

Item No.: 23
Date: 03 2024 SEP

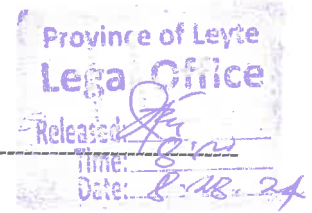


Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

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PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
August 22, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Ordinance No. 05 s. 2024 of the Sangguniang Bayan of Abuyog, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 05 s. 2024 entitled: “An Ordinance Granting Cash Incentives to Examinees Who Excelled in Either the Bar or Board Examination and Declared Topnotchers by Either Supreme Court of the Philippines or the Professional Regulation Commission Respectively, Providing Funds Therefore and for Other Purposes.

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the Subject Ordinance is in accordance to its power under Section 16¹ General Welfare Clause of the Local Government Code of 1991 (R.A 7160). Hence, recommending the declaration of its validity.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

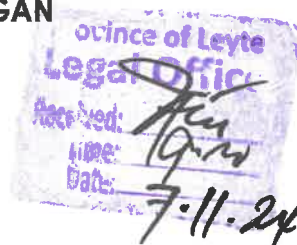
ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer 

¹ Section 16 Every local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of general welfare. Within their respective territorial jurisdiction, local government unit shall xxx improve public morals xxx

Republic of the Philippines
PROVINCE OF LEYTE
-0-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
10 July 2024



Respectfully indorsed to the **PROVINCIAL LEGAL OFFICE** the herein **ORDINANCE NO. 05 s. 2024** of the **MUNICIPALITY OF ABUYOG, LEYTE**, embodied in **Resolution No. 202 s 2024**, for review and recommendations.

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

SP



Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte



Office of the Sangguniang Bayan Secretary

July 10, 2024

SANGGUNIANG PANLALAWIGAN

RECEIVED
10 JUL 2024
PROVINCE OF LEYTE

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian
Sangguniang Panlalawigan of Leyte
Legislative Building
Capitol Grounds
Tacloban City

Ma'am:

Respectfully transmitting herewith as attached Ordinance No. 05, s. 2024 of the Sangguniang Bayan of Abuyog, Leyte re: "AN ORDINANCE GRANTING CASH INCENTIVES TO EXAMINEES WHO EXCELLED IN EITHER THE BAR OR BOARD EXAMINATION AND DECLARED TOPNOTCHERS BY EITHER THE SUPREME COURT OF THE PHILIPPINES OR THE PROFESSIONAL REGULATION COMMISSION RESPECTIVELY, PROVIDING FUNDS THEREFORE AND FOR OTHER PURPOSES" for the review of the Honorable Sangguniang Panlalawigan, Province of Leyte

Thank you and more power.

Very respectfully yours,


ARSENIO Y. VILLOTE
Sangguniang Bayan Secretary



Republic of the Philippines
MUNICIPALITY OF ABUYOG
 Province of Leyte



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 18TH REGULAR SESSION OF THE 19TH HONORABLE SANGGUNIANG BAYAN OF ABUYOG, LEYTE HELD AT ITS SESSION HALL, LEGISLATIVE BUILDING MUNICIPAL COMPOUND, ABUYOG, LEYTE ON MAY 7, 2024

PRESENT:

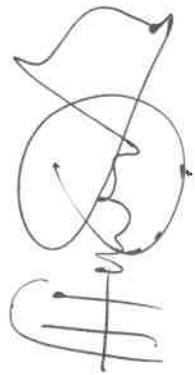
- | | |
|-------------------------------|--------------------------------------|
| Hon. James L. Bohol | Municipal Vice-Mayor, Prsdg. Officer |
| Hon. Jeannette A. Valida | SB Member, Prsdg. Pro-tempore |
| Hon. Antonio C. Almendra, Jr. | SB Member |
| Hon. Arnold R. Allera | SB Member |
| Hon. Patrocinio A. Risos, Jr. | SB Member |
| Hon. Editha C. Deloy | SB Member |
| Hon. Edmundo P. Saño | SB Member |
| Hon. Francisco B. Landia | SB Member, Floor Leader |
| Hon. Erwin V. Belleza | SB Member |
| Hon. Dario P. Lleve | SB Member, ABC President |
| Hon. Melliza Jane C. Traya | SB Member, SK Ped. Pres. |

ABSENT:

None

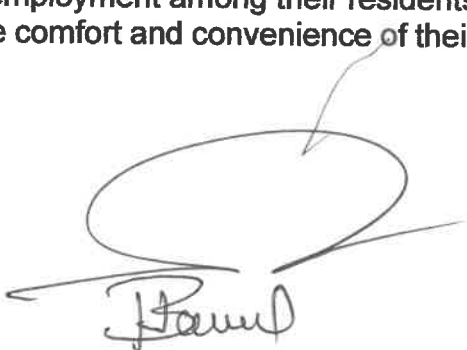
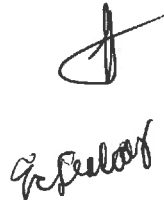
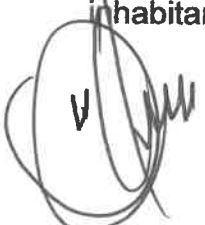
RESOLUTION NO. 202, S. 2024

A RESOLUTION APPROVING ORDINANCE NO. 05 ENTITLED "AN ORDINANCE GRANTING CASH INCENTIVES TO EXAMINEES WHO EXCELLED IN EITHER THE BAR OR BOARD EXAMINATION AND DECLARED TOPNOTCHERS BY EITHER THE SUPREME COURT OF THE PHILIPPINES OR THE PROFESSIONAL REGULATIONS COMMISSION RESPECTIVELY, PROVIDING FUNDS THEREFORE AND FOR OTHER PURPOSES



WHEREAS, Section 1, Article XIV of the 1987 Philippine Constitution provides that the states shall protect and promote of all citizens to quality education at all levels and shall take appropriate steps to make such education accessible to all;

WHEREAS, Section 16 of the Local Government Code posits that "Every Local government unit shall exercise the powers expressly granted, those necessarily implied therefrom, as well as powers necessary, appropriate or incidental for its efficient and effective governance and those which are essentials to the promotion of the general welfare. Within their respective territorial jurisdiction, local government units shall ensure and support among others the development of appropriate and self-reliant scientific and technological capabilities, improve public morals enhance economic prosperity and social justice, promote full employment among their residents maintain peace and order and preserve the comfort and convenience of their inhabitants"



Leonel

WHEREAS, the Bar Examination is conducted once a year by the Supreme Court of the Philippines wherein traditionally the top ten examinees are ranked and announced by the Supreme Court but last 2021/2022 changes were made by then Bar Chairman, Associate Justice Marvic Leonel, which devoid from traditionally ranking the top ten students but instead gave the distinction of either Exemplary Bar Passer (85% or up) and Excellent Bar Passer (90% and up);

WHEREAS, board Examination for the different profession is sanctioned and administered by the Professional Regulations Commission (PRC) and are conducted on accordance with its issuances;

WHEREAS, having a topnotcher in an examination taken by thousands of examinees not only gives pride and honor to the school but also to the hometown of the same;

WHEREAS, the Municipal Government of Abuyog would like to give extra motivation through cash incentives to the Abuyog, Leyte Students to push them harder in getting the pride and honor the student and the Municipality will gain;

NOW THEREFORE, BE IT ORDAINED as it is hereby ORDAINED by the Sangguniang Bayan in session assembled, and upon motion of Honorable Francisco B. Landia jointly seconded by Honorable SB Member Arnold R. Allera, Honorable SB member Jeannette A. Valida, Honorable SB Member Antonio C. Almendra, Jr. and Honorable SB Member Dario P. Lleve.

ORDINANCE NO. 05, SERIES 2024

AN ORDINANCE GRANTING CASH INCENTIVES TO EXAMINEES WHO EXCELLED IN EITHER THE BAR OR BOARD EXAMINATION AND DECLARED TOPNOTCHERS BY EITHER THE SUPREME COURT OF THE PHILIPPINES OR THE PROFESSIONAL REGULATIONS COMMISSION RESPECTIVELY, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES.

Authored by: Honorable Francisco B. Landia
Chairman Committee on Education, Culture and the Arts

Section 1. TITLE.

This Ordinance shall be known as the **"Abuyog Topnotcher Incentive Ordinance"**.

Section 2. Definition.

- a. Bar Examination -is the Professional licensure Examination for lawyers in the Philippines. The Exam is exclusively administered by the Supreme Court of the Philippines through the Supreme Court Bar Examination Committee.
- b. Board Examination - refers to examinations conducted nationwide as per schedule to determine qualifications of graduates of various professions who seek licensure to practice their Respective professions or area of specialization sanctioned by the Professional Regulation Commission (PRC).
- c. Topnotchers - refers to individuals who are officially declared Top one (1) to Top ten (10) by their either the Supreme Court of the Philippines or the Professional Regulation Commission.

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Section 3. CASH INCENTIVES.

The cash incentives will be given to eligible students according to the following:

- a. Top 1 - FIFTY THOUSAND PESOS (50,000.
- b. Top 2 -Top 5 - THIRTY THOUSAND PESOS (30,000.00)
- c. Top 6- Top 10 - TWENTY THOUSAND PESOS (20,000.00)

Section 4. CERTIFICATE

The examinees who are declared topnotchers shall be given a Recognition Certificate by both the Office of the Municipal Mayor and the Sangguniang Bayan through the Office of the Vice Mayor.

Section 5. INFORMATION DISEMMINATION

The Public Information Office (PIO) is hereby mandated to ensure that the examinees who are declared topnotcher are given the recognition for the pride and honor that the examinees have given the Municipality of Abuyog by posting it on its social media sites and through publication or posters in properties owned by the Local Government of Abuyog Leyte.

Section 6. REQUIREMENTS.

The requirements to be eligible for the benefit of this Ordinance shall be the following:

- 1. He must be born in Abuyog, Leyte;
- 2. He must have been a graduate from secondary school in a school situated in Abuyog, Leyte
- 3. Either he/she or his/her parents is a registered voter of Abuyog, Leyte
- 4. He must present a certificate, or any document issued by either the PRC or the Supreme Court proving the fact that he or she is a topnotcher as defined by this Ordinance.

Section 7. MUNICIPAL MAYOR'S DISCRETION.

In case there are changes made by either the Supreme Court or the Professional Regulations Commission which will deviate from the traditional ranking of top ten (10), the Municipal Mayor is hereby given the power to decide whether to give in an amount not exceeding FIFTY THOUSAND PESOS (50,000.00) to examinees who are given recognition for his or her exemplary or excellent performance in either the board of bar examination in which he or she is taking.

Section 8. APPROPRIATION.

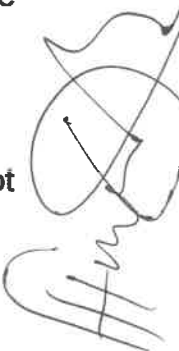
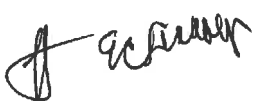
The amount necessary to carry out the provisions of this Ordinance shall be allocated annually in the Budget.

Section 9. SEPARABILITY CLAUSE.

If any part of this Ordinance declared unconstitutional or unlawful, shall not affect the other parts or the section hereof.

Section 10. REPEALING CLAUSE.

All previous Ordinance inconsistent with this Ordinance shall be deemed repealed or modified accordingly.



Section 11. EFECTIVITY CLAUSE.

This Ordinance shall take effect immediately upon its approval and due publication in accordance with law.

ENACTED this 7th day of May, 2024.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


ARSENIO Y. VILLOTE
Sangguniang Bayan Secretary

ATTESTED:


HON. JAMES L. BOHOL
Municipal Vice Mayor, Prsdg. Officer


HON. JEANNETTE A. VALIDA
SB Member, Prsdg. Pro-tempore


HON. ARNOLD R. ALLERA
SB Member


HON. EDITHA C. DELOY
SB Member


HON. FRANCISCO E. LANDIA
SB Member, Floor Leader


HON. DARIO P. LLAVE
SB Member/ ABC Fed. President


HON. ANTONIO C. ALMENDRA, JR.
SB Member


HON. PATROCINIO A. RISOS, JR.
SB Member


HON. EDMUNDO P. SAÑO
SB Member


HON. ERWIN V. BELLEZA
SB Member


HON. MELLIZA JANE C. TRAYA
SB Member/ SK Fed. Pres.

APPROVED:


HON. LEMUEL GIN M. TRAYA
Municipal Mayor

Date: 7/8/24



Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte



Office of the Sangguniang Bayan

CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that Ordinance No. 05, s. 2024 of the 19th Honorable Sangguniang Bayan of Abuyog, Leyte re: **AN ORDINANCE GRANTING CASH INCENTIVES TO EXAMINEES WHO EXCELLED IN EITHER THE BAR OR BOARD EXAMINATION AND DECLARED TOPNOTCHERS BY EITHER THE SUPREME COURT OF THE PHILIPPINES OR THE PROFESSIONAL REGULATION COMMISSION RESPECTIVELY, PROVIDING FUNDS THEREFORE AND FOR OTHER PURPOSES** has been posted on May 08, 2024 in three (3) conspicuous and publicly accessible places of the municipality and remained posted until May 29, 2024 in compliance to Section 511, par (a), R.A. 7160, the Local Government Code of 1991.

ARSENIO Y. VILLOTE
Sangguniang Bayan Secretary

ATTESTED:

HON. JAMES L. BOHOL
Municipal Vice Mayor



Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte



Office of the Sangguniang Bayan

CERTIFICATE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that Public Hearing was jointly conducted by the Committee on Social Welfare Development and the Committee on Education, Culture and the Arts on April 24, 2024 at Putyukan San Abuyog, Municipal Compound, Abuyog, Leyte, 9:00 o'clock in the morning in compliance to Section 187 of R.A. 7160, otherwise known as the Local Government Code of 1991.

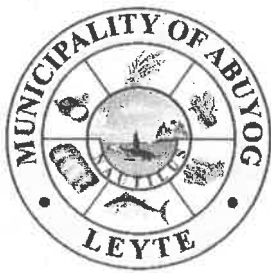

ARSENIO Y. VILLOTE
Sangguniang Bayan Secretary

ATTESTED:


HON. JAMES L. BOHOL
Municipal Vice Mayor

Enclosure:

1. Attendance Sheet
2. Minutes of Public Hearing



Republic of the Philippines
MUNICIPALITY OF ABUYOG
 PROVINCE OF LEYTE



Office of the Sangguniang Bayan

ATTENDANCE

COMMITTEE HEARING/PUBLIC HEARING ON THE PROPOSED 2024 CHILDRENS CODE OF THE MUNICIPALITY OF ABUYOG, LEYTE AND APPROPRIATING FUNDS THEREOF AND THE DRAFT ORDINANCE GRANTING CASH INCENTIVES TO EXAMINEES WHO EXCELLED AND DECLARED TOPNOTCHERS

DATE: APRIL 24, 2024

TIME: 9:00 A.M.

VENUE: PUTYUKAN SAN ABUYOG, MUNICIPAL COMPOUND

	NAME	POSITION	ADDRESS	SIGNATURE
1.	CHUNKY HANNAH H. TAUNA	BRUY. KAGAWAD	SAN ROQUE	
2.	Olene P. Huma	KAGAWAD	1414W	
3.	Exangelin A. Daga	kagawad	Nealibemai	
4.	CHRISTOPHER R. VINCENZO	SC SEC.	plabunan	
5.	LORESA R. ALUYOG	kagawad	CAN-APORONG	
6.	CHARLITA A. INFANZO	KAGAWAD	PARASANON	
7.	Panfilo G. Gurmous	kagawad	Kahipunan	
8.	RODOLFO P. POLIQUIT	KAGAWAD	KIKITUM	
9.	GODOFREDO B. SABALZA	KAGAWAD	MAAGBUCA	
10.	VIOLETA S. ADOLFO	KAGAWAD	BALOCANE	
11.	Sharon Marie C. Sarmiento	Kagawad	Bataung	
12.	JELANIE CAMINOC	KAGAWAD	BALOCANEHAY	
13.	EVANGELINE C. PARIQUIN	KAGAWAD	ST. FE	
14.	Aiza D. Berbes	Kagawad	Cagbato	
15.	Belenita L. Baredoo	kagawad	CADACAN	
16.	Maricel F. Ruanes	Kagawad	PASSANG-AN	
17.	Vanessa N. Ysting	kagawad	Quinteglecan	
18.	Efena T. Coral	Kagawad	Bahay	
19.	MARIA TERESITA M. JATAE	KAGAWAD	TADOC	
20.	Susana B. Munzor	Kagawad	Burubud-on	
21.	RECHELE A. ELMOR	Kagawad	Tinah-an	
22.	GILBERT A. LAKRIA	KAGAWAD	LAHAN	
23.	Catherine C. Alvaro	kagawad	Nebga	
24.	MARA D. DIAZ	KAGAWAD	CAN-UNDO	
25.	Ma. Elena P. Balogo	Kagwad	Buntay	



Republic of the Philippines
MUNICIPALITY OF ABUYOG
 PROVINCE OF LEYTE



Office of the Sangguniang Bayan

ATTENDANCE

COMMITTEE HEARING/PUBLIC HEARING ON THE PROPOSED 2024
CHILDRENS CODE OF THE MUNICIPALITY OF ABUYOG, LEYTE AND
APPROPRIATING FUNDS THEREOF AND THE DRAFT ORDINANCE
GRANTING CASH INCENTIVES TO EXAMINEES WHO EXCELLED AND
DECLARED TOPNOTCHERS

DATE: APRIL 24, 2024

TIME: 9:00 A.M.

VENUE: PUTYUKAN SAN ABUYOG, MUNICIPAL COMPOUND

	NAME	POSITION	ADDRESS	SIGNATURE
1.	CHARON FER. LUMAGAN	PSDS	Dpt. Abuyog North of Abuyog	[Signature]
2.	JENNY L. APRESA	KAGAWAD	San Misin	[Signature]
3.	MAXIMO C. ESCIBI JR	KAGAWAD	Amiragon	[Signature]
4.	Charly R. Castro	"	Yabaga	[Signature]
5.	GRACE P. CARANDANG	KAGAWAD	HAMPILA	[Signature]
6.	JEFFERSON L. SUMAYANG	KAGAWAD	LIBERTAD	[Signature]
7.	LORENA C. ADURO	KAGAWAD	TINOGUAN	[Signature]
8.	SANDRA A. PAKU	KAGAWAD	PINAMAWAN	[Signature]
9.	MARGIE H. JOAQUINO	KAGAWAD	OLD TALIGUE	[Signature]
10.	Joseph Kenneth S. Wala	KAGAWAD	Bayansawan	[Signature]
11.	DEAS, ELSON JR.	KAGAWAD	Salvador	[Signature]
12.	CAND JOSTELINO B OR	KAGAWAD	IBRA	[Signature]
13.	Alex Labrador	KAGAWAD	Tuy-a	[Signature]
14.	ESTELA R. GO	KAGAWAD	CANMANATING	[Signature]
15.	Lilibeth T. Bernat	Kagawad	Mag-atubang	[Signature]
16.	Genelyn C. Tupaz	Kagawad	Bunga	[Signature]
17.	ZTEEL KLEN R-BASA	community worker	BRGY. LIBERTAD	[Signature]
18.	Archie C. Sugmab	Kagawad	Victory	[Signature]
19.	ANTONIO P. TAN	KAGAWAD	Bayabas	[Signature]
20.	CRISTYLEN R. SUMAYANG	KAGAWAD	PILAR	[Signature]
21.	Janette D. Chavez	"	Adiong	[Signature]
22.	MARILETH GRAMPAN	"	LORONSWAN	[Signature]
23.	JAMES G. PASCO	KAGAWAD	SANTAFELICIA	[Signature]
24.	ofelia B. Labareno	Kagawad	Tubo	[Signature]
25.	Emelinda Bayan	Kagawad	Pangray	[Signature]



Republic of the Philippines
MUNICIPALITY OF ABUYOG
 PROVINCE OF LEYTE



Office of the Sangguniang Bayan

ATTENDANCE

COMMITTEE HEARING/PUBLIC HEARING ON THE PROPOSED 2024 CHILDRENS CODE OF THE MUNICIPALITY OF ABUYOG, LEYTE AND APPROPRIATING FUNDS THEREOF AND THE DRAFT ORDINANCE GRANTING CASH INCENTIVES TO EXAMINEES WHO EXCELLED AND DECLARED TOPNOTCHERS

DATE: APRIL 24, 2024

TIME: 9:00 A.M.

VENUE: PATYUKAN SAN ABUYOG, MUNICIPAL COMPOUND

	NAME	POSITION	ADDRESS	SIGNATURE
1.	JOSE R. USALI	BOY SECRETARY	Balingasay	[Signature]
2.	GUENI L. PEREZ	PROY. PLANNING	PICAS	[Signature]
3.	Albina A. Abengin	Kagawad	Progy New Taligue	[Signature]
4.	Jelencia O. Bruni	Kagawad	Progy. Pinal	[Signature]
5.	Doralina G. Masahan	Kagawad	Progy. Sta. Maria	[Signature]
6.	Aiken D. Garza	Kagawad	Matayon	[Signature]
7.	RUTH G. JORDAN	MSWD	Ulu - Abuyog	[Signature]
8.	JAMES PATRICK A. CALIAD	DILG	LGU - ABUYOG	[Signature]
9.	Manic Nell M. Ayullo	MWD	LGU - Abuyog	[Signature]
10.	IVAN CORNELIUS V. CO	ML600	DILG - ABUYOG	[Signature]
11.	elisa C. Logola	SB STAFF	LGU - Abuyog	[Signature]
12.	Delmar M. Ampang	waiter	Progy Pilar Abuyog	[Signature]
13.	Dariding Polito R.	waiter	MacArthur	[Signature]
14.	Sunny Boy Dumanhog	SB Sec Staff	LGU - Abuyog	[Signature]
15.	Jocelyn L. Estibar	SB staff	LGU Abuyog	[Signature]
16.	Lovelyn V. Requena	SB staff	LGU Abuyog	[Signature]
17.	Mervil Barquio	waiter	MacArthur	[Signature]
18.	CHARMY R. CORNICAS	TOWN COUNCIL	LGU - ABUYOG	[Signature]
19.	Emma May Penaranda	SB staff	LGU - Abuyog	[Signature]
20.	Mairbeth A. Lara	BK	Pilar	[Signature]
21.	KAMA S. BARTERA	waiter	MacArthur	[Signature]
22.	christian trayan	waiter	MacArthur	[Signature]
23.	EDITH C. DELAY	SB Member	LGU Abuyog	[Signature]
24.	GINFEL AUSTRIA	Admin Aide-1	LGU - Abuyog	[Signature]
25.	LEMMUEL MOLINA			[Signature]



Republic of the Philippines
MUNICIPALITY OF ABUYOG
Province of Leyte



Office of the Sangguniang Bayan

MINUTES OF THE PUBLIC HEARING REGARDING DRAFT ORDINANCE AMENDING THE ABUYOG CHILDREN'S CODE AND APPROPRIATING FUNDS THEREOF BY THE JOINT COMMITTEE ON WOMEN, FAMILY, SENIOR CITIZENS AND SOCIAL WELFARE DEVELOPMENT AND COMMITTEE ON HUMAN RIGHTS AND DRAFT ORDINANCE GRANTING CASH INCENTIVES TO EXAMINEES WHO EXCELLED IN EITHER THE BAR OR BOARD EXAMINATION AND DECLARED TOPNOTCHERS BY EITHER THE SUPREME COURT OF THE PHILIPPINES OR THE PROFESSIONAL REGULATIONS COMMISSION RESPECTIVELY, PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES HELD AT PUTYUKAN SAN ABUYOG, MUNICIPAL COMPOUND, ABUYOG, LEYTE ON APRIL 24, 2024.

PRESENT:

- | | | |
|-------------------------------|---|--|
| HON. FRANCISCO B. LANDIA | - | Sangguniang Bayan Member
Committee Chairman
Committee on Education, Culture
and The Arts |
| HON. ARNOLD R. ALLERA | - | Sangguniang Bayan Member
Committee Chairman,
Committee on Women, Family,
Senior Citizens and Social
Welfare Development
Committee Member
Committee on Education, Culture
and The Arts |
| HON. JEANNETTE A. VALIDA | - | Sangguniang Bayan Member
Committee Vice Chair
Committee on Women, Family,
Senior Citizens and Social
Welfare Development
Committee Vice Chairman
Committee on Education, Culture
and The Arts |
| HON. EDITHA C. DELOY | - | SB Member, Member
Committee on Women, Family,
Senior Citizens and Social
Welfare Development |
| HON. ANTONIO C. ALMENDRA, JR. | - | SB Member, Member
Committee on Human Rights |

01. **SEC. VILLOTE:** Maupay nga aga sa aton nga tanan. Salamat san iyo
02. pagbaton san surat nga ginpadara san iyo tagsa tagsa nga barangay. An aton

Jabala

J

revised

Approved

M

03. komitiba nga adi yana SB Committee on and Human Rights nga adi yana sa iyo
04. atubangan. To start with I would like to acknowledge the presence of Chairman
05. Committee on Social Welfare and Development, Honorable Allera, Honorable
06. Landia, Honorable Valida and Honorable Almendra. Inin thank you for attending,
07. and Brgy Kagawad sa tagasa tagasa nga brgy nga committee an aton MLGOO Sir
08. Ivan good morning, Municipal Administrator Mam Nanan, maupay nga aga an aton
09. MSWDO Mam Ruth maupay nga aga ngan an aton LYDO Sir Chamy. An aton
10. pagbuhaton dinhi usa la ang tumong. Dida san series of session nagpasa si
11. Konsehal Landia as the principal author pagtikang sin amendment san Child
12. Welfare Code nga gin refer sa committee ni Konsehal Allera. Tama? So all you
13. have to do is mamati kita sa presentation didi sa white screen, then take note
14. siguro mayda niyo pangutana kay you will be given time, katema sini nga public
15. hearing, tema na man an first reading ipapasa liwat ipapasa liwat ngadto sa
16. plenaryo for second reading mag dedebate didto sa Sangguniang bayan katema
17. siton comes out committee report from the committee concern to be calendar for
18. third and final reading. After 10 days ipapasa ngadto kay Mayor pagpirma,
19. pagpirma ni Mayor ipasa liwat sa Sangguniang Panlalawigan for review once
20. declared valid and operative it becomes a Municipal Law. Okay, again maupay
21. nga aga sa aton nga tanan, igbalik ko na kamo kay Konsehal Allera.

22. **HON. ALLERA:** Thank you, Mr. Secretary. Now this is to start the Public
23. Hearing for the ordinance amending the Abuyog children's code and appropriating
24. funds thereof which was referred to the joint committee of the social services last
25. April 2 and the committee on Human Rights this proposed ordinance or the draft
26. ordinance was authored by Honorable Francisco "Boy" Landia, who was also the
27. author of the previous ordinance of this children's code, referred to the joint
28. committee checked by this representation and the vice chairman Honorable
29. Jeannette A. Valida of the social services and the member Honorable Editha C.
30. Deloy and the chairman of committee on human rights is Honorable Pat-Pat Risos
31. and the vice chairman Jun Almendra. So, to start this ordinance is entitled An

32. ordinance amending the Abuyog children's code and appropriating funds thereof
33. authored by Honorable Francisco B. Landia, we are very much willing to give the
34. floor for the author of this ordinance the author Francisco B. Landia.

35. **HON. LANDIA:** Thank you, Honorable Allera. Good morning, everyone.
36. allow me to, kada ordinansa mayda explanatory note. So for the explanatory note.

37. **EXPLANATORY NOTE**

38. **WHEREAS**, Ordinance (No. 01, Series of 2008, otherwise known as the
39. Abuyog) Children's Code, was duly enacted on (January 29, 2008;)

40. **WHEREAS**, there is a need to update the said code to update and cater to
41. the changes that were made to the Philippine National Strategic Framework for
42. Plan Development for Children or CHILD 21;

43. **WHEREAS**, CHILD 21 is a strategic framework for planning programs and
44. interventions that promote and safeguard the rights of Filipino children;

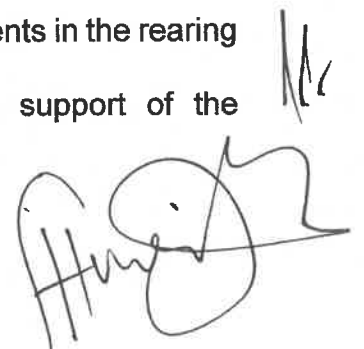
45. **WHEREAS**, CHILD 21 embodies the fulfillment and upholding the rights of
46. the child in the four (4) aspects of a child's life, that are SURVIVAL,
47. DEVELOPMENT, PROTECTION, AND PARTICIPATION;

48. **WHEREAS**, as mandated by Republic Act 7180 (Section 458 (5) XVI), the
49. Sangguniang Bayan is empowered to provide care for abandoned minors, juvenile
50. delinquents, abused children and other needy and disadvantaged persons,
51. particularly children and the youth below eighteen years of age;

52. **WHEREAS**, every Local Government Unit has its own policy that would
53. uphold the rights of children for survival, protection, participation and development;

54. **WHEREAS**, support mechanisms for child care and development from
55. conception to adolescence stage must also be given top priority by the
56. government;

57. **WHEREAS**, as stated in Presidential Decree 603 otherwise known as the
58. "Child and Youth Welfare Code", the natural right and duty of parents in the rearing
59. of the child for civic efficiency should receive the aid and support of the
60. Government (Article 1 paragraph 5);



61. **WHEREAS**, it is then imperative that the Municipal Government to adopt its
62. own program/s that would advocate the respect and care for the role of the family
63. as an essential and basic unit of society;

64. **WHEREAS**, in order to achieve this goal and successfully carry out said
65. endeavor, the Abuyog Municipal Government, in partnership with other agencies
66. and non-government organizations, shall work rigidly to promote the welfare of its
67. young citizens and provide opportunities that would give them the chance to live a
68. productive and happy life;

69. **HENCE**, this Ordinance.

70. To start with, the title of the draft ordinance is This Ordinance shall be known
71. as the "Abuyog, Leyte Children's Code of 2024"

72. **HON. ALLERA:** ah, nga tanan sa iyo pangutana, nian nala ha. I jot down
73. nala an isarapong niyo, mga amendment niyo, mga suggestion. Nian nala kay
74. basahon pa san aton author, an nga tanan niyo nga suuggestion or pangutana may
75. microphone man niya dto nala niyo ipangutana ha para dire diretso kita.

76. **HON LANDIA:** Thank you, Hon. Allera. An title sa Ordinance, - This
77. Ordinance shall be known as the "Abuyog, Leyte Children's Code of 2024". Adi na
78. nga tuig, an importante that this ordinance shall be in consonance with the
79. provisions and policies set by Republic Act 8980 or the ECCD LAW and other laws
80. on children specifically P.D. 603 as amended, otherwise known as "The Children
81. and Youth Welfare Code" "The Family Code of the Philippines", Republic Act 7610
82. (An Act Providing Strong Deterrence Against Child Abuse), Republic Act 7658 (An
83. Act Prohibiting the Employment of Children Below Fifteen Years of Age), Republic
84. Act 8369 (An Act Establishing Family Courts), Republic Act 9262 (violence against
85. Women and Children), Republic Act 9344 (An Act Establishing a Comprehensive
86. Juvenile Justice and Welfare System, Creating the Juvenile Justice and Welfare
87. Council). So, this is the kuan na ini self-explanatory na ini.

88. **CHAPTER I.**

89. **GENERAL PROVISIONS.**



90. **SECTION 1. TITLE** - This Ordinance shall be known as the "Abuyog, Leyte
91. Children's Code of 2024.

92. **SECTION 2. DECLARATION OF POLICY** - The Abuyog, Leyte
93. Government hereby adopts and imposes policies and strategies that would
94. establish and protect the rights of children. Their survival, protection, participation,
95. and development are given preferential consideration in all of its government
96. programs. The Municipal Government shall also endeavor to propagate the role of
97. the family as the basic unit of society. It shall, likewise, work and establish strong
98. partnerships with various private, non-government and people's organizations that
99. are genuinely concerned, willing and capable to work for the welfare of the
100. children.

101. **SECTION 3. COVERAGE** - The provisions of this Ordinance shall govern
102. all institutions, departments, offices, and agencies that are under the supervision
103. of the Municipal Government of Abuyog, Leyte. It shall also govern, without
104. prejudice to existing laws, all persons, entities, private, non-government/people's
105. organizations that deal with children, their rights and any undertaking relative to a
106. child's development, survival, protection and participation. This Ordinance shall be
107. in consonance with the provisions and policies set by Republic Act 8980 or the
108. ECCD LAW and other laws on children specifically P.D. 603 as amended,
109. otherwise known as "The Children and Youth Welfare Code" and "The family Code
110. of the Philippines", Republic Act 7610 (An Act Providing Strong Deterrence Against
111. Child Abuse), Republic Act 7658 (An Act Prohibiting the Employment of Children
112. Below Fifteen Years of Age), Republic Act 8369 (An Act Establishing Family
113. Courts), Republic Act 9262 (violence against Women and Children), Republic Act
114. 9344 (An Act Establishing a Comprehensive Juvenile Justice and Welfare System,
115. Creating the Juvenile Justice and Welfare Council).

116. **SECTION 4. DEFINITIONS OF TERMS.**

117. a. **CHILD/CHILDREN** - shall refer to persons aged below eighteen (18) years
118. or those over but not able to fully take care of themselves or protect themselves from



119. abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental
120. disability or condition;

121. b. **SURVIVAL RIGHTS** - pertains to the right of child/children to be born in an
122. adequate living standard and access to basic health services and social security.

123. c. **DEVELOPMENT RIGHTS** - pertains to the access of a child/children to
124. good health, education, opportunities, access to relevant information, play, leisure, cultural
125. activities and the right to freedom of thought and religion.

126. d. **PROTECTION RIGHTS** - pertains to the right to be free and protected from
127. all forms of child abuse, exploitation, and discrimination;

128. e. **PARTICIPATION RIGHTS** - pertains to the right or freedom to express
129. oneself in matters affecting his/her life as part of preparation for becoming a responsible
130. citizen;

131. f. **CHILD ABUSE** - refers to maltreatment of the child/children, whether
132. habitual or not, which includes any of the following:

133. 1. Psychological and physical abuse, such as neglect, cruelty,
134. abandonment and other forms of abuses;

135. 2. Any act by deed or word which debases, degrades demeans the
136. intrinsic worth and dignity of a child as a human being;

137. 3. Unreasonable deprivation of his/her basic needs of survival such as
138. food and shelter;

139. 4. Failure to immediately give medical treatment to an injured child
140. resulting to serious impairment of his/her growth and development or
141. permanent incapacity or death.

142. 5. Circumstances which gravely threaten or endanger the survival and
143. normal development of children which include but not limited to the
144. following:

146. 5.a. Working under conditions hazardous to life, safety and
147. morals which unduly interfere with their normal development or
148. without provision for their education;

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149. 5.b. Living in or fending for themselves on the streets of
150. urban and rural areas without the care of parents or guardian or any
151. adult supervision needed for their welfare;

152. 5.c. Living under conditions of extreme poverty or in an area
153. which is under developed and/or lacks or has inadequate access
154. to basic services needed for a good quality of life;

155. 5.d. Being with family members or guardians having grave
156. psychological problems enough for them to commit incest, siblings'
157. rape, lascivious acts and other forms of physical and mental abuse;

158. 5.e. Being a victim of man-made or natural disaster or
159. calamity;

160. 5.f. Being a victim of an illegal transnational or child
161. trafficking;

162. 5.g. Circumstances analogous to those above-stated which
163. endanger the life, safety or normal development of children.

163. g. **COMPREHENSIVE CHILDREN'S SUPPORT SYSTEMS ON**
164. **CHILD ABUSE, EXPLOITATION AND DISCRIMINATION** - refers to the
165. coordinated program of services facilities to protect children against: Child
166. prostitution and other sexual abuse; Child trafficking; Obscene publications and
167. indecent shows; Other acts of abuse; and Circumstances which threaten or
168. endanger the survival and normal development of children or as prescribed by the
169. UN Convention on the Rights of the Child;

170. h. **ANTI-SOCIAL RELATED ACTIVITIES** - are those acts against
171. poverty, chastity and persons which include, but are not limited to the following:

172. h.1. Petty crimes such as snatching, shoplifting, misrepresentations;

173. h.2. Using and pushing prohibited drugs and other habit forming
174. substances, selling illegal or lewd reading materials;

175. h.3. Pimping for sexual perversions, doing or participating in obscene
176. shows or performances;

177. h.4. Gambling in any form;

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178. h.5. Rape and Incest; and
179. h.6. Any other circumstances which are defined under other existing
180. laws.

181. i. **CHILDREN IN CONFLICT WITH THE LAW** - is a youthful offender
182. who is over fifteen (15) years but under eighteen (18) years of age and acting with
183. discernment at the time of the commission of the offense as provided under
184. Republic Act 9344;

185. j. **HAZING** - an initiation rite being conducted as a pre-requisite for
186. admission as member in a fraternity, sorority or organization by placing the recruit,
187. neophyte or applicant in an embarrassing or humiliating situation such as forcing
188. him/her to do mental unlikely and other similar tasks or activities or otherwise
189. subjecting him/her to physical or psychological suffering or inquiry.

190. k. **SCHOOL HOURS** - refers to the time where elementary and high
191. school students are supposed to be inside school premises.

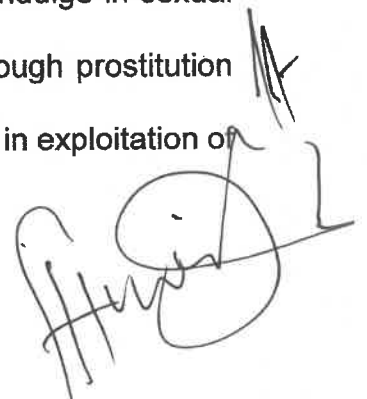

192. l. **LOITERING** - staying in a particular place or commercial
193. establishments like food chains, malls, etc. more than the usual or regular time
194. needed to stay such places during school hours;

195. m. **ORGANIZATION, FRATERNITY, SORORITY, GANG**
196. **ASSOCIATION** - shall be defined as an organization which engages in hazing as
197. initiation rites which inflicts physical, psychological / mental harm to its members
198. or others as a condition for acceptance in such an organization.

199. **CHAPTER II**

200. **PROTECTION RIGHTS OF CHILDREN**

201. **SECTION 5. PROTECTION AGAINST CHILD PROSTITUTION AND**
202. **OTHER SEXUAL ABUSE.** any person/group or syndicate who, for money, profit
203. or any other consideration shall coerce or influence children to indulge in sexual
204. activities are considered engaged in exploitation of children through prostitution
205. and other sexual abuse. The following shall be deemed engaged in exploitation of



206. children through prostitution and other sexual abuse, and shall be penalized
207. accordingly.

208. a. Those who engage in or promote, facilitate or induce child
209. prostitution in the Municipality of Abuyog which includes, but are not limited to the
210. following shall be imposed with the penalty prescribed in Section 5 of Republic Act
211. 7610:

212. a.1. Acting as a procurer of a child prostitute by means of written or oral
213. advertisements or other similar means;

214. a.2. Inducing a person to be a client of a child prostitute by means of written
215. or oral advertisements or other similar means;

216. a.3. Entering into a relationship with, or taking advantage of a child as a
217. prostitute;

218. a.4. Threatening or using violence towards a child to engage him/her as a
219. prostitute or a participant in indecent shows;

220. a.5. Giving monetary consideration, goods or other pecuniary benefit to a
221. child with the intent to engage such child in prostitution.

222. b. Those who derive profit or advantage there from, whether as
223. manager or owner of the establishment where the prostitution takes place, or of
224. the sauna, disco bar, place of entertainment or establishment serving as a cover
225. or which engages in prostitution in addition to the activity for which the licenses
226. has been issued to said establishment.

227. c. Those who commit the act of sexual intercourse or lascivious
228. conduct with a child exploited in prostitution or subject to sexual abuse. Provided
229. that when the victim is under twelve (12) years of age, the offender shall be
230. prosecuted under Article 266 of the Revised Penal Code as amended by Republic
231. Act 8353, for the crime of rape.

232. d. Those who shall hire, employ, use, persuade, induce or coerce a
233. child to perform in obscene exhibitions and indecent shows, whether live or in
234. video, pose or model in obscene publications or pornographic materials or to sell

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235. or distribute the said materials shall suffer the penalty provided under Section 9 of
236. Republic Act 7610 (as amended) "Special Protection against Child Abuse
237. Exploitation and Discrimination Act.

238. e. Ascendant, guardian or person entrusted in any capacity with care
239. of a child who shall cause and/or allow such child to be employed or to participate
240. in an obscene play, scene, act, movies or show or in any other obscene acts shall
241. be penalized in accordance with Section 9 of Republic Act 7610.

242. f. **SECTION 6. PROTECTION AGAINST CHILD TRAFFICKING** - Any
243. person who shall engage in trading and dealing with children including, but not
244. limited to, the act of buying and selling of a child for money, or for any other
245. consideration, or barter, shall suffer the penalty as prescribed in Article IV of
246. Republic Act 7610.

247. An attempt to engage in Child Trafficking is committed under the
248. guise of the following circumstances / situations and thereto should be punished
249. accordingly:

250. a. When a pregnant mother, father or guardian executes an affidavit of
251. consent for adoption for a consideration or in any manner that causes the
252. registration of the birth of such child in the name of another with or without
253. consideration;

254. b. When a person, agency, establishment or child-caring institution
255. recruits women or couples to bear children for the purpose of child trafficking;

256. c. When a doctor, hospital or clinic official or employee, nurse, midwife,
257. local civil registrar or any other person simulates birth certificate for the purpose of
258. child trafficking;

259. d. When a person, authority, agency or institution witnesses but fails or
260. refuses to report any transactions or acts to circumstances in child trafficking;

261. e. When a person engages in the act of finding children among low-
262. income families, hospitals, clinics, nurseries, day care centers or other child caring
263. Institutions for the purpose of child trafficking.

264. **SECTION 7. OBSCENCE PUBLICATIONS, INDECENT SHOWS AND X-**
265. **RATED OR LEWD SHOWS.** Person/s who hire, employ, use, persuade or coerce
266. a child to perform in obscene exhibitions and shows, whether live or in video, pose
267. or model in obscene publications or pornographic materials shall suffer the penalty
268. as prescribed in Section 9 of Republic Act 7610.

269. **SECTION 8. OTHER ACTS/FORMS OF CHILD ABUSE, NEGLECT,**
270. **CRUELTY OR EXPLOITATION AND OTHER CONDITIONS PREJUDICIAL TO**
271. **A CHILD'S DEVELOPMENT.**

272. a. Any person who shall commit any other acts of child abuses, cruelty
273. or exploitation or be responsible for other conditions prejudicial to the child's
274. development including those covered by Article 59 of P.D. 603 as amended but
275. not covered by the Revised Penal Code, as amended, shall suffer the penalty
276. provided under Section 16 (a) of Republic Act 7610;

277. b. Any person who shall use, coerce, force or intimidate a street child
278. or any other child to conduct any illegal activities shall suffer the penalty provided
279. under Section 10 (e) of Republic Act 7610. The victim of the acts committed under
280. this section shall be entrusted to the care of the local MSWD Officer.

281. c. Any forms of brutality committed against children by police
282. authorities shall be penalized under the provisions of the Revised Penal Code,
283. Republic Act 7610, and other existing laws without prejudice to the filing of the
284. complaint before the People's Law Enforcement Board (PLEB).

285. **SECTION 9. SANCTIONS ON ESTABLISHMENTS OR ENTERPRISES**
286. **WHICH PROMOTE, FACILITATE, OR CONDUCT ACTIVITIES CONSTITUTING**
287. **CHILD PROSTITUTION AND OTHER SEXUAL ABUSE, CHILD TRAFFICKING,**
288. **OBSCENE PUBLICATIONS AND INDECENT SHOWS.**

289. All establishments or enterprises which promote or facilitate child
290. prostitution and sexual abuse, child trafficking, obscene publications and indecent
291. shows and other acts of abuse shall be immediately closed/padlocked and their

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292. authority or license to operate shall be cancelled, without prejudice to the owner
293. and/or manager thereof being prosecuted under existing laws.

294. Any person/s and/or business establishment/s or even owners of private
295. dwellings that sell, facilitate, promote, publish, show or exhibits, manufacture or
296. reproduce smut/pornographic/ bold pictures, magazines, books and any form of
297. publications, videos in any form, illicit and lewd/obscene shows and/or x-rated
298. movies to minors shall be subject to confiscation of obscene material/s and closure
299. of establishment, without prejudice to their prosecution under other existing laws.

300. **SECTION 10. EMPLOYMENT OF CHILDREN.**

301. 1. Employment of children below fifteen (15) years of age shall not be
302. allowed in the Municipality of Abuyog except:

303. a. When a child works directly under the sole responsibility of his
304. parents or legal guardian and where only members of the employer's family are
305. employed: Provided, however, that his employment neither endangers his life,
306. safety, health and morals, nor impairs his normal development; Provided, further,
307. that the parent or legal guardian shall provide the said minor child with the
308. prescribed primary and/or secondary education; or

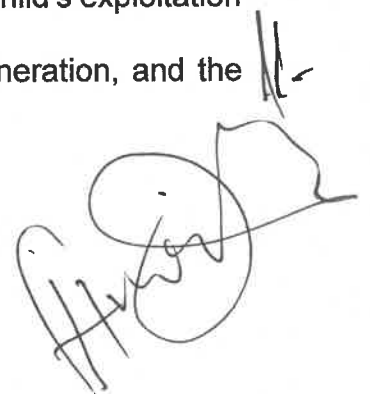
309. b. Where a child's employment or participation in public entertainment
310. or information through cinema, theater, radio or television is essential: Provided:
311. that employment contract is conducted by the child's parents or legal guardian,
312. with the express agreement of the child concerned, if possible, and the approval
313. of the Department of Labor and Employment; and Provided, that the following
314. requirements in all instances are strictly complied with:

315. b.1. The employer shall ensure the protection, health, safety, morals and
316. normal development of the child;

317. b.2 The employer shall institute measures to prevent the child's exploitation
318. or discrimination taking into account system and level of remuneration, and the
319. duration and arrangement of working time and;



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320. b.3 The employer shall formulate and implement, subject to the approval
321. and supervision of competent authorities, a continuing program for training and
322. skills acquisition of the child.

323. c. The employer shall register the child employee with the Abuyog,
324. Leyte Council for the Welfare of Children and Family Concerns and shall seek the
325. approval of the Department of Labor and Employment and the local MSWD Officer
326. to ensure that the benefits and protection measures shall be accorded to the child.

327. 2. No person or operator of transportation vehicle such as tricycles,
328. jeepney, pedicabs and taxis shall employ or allow minors as driver thereof. Those
329. who will violate this provision shall suffer the penalty under existing laws and
330. cancellation of the Certificate of Public Convenience (franchise) to operate public
331. transportation.

332. 3. No person shall employ a child to model in all forms of commercial
333. or advertisements promoting alcoholic beverages, intoxicating drinks, tobacco and
334. its by-product, junk foods and violence. Any person who shall violate any provision
335. of this section shall suffer the penalty as prescribed in Section 16 of Republic Act
336. 7610.

337. 4. Person/s who hire, employ, use, persuade or coerce a child to
338. perform in obscene exhibitions and indecent shows, whether live or in video, pose
339. or model in obscene publications or pornographic materials shall suffer the penalty
340. as prescribed in Section 9 of Republic Act 7610.

341. 5. Any person/s who shall use, coerce, or force or intimidate a street
342. child or any other child to beg or use begging as a means of living shall be
343. penalized under Section 10 (e) of Republic Act 7610. Children found to be begging
344. shall be rescued and brought to the custody of the Municipal Department of Social
345. Welfare and Development Office for proper treatment and care while parents of
346. these children will undergo counseling and responsible parenting formation.

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CHAPTER III

348.

PROTECTION MEASURES ON MINORS

349.

SECTION 11. CURFEW ON MINORS. For the protection of minors, they

350.

are prohibited from loitering in public places or moving outside their residences

351.

between the hours of 10:00 O'clock in the evening and 4:00 O'clock in the morning.

352.

Should there be a necessity for them to be outside their residences during curfew

353.

hours, they should be accompanied by their parent/s.

354.

Responsible elders or guardians, otherwise, they should secure a

355.

curfew pass as prescribed by Municipal Ordinance No. 12 s. 2006

356.

Offenders found to be under the influence of liquor or illegal drugs

357.

and/or is causing harm, alarm and scandal to himself or others shall be temporarily

358.

held under the custody of the Barangay until the child offender is sober, calms

359.

down and ready to be sent home. Concerned parent/s or guardians of the minor

360.

shall be immediately summoned before the Barangay Council for the Protection of

361.

Children (BCPC) for orientation and counseling.

362.

Eight (8) hours of community service with two (2) hours of lecture

363.

and counseling on parents' effectiveness shall be imposed on the child's

364.

parent/guardian found to have violated the Municipality Ordinance No. 12 s. 2006.

365.

366.

SECTION 12. LOITERING DURING SCHOOL HOURS. Students or school

367.

children are banned from loitering in public places outside their school

368.

grounds/campuses during school hours unless they are accompanied by their

369.

parents/legal guardian or are attending an official school function or activity.

370.

Students and/or school children who will be caught loitering in public places

371.

outside their school grounds/campuses during school hours shall be sanctioned

372.

as follows:

373.

a. Seventy-two (72) hours of orientation on social concerns and

374.

community service and counseling.

375. b. Concerned parent or guardian shall be notified and be required to
376. attend parent's orientation seminar and community service for seventy-two (72)
377. hours in their respective barangays.

378. c. Concerned schools of students found loitering shall be immediately
379. notified by the apprehending officers for its information and appropriate action.

380. Commercial Establishments which offer and promote vices such as
381. but not limited to video arcades, bars, amusement centers, and gambling places
382. to school children during school hours shall be subjected to closure/revocation of
383. business permit and confiscation of their gadgets, equipment, machines and other
384. paraphernalia.

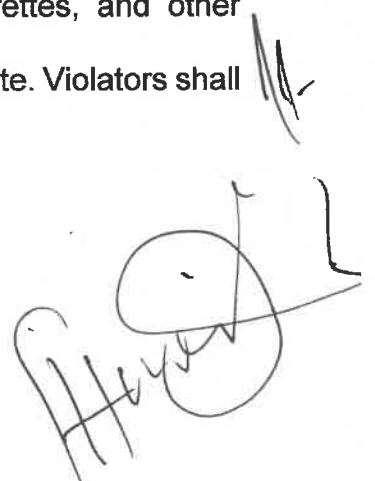
385. **SECTION 13. FRATERNITIES AND GANGS.** No person shall force,
386. coerce, bully or deceive any juvenile into joining any organization, fraternity,
387. sorority, gang or association involved in unlawful activities or any deviant activities
388. such as but not limited to vandalism, violence and sexual perversion. Any person
389. who shall force, coerce or deceive any minor/juvenile into joining any organization,
390. fraternity/sorority or gang within the campus or outside the school grounds shall
391. be sanctioned with one (1) month of community service or twelve (12) months
392. imprisonment or both without prejudice to his/her/their prosecution under Republic
393. Act 8049.

394. Hazing or initiation rites are discourage, if not regulated, conforming
395. with Republic Act 8049, an "Act Regulating Hazing and other Forms of Initiation
396. Rites in Fraternities, Sororities and Other Organizations and providing Penalties
397. Therefore"

398. **SECTION 14. SMOKING AND LIQUOR BAN ON MINORS.** It shall be
399. unlawful for any person or establishment to sell liquor, cigarettes, and other
400. tobacco products to minors within the Municipality of Abuyog, Leyte. Violators shall
401. be penalized as follows:

402. *1st Offense: Fine of Five Hundred Pesos (P500.00)*

403. *2nd Offense: Fine of One Thousand Pesos (P1,000.00)*



404. *3rd and Succeeding Offenses: One Thousand Five Hundred Pesos (P1,*
405. *500.00) and closure of business establishment and revocation of business*
406. *permit.*

407. **SECTION 15. MINORS ARE BANNED FROM BUYING VOLATILE**
408. **SUBSTANCES SUCH AS RUGBY (TOLUENE) AND OTHER SIMILAR**
409. **SUBSTANCES DEFINED AND ENUMERATED UNDER SECTION 1 OF P.D.**
410. **1619.** Any persons who sell or allows the selling of rugby (Toluene) and other habit
411. inducing solvents to minors shall be penalized under Section 3 of P.D. 1619 and
412. closure of the establishment selling the aforesaid substances to minors and
413. revocation of its business permit.

414. **SECTION 16. MINORS ARE BANNED FROM ENGAGING IN ANY FORM**
415. **OF GAMBLING.** Any person or establishment who allows minor/s to engage in
416. any form of gambling shall be Penalized by revocation of their permit to operate
417. without prejudice to their being prosecuted under P.D. 1602 as amended by
418. Republic Act 9287.

419. Establishments authorized to operate lottery such as lotto and other
420. games such as Bingo, Cockfighting, and Horse Racing (Off-Track) Betting stations
421. are prohibited from accepting bets from minors. Violator/s shall be punished by
422. closure of the establishment plus revocation of its business permit.

423. **SECTION 17. PROHIBITION ON TRICYCLE AND PEDICAB**
424. **OVERLOADING UTILIZED AS SCHOOL SERVICE FOR CHILDREN.** As child's
425. welfare and safety are the primary objectives of this ordinance, it is hereby
426. prohibited the overloading of children passengers in tricycles and pedicabs or
427. utilize such as school service for children. This practice endangers the lives of the
428. students, the driver as well as ordinary passers-by. The said prohibited act shall
429. be penalized accordingly by regulations set forth by the Tricycle Regulation Office
430. and Traffic and Parking Management Office.

431.

CHAPTER IV

432.

SURVIVAL AND DEVELOPMENT RIGHTS OF CHILDREN

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433. **SECTION 18. EARLY CHILDHOOD PROGRAM FRAMEWORKS.** The
434. Local Municipal Government of Abuyog, Leyte shall ensure up to the maximum
435. extent possible the survival and development of the child. The program on survival
436. and development shall include the following:

437. a. Monitoring of registration of births and completion of the
438. immunization series for prevention of tuberculosis, diphtheria, pertussis, tetanus,
439. measles, poliomyelitis, and such other deceases for which vaccines have been
440. developed for administration to children up to six (6) years of age;

441. b. Growth and nutritional monitoring with nutritional feeding and
442. supervision of nutritional intake through community visitations of Barangay
443. Nutrition Council (BNC) and Barangay Health Workers (BHW);

444. c. Material and Network of surrogate parents-teachers who will provide
445. intellectual and mental stimulation to children, as well as supervised wholesome
446. recreation, with a balanced program of supervised play, mentally-stimulating
447. activities, and group activities with peers;

448. d. Working closely with non-government organizations (NGO'S) and
449. private institutions which can provide or serve a sanctuary for abused, neglected
450. or exploited children which will take in children in urgent need of protection due to
451. a situation which endangers the child or which has exposed the child to cruelty and
452. abuse;

453. e. A Reproductive Health Care Center for pregnant mothers for
454. prenatal and neonatal care and, in the proper case, for delivery of the infant under
455. conditions which will remove or minimize the risk to the mother and child;

456. f. Day Care Centers with adequate facilities shall be established in
457. every Barangay- A Barangay Level network of assistance from the adults of the
458. Barangays for the total development and protection of children shall assist the
459. social workers and Day Care Center teachers in implementing the programs for
460. the children.

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461. **SECTION 19. PROMOTION OF PRIMARY HEALTH CARE PROGRAM.**

462. The Barangay Health Centers shall implement the primary health program. Each
463. Barangay Health Center shall have a Barangay Child Health Officer tasked to
464. monitor child health in the Barangay level with a salary commensurate to the task
465. assigned and in accordance with the standards of the Civil Service Commission.

466. The Municipal Health Officer of Abuyog, Leyte shall take the
467. following appropriate measures:

468. a. To combat diseases and malnutrition within the framework of primary
469. health care;

470. b. To establish a Comprehensive Parent's Orientation Development
471. Program which includes courses on reproductive health, child health and child
472. rearing practices, and family planning in the context of the Filipino psychology and
473. culture;

474. c. To monitor the full implementation of Executive Order 51 otherwise
475. known as the Milk Code of the Philippines, and advocate the prosecution of milk
476. firms which violate the same;

477. d. To conduct massive information and education on breastfeeding,
478. utilizing existing materials for effective breastfeeding education program;

479. e. The Municipality shall advocate for the implementation of Nursing
480. Stations within the workplace for both private and government establishments;

481. f. All health practitioners dealing with child health in government and
482. private hospitals and other institutions shall be required to complete a
483. Comprehensive Training Course in Child Health Care.

484. **SECTION 20. PROMOTION OF NEW BORN SCREENING PROGRAM.**

485. The Municipality shall implement a new born screening program to ensure that
486. every newborn has access certain inheritable condition that can result to mental-
487. handicap, serious health complications or death if left undetected and untreated in
488. conformity with the provisions of Republic Act 9288 or the New born Screening Act
489. of 2004. The program on newborn screening shall include the following:

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490. a. All children born in public and private lying-in clinics, public and
491. private hospitals and homes must undergo newborn screening test within the first
492. forty-eight (48) hours after birth, but not later than three (3) days from the complete
493. delivery of the newborn.

494. b. The administration of the New Born Screening Test to babies whose
495. parents are indigent residents of the Municipality and born at the Abuyog Rural
496. Health Unit, or in any lying-ins and health centers of the Municipality shall be given
497. for free, upon presentation of a Family Access Card a Certification from the Local
498. MSWD of their indigency.

499. c. All Children of Abuyog, Leyte residents who are born outside of the
500. Municipality must also undergo a new born screening test.

501. d. Any health practitioner in the Municipality of Abuyog who delivers
502. and assists in the delivery, of a new born shall, prior to deliver, inform the parents
503. or legal guardian of the newborn of the availability, nature and benefits of new born
504. screening.

505. e. The Municipality Health Department shall conduct continuing
506. information, education, re-education and training program for health personnel on
507. the rational, benefits, procedures of new born screening.

508. f. Any parent or legal guardian who refuses to subject their newborn to
509. a screening on a valid or religious ground and belief shall acknowledge in writing
510. their understanding and refusal for testing will prevent early detection of child's
511. disability that may manifest on onset of the developmental age of the child. A copy
512. of this refusal documentation shall be made part of the new born child's medical
513. record, and said refusal shall be indicated in the National New Born Screening
514. Database.

515. g. The amount of Three Million Pesos (P3,000,000.00) shall be set
516. aside in the Budget Appropriation of the Municipality annually to be spent in the
517. implementation of New Born Screening Program.

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CHAPTER V

PARTICIPATION RIGHTS OF CHILDREN

SECTION 21. PARTICIPATION OF CHILDREN IN DECISION-MAKING

PROCESSES. Article 12 of the Convention on the Rights of the Child states that children have the right to participate in decision making processes that may be relevant in their lives and to influence decisions taken in their regard within the family, the school or the community. It shall be the responsibilities of adults especially that in the local governance to provide opportunities and venue for children to express their views or ideas on matters concerning their development and welfare. In this regard, the local government offices involved in policy formulation are mandated to ensure that the children sectors are properly represented during deliberations, consultations and formulation of policies relevant to children's development and welfare.

SECTION 22. STATE OF THE CHILDREN'S REPORT. As embodied in

Article 12 paragraph 2 of the Convention on the Rights of the Child, Children's Congress or the State of the Children's Report shall be an avenue for Children to be heard and be assessed of all children related policies and programs done by the Municipality.

Every NGO's concerned with Children shall be instrumental in the process of the preparation and evaluation of the Convention. It shall be held every November during the celebration of Children's month.

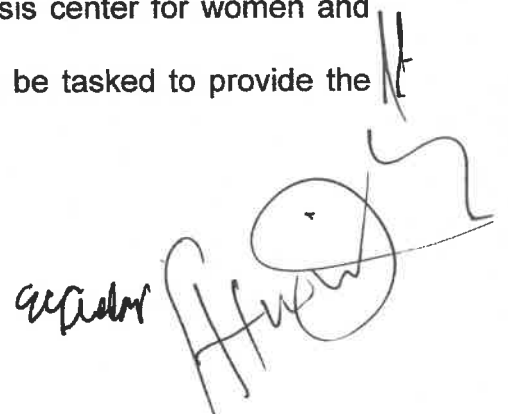
CHAPTER VI

REHABILITATION AND SUPPORT SYSTEM

SECTION 23. INSTITUTING THE "WOMEN'S HUB" OR CRISIS CENTER

FOR WOMEN AND CHILDREN WHO ARE VICTIMS OF DOMESTIC VIOLENCE

AND ABUSE. The "Women's Hub", shall serve as crisis center for women and children who are victims of domestic violence: It shall be tasked to provide the following:



546. a. To provide temporary shelter and basic services to abused children
547. and women;

548. b. To network with non-government organizations and government
549. agencies for the provision of the needed medical, psycho-social and legal services
550. necessary in restoring/building the self-esteem of its clients;

551. c. To encourage and build the capacities of abused children and
552. women to come into the open and pursue cases in court whenever they are ready.

553. d. To provide life skills and livelihood training to abused children and
554. women while in the center to enable them to be productive and as a form of
555. therapy,

556. e. To provide livelihood assistance and placement to abused children
557. and women e. who are ready to be reintegrated with their families and
558. communities;

559. f. To conduct a pro-wide education and advocacy program aimed at
560. raising public awareness on the evils of child abuse and domestic violence, and a
561. massive information dissemination on the rights of children and women.

562. **SECTION 24. SUPERVISION AND FUNDING.** The said center shall be
563. under the supervision and operation of the Municipal of social Welfare and
564. Development of the Municipality of Abuyog and to the Gender and Development
565. Fund where it derives its support, operational needs and other budgetary
566. requirements.

567. **SECTION 25. MONITORING, EVALUATION AND ASSISTING**
568. **PROGRAMS FOR CHILDREN AND OUT-OF-SCHOOL YOUTHS.** Monitoring
569. and Evaluation is essential for program and goal setting towards children welfare.
570. This shall be the basis of fund allocation and further improvement of a particular
571. program. Programs for early childhood stage and youth are as follows:

572. a. The Municipal Government of Abuyog, Leyte shall endeavor to utilize
573. and avail of alternative education program sponsored by the Bureau of Alternative
574. Learning System of the Department of Education (Dep-Ed). Likewise, it shall

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575. pursue tie ups and partnerships with other private institutions that can and are
576. willing to provide trainings, scholarship grants and other programs for the well-
577. being of the out-of-school youths of Abuyog, including livelihood programs that will
578. help them secure part time employment or allow them to venture into part time
579. businesses which can help them sustain their education on their own.

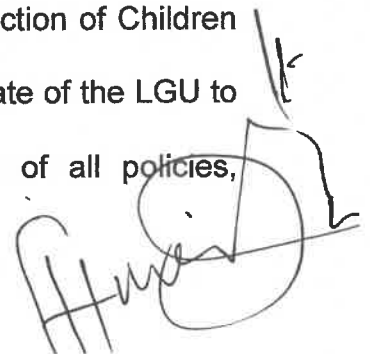
580. b. Subject to existing national laws governing education, labor and
581. employment, the Municipality of Abuyog, Leyte shall endeavor to constitute laws
582. and precepts that will allow flexibility to working out-of-school youth (OSY) and
583. provide a "work and study" environment conducive to the continuance of their
584. education.

585. c. Conduct of a yearly census that shall monitor the decrease or
586. increase in the number of out-of school youths (OSY) in the communities and shall
587. serve as data-base to determine appropriate programs that would benefit them.

588. d. To avoid further incidence of unregistered births, the Civil Registry of
589. the Municipality of Abuyog shall conduct a community outreach program or any
590. activity at least twice a year to all barangays to inform, monitor and register all
591. unregistered births of every child.

592. e. Through the collective efforts of the Nutrition Council and Municipal
593. Health Office, to conduct the necessary programs and activities such as
594. computerized data banking, group charting, house to house interviews and the
595. likes, in order to monitor and make sure that all children below 6 years of age are
596. properly immunized and health records are well-kept and organized for future
597. health reference of the child.

598. **SECTION 26. CREATION OF THE LOCAL COUNCIL FOR THE**
599. **PROTECTION OF CHILDREN (LCPC).** The Municipality shall create a Local
600. Council for the Protection of Children and coordinate with the Barangays in the
601. creation and organization of the Barangay Council for the protection of Children
602. (BCPC) at the Barangay level. This is in keeping with the mandate of the LGU to
603. coordinate the formulation, implementation and enforcement of all policies,



604. programs, and projects relative to the survival, development and protection of
605. children of the Municipal Council.

606. The Local Council for the Protection of Children (LCPC) shall ensure
607. the effective implementation of the Philippine Government's commitment to the
608. Convention on the Rights of the Child, World Declaration on the Survival,
609. Development and Protection of Children, and the Child 21 Framework.

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

613. **SECTION 27. COMPOSITION AND FUNCTION OF THE LOCAL**
614. **COUNCIL FOR THE PROTECTION OF CHILDREN.**

615. a. Members of the Local Council for the Protection of Children (LCPC)
616. shall include the following agencies/units or offices, and other agencies it deems
617. important depending on the current specific situation/problems of the locality:

618. 1. The Municipal Mayor;
619. 2. The Chairperson of the Sangguniang Bayan Committee on Women,
620. Men, Children, and Family Affairs;
621. 3. The Municipal Planning and Development Coordinator,
622. 4. The Municipal Social Welfare and Development Officer,
623. 5. The Municipal Health Officer,
624. 6. The Municipal Schools Division Superintendent;
625. 7. The Municipal Prosecutor or the City Public Attorney's Office,
626. 8. The President of the Municipal Federation of the Sangguniang
627. Kabataan (SK);
628. 9. Two (2) People's Council representatives;
629. 10. One (1) child representative;
630. 11. The President of the Liga ng mga Barangay (LNB);

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631. 12. A member of the Local Finance Committee; A representative of the
632. Municipal Local Government Operations Officer of the Department of the Interior
633. and Local Government DILG);

634. 13. A representative of the Philippine National Police City Command;

635. b. The Local Council for the Protection of Children (LCPC) shall have
636. the following functions:

637. I. To formulate the Municipal plan of action for children, incorporating
638. projects and programs needing assistance submitted by their constituent
639. Barangays; and ensure the integration of these plans into Municipal Development
640. Plan;

641. II. To review and integrate the Municipality program and projects
642. needing assistance into the Municipality Comprehensive Program for Children;

643. III. To monitor and evaluate the implementation of the Barangay and
644. Municipal Plans and Program;

645. IV. To submit quarterly status reports on the implementation of the
646. Municipality. Comprehensive Program for Children through the Municipal
647. Development Council (MDC):

648. V. To recommend policies and programs to the MDC;

649. VI. To provide the necessary technical assistance to the Municipal and
650. Barangay Councils if called for,

651. VII. To advocate for the passage of relevant child and youth protective
652. ordinances;

653. VIII. To advocate for increased support and resource allocation for
654. children's programs and projects from city government and secure resources for
655. the same other sources;

656. IX. To provide technical assistance to the community-based frontline
657. workers through the conduct of capability building and human resource
658. development activities;



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

661. XI. To identify and recommend programs and services to be contracted
662. for implementation by NGO's and other entities in the implementation of this code.

663. c. TECHNICAL WORKING GROUP. The Technical Working Group
664. shall act as the legwork of the Council in the data-gathering, monitoring, evaluation
665. and coordination of programs to various related agencies and to the Members of
666. the Council. It shall be headed by a Program Coordinator to be identified by the
667. Council with the approval of the Chairman.

668. d. INTERNAL RULES AND REGULATION OF THE LOCAL COUNCIL
669. FOR THE PROTECTION OF CHILDREN (LCPC). The Local Council for the
670. Protection of Children (LCPC) shall adopt its own Internal Rules of Procedures and
671. Regulations to serve as guidelines for the Members in the discharge of their official
672. functions such as the organization's structure, parliamentary procedure, order of
673. meeting and quorums, discipline and such other rules the Council may adopt.

674. e. OPERATIONAL BUDGET. An operational budget for the Local
675. Council for the Protection of Children (LCPC) shall be allocated from the Gender
676. and Development Fund of the Municipality as mandated by Republic Act 7192.

677. f. Secretariat support shall be provided by the Office of the Municipal
678. Social Welfare and Development or any appropriate office. The secretariat shall
679. be responsible for the documentation of proceedings of meetings and preparation
680. of the reports and other necessary documents as needed by the Council

681. **SECTION 28. THE BARANGAY AND THE BARANGAY COUNCIL FOR**
682. **THE PROTECTION OF CHILDREN (BCPC).** The Barangay Council shall create
683. a Barangay Council for the Protection of Children (BCPC), the composition of
684. which shall be determined by the former depending on the needs and
685. circumstances in the area. The (BCPC) shall have the following functions:

686. a. The functionality of every Barangay Council for the Protection of
687. Children (BCPC) in all Barangays shall be strengthened.

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688. b. As spearheaded by the Barangay Council for the Protection of
689. Children (BCPC), every Barangay shall advocate, support and uphold every right
690. of the child.

691. c. Shall allocate space for recreation and provide recreational facilities
692. appropriate for children's gender and age in every Barangay.

693. d. Every Barangay shall establish a Women-Children's Desk and
694. appoint a qualified, child friendly and gender-sensitive officer knowledgeable in
695. handling cases involving children.

696. The Women-Children's Desk shall primarily, among any other, protect and
697. assist abandoned, maltreated and abused children and facilitate their cases filed
698. against abusers;

699. e. In support of the socio-cultural development of children in Abuyog,
700. Leyte, the Local Municipal Government shall invest in the protection of local
701. children's literature or other relevant materials. Hence all Barangays shall create
702. their respective public libraries or computer rooms for research and learning
703. purposes. This shall be spearheaded and funded by the Sangguniang Kabataan
704. or may be sourced out from different NGO's.

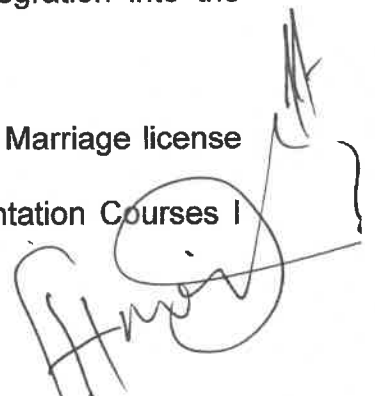
705. f. To foster education and nutrition program for every child in the
706. Barangay.

707. g. To encourage the proper performance of the duties of parents and
708. provide learning opportunities on the adequate rearing of children and on positive
709. parent-child relationships.

710. h. To advocate for the passage of a child-friendly barangay ordinances
711. in response to child related issues and concerns;

712. i. To prepare the barangay plans of action for children which address
713. the needs of children in the community and ensure their integration into the
714. Barangay Development Plan;

715. **SECTION 29. PARENTING-ORIENTATION COURSES.** Marriage license
716. applicants shall be required to participate in a Parenting Orientation Courses I



717. among other requirements, prior to the issuance of marriage license by the
718. Municipal Civil Registrar's Office. This course becomes an integral part of existing
719. Family Planning Seminar on Reproductive Health Course.

720. Parent applicants for birth certificate of the child shall also be
721. required to participate in a Parenting Orientation Course II, as follow-up to the first
722. course before issuance of Certificate of Live Birth by the Civil Registrar without
723. prejudice to the early registration of birth re under existing laws. Modules on these
724. courses shall be designed by the Abuyog, Leyte Council for the Protection of
725. Children and the Municipal Social Welfare and Development Office in close
726. coordination with the Municipal Health Office and any existing NGO engaged in
727. child-focused programs.

728. **SECTION 30. REFORMATION OF CHILDREN IN CONFLICT WITH THE**
729. **LAWS.** Children who are involved in anti-social or related activities shall be
730. registered in a reform program that shall assist in rebuilding themselves and
731. reintegration into the mainstream of society. Those programs shall include the
732. following:

733. a. **MONITORING OF SUSPENDED CASES OF CHILDREN AND**
734. **APPROPRIATE ASSISTANCE.** Application for suspension on of sentences of
735. children involved in anti-social activities shall be done by the Abuyog Municipal
736. Council for the protection of children.

737. b. A special team from said office shall monitor closely the cases
738. involving children to adequately enforce the suspension or sentences. Appropriate
739. and responsive rehabilitation program shall be accorded to them under the core of
740. the Abuyog Municipal Council for the Protection of Children. The framework of
741. assistance shall be designed by the said Council in close coordination with NGO's
742. and professionals with special interests in children's rehabilitation.

743. c. **APPOINTMENT OF WOMEN AND CHILDR AND CHILD FRIENDLY**
744. **POLICE PROCEDURES.** Each police precinct in Abuyog, Leyte shall have a
745. Women and Children's Desk Officer to handle cases involving children. Chi d-

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746. friendly police procedures shall be implemented as contained in the Police
747. Handbook on the management of cases of children in especially difficult
748. circumstances. Each PNP element shall be provided a copy of the said handbook.

749. d. SPECIAL COURSE FOR PNP. A special course for members of the
750. Philippine National Police shall be designed to handle effectively children involved
751. in anti-social activities. A team of PNP members shall take up the course-related
752. section and other Child and Youth Relations Officers in each PNP detachment.
753. Relevant activities shall be provided by the Abuyog Municipal Council for the
754. Welfare of Children and Family Concerns in close coordination with the Philippine
755. National Police Child Protection Team.

756. e. The Abuyog, Leyte Bureau of Jail Management and Penology and
757. Abuyog PNP Jail Warden shall designate a Special Home-Like Facility Exclusive
758. for Children in Conflict with the Laws.

759. **SECTION 31. OTHER REHABILITATION, SUPPORT AND DIVERSION**
760. **PROGRAMS FOR CHILDREN IN CONFLICT WITH THE LAW.**

761. a. The Municipality shall create a Youth Home that will serve as a venue
762. for counseling, educating, and other diversion programs for children who are in
763. conflict with the law.

764. b. Reinforcing and strengthening the programs and activities of the
765. MSWD and Abuyog Anti-drug Abuse Council (AADAC).

766. **CHAPTER VII**
767. **DEVELOPMENT PLAN FOR CHILDREN**

768. **SECTION 32.** The Abuyog Children's Development Plan was formulated
769. through the collaborative involvements of major stakeholders in the Municipality,
770. from the Municipal Government to Sectoral Representatives, non-governmental
771. organizations and the youth with the vision of Abuyog as a child-friendly
772. Municipality. This Development Plan for Children shall serve as a guiding
773. instrument for further development of the Code based on the varying needs and
774. situations of children's condition in the Municipality of Abuyog.

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775. **SECTION 33. INVESTMENT PLAN FOR CHILDREN.** The investment plan
776. for Children shall be indicative of its source funding. Concerned agencies shall
777. source out funding either from the local, national or private funds so as to maintain
778. sustainability of children's programs. Every stakeholder shall undergo workshops
779. and seminars to update the development plan with their corresponding funding
780. need.

781. **CHAPTER VIII**

782. **FINAL PROVISION**

783. **SECTION 34. RULES AND REGULATIONS.** Unless otherwise provided in
784. this Ordinance, the Municipal Legal Office, in coordination with the Abuyog
785. Municipal Council for the Welfare of Children and Family Concerns shall
786. promulgate the rules and regulations for the effective implementation of this
787. Ordinance. Such rules and regulations shall take effect upon its publication in two
788. (2) local newspapers of general circulation.

789. **SECTION 35. APPROPRIATIONS.** The amount necessary to carry out the
790. provisions of this Ordinance shall be appropriated in the Municipal Annual Budget
791. under the Gender and Development Fund as mandated by Section 27 of the
792. General Appropriations Act and Republic Act 7192 otherwise known as the
793. Women in Nation Building Act.

794. **SECTION 36. SEPARABILITY CLAUSE.** If, for any reasons, any parts or
795. provisions of this Code shall be held to be unconstitutional or invalid, other parts
796. or provisions hereof which are not affected thereby shall continue to be in full force
797. and effect.

798. **SECTION 37. APPLICABILITY CLAUSE.** All other matters relating to the
799. impositions or regulations provided in this Code shall be governed by the pertinent
800. provisions of existing laws and other ordinances. This Code shall apply to all the
801. people within the territorial jurisdiction of the Municipality of Abuyog, Province of
802. Leyte and to all persons, who may be subject to the provisions of this code.

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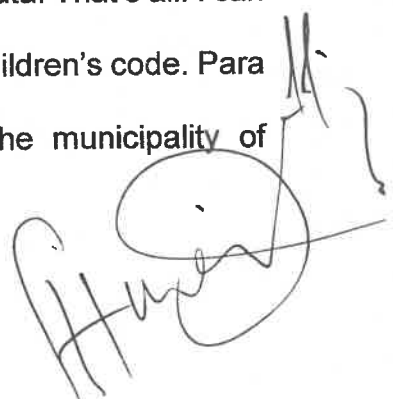
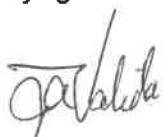
803. **SECTION 38. REPEALING CLAUSE.** All ordinances, resolutions,
804. executive orders and other issuances which are inconsistent with any of the
805. provisions of this Code are hereby repealed or modified accordingly.

806. **SECTION 39. EFFECTIVITY CLAUSE.** This Ordinance shall take effect
807. fifteen (15) days after its approval and publication to at least once in a newspaper
808. of general circulation in Leyte and continuous display in the bulletin board of all the
809. barangays in the Municipality of Abuyog, Leyte.

810. Thank you and good morning.

811. **HON. ALLERA:** Okay that will be all for this draft ordinance authored by
812. Honorable Francisco B. Landia, any suggestion or any question regarding this
813. ordinance. An aton DILG officer, Sir Ivan.

814. **SIR IVAN:** Good morning, Honorable Allera. Thank you for the opportunity
815. that was given to us to participate in the formulation of the amendment of Children's
816. Code of our municipality. If I may, I would like to suggest as well as to purpose of
817. national laws for the inclusion to our children's code of the municipality of Abuyog
818. and comprehensive nutrition program for children as well...provision of
819. juvenile...mandatory rule barangay... barangay 3 to 4 years old... papa-implement
820. nat sa children's code. Mandatory establishment of recreational facility, na
821. kinanghalan... waray nira place na pagmumulayan... kung may minor's
822. unaccompanied... another is kainang pampampaliya, makapag prepare san
823. pagkaon nira. an aton mga adults... children... RA 10666 emergency situation
824. Children's Safety on Motorcycles Act...national mental health policy I would like to
825. distinguish children pag hahandle sa mga medyo may mga kulang an ira mental
826. capacity. Masustansyang pagkain para sa batang Pilipino RA 11037,
827. comprehensive nutrition program under child development... special protection
828. against child abuse... mga kabugtuan... proteksyon han mga bata. That's all. I can
829. also provide a list of this so that we can incorporate han aton children's code. Para
830. maging comprehensive thru han aton children's code of the municipality of
831. Abuyog. Thank you.



832. **HON. ALLERA:** Okay, thank you han aton DILG Officer for your suggestion.
833. Please submit your proposal to the SB Secretary and the committee will study first
834. your recommendation during our deliberation in the period of amendment we have
835. to recommend that if possible to the plenary and the author kun sumugot ba siya
836. o diri so the committee ma-request kami sa amon author kun okay la ba siya na
837. isingit an imo recommendation. But before that the committee will study first kun
838. angayan ba o diri, next session we will submit this for 2nd reading para deliberation,
839. para sa sunod na session for 3rd reading na para madali matema ini dayon ini nga
840. aton ordinansa. Thank you very much i-submit ha, alayon pag submit. Any other
841. suggestion or question or manifestation or queries or clarifications gikan sa iyo nga
842. tanan. Waray na? Sa mga social services ayaw kabaraka pag na approve ini sa
843. Sangguniang Panlalawigan, tagaan ko kamo sin kopya. Diri pa man ini final, i-
844. submit pa ini sa plenary for deliberation. May ada sini penalty i-publish pa ini sa
845. newspaper sa local circulation before an implementation. Basta mayda ngani
846. penalties na provision ibutang ta pa ini sa... after public hearing ka approve sa SB,
847. papirmahan sa Mayor good as approved iton pero diri kita maka-implement
848. kinahanglan anay ma-post in local circulation for at least 10 days ugsa
849. implementation. Makuan ngani anytime pwede na kita maghatag sa final na
850. ordinansa na. kay kung waray la penalty, pwede la kuan, kung charges and fees
851. la ini pwede iton diri na. So any other clarifications or queries mga pangutana kay
852. kun waray na aton na ini temahon. I-adjourn, pero mayda naton ordinansa na
853. authored by Honorable Jeannette Valida, mga 10 – 15 mins la ini kay ini naman
854. public hearing i-diretso nala; so after sini anhi na maniudto. So, kun waray na
855. pakiana, okay na? Sige.

856. **BRGY. SECRETARY:** Good morning, I am the Brgy. Secretary of Brgy.
857. Balinsasayao. Pagkaintindi ko didto sa ordinansa, are we the barangay have also
858. funds for this?

859. **HON. ALLERA:** Pwede ang barangay maghimo, pwede ngani i-adapt an
860. ordinansa san local. So kung mayda mga penalties dida ayaw la pagtupunga. For

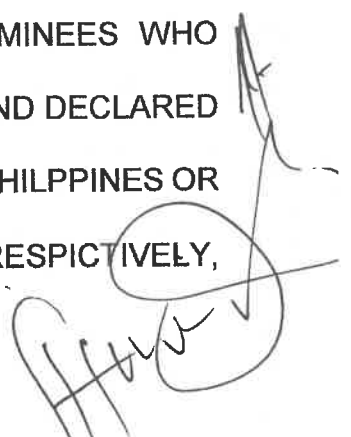
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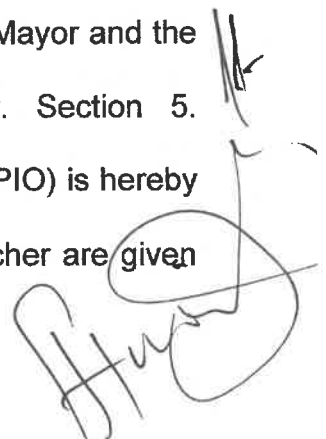
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861. example ano, iyo iton i-adapt an penalties signgon ta 5000 an nhibutang dida. So
862. pwede la niyo, kay an barangay up to 2500 an penalty an iyo maximum, pwede sa
863. 1st offense 1000 pesos, 2nd offense 2000, an maximum 2500 pesos nga pwede an
864. barangay sin penalty ayaw kamo pagpasobra siton. Sobra siton diri na pwede so
865. kung mag appropriate kamo sin pondo pwede kamo ubos ubos la an iyo pondo
866. dida siton nahimo nga ordinansa. Studyohi nala niyo iton kay anytime pwede niyo
867. mai-implement, bisan diri maghimo iyo, i-adapt iton kamo mismo sa brgy. an
868. mismo mag implement siton pinaagi sa ordinansa san munisipyo. Anytime pwede
869. na kamo pag na approve na iton pwede niyo i-implement mismo iton diri na i-adapt
870. sa Sangguniang Barangay. Tapos an problema la didi sa penalty igkadi niyo sa
871. munisipyo pag mayda kuan, an ako sadto nga kun i-adapt niyo kamo it magbuot
872. sa iyo an penalty na mabayad amo iton nga pag-adapt san ordinansa. Ada gihap
873. nakabutang an Brgy. Children's Council nga magkuan kamo obligado kamo
874. pinaagi san ordinansa, obligado kamo magcreate siton nga kuan, so amo it ma
875. implement sira. Kada brgy kamo na mag-implement ada iton sa ordinansa. Any
876. other questions? Clarifications? So, waray na. Sige, thank you very much. In behalf
877. of the committee of social services development, and the committee of human
878. rights chaired by Honorable Pat Pat Risos, Vice Chair of social services of
879. Jeannette A. Valida, member Honorable Editha Deloy, Vice chair of human rights
880. Honorable Jun Almendra, especially to the author Honorable Francisco Boy
881. Landia. Sa iyo nga tanan, damo nga salamat san iyo pag attender sini nga public.
882. Hearing. The public hearing is now adjourned. Thank you very much. Ipadayon ta
883. la ini ako nala mag emcee gihap, an aton adi kuan isingit sini nga public hearing
884. an title sa draft ordinance authored by Hon. Francisco B. Landia, Chairman
885. committee on education, culture and the arts. An title sini nga draft ordinance is
886. "AN ORDINANCE GRANTING CASH INCENTIVES TO EXAMINEES WHO
887. EXCELLED IN EITHER THE BAR OR BOARD EXAMINATION AND DECLARED
888. TOPNOTCHERS BY EITHER THE SUPREME COURT OF THE PHILIPPINES OR
889. THE PROFESSIONAL REGULATIONS COMMISSION RESPECTIVELY,



890. PROVIDING FUNDS THEREFOR AND FOR OTHER PURPOSES” amo it title so
891. para pagpadayon, ighatag ko kamo san aton author, chairman on education,
892. Honorable Francisco B. Landia.

893. **HON. LANDIA:** Good Morning sa aton nga tanan. May ada la ako gin
894. propose didi sa konseho nga ordinansa. Kadali lang ini siya kay naghatag la ini sin
895. incentives para san mga Abuyognon nga nakapasar ngan naging top notcher sin
896. exam sa Bar or sa Board Examinations. So, aton basahon ini nga ordinansa para
897. makahibaro kamo ngan maipasabot sa iyo nga mulupyo sa barangay nga may ada
898. na kita sugad sini nga ordinansa nga maghahatag sin pahalipay para san mga
899. mag Top Notcher nga Abuyogonon. Tikangan ta sa Section 1., Aton basahon.
900. TITLE. This Ordinance shall be known as the “Abuyog Topnotcher Incentive
901. Ordinance”. Section 2. Definition. a. Bar Examination, is the Professional licensure
902. Examination for lawyers in the Philippines. The Adam is exclusively administered
903. by the Supreme Court of the Philippines through the Supreme Court Bar
904. Examination Committee. b. Boar Examination - refers to examinations conducted
905. nationwide as per schedule to determine qualifications of graduates of various
906. professions who seek licensure to practice their Respective professions or area of
907. specialization sanctioned by the Professional Regulation Commission (PRC). c.
908. Topnotchers - refers to individuals who are officially declared Top one (1) to Top
909. ten (10) by their either the Supreme Court of the Philippines or the Professional
910. Regulation Commission. Section 3. CASH INCENTIVES. The cash incentives will
911. be given to eligible students according to the following: a. Top 1. - FIFTY
912. THOUSAND PESOS (50,000.00) b. Top 2 -Top 5 - THIRTY THOUSAND PESOS
913. (30,000.00) c. Top 6 - Top 10 - TWENTY THOUSAND PESOS (20,000.00).
914. Section 4. CERTIFICATE. The examinees who are declared topnotchers shall be
915. given a Recognition Certificate by both the Office of the Municipal Mayor and the
916. Sangguniang Bayan through the Office of the Vice Mayor. Section 5.
917. INFORMATION DISEMMINATION. The Public Information Office (PIO) is hereby
918. mandated to ensure that the examinees who are declared topnotcher are given



919. the recognition for the pride and honor that the examinees have given the
920. Municipality of Abuyog by posting it on its social media sites and through
921. publication or posters in properties owned by the Local Government of Abuyog
922. Leyte. Section 6. REQUIREMENTS. The requirements to be eligible for the benefit
923. of this Ordinance shall be the following: 1. He must be born in Abuyog, Leyte; 2.
924. He must have been a graduate from secondary school in a school situated in
925. Abuyog, Leyte. 3. Either he/she or his/her parents is a registered voter of Abuyog,
926. Leyte. 4. He must present a certificate, or any document issued by either the PRC
927. or the Supreme Court proving the fact that he or she is a topnotcher as defined by
928. this Ordinance. Section 7. MUNICIPAL MAYOR'S DISCRETION. In case there are
929. changes made by either the Supreme Court or the Professional Regulations
930. Commission which will deviate from the traditional ranking of top ten (10), the
931. Municipal Mayor is hereby given the power to decide whether to give in an amount
932. not exceeding FIFTY THOUSAND PESOS (50,000.00) to examinees who are
933. given recognition for his or her exemplary or excellent performance in either the
934. board of bar examination in which he or she is taking. Section 8.
935. APPROPRIATION. The amount necessary to carry out the provisions of this
936. Ordinance shall be allocated annually in the Budget. Section 9. SEPARABILITY
937. CLAUSE. If any part of this Ordinance declared unconstitutional or unlawful, shall
938. not affect the other parts or the section hereof. Section 10. REPEALING CLAUSE.
939. All previous Ordinance inconsistent with this Ordinance shall be deemed repealed
940. or modified accordingly. Ngan san katapusan, Section 11. EFECTIVITY CLAUSE.
941. This Ordinance shall take effect immediately upon its approval and due publication
942. in accordance with law. So amu la adi an mga provision sini nga ordinansa.
943. Maupay ini nga bulig para pag encourage san aton mga Abuyognon nga plano pa
944. la pag take sin Bar or Board Examination para diri la pag pasar it ira goal kun gusto
945. nira kumuha sini nga mga examination kundi, an pag top notcher sini nga
946. examination. Amu la adto an tumong sini nga ordinansa. Damu nga Salamat ngan
947. Maupay nga adlaw sa aton nga tanan. Public Hearing is adjourned.

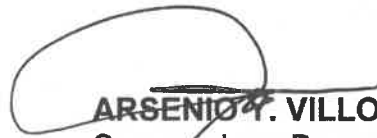
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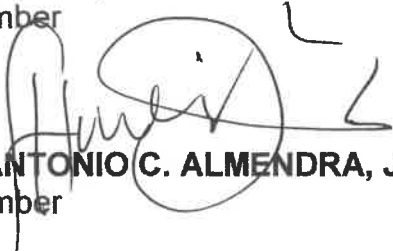

ARSENIO F. VILLOTE
Sangguniang Bayan Secretary


HON. FRANCISCO B. LANDIA
SB Member


HON. ARNOLD R. ALLERA
SB Member


HON. JEANNETTE A. VALIDA
SB Member


HON. EDITHA C. DELOY
SB Member


HON. ANTONIO C. ALMENDRA, JR.
SB Member