsibility as well as their influence, in communications relating with the children. They should use their power to protect the rights of children by relaying consistent message through a balanced approach; and
- B. Protect the rights of children by using the Principle of Confidentiality in all cases involving children. Special attention shall also be given to effective anti-drug awareness campaigns and delinquency prevention.

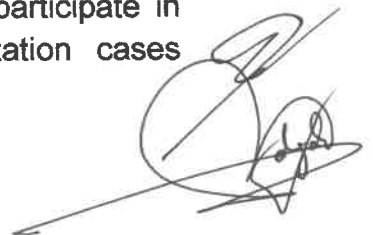
SECTION 4. ROLE OF PEOPLES ORGANIZATION AND NON-GOVERNMENT ORGANIZATIONS - To provide support to Government Organizations and other various stakeholders in promoting the Children's Welfare particularly along prevention, protection, rehabilitation and reintegration programs and services through involvement in the following strategic activities:

A. ADVOCACY AND SOCIAL MOBILIZATION

1. To act as volunteer trainer/speaker in conducting public awareness/community education on children's pertinent laws and possible actions for the prevention of child abuse and exploitation;
2. To act as partner implementer in mobilizing communities into action to prevent child abuse and exploitation at the community level;
3. To get involved in undertaking and sustaining media campaign and information dissemination.

B. CAPABILITY BUILDING - To participate in the training/seminars offered/given by concerned NGOs in order to continuously upgrade knowledge and skills in handling and responding to child abuse and be part of the frontline workers in the implementation of such.

C. DATA COLLECTION AND MANAGEMENT - To participate in immediate reporting of child abuse and exploitation cases through coordination to concerned authorities;



D. ALLIANCE BUILDING AND NETWORKING:

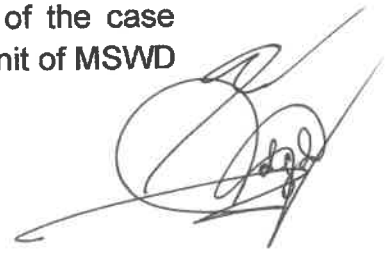
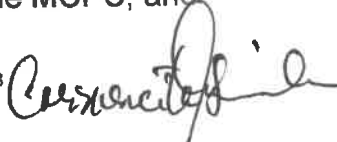
1. Establish and maintain collaborative linkages with concerned authorities by joining the local Women's Organization on activities particularly periodical meetings;
2. Actively participate in local discussions and initiatives that seeks to protect and uphold the rights of children;
3. Foster cooperation and coordination with the law enforcement agencies in the surveillance and rescue of children victims of abuse and exploitation and take part in giving protective custody to the child victim.

E. RESEARCH, POLICY STUDIES AND DOCUMENTATION -
Cooperate in regular sharing of information with concerned agencies intended for the documentation of best practices and research.

1. **Institutional Mechanism** - Get involved in the inter-agency coordinative preventive mechanism on government programs.

SECTION 5. SIGNIFICANT ROLE OF THE LOCAL PNP

- A. The Local Philippine National Police based in the municipality shall ensure police visibility in places frequented by children especially in the evening to provide protection and immediate assistance in case of harmful situations;
- B. Police officers, Barangay Official and Barangay Tanod/s shall escort minors found loitering in public places beyond 9:00 o'clock in the evening, to their proper domicile, to ensure their safety;
- C. They should also advice their parents and/or guardians to limit the time they allowed their children to stay outside their homes to until 9:00 o'clock in the evening, or when necessary, minors shall be accompanied by his/her relative within fourth degree by affinity and consanguinity. (Ref. Municipal Ordinance No. 14, dated November 16, 1992);
- D. All hospitals, clinics and other institution as well as private physicians providing treatment for any case of maltreated or abuse child shall within 48 hours from knowledge of the case report in writing to the Local PNP, or to the nearest unit of MSWD or to the MCPC; and



- E. Violation of this provision shall subject the hospital, clinic, institution, a physician who finds to make such report to a fine of not more than P 1,000.00 filing of administrative case to the institution.

SECTION 6. SIGNIFICANT ROLE OF THE MUNICIPAL CIVIL REGISTRAR

- A. The Civil Registrar shall ensure the immediate registration of newborn children thru regular coordination with the barangay health workers, midwives, hospitals, clinics.
- B. The office shall also issue foundling certificate for those abandoned children in coordination with the Municipal Social Welfare and Development Office.

SECTION 7. ESTABLISHMENT OF BANTAY BATA HOTLINE - A round the clock reporting and monitoring base against child abuse shall be established and anchored by the Municipal Social Welfare and Development office. Said Bantay Bata Hotline shall act as the 24-hour vanguard of children in all crimes and abuses committed against them by any person. Upon receiving information regarding any crime committed against a child, the Bantay Bata Hotline shall immediately report to the JARO-PNP Station and to other appropriate authorities such incident and shall monitor every progress that may occur in relation to the apprehension and prosecution of the criminal.

**ARTICLE VII
PARTICIPATION OF CHILDREN**

SECTION 1. RIGHTS TO OPINION- Opinions of children shall be heard in the family, school, community or other organization or institution. Every child has the right to express his opinion freely in so far as such opinion is not contrary to law, morals, good customs, public safety and policy and to have that opinion be taken into account in all matters of procedure affecting the child. It shall be the responsibility of the adults to provide opportunities for children to express their views, organized among themselves, obtain information, make ideas or information known regardless of tribe, sex and religious belief.

SECTION 2. PARTICIPATION OF CHILDREN ON ACTIVITIES THAT HARNESS THEIR POTENTIALS AND GIFTED TALENTS - Parents are encouraged to allow their children to join and participate in school activities like scouting, school organization, sport of interest, competitions on arts, sciences and other social and cultural activities that will develop their well-being, such as, among others:

- A. **Youth Association** - as used in this code, shall refer to any club organization or association of individuals below 18 years of age which is directly or indirectly carrying out child and youth welfare programs and activities. All youth organization shall enjoy the same rights and discharges the same responsibilities as civic association as maybe permitted by law.
- B. **Students Organizations** - All student's organization in public and private school shall include in their objectives the cultivation of harmonious relationship among their members and with the various segments of the community; and
- C. Likewise, the Municipal Government shall assist and support children with exceptional talents in singing, dancing, sports and academic intelligence to excel in the field.



SECTION 3. CONVENTIONS OF MINORS FOR PURPOSES OF CONSULTATION - The LGU shall encourage conventions of minors to hear their opinions and views in matters affecting their growth and progress. It is necessary that minors ages 3 to 6,7 to 12 and 13 to 17 years old are convened once a year, especially during Children's month of October.

SECTION 4. OCTOBER AS CHILDREN'S MONTH AND OCTOBER 17 OF EVERY YEAR AS NATIONAL CHILDREN'S DAY - Presidential Proclamation No. 74 dated October 16, 1992 declaring October 17 of every year as National Children's Day to honor Filipino Children and to emphasize the importance of their roles within the family and in the society and Proclamation. No. 267 dated September 30, 1993 declaring the month of October as National Children's Month.

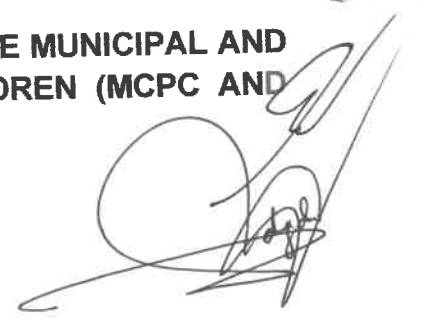





The Municipal Council for the Protection of children (MCPC), MSWD and other concerned local agencies shall conduct child focused activities for the month and observe Children's Day with programs highlighting the rights, role and responsibilities of children.



**ARTICLE VIII
IMPLEMENTING MECHANISM**

SECTION 1. CREATION AND ORGANIZATION OF THE MUNICIPAL AND BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN (MCPC AND BCPC)



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LEGAL BASIS:

- A. Republic Act 7610 Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act.
- B. Article 359 and 360 of the Civil Code of the Philippines provides that "the government shall establish council for the protection of children".
- C. Likewise, Art 87 of Presidential Decree (PD 603) Children and Youth Welfare Code- states that every "Barangay Council shall encourage the organization of Local Council for the protection of children and shall coordinate with the council for the welfare of children and drawing and implementing plans for the promotion of child and youth welfare".

There is therefore a need to organized BCPC in every barangay in the Local Government Unit of Jaro to ensure synchronization and integration policies, programs and projects for children.

- D. RA 8980 otherwise known as "Early Childhood and Care Development (ECCD)" act promulgated a comprehensive policy and national system for children from 0-6 years old.
- E. The MCPC shall be the umbrella organization for all programs on children an e ECCD coordinating committee shall be one of the committees under it.

SECTION 2. THE MUNICIPAL COUNCIL FOR THE PROTECTION OF CHILDREN (MCPC)

COMPOSITION:

Chairperson :Municipal Mayor

Co – Chairperson:Vice—Mayor

Members :Sanggunian Bayan Chairperson-Committee on Women's and Children
DIGL/MLGOO
Chief of Police/JARO-PNP
Municipal Civil Registrar
Municipal Social Welfare & Dev't Officer
Local School Supervisor/s
Municipal Nutrition Action Officer

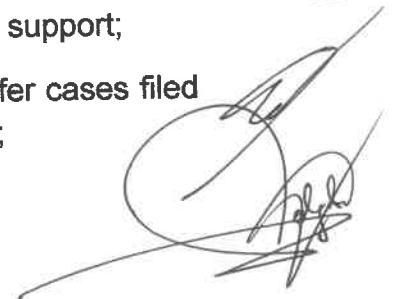
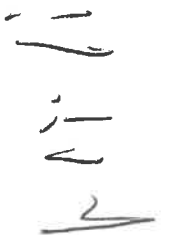
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Sangguniang Bayan Chairperson-Committee on
Labor and Employment
President- LIGA-Ng Mga Barangay
Municipal Planning and Dev't. Officer
Municipal Budget Officer
Municipal Accountant
Municipal Treasurer
Municipal Health Officer (MHO)
Youth Representative (Municipal Federation
President)
At least one (1) Representative each from NGO's,
CSO's, PO's.



SECTION 3. FUNCTION OF MCPC

- A. Formulate plans, programs and policies for children that are gender-fair, culturally relevant and responsive to the needs of diverse groups of children from 0 to below 18 years of age;
- B. Prepare Annual Work and Financial Plan (AWFP) for children and recommended appropriations to the Sanggunian;
- C. Provide coordination and linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
- D. Provide technical assistance and recommended financial support to the MCPC;
- E. Establish and maintain database on children in the municipality;
- F. Foster education of every child;
- G. Advocate for the establishment and maintenance of playgrounds, day care center and youth development;
- H. Recommend local legislations promoting child survival protection, participation and development, especially on the quality of television shows', media prints and coverage which are detrimental to children and with appropriate funding support;
- I. Assist children in need of special protection and refer cases filed against child abuses to proper agencies/institutions;



- J. Conduct capability building programs to enhance knowledge and skills in handling children's program;
- K. Document barangay best practices on children;
- L. Monitor and evaluate the implementation of the program and submit quarterly status reports to PCPC; and
- M. Perform such other functions as provided for in the ECCD and other child related laws.

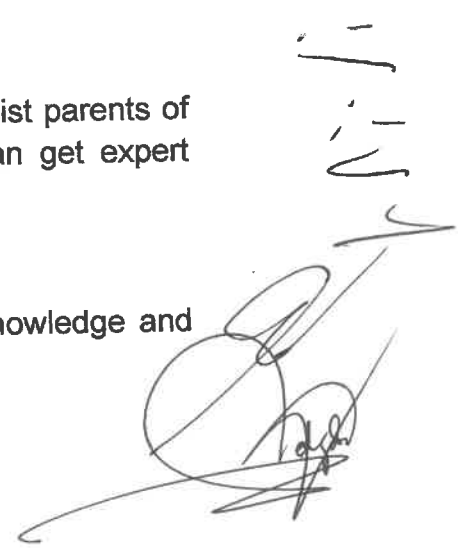
SECTION 4. THE BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN (BCPC)

COMPOSITION:

- Chairperson** : Punong Barangay
- Co-Chairperson** : Barangay Kagawad, Chairperson on women, Family and Social Services
- Members** : Barangay Nutrition Scholar
Barangay Day care Worker
Barangay Health Nurse/Midwife
Barangay Health Worker
DepEd. Principal/Teacher-in-charge
Chief Tanod
Children's Representative
PTA President
Ngo's, CSOs/Po's Representatives

SECTION 5. FUNCTIONS OF THE BCPC

- A. Foster education of every child;
- B. Take steps to prevent juvenile delinquency and assist parents of children with behavioral problems so that they can get expert advice;
- C. Adopt measures for the health of children;
- D. Conduct capability building projects to increase knowledge and skills in handling children's programs;



- E. Encourage the proper performance of the duties and responsibilities of parents and provide learning opportunities on the adequate rearing of children and positive parent-child relationship;
- F. Promote wholesome entertainment in the community, especially in movie houses;
- G. Prepare AWFP for children and recommend appropriations to the Sanggunian;
- H. Provide coordination and linkages with the other agencies and institutions in the planning, monitoring and evaluation of plans;
- I. Establish and maintain database on children in the barangay;
- J. Advocate for the establishment and maintenance of playgrounds, day care centers and others facilities necessary for child and youth development;
- K. Advocate for the passage of barangay resolution/ ordinances responsive to child-related issues and concerns and ensure the inclusion of children's program in the executive agenda;
- L. Protect and assist children in need of special protection (e.g., abandoned, maltreated and dependents) and refer cases filed against child abuses to proper agencies/institution;
- M. Monitor situational reports on children and prepare quarterly update, and dividing the implementation of children's program and make recommendations to the MCPC for consideration and municipal wide application; and
- N. Prepare such other functions and other child related laws especially in matters of child and parent educations, health, entertainment, etc.

SECTION 6. SECRETARIAT - The MSWDO shall be the secretariat of the MCPC.

SECTION 7. FUNDING - Upon the recommendation of the MCPC/BCPC the LGU shall provide funding for programs/projects/activities on children and ensure that these are effectively being implemented.



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SECTION 8. ROLE OF DILG

- A. The MLGOO shall oversee the organization and functionality of the MCPC and BCPC;
- B. Monitoring the advocacy of the gifted children in the context of the convention on the Rights of children (CRC), right based approach and result based management;
- C. Promote functional bodies dealing with children;
- D. Monitoring the integration of children's rights in LGPMS: use of social child rights indicator in performance review; and
- E. Monitoring the status of the Local Legislative system and processes to ensure that the system is effectively implemented.



**ARTICLE IX
REMEDIAL MEASURES AND PENAL PROVISIONS**

SECTION 1. PENALTIES - The penalty for violation of this code, which is not penalized elsewhere in other Section or in any National Law, shall be:

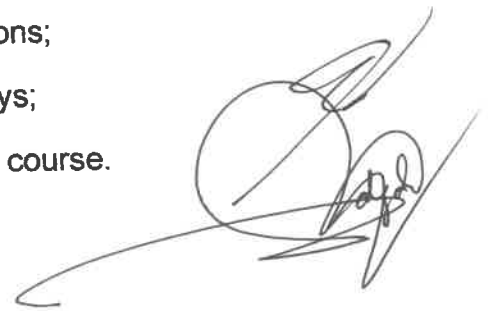
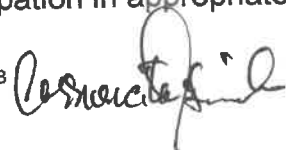
- A. **First Offense** - a Fine of Five Hundred Pesos (P 500.00) or imprisonment of One (1) day to fifteen (15) Days or both depending upon the description of the court;
- B. **Second Offense** - a Fine One Thousand Five Hundred Pesos (P 1,500.00) or imprisonment of Fifteen (15) Days to Thirty (30) days, or both, depending upon the description of the court; and
- C. **Third Offense** - a fine of Two Thousand Pesos (P 2,000.00) or imprisonment of One (1) month to Two (2) months, or both, depending upon the discretion of the court.



For first time offender of the prohibited act enumerated in this Code and in cases where the offender is the parent or teachers of the child or relative within the fourth degree of consanguinity, and admits the offense and is sincere and willing to reform, the penalty maybe lowered subject to the consent of the child, and any of the following measures may be imposed:

- A. Attendance in parenting and/or counseling sessions;
- B. Community Service of Ten (10) to fifteen (15) days;
- C. Participation in appropriate training/rehabilitation course.

17-11-23



**ARTICLE X
ADMINISTRATIVE PROVISION**

SECTION 1. RPROVISIONS TO ADDRESS CRIMES AND VIOLENCE INVOLVING MINOR CHILDREN.

- A. More intensive advocacy campaign on responsible parenting;
- B. Activate the organizations on women for parent's awareness;
- C. Parents liability (impose penalties if necessary);
- D. Ordinance to unanimously implement curfew hours;
- E. Ordinance to delimit the sale of liquors and cigarettes to minor children;
- F. Installation of lighting device to dark places; and
- G. Strict non-driving of vehicles for minors.

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ARTICLE XI

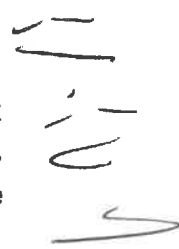
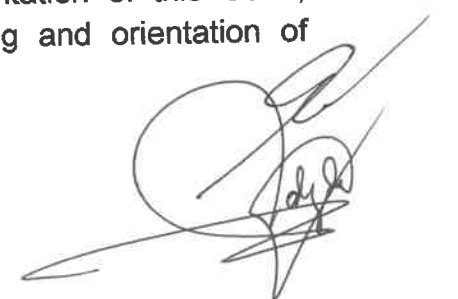
FINAL PROVISION

SECTION 1. IMPLEMENTING RULES AND REGULATIONS (IRR) - Within six (6) months after the approval of this code, the MSWD, MHO, PPW II/MNAO/GAD-FP shall formulate and issue Rules and Regulations for the effective implementations of this Code.

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SECTION 2. Penalty for Refusal or neglect of any government official or employee to implement this Code, and who refuses his/her 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 strictly observed before said penalty imposed to such offender.

SECTION 3. Appropriations for Children Programs the Local Government Unit of Jaro, Leyte including all Barangay shall appropriate funds, as part of its Annual Budget, for the implementation of children's welfare programs. The Municipality shall allocate funds necessary for the implementation of this Code, including the drafting and dissemination of the IRR, training and orientation of stakeholders and promotion of this Code to the general public.

A handwritten signature in blue ink, located to the right of the second section of Article XI.A large handwritten signature in blue ink, located to the right of the third section of Article XI.A handwritten signature in blue ink, located at the bottom left of the page.A handwritten signature in blue ink, located at the bottom center of the page.A handwritten signature in blue ink, located at the bottom center of the page.

SECTION 4. SUPPLEMENTARY APPLICATION - For offense punishable under Presidential Decree No. 603 (Child and Youth Welfare Code); RA No. 7610 (Special Protection of Children Against Abuses, Exploitation, and Discriminations Act, as amended by RA No.9231) RA No. 7658 (An Act Prohibiting the Employment of Children below 15 years of age, amending Section 12 of RA No. 7610); RA No.9208 (Anti Trafficking in Persons Act Of 2003); RA No. 9262 (Anti Violence Against Women under Children Act of 2004); Revised Penal Code or any other law as well as this Code, the offended patty and/ or any patty so authorized may file complaint under the National Law and the penalty in such National Law shall be imposed.

SECTION 5. SEPARABILITY CLAUSE - If, for any reasons any part or provisions of this code shall be held to be unconstitutional or invalid other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 6. APPLICABILITY CLAUSE - This code shall apply to all persons within the territorial jurisdiction of the Municipality of Jaro, Leyte and to all persons who may be subject to the provision of this code.

SECTION 7. REPEALING CLAUSE - All local ordinances, resolutions, executive orders and other issuances which are inconsistent with any of the provision of this code are hereby repealed or modified accordingly.

SECTION 8. EFFECTIVITY CLAUSE - This code shall take effect 15 days after the completion of its posting in at least four (4) conspicuous places in the Municipality of Jaro as mandated for under R.A. 7160 or otherwise known as the Local Government Code of 1991.

ENACTED ON JUNE 19, 2023.

ITEM NO. 8-PROPONENT: HONORABLE ANGELO T. PORMIDA
Chairman Committee on Health and Sanitation

RESOLUTION NO. 2023 - 243

A RESOLUTION GRANTING AUTHORITY TO MAYOR JASSIE LOU TAÑALA TO ENTER AND SIGN FOR AND IN BEHALF OF THE MUNICIPALITY OF JARO, LEYTE A MEMORANDUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF HEALTH,

[Handwritten signatures and initials]

REGIONAL OFFICE 8, REPRESENTED BY THE REGIONAL DIRECTOR EXUPERIA B. SABALBERINO, MD, MPH, CESe IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF JARO SUPER HEALTH CENTER IN THE AMOUNT OF Php 10,000,000.00 PESOS.

WHEREAS, the Municipality of Jaro, Leyte is a recipient of a construction of Super Health Center in the amount of **TEN MILLION PESOS (10,000,000.00)**;

WHEREAS, the proposed Super Health Center is located at the National Highway, Diversion Road, Barangay Caglawaan, Jaro, Leyte and will be constructed in accordance to the *Building Specifications*, drafted by the Municipal Engineering Department wo wit:

1. 32 x 24-meter diameter of the building
2. Bed Capacity 2-5

WHEREAS, the proposed Super Health center will be named as Super Health Center, Jaro, Leyte which offers the following services to wit:

SERVICES OFFERED:

1. Medical Consultations both adults and pediatrics (outpatients)
2. OB Gyne Consultations
3. Birthing Services:
 - a. Normal Deliveries for Gravida 1 to Gravida 4
 - b. Pre-natal and post-natal care
 - c. Immunization to Infants and Childrens
 - d. Dental Services/MOA with DOH
 - e. Minor Surgical Procedure
 - f. Laboratory Services:
 1. CBC
 2. Platelet
 3. Blood typing
 4. Urinalysis

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MINUTES OF THE 43rd SB REGULAR SESSION
HELD ON JUNE 19, 2023.

5. Blood Chemistry: to include
 6. Gen-Expert
 7. Newborn Screening
4. TB-DOTS Center
- a. HIV Counselling and testing
 - b. NTP Treatment of Diagnosed PTB Cases
5. Other ancillary procedures (if equipped)
6. Radiology Service: MOA with Radiologist and Radiology Technician
- a. Chest X-ray (Adult & Pedia)
7. Ultrasound: MOA Ultrasonologist
8. Other Health Program catered in Facility include Schistosomiasis Drug Administration
9. Family Planning Program
10. Mental Health
11. Nutrition Program
12. Health and Environmental Sanitation Services
13. Adolescent Health and VAWC
14. Medico Legal Cases
15. Pharmacy
16. Other Health related concerns

NOW, THEREFORE, on motion of **Honorable Leo Angelo T. Pormida**, duly seconded en masse by the Honorable Sangguniang Bayan members present, be it-

RESOLVED, AS IT IS HEREBY RESOLVED, TO GRANT AUTHORITY TO MAYOR JASSIE LOU TAÑALA TO ENTER AND SIGN FOR AND IN BEHALF OF THE MUNICIPALITY OF JARO, LEYTE A MEMORANDUM OF AGREEMENT (MOA) WITH THE DEPARTMENT OF HEALTH, REGIONAL OFFICE 8, REPRESENTED BY THE REGIONAL DIRECTOR EXUPERIA B. SABALBERINO, MD, MPH, CEsE IN CONNECTION WITH THE PROPOSED CONSTRUCTION OF JARO SUPER HEALTH CENTER IN THE AMOUNT OF Php 10,000,000.00 PESOS;



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Page 55 of 56 Pages
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HELD ON JUNE 19, 2023.

RESOLVED FINALLY, a copy of this resolution be furnished the Municipal Mayor, the DOH Regional Director Exuperia B. Sabalberino, MD, MPH, CESe, Regional Office 8, the MHO and to all offices concerned for their information and guidance.

APPROVED ON JUNE 19, 2023.

APPROVED:


HON. JONELL MARTIN A. QUE
SB Member

HON. LANDILINO T. KATANGKATANG
SB Member
Absent-Excused


HON. JULIAN L. EMNAS
SB Member


HON. FRANCISCO R. ALTRES
SB Member/Majority Floor Leader



HON. LEO ANGELO T. PORMIDA
SB Member


HON. GUALBERTO V. ELISES
SB Member/Presiding Officer Pro-Tempore


HON. ALEXANDER M. SALGADO
SB Member



HON. REY R. AURE
SB Member

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HELD ON JUNE 19, 2023.



HON. CARMENCITA G. TAÑALA
SB Member/LIGA FED.-President

HON. TRINA MAE R. SOLEDAD
SB Member/SK FED.-President
Absent-Excused

I HEREBY CERTIFY, to the correctness of the foregoing records of the proceedings.


NICOMEDES R. BORJA
Board Secretary V
Secretary to the Sanggunian

ATTESTED:


HON. RODRIGO C. ARBAS
Municipal Vice-Mayor
SB Presiding Officer

APPROVED:


HON. JASSIE LOU TAÑALA
Municipal Mayor



Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JARO
Office of the Sangguniang Bayan
Legislative Building
Corner Del Carmen and Real Streets

July 21, 2022

CERTIFICATION

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 14**, series of 2023, otherwise known as, **“AN ORDINANCE AMENDING BY INCLUSION OF SOME SPECIFIC PROVISIONS TO ORDINANCE NO. 11, SERIES OF 2017, ENTITLED: “THE CHILDREN WELFARE CODE OF JARO, LEYTE”** have been posted last July 3, 2023 to date in a conspicuous place in the Municipality of Jaro, Leyte.

ISSUED this 21st day of July 2023 at Jaro, Leyte.

CERTIFIED CORRECT:


NICOMEDES R. BORJA
Secretary to the Sanggunian
(Board secretary V)

APPROVED:


HON. RODRIGO C. ARBAS
Municipal Vice-Mayor

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JARO
- o0o -
Barangay I

July 20, 2023

CERTIFICATION

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 14**, series of 2023, otherwise known as, **"AN ORDINANCE AMENDING BY INCLUSION OF SOME SPECIFIC PROVISIONS TO ORDINANCE NO. 11, SERIES OF 2017, ENTITLED: "THE CHILDREN WELFARE CODE OF JARO, LEYTE"** have been posted last July 3, 2023 to date in conspicuous place in our Barangay.

ISSUED this 20th day of July 2023 at Barangay District I, Jaro, Leyte.

CERTIFIED CORRECT:


FELINDA B. COSARES
Barangay Secretary

APPROVED:


HON. CARMENCITA G. TAÑALA
Barangay Chairwoman

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JARO
- o0o -
Barangay II

July 20, 2023

CERTIFICATION

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 14**, series of 2023, otherwise known as, **"AN ORDINANCE AMENDING BY INCLUSION OF SOME SPECIFIC PROVISIONS TO ORDINANCE NO. 11, SERIES OF 2017, ENTITLED: "THE CHIILDREN WELFARE CODE OF JARO, LEYTE"** have been posted last July 3, 2023 to date in conspicuous place in our Barangay.

ISSUED this 20th day of July 2023 at Barangay District II, Jaro, Leyte.

CERTIFIED CORRECT:

For: *Mm Zabala*
RITA M. ENALES
Barangay Secretary

APPROVED:

For: *Mm Zabala*
HON. ADAN C. CAÑEGA
Barangay Chairman

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JARO
- o0o -
Barangay III

July 20, 2023


CERTIFICATION

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 14**, series of 2023, otherwise known as, **“AN ORDINANCE AMENDING BY INCLUSION OF SOME SPECIFIC PROVISIONS TO ORDINANCE NO. 11, SERIES OF 2017, ENYIYLED: “THE CHIILDREN WELFARE CODE OF JARO, LEYTE”** have been posted last July 3, 2023 to date in conspicuous place in our Barangay.

ISSUED this 20th day of July 2023 at Barangay District III, Jaro, Leyte.

CERTIFIED CORRECT:


JAINA O. BATUCAN
Barangay Secretary

APPROVED:


HON. ADRIANO DIOLA
Barangay Chairman

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JARO
- o0o -
Barangay IV

July 20, 2023

CERTIFICATION

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that **MUNICIPAL ORDINANCE NO. 14**, series of 2023, otherwise known as, **"AN ORDINANCE AMENDING BY INCLUSION OF SOME SPECIFIC PROVISIONS TO ORDINANCE NO. 11, SERIES OF 2017, ENYILED: "THE CHIILDREN WELFARE CODE OF JARO, LEYTE"** have been posted last July 3, 2023 to date in conspicuous place in our Barangay.

ISSUED this 20th day of July 2023 at Barangay District IV, Jaro, Leyte.

CERTIFIED CORRECT:

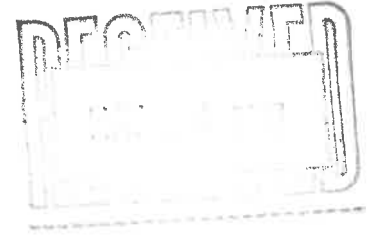

FRANCIS CATHERINE L. CAÑEGA
Barangay Secretary

APPROVED:


HON. ARIEL D. MONTEDERAMOS
Barangay Chairman



Republic of the Philippines
MUNICIPALITY OF JARO



TANGGAPAN NG SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 35TH REGULAR SESSION OF THE SANGGUNIANG BAYAN, JARO, LEYTE HELD AT THE SANGGUNIAN SESSION HALL, LEGISLATIVE BUILDING ON APRIL 24, 2017.

PRESENT:

- | | |
|----------------------------------|--|
| HON. ROLANDO T. CELEBRE | -Municipal Vice-Mayor/Presiding Officer |
| HON. LOURDES L. GO | -SB Member |
| HON. ALDRIN P. AZORES | -SB Member |
| HON. REY P. AURE | -SB Member |
| HON. RAMON M. RAGRAG, JR. | -SB Member |
| HON. EDUARDO A. SAÑAGAN | -SB Member/Majority Floor Leader |
| HON. JULIAN L. EMNAS | -SB Member |
| HON. RAUL A. MACANDA | -SB Member/Presiding Officer Pro-Tempore |
| HON. MARIAN G. GARRIDO | -SB Member |
| HON. MARIANITA A. GELIG | -SB Member/LIGA President |

ABSENT: NONE

RESOLUTION NO. 2017- 216

“A RESOLUTION APPROVING ON THIRD-AND-FINAL-READING A MUNICIPAL ORDINANCE NO. 11, S 2017, ENACTING THE CHILDREN’S WELFARE CODE OF JARO, LEYTE”

On motion of **Hon. Raul A. Macanda**, Chairman Committee on Health and Sanitation, Social Welfare and Development, duly seconded en masse by all Honorable Members present, this Sangguniang Bayan

RESOLVED, to approve as it is hereby approved on Third-and-Final-Reading a Municipal Ordinance No. 11, S 2017, Enacting **“THE CHILDREN’S WELFARE CODE OF JARO, LEYTE”**;

RESOLVED FURTHER, that copies of this Resolution Embodying Municipal Ordinance No. 11, s. 2017, hereunder follows be furnished to the Honorable Sangguniang Panlalawigan for their review, Capitol Grounds, Tacloban City, the Mayor’s Office, MSWD, MHO all of Jaro, Leyte and to other concerned local government offices for their information.

Sponsored By:

HON. RAUL A. MACANDA
Chairman Committee on Health and Sanitation,
Social Welfare and Development

ORDINANCE NO. 11
Series of 2017

THE CHILDREN’S WELFARE CODE OF JARO, LEYTE”

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

(Handwritten signatures and initials)

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ARTICLE I**TITLE, POLICY, PRINCIPLES AND DEFINITION OF TERMS**

SECTION 1- TITLE - This Ordinance shall be known as "**THE CHILDREN'S WELFARE CODE OF JARO, LEYTE**"

SECTION 2 - DECLARATION OF POLICY AND PRINCIPLES – The municipality of Jaro recognizes the vital role of children in the development of this municipality and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being.

It recognizes that children have rights as provided for in the United Nation Convention on the right of the Child and Other Laws. It recognizes the importance of effectively promoting, enhancing and institutionalizing the survival, development, protection and participation right of the children.

The Local Government Unit shall respect the responsibilities, rights and duties of parents or where applicable the members of the extended family or community as provided by local customs, legal guardians and other child caregivers responsible to provide guidance.

The Local Government Unit shall render appropriate assistance to parents and legal guardians in the performance of their child rearing responsibilities and shall ensure on their development and providing institutions, facilities and services for the care of children.


SECTION 3 - PURPOSES – This Code is enacted with the following purposes:

- a. To ensure the protection of children against all forms of abuse and exploitation;
- b. To advocate the children's rights and promote their welfare and development;
- c. To ensure that children's rights are given priority attention both in government and civil society;
- d. To ensure that the municipality of Jaro, Leyte be transformed into a Child Friendly Community;
- e. To improve the quality of life of the children of Jaro, Leyte enabling them to fully develop their potentials and participate in community life and nation building as well.

SECTION 4 - DEFINITION OF TERMS – as used in this code

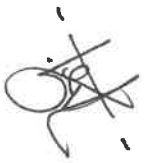
- a. **Children** – refers to persons below 18 years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect cruelty and exploitation or discrimination because of physical or mental disability or condition.
- b. **Survival Rights of Children (SRC)** – refers to inherent rights and needs that are basic to existence which include the following:
 1. Right to life
 2. Right from birth to a name
 3. Right to acquire a nationality
 4. Right to know his/her parents and be cared for by them
 5. Right to adequate and decent standard of living
 6. Right to access a basic health care and services.

- c. **Development Rights of Children (DRC)** – refers to access education which includes the following:
1. Right to education opportunity
 2. Right to access appropriate information
 3. Right to leisure, recreation and cultural and artistic activities
 4. Right to develop to the fullest the child's physical and mental abilities.
- d. **Protection Rights of Children (PRC)** – covers those rights, protecting the child from all forms of abuse, exploitation and discrimination which includes the following:
1. Protection of the child from all forms of physical and mental abuse
 2. Right of the child to be protected from injury, neglect and maltreatment
 3. Protection from exploitation, sexual and economic abuse, including prostitution and involvement in pornography
 4. Protection from sale, trafficking and abduction
 5. Right to special protection and assistance if without a family
 6. Right for treatment for necessary and reintegration of abused or exploited
 7. Right to periodic review if placed under care, protection or treatment
 8. Right of protection in situation of armed conflict
 9. Right of children in conflict with the law
 10. Right of freedom from torture, death, penalty, life imprisonment and deprivation of liberty
 11. Right to protection from child labor
 12. Right to be protected from the use of narcotics, psychotropic drugs and from being involved in the production or distribution.
- e. **Participation rights of Children (PRC)** – refers to right of children to participate, give opinion and be heard, which includes the following:
1. Right to express his/her opinion freely and to have that opinion taken into account
 2. Right to obtain information and present ideas.
 3. Freedom of thought, conscience and religion subject to appropriate parental guidance
 4. Freedom to join association and peaceful assemblies
 5. Right to be heard in judicial and administrative proceedings and
 6. Right to privacy.
- f. **Child Abuse**– refers to the maltreatment whether habitual or not of the child that includes any of the following:
1. Physical and psychological abuse, emotional, sexual, neglect and cruelty.
 2. Any acts by deeds or words which degrades the dignity of a child as a human being


3. Unreasonable deprivation of his/her basic needs such as foods, shelter and clothing
 4. Failure to immediately give medical treatment to an injured child resulting in serious impairment of growth and development of permanent incapacity or death.
- g. **Exploitation** (RA 9208) – means hiring, employment, persuasion, inducement or coercion of a child to perform in obscure exhibitions and indecent shows, whether live or in videos or film or to pose or act as a model in obscure publication or pornographic materials for sell or for distribution.
- h. **Early Child Care Development** (ECCD) – refers to the full range of health, nutrition, early education and social services programs that provides for the basic holistic needs of young children from birth to age six (6), to promote their optimum growth and development.
- i. **Pre-School Education** – refers to the age from birth up to five (0-5) known to be critical phase of child’s psychomotor development. It is the phase when 90% of the human brain is developed, hence, the need for early childhood care and development program.
- j. **Day Care** – is the provision of substitute parental care and stimulating activities for the total development children zero to five (0-5) years when their parent are unable to take care of them during part of the day because of work and some other situation.
- k. **Day Care Center** – is a facility where Day Care Services are provided by an accredited Day Care Worker particularly on the 3-5 years age bracket,
- l. **Special Concern** – are circumstances which gravely threatens or endanger the survival and normal development of children including but not limited to the following;
1. Being in a community where there is armed conflict or being affected by armed conflict related activities.
 2. Working under conditions hazardous to life safety and morals which unduly interfere with their normal development.
 3. Living in for themselves in the streets without the care of parents and guardians or any adult supervision needed for their welfare.
 4. Being a member of indigenous cultural community and/or hiring under condition of extreme poverty or in an area which is underdeveloped and/or lack or has inadequate access to basic services needed for a good quality of life.
 5. Being a victim of man-made or natural disaster calamity.
 6. Circumstances analogous to those above stated which endanger life, safety or normal development of children.
- m. **Comprehensive Program Against Child Abuse, Exploitation and Discrimination** – refers to the coordinated program of services and facilities to protect children against:
1. Child prostitution and other child abuse
 2. Child trafficking
 3. Obscure publication and indecent shows





4. Other acts of abuse detrimental to the well-being of a child, and
 5. Circumstances which threatens or endanger the survival and normal development of child.
- n. **Anti-Social Related Activities-** are those acts against property, chastity and person which include but not limited to the following:
1. Petty crimes such as snatching, shoplifting, and misrepresentation
 2. Using and pushing prohibited drugs, selling illegal or bad reading materials
 3. Pimping for young and old prostitutes doing or participating in obscene show's
 4. Gambling of any form
 5. Rape and incest
 6. Unjust and inhumane manner of eviction and demolition
 7. Any other circumstances as defined in existing laws
- o. **Child in conflict with the law (CCL)** - refers to a child who is alleged, accused of, or adjudged as having committed offenses under Philippines laws.

ARTICLE II

RIGHTS AND OBLIGATION OF THE CHILD

SECTION 1 - RIGHTS OF THE CHILD

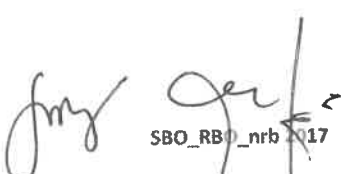
- a. Every child shall be entitled to the rights herein set forth without distinction as to legitimacy, sex, social status, religion, political antecedents, and other factors.
- b. Every child shall possess the following rights which are classified into survival, development, protection and participation rights :
 1. **"Survival rights"** ensure the child's inherent right to life and to the needs that are most basic to existence, the rights to a name and to a nationality, the right to identify and those dealing with parental and governmental duties and obligations, adequate and decent standard of living, access to basic health care and medical services, social security, and rehabilitation.

The following are the survival rights:

- a) Every child has the right to be born well, endowed with dignity and worth of a human being the moment of his or her conception;
- b) Every child has the right to a wholesome family life that will provide him/her with love, care and understanding, guidance and counseling, and moral and material security. The dependent or abandoned child shall be provide with the nearest substitute of a home;
- c) Every child has the right to balanced diet, adequate clothing, sufficient shelter, proper medical attention, and all the basic physical requirements of a healthy and vigorous life.



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2. **"Development rights"** refers to the rights of a child to education to develop her/his personality, talents and mental and physical abilities to the fullest extent.

These also include participation in cultural activities, access to appropriate and relevant information, and opportunities for rest, play and leisure. The following are the development rights:

- a) Every child has the right to a well-rounded development of her or his personality to the end that he/she may become a happy, useful, and active member of society specifically:
 - (1) The gifted child shall be given the opportunity and encouragement to develop her or his special talents;
 - (2) The emotionally disturbed or socially maladjusted child shall be treated with sympathy and understanding and shall be entitled to treatment and competent care;
 - (3) The physically or mentally disabled child shall be given treatment, education and care required by her or his particular condition;
- b) Every child has the right to be brought up in an atmosphere of morality for the enrichment and the strengthening of his/her character ;
- c) Every child has the right to grow up as free individual in an atmosphere of peace, understanding tolerance, and complete brotherhood/sisterhood, and with the determination to contribute his/her share in the building of a better community;
- d) Every child has the right to education. Primary education must be compulsory and the higher education must be available and accessible to all on the basis of capacity by every appropriate means. The education of the child shall be directed to:
 - (1) The development of the child's personality, talents and mental and physical abilities to the fullest extent;
 - (2) The preparation of the child for responsible adult life in free society;
 - (3) The development of respect for the child's parents her or his cultural identity , language and values and the cultural background and values of others;
 - (4) The development of respect for the natural environment;
- e) Every child has the right to full opportunities for safe and wholesome recreation and activities, individual as well as social for the wholesome use of her his leisure hours.
- f) Every child has the right to live a community and a society that can offer her or him environment free from pernicious influences and conducive to the promotion of her or his health and the cultivation of her or his desirable traits and attributes.

3. **"Protection rights"** cover those rights protecting the child from all forms of abuses and discrimination such as protection from cruelty, torture, arbitrary separation from family, abuses in the justice and penal system, involvement in armed conflict, child labor, drug abuse, sexual abuse, and exploitation.
4. **Participation rights** "refer to child's right to participate in matters that affect him or her, providing all appropriate venues where he or she can express his or her opinions freely and to have this opinion taken into account, involvement in decision making and consultative process, freedom of association and peaceful assembly. The following are the participation rights.
 - a) Every child has the right to be provided the opportunity to be heard in any judicial and administrative proceedings affecting him or her, either directly, or through representative or an appropriate body, in a manner consistent with the procedural rules of national laws;
 - b) Every child has the right to freedom of thought, conscience and religion, subject to appropriate parental guidance;
 - c) Every child has the right to freedom of statement. This right shall include freedom to seek, receive and impart information and ideas of all kind;
 - d) Every child has the right to express his or her opinions freely and to have these opinions taken into account in any matter or procedure affecting him or her;
 - e) Every child has the right to privacy and shall be protected against unlawful interference, and to unlawful attacks against his or her honor and reputation.

SECTION 2 - RESPONSIBILITIES OF THE CHILD-Every child, regardless of the circumstances of birth, sex, religion, social status, political antecedents and other factors shall:

- a. Strive to lead an upright and virtues life in accordance with the tenets of his or her religion, the teaching of his or her elders and mentors, and the bidding of clean conscience;
- b. Love, respect and obey his or her parents, and cooperate with them in strengthening of the family.
- c. Extend to his or her brothers and sisters love, thoughtfulness, and endeavor with them to keep the family harmonious and united;
- d. Exert his or her outmost to develop his or her potentialities for service, particularly by undergoing a formal education suited to his or her abilities, in order that he or she may become an asset to himself or herself and to society.

- e. Respect not only his or her elders but also the custom and tradition of his or her people, the memory of his or her people heroes, the duly constituted authorities, the laws of the country, and the principles and institutions of democracy;
- f. Actively participate in civic affairs and in the promotion of the general welfare, recognizing that youth will eventually be called upon to discharge the responsibility of leadership in shaping the nation's future, and
- g. Help in the observance of the individual human rights, the strengthening of freedom everywhere, the fostering of cooperation among nations in the pursuit of their common aspiration for unity and prosperity, and the furtherance world peace.

ARTICLE III

SURVIVAL RIGHTS OF CHILDREN

SECTION 1. PRIMARY HEALTH CARE. The Local Government Unit of Jaro shall implement and sustain the primary health care program. To ensure the implementation of this Section, it shall take appropriate measures to support the program on health under the following structures of primary health and preventive care.

1.1-MATERNAL AND CHILD CARE PROGRAM - The LGU shall continue to implement and support its maternal and child care services program. The program on preventive child care and health services shall include the following:

- a. Quality pre-natal of pregnant women during the course of pregnancy.
- b. Monitoring and registration of birth, to ensure that all births must be attended by trained personnel's such as midwives, nurses or physicians.
- c. Completion of immunization series for prevention of tuberculosis, diphtheria, pertussis, neonatal, tetanus, measles, poliomyelitis, hepatitis and such other diseases for which vaccine have been develop.
- d. To ensures that all neonates must undergo newborn screening at birth.

SECTION 2. NUTRITION PROGRAM - The LGU shall establish and sustain a growth and nutritional monitoring with nutrition feeding and supervision of nutritional intake of children in home and in school by:

- a. Encouraging mother on **EXCLUSIVE BREASTFEEDING** on their babies on the first 0-6 months and by stressing to the mother the importance and benefits of complementary feeding to continue on the next succeeding six months until 2 years of age of the baby.
- b. Implementation of RA 8177 otherwise known as "An Act Promoting the salt iodization Nationwide" this program on Nutrition shall be under the administration and supervision of the MHO.

- c. The program on nutrition shall include a monitoring and evaluation system which shall be established by the Municipal Nutrition Action Officer that "**operation timbang**" is conducted yearly to be evaluated every quarter to identify the underweight and monthly to identify the severely underweight.
- d. Regulating plastic toys in the canteen and stores in school vicinities for health purposes and establishing monitoring system.

SECTION 3. COMPREHENSIVE PARENT ORIENTATION PROGRAM –

The LGU shall establish a Comprehensive Parent Orientation Development Program which includes gender responsive courses on:

- a. Reproductive Health
- b. Child Health and Child rearing practices
- c. Parent effectiveness service
- d. Pre-marriage and marriage counseling

ARTICLE IV

DEVELOPMENT RIGHTS OF CHILDREN

SECTION 1. EARLY CHILDHOOD CARE AND DEVELOPMENT PROGRAM

shall include the following:

1.1. DAY CARE SERVICE PROGRAM:

The Municipal Government shall develop, implement and sustain its Day Care Services Program which is centre based and community based.

1.2. IMPORTANCE OF DAY CARE SERVICE PROGRAM:

Day Care Service Program addresses the needs of crucial stage of a child's growth by the age of four (4) of a child brain has already grown to 90 percent of its adult weight and much of the way he/she envision and interacts with the world has been shaped, thus, the formative years and the care that he/she gets during this period would significantly affect the learning capacity, personal and social interaction into adulthood.

1.3. DAY CARE CENTERS:

Be set up in every barangay which shall serve 3-4 years old children, the number of which shall depend of the population of the barangay. Day Care Centers aims to help the Child to;

- a. Become physically fit through proper care and nutrition
- b. Develop self confidence, self – statement and self discipline
- c. Relate well with others
- d. Develop strong spiritual, socio-cultural and nationalistic values, good attitude towards the family.

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1.4. DAY CARE WORKERS AND SUPPORT GROUP:

- a. The Barangay shall provide the benefits to Day Care Worker/s (Honoraria) and likewise the LGU thru the local MSWD shall provide a continuing technical assistance to the center.
- b. A volunteer parent Day Care group shall be organized to be an effective support group to the center. The volunteer group shall help mobilized resources for the improvement of the center. Acquisition of more learning materials and play equipment and other support activities.

1.5. SETTING UP OF DAY CARE CENTERS BY COMMUNITY BASED ORGANIZATIONS. Community based organizations can help mobilized resource to complement the effort of the Municipal Government in establishing day care centers. In this way more children needing attention can be reached.

SECTION 2. RECREATIONAL AND CULTURAL PROGRAM:

- 2.1. Every Barangay in the Municipality of Jaro shall allocate spaced for recreational facilities appropriate for different age group.
- 2.2. A year round cultural program appropriate to age group shall be designed with due respect to cultural diversity.
- 2.3. Indigenous game shall be encouraged in various athletic and sports program of the LGU.

SECTION 3. LOCAL CHILDREN LITERATURE- in support for the threat for the socio-cultural developments of Children, the Municipal Government of Jaro shall invest in the promotion and production of local literature for Children and other relevant materials.

SECTION 4. OTHER CHILD FRIENDLY FACILITIES-The Municipal Government in partnership with NGO and Civic-Organization are encouraged to put up and maintain child-friendly facilities such as but not limited to libraries, museum, parks, and play grounds.

SECTION 5. SPIRITUAL DEVELOPMENTS of the Child:

- 5.1 The spiritual and moral upliftment of children shall be the responsibility of the parents, school, teachers, different churches and religious groups in the municipality.
- 5.2. Every family shall admonish their children to heed the teachings of their church, attend actively and get involved in their respective religious church activities such as mass, catechism, workshop, bible studies, retreats, seminars, family day, prayer meeting and the like to ensure a strong family relationship and God fearing community.
- 5.3. Religious education of children in all public and private schools is a legitimate concern of the church to which the student belongs, all churches may offer religious instruction in public and private elementary and secondary schools subject to the requirements of the constitution and existing laws.

ARTICLE V**PROTECTION RIGHTS OF THE CHILD**

SECTION 1. THE LOCAL GOVERNMENT OF JARO SHALL ENSURE THE ADOPTION AND IMPLEMENTATION OF THE FOLLOWING NATIONAL LAWS CONCERNING THE CHILDREN IN NEED OF SPECIAL PROTECTION (CNSP), and other existing laws protecting children such as:

1. **R.A. 7610**-Special Protection of Children against child abuse, exploitation and discrimination Act of 1994
2. **R.A. 7658**- Act Prohibiting the Employment of Children Below 15 years of Age in Public and Private Undertaking of 1994
3. **R.A.8505**- Anti-Rape(1997)
4. **R.A. 8505**-Rape Victim Assistance and Protection Act of 1998
5. **R.A. 7877**- Anti-Sexual Harassment Act of 1995
6. **R.A 9262**- Anti-violence against women and their children act of 2006
7. **R.A. 9344**- Juvenile Justice and Welfare Act of 2006
8. **R.A. 9208**- Anti-trafficking in persons especially woman and children
9. **R.A. 9165**- Comprehensive Dangerous Drug Act
10. **R.A. 8980**-The Early Childhood Care and Development Act of 2000
11. **R.A. 9231**- Prohibits the employment of children below 15 years of age.
12. **R.A.9211**- Regulating the use & distribution of Tobacco products.

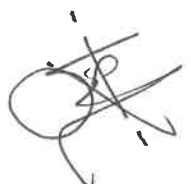
SECTION 2. OTHER PROHIBITED ACTS- In addition to all acts defined and penalized under Republic Acts enumerated above, and other pertinent laws, the following acts shall likewise be punishable:

- a. **ILLEGAL RECRUITMENT**- any person who recruits other person to work shall be required to register with and secure a permit from the office of the Barangay captain in the place or recruitment. Recruiting children without Brgy. Permit is illegal.
- b. **Peonage of Children** – offering a child or the service of a child as payment for a debt in exchange for a favor, such as but not limited to:
 1. Working in agricultural industries like rice & corn farms.
 2. Working as housekeeper.
- c. **Pre-arrangement to Marriage**- pre-arrangement made by parents or guardians on their children.

- d. Using Girls as Commodities in Benefit Dances- minor girls shall not be allowed to be used as dancing partners in benefit dances for payment or free. The organizers or persons anchoring such benefit dances shall be penalized under this section
- e. Discrimination of Girl Children- Discrimination of girl children by prohibiting and depriving them of formal education
- f. Discrimination of Non-Marriage Children-For schools to discriminate non-marriage children as follows but not limited to the following:
1. Refusal to accept enrollment illegitimate children in the school by reason of one's illegitimacy
 2. Requiring the marriage contract of parents as requirement for enrollment of the child
- g. Expulsion or Dropping by reason of Pregnancy and or for schools to impose a penalty of expulsion against a child (minor) who has complied with all academic requirements by reason of her pregnancy. Schools may impose any other penalty which shall be made applicable based from existing laws rules and regulations of the government to both the pregnant girl and her partner if he is also enrolled in the same schools.
- h. Refusal to Graduate by Reason of pregnancy- for schools to refuse a child to graduate by reason of pregnancy if she has complied with all academic requirement
- i. Refusal to issue Clearances by Reason of Pregnancy- for schools to refuse issuances of clearance to children by reason of pregnancy.
- j. Physical and Degrading Forms of Punishment – subjecting the child to physical and degrading forms of punishment such as but not limited to:
1. Pulling the hair of the child
 2. Making the child stand for long hours in classrooms
 3. Stripping the child of his/her clothing's
 4. Shaving the head of a child
 5. Throwing objects such as but limited to erasers, chalk etc. at the child
 6. Shouting & uttering humiliating words that effects the emotional& psychological of the child
 7. Other acts that tried to belittle the child.
- k. Pushing/Enticing Minors to Live-in Arrangements- it shall be unlawful to parents to entice encouragement and/or push their children to live together with any person as husband and wife in exchange for money or any other consideration.



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SECTION 3. CONTROL ON EXPOSURE TO NEW TECHNOLOGY.

Control on Children’s Exposure to Commercial Video Machines & Internet Café’s- Commercial video machines and internet cafes catering to children (except college students) during schools days from 7:00 o’clock in the morning to 5:00 o’clock in the afternoon and beyond 9:00 o’clock in the evening, Violation of this section shall be penalized as follows:

- a. **1st offense**- suspension of business permits for 15 days.
- b. **2nd offense**- one (1) month suspension of business permit.
- c. **3rd offense**- confiscation of the video game & internet machine and cancelation of the business permit of the said establishment.

SECTION 4. CONTROL OF CHILDREN’S EXPOSURE IN DISCO, BISTRO, VIDEOKE AND OTHER NIGHTTIME ENTERTAINMENT.

For the protection of children below 18 years of age, the owner or operator of establishment are prohibited to allow minors to enter night-time entertainment. Violation of this section shall be penalized as follows:

- a. **1st offense** -15 day’s suspension of business permit
- b. **2nd offense** -30 day’s suspension of business permit
- c. **3rd offense** - cancellation of business permit, confiscation of machine & filling of case in court.

SECTION 5. RESPONSIBILITIES OF PARENTS/GUARDIANS.

The family (parents/guardians) has the primary responsibility and duty to provide protection to their children from infancy to adolescence. Introduction of children to the culture, values and norms of their society shall begin in the family. The parents shall have the right to accompany their children and in relation to all other persons or institutions dealing with children’s development, the primary right and obligation to provide for their upbringing.

Parents/guardian shall take care to prevent the child from becoming addicted to intoxicating drinks, narcotic drugs, smoking, gambling and other vices harmful practices.

ARTICLE VI

ROLES AND RESPONSIBILITIES OF VARIOUS SECTORS

SECTION 1. GENERAL DUTIES OF PARENTS/GUARDIANS-

Parents shall have the following general duties toward their children:

- a) To give them affection, companionship and understanding.

- b) To extend to them the benefits of moral guidance, self-discipline and religious instructions; send their children to schools offering pre-elementary and basic education.
- c) To supervise their activities, including their recreation.
- d) To inculcate in them the value of industry, thrift and self-reliance.
- e) To stimulate their children in civic affairs, teach them the duties of citizenship and develop their commitment to their country.
- f) To advice them properly on any matter affecting their development well-being.
- g) To always set a good example.
- h) To provide them with adequate support as defined in Art.194 of the Family Code.
- i) To administer their property, if any, according to their best interest, subject to the provisions of Art.225 to 227 of the Family Code.
- j) Whenever a parent or guardians found to have been unreasonably neglecting on his/her duties toward the child, he/she shall be admonished by MSWD or by the Local Council for the Protection of Children (LCPC).
- k) To send their children to schools offering pre-elementary and basic education.

SECTION 2. EDUCATIONAL INSTITUTIONS.

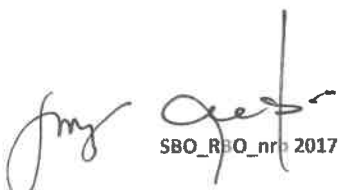
- a. Educational Institutions shall work together with parents, community organization and agencies concerned with the activities for children. It is the responsibility of the school administrations to design and provide guidelines for the protection of children within their school premises.
- b. School officials, parents and local government officials shall see to it that school children and students are provided with adequate school room instructional materials and facilities including playground, space and facilities for sport and physical development activities. Such officials should see to it that the school environment is free from hazard to the health and safety measures for any emergency such as accessible exits, fire fighting equipments and the like. All children shall have the free access to adequate dental and medical services.
- c. School based **Child Protection Team** shall be established to have a mechanism that would help in the early detection, prevention and solution to abuse committed against children.



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- d. **Parent-Teachers Association** all over the municipality shall aid the LGU and school authorities in the enforcement of juvenile delinquency control measures in the implementation of programs and activities to promote child welfare

SECTION 3. ROLE OF MASS MEDIA.

- a. The Mass Media shall be aware of their extensive social role and responsibility as well as their influence, in communications relating with the children. They should use their power to protect the rights of children by relaying consistent message through a balanced approach.
- b. Protect the rights of children by using the Principle of Confidentiality in all cases involving children, Special attention shall also be given to effective anti-drug awareness campaigns and delinquency prevention.

SECTION 4. ROLE OF PEOPLES ORGANIZATION AND NON-GOVERNMENT ORGANIZATIONS- To provide support to government organizations and other various stakeholders in promoting the children's welfare particularly along prevention, protection, rehabilitation and re-integration programs and services through involvement in the following strategic activities:

a. **Advocacy and Social Mobilization.**

1. To act as volunteer trainer/speaker in conducting public awareness/community education on children pertinent laws and possible actions for the prevention of child abuse and exploitation.
2. To act as partner implementer in mobilizing communities into action to prevent child abuse and exploitation at the community level.
3. To get involved in undertaking and sustaining media campaign and information dissemination.

- b. **Capability Building-** To participate in the training/seminars offered/given by concerned NGO's in order to continuously upgrade knowledge and skills in handling and responding to child abuse and be a part of the frontline workers in the implementation of such.

- c. **Data Collection and Management-** To participate in immediate reporting of child abuse & exploitation cases through coordination to concerned authorities.

d. **Alliance Building and Networking:**

1. Establish and maintain collaborative linkages with concerned authorities by joining the local Women's Organization on activities particularly periodical meetings.

- 2. Actively participate in local discussions and initiatives that seeks to protect and uphold the rights of children

Foster cooperation and coordination with the law enforcement agencies in the surveillance and rescue of children victims of abuse and exploitation and take part in giving protective custody to the child victim

- e. **Research, Policy studies and documentation**-Cooperate in regular sharing of information with concerned agencies intended for the documentation of best practices and research.

- a. **Institutional Mechanism**- Get involved in the inter-agency coordinative preventive mechanism on government programs.

SECTION 5. SIGNIFICANT ROLE OF THE LOCAL PNP.

- a. The Local Philippine National Police based in the municipality shall ensure police visibility in places frequented by children especially in the evening to provide protection and immediate assistance in cases of harmful situations.
- b. Police officers, Barangay Officials and Barangay Tanod/s shall escort minors found loitering in public places beyond 9:00 o'clock in the evening, to their proper domicile, to ensure their safety.
- c. They should also advice their parents and/or guardians to limit the time they allowed their children to stay outside their homes to until 9:00 o'clock in the evening, or when necessary minors shall be accompanied by his/her relative within fourth degree by affinity and consanguinity. (Ref. Municipal Ordinance No. 14, dated Nov. 16, 1992)

SECTION 6. SIGNIFICANT ROLE OF HOSPITAL/CLINIC.

- b. All hospitals, clinics and other institution as well as private physicians providing treatment for any case of maltreated or abused child shall within 48 hours from knowledge of the case report in writing to the Local PNP, or to the MSWD or to the LCPC.
- c. Violation of this provision shall subject the hospital, clinic or institution and the private physician who fails to make such report to a fine of not more than P 1,000.00 and on filing of administrative case.

SECTION 7. SIGNIFICANT ROLE OF THE MUNICIPAL CIVIL REGISTRAR.

- a. The Civil Registrar shall ensure the immediate registration of newborn children thru regular coordination with the barangay health workers, midwives hospital, clinics.

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- b. The office shall also issue founding certificate for those abandoned children in coordination with the Municipal Social Welfare and Development Office.

SECTION 8. ESTABLISHMENT OF BANTAY BATA HOTLINE- A round the clock reporting and monitoring base against child abuse shall be established and anchored by the Municipal Social Welfare and Development office. Said Bantay Bata Hotline shall act as the 24-hour vanguard of children in all crimes and abuses committed against them by any person. Upon receiving information regarding any crime committed against a child, the Bantay Bata Hotline shall immediately report to the JARO-PNP Station and to other appropriate authorities such incident and shall monitor every progress that may occur in relation to the apprehension and prosecution of the criminal.

**ARTICLE VII
PARTICIPATION OF CHILDREN**

SECTION 1. RIGHTS TO OPINION- Opinions of children shall be heard in the family, school, community or other organization or institution. Every child has the right to express his opinion freely in so far as such opinion is not contrary to law, morals, good customs, public safety and policy and to have that opinion be taken into account in all matters of procedure affecting the child. It shall be the responsibility of the adults to provide opportunities for children to express their views, organized among themselves, obtain information, make ideas or information known regardless of tribe, sex and religious belief.

SECTION 2. PARTICIPATION OF CHILDREN ON ACTIVITIES THAT HARNESS THEIR POTENTIALS AND GIFTED TALENTS- Parents are encouraged to allow their children to join and participate in school activities like scouting, school organization, sport of interest, competitions on arts, sciences and other social and cultural activities that will develop their well being, such as, among others:

- a. **Youth Association** – as used in this code, shall refer to any club organization or association of individuals below 18 years of age which is directly or indirectly carrying out child and youth welfare programs and activities. All youth organization shall enjoy the same rights and discharges the same responsibilities as civic association as maybe permitted by law.
- b. **Students Organizations** – All students organization in public and private school shall include in their objectives the cultivation of harmonious relationship among their members and with the various segments of the community, and
- c. Likewise, the Municipal Government shall assist and support children with exceptional talents in singing, dancing, sports and academic intelligence to excel in the field.

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SECTION 3. CONVENTIONS OF MINORS FOR PURPOSES OF CONSULTATION- The LGU shall encourage conventions of minors to hear their opinions and views in matters affecting their growth and progress. It is necessary that minors ages 3 to 6, 7 to 12 and 13 to 17 years old are convened once a year, especially during Children’s month of October.

SECTION 4. OCTOBER AS CHILDREN’S MONTH AND OCTOBER 17 OF EVERY YEAR AS NATIONAL CHILDREN’S DAY-

Presidential Proclamation No. 74 dated October 16, 1992 declaring October 17 of every year as National Children’s Day to honor Filipino Children and to emphasize the importance of their roles within the family and in the society and Proclamation. No. 267 dated September 30, 1993 declaring the month of October as National Children’s Month.

The Local Council for the Protection of children (LCPC), MSWD and other concerned local agencies shall conduct child focused activities for the month and observe Children’s Day with programs highlighting the rights, role and responsibilities of children.

**ARTICLE VIII
IMPLEMENTING MECHANISM**

SECTION 1. CREATION AND ORGANIZATION OF THE MUNICIPAL AND BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN MCPC AND BCPC.

Legal Basis:

1. Republic Act 7610 Special protection of children against child abuse. Exploitation and discrimination Act.
2. Article 359 and 360 of the Civil Code of the Philippines provides that “the government shall established council for the protection of children”.
3. Likewise, Art 87 of Presidential Decree (PD 603)Children and Youth Welfare Code- states that every “Barangay Council shall encourage the organization of Local Council for the protection of Children and shall coordinate with the council for the welfare of children and drawing and implementing plans for the promotion of child and youth welfare “.

There is therefore a need to organized BCPC in every barangay in the Local Government Unit of Jaro to ensure synchronization and integration policies, programs and projects for children.

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- 4. RA 8980 otherwise known as "Early Childhood and Care development (ECCD) Act " promulgated a comprehensive policy and national system for children from 0-6 years old.
- 5. The LCPC shall be umbrella organization for all programs on children and the ECCD coordinating committee shall be one of the committees under it.

SECTION 2. THE MUNICIPAL COUNCIL FOR THE PROTECTION OF CHILDREN (MCPC)

Composition:

Chairperson : Municipal Mayor
 Co – Chair : Vice-Mayor

Members:

- Sangguniang Bayan Chairperson-Committee on Women and Family
 - DIGL/MLGOO
 - Chief of Police/JARO-PNP
 - Municipal Civil Registrar
 - Municipal Social Welfare & Dev't Officer
 - Local School Supervisor/s
 - Municipal Nutrition Action Officer
 - Sangguniang Bayan Chairperson-Committee on Labor and Employment
 - President- LIGA-Ng Mga Barangay
 - Municipal Planning and Dev't. Officer
 - Municipal Budget Officer
 - Municipal Accountant
 - Municipal Treasurer
 - Municipal Health Officer (MHO)
 - Child Representative (Municipal Federation President)
- At least one (1) Representative each from NGO's, CSO's, PO's.

SECTION 3. FUNCTION OF MCPC

- 1. Formulate plans, programs and policies for children that are gender-fair, culturally relevant and responsive to the needs of diverse groups of children from 0 to below 18 years of age;
- 2. Prepare AWWP for children and recommended appropriations to the Sanggunian;
- 3. Provide coordination and linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
- 4. Provide technical assistance and recommended financial support to the LCPC;
- 5. Establish and maintain database on children in the municipality;

6. Foster education of every child;
7. Advocate for the establishment and maintenance of playgrounds, day care center and youth development;
8. Recommend local legislations promoting child survival protection, participation and development, especially on the quality of television shows', media prints and coverage which are detrimental to children and with appropriate funding support.
9. Assist children in need special protection and refer cases filed against child abuses to proper agencies/institutions
10. Conduct capability building programs to enhance knowledge and skills in handling children's program;
11. Document barangay best practices on children;
12. Monitor and evaluate the implementation of the program and submit quarterly status reports to PCPC.
13. Perform such other functions as provided for in the ECCD and other child related laws.

SECTION 4. THE BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN (BCPC)

Composition:

Chairperson: Punong Barangay
 Co-Chair : Barangay Kagawad, Chair person on women, Family and Social Services

Members:

Barangay Nutrition Scholar
 Barangay Day care Worker
 Barangay Health Nurse/Midwife
 Barangay Health Worker
 DepEd. Principal/Teacher-in-charge
 Chief Tanod
 Children's Representative
 PTA President
 Ngo's, Cso's/Po's Representatives

SECTION 5. FUNCTIONS OF THE BCPC.

1. Foster education of every child
2. Take steps to prevent juvenile delinquency and assist parents children will behavioral problems so that they can get expert advice:
3. Adopt measures for the health of children;
4. Conduct capability building projects to increase knowledge and skills in handling children's programs
5. Encourage the proper performance of the duties and responsibilities of parents and provide learning opportunities on the adequate rearing of children and positive parent-child relationship;

6. Promote wholesome entertainment in the community, especially in movie houses
7. Prepare AWFP for children and recommend appropriations to the Sanggunian
8. Provide coordination and linkages with the other agencies and institutions in the planning, monitoring and evaluation of plans
9. Establish and maintain database on children in the barangay;
10. Advocate for the establishment and maintenance of playgrounds, day care centers and others facilities necessary for child and youth development
11. Advocate for the passage of barangay resolution/ ordinances responsive to child-related issues and concerns and ensure the inclusion of children's program in the executive agenda;
12. Protect and assist children in need of special protection (e.g. abandoned, maltreated and dependents) and refer cases filed against child abuses to proper agencies/institution;
13. Monitor situational reports on children and prepare quarterly update, and dividing the implementation of children's program and make recommendations to the MCPC for consideration and municipal wide application.
14. Prepare such other functions and other child related laws especially in matters of child and parent educations, health, entertainment, etc.

SECTION 6. SECRETARIAT- The MSWDO shall be the secretariat of the MCPC

SECTION 7. FUNDING- Upon the recommendation of the MCPC/BCPC the LGU shall provide funding for programs/projects/activities on children and ensure that these are effectively being implemented.

SECTION 8. ROLE OF DILG

- a. The MLGOO shall oversee the organization and functionality of the MCPC and BCPC.
- b. Monitoring the advocacy of the gifted children in the context of the convention on the Rights of children (CRC), right based approach and result based management.
- c. Promote functional bodies dealing with children.

- d. Monitoring the integration of children's rights in LGPMS: use of social child rights indicator in performance review
- e. Monitoring the status of the Local Legislative system and processes to ensure that the system is effectively implemented

**ARTICLE IX
REMEDIAL MEASURES AND PENAL
PROVISIONS**

SECTION 1 – Penalties - The penalty for violation of this Code, which is not penalized elsewhere in other Section or in any National Law, shall be:

1. **First Offense** – a fine of Five Hundred Pesos (P 500.00) or imprisonment of One (1) day to fifteen (15) Days or both depending upon the description of the court;
2. **Second Offense** – A fine One Thousand Five Hundred Pesos (P 1,500.00) or imprisonment of Fifteen (15) Days to Thirty (30) days, or both, depending upon the description of the court;
3. **Third Offense** – a fine of Two Thousand Pesos (P 2,000.00) or imprisonment of One (1) month to Two (2) months, or both, depending upon the discretion of the court.

For first time offender of the prohibited act enumerated in this Code and in cases where the offender is the parent or teachers of the child or relative within the fourth degree of consanguinity, and admits the offense and is sincere and willing to reform, the penalty maybe lowered subject to the consent of the child, and any of the following measures maybe imposed:

1. Attendance in parenting and/or counseling sessions ;
2. Community Service of Ten (10) to fifteen (15) days ;
3. Participation in appropriate training/rehabilitation course.

**ARTICLE X
FINAL PROVISION**

SECTION 1– Implementing Rules and Regulations (IRR). – Within six (6) months after the approval of this Code, the MSWD, MHO, PPW II/MNAO/GAD/FP shall formulate and issue Rules and Regulations for the effective implementations of this Code.

SECTION 2. – Penalty for Refusal or neglect of any government official or employee to implement this Code, and who refuses his/her 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 strictly observed before said penalty imposed to such offender.

SECTION 3 – Appropriations for Children Programs – The Local Government Unit of Jaro , Leyte including all Barangay, shall appropriate funds, as part of its Annual Budget, for the implementation of children's programs. The Municipality shall allocate funds necessary for the implementation of this Code, including the drafting and dissemination of the IRR, training and orientation of stakeholders and promotion of this Code to the general public.

SECTION 4 – Suppletory Application – For offense punishable under Presidential Decree No. 603 (Child and Youth Welfare Code); RA No. 7610 (Special Protection of Children Against Abuses, Exploitation, and Discriminations Act, as amended by RA No.9231) RA No. 7658 (An Act Prohibiting the Employment of Children below 15 years of age, amending Section 12 of RA No. 7610); RA No.9208 (Anti – Trafficking in Persons Act Of 2003); RA No. 9262 (Anti – Violence Against Women under Children Act of 2004); Revised Penal Code or any other law as well as this Code, the offended party and/ or any party so authorized may file complaint under the National Law and the penalty in such National Law shall be imposed.

SECTION 5. SEPARABILITY CLAUSE.

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

SECTION 6. APPLICABILITY CLAUSE.

This code shall apply to all the people within the territorial jurisdiction of the Municipality of Jaro, Province of Leyte and to all persons who may be subject to the provision of this code,

SECTION 7. REPEALING CLAUSE.


All local ordinances, resolutions, executive orders and other issuances which are inconsistent with any of the provision of this code are hereby repealed or modified accordingly.

SECTION 8. EFFECTIVITY CLAUSE.

This code shall take effect 15 days after the completion of its publication in at least four (4) conspicuous places in the Municipality of Jaro as mandated for under R.A. 7160, or otherwise known as the Local Government Code of 1991.

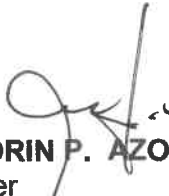
ENACTED: This 24th day of April, 2017 at the SB Session Hall, Legislative Building, Jaro, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing Resolution No. 216, s 2017, Embodying Municipal Ordinance No. 11, s. of 2017


NICOMEDES R. BORJA
 Secretary to the Sangguniang Bayan
 Board Secretary V

APPROVED:


HON. LOURDES L. GO
 SB Member


HON. ALDRIN P. AZORES
 SB Member

EXCERPT FROM THE MINUTES OF THE 35TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF JARO, LEYTE, HELD AT THE SANGGUNIAN SESSION HALL, LEGISLATIVE BUILDING ON APRIL 24, 2017.



HON. REX P. AURE
SB Member



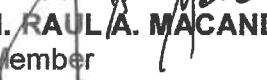
HON. RAMON M. RAGRAG, JR.
SB Member



HON. EDUARDO A. SAÑAGAN
SB Member
Majority Floor Leader



HON. JULIAN L. EMNAS
SB Member



HON. RAUL A. MACANDA
SB Member
Presiding Officer-Pro Tempore



HON. MARIAN G. GARRIDO
SB Member



HON. MARIANITA A. GELIG
SB Member/LIGA President

ATTESTED:



HON. ROLANDO T. CELEBRE
Municipal Vice-Mayor
SB Presiding Officer

APPROVED:



HON. ZHARINA D. CELEBRE
Municipal Mayor