Item No.:

PROVINCE OF LEYTE

Provincial Capitol **Tacloban City**

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PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT

December 28, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through SP Secretary, the attached Municipal Ordinance No. 24-25 of the Sangguniang Bayan of Burauen, Leyte.

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

Municipal Ordinance No. 24-25 entitled: "An Ordinance Strengthening the Barangay Council for the Protection of Children in 77 Barangays in Burauen, Leyte, and Providing Incentives Through the Institutionalization of the Most Child-Friendly Barangay Awards".

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)(1)1 of the Local Government Code of 1991 (R.A. 7160) in consonance with RA 76102. Hence, we recommend for 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 the 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

Provincial Legal Office

¹ Section 447. Powers, Duties, Functions and Compensation. -

⁽a) The sangguniang bayan, as the legislative body of the municipality, shall enact ordinances, approve resolutions and appropriate funds for the general welfare of the municipality and its inhabitants pursuant to Section 16 of this Code and in the proper exercise of the corporate powers of the municipality as provided for under Section 22 of this Code, and shall:

⁽¹⁾ Approve ordinances and pass resolutions necessary for an efficient and effective municipal government, and in this connection shall:

² "Special Protection of Children Against Abuse, Exploitation and Discrimination Act."

Republic of the Philippines PROVINCE OF LEYTE Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

Received January Williams How Williams How Williams House Land 200 and 100 and

1ST INDORSEMENT 28 November 2024

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Municipal Ordinance No. 24-25**, of the **Municipality of Burauen**, **Leyte**, entitled: An Ordinance strengthening the Barangay Council for the protection of children in 77 barangays in Burauen, Leyte, and providing incentives through the institutionalization of the most child-friendly barangay awards.

FLORINDA JALL S. UYVICO
Secretary to the Sanggunian



OFFICE OF THE SANGGUNIANG BAYAN

November 27, 2024

THE HONORABLE MEMBERS Sangguniang Panlalawigan Province of Leyte

ATTENTION: FLORINDA JILL S. UYVICO

Secretary to the Sanggunian

Province of Leyte

Palo, Leyte

NOV 2 7 2024.

Ladies/Gentlemen:

We transmit herewith 15 copies of <u>Municipal Ordinance No. 24-25</u>, Series of 2024 of the Sangguniang Bayan of Burauen, Leyte, entitled "An Ordinance Strengthening the Barangay Council for the Protection of Children in 77 Barangays in Burauen, Leyte, and Providing Incentives Through the Institutionalization of the Most Child-Friendly Barangay Awards", for review and approval of the body.

Thank you and please acknowledge receipt hereof.

Respectfully yours,

ATTY RUDEJANE S. TAN Secretary to the Sanggunian





Republic of the Philippines Province of Leyte Municipality of Burauen



PROVINCE OF LEY

OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO.

Series of 2024

Sponsored by Hon. Cipriano R. Relatorres, Jr.

AN ORDINANCE STRENGTHENING THE BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN IN 77 BARANGAYS IN BURAUEN, LEYTE, AND PROVIDING INCENTIVES THROUGH THE INSTITUTIONALIZATION OF THE MOST CHILD-FRIENDLY BARANGAY AWARDS

WHEREAS, the Philippines is a signatory in the United Nations Convention on the Rights of the Child, the Declaration of the Rights of the Child and the Geneva Declaration of the Rights of the Child;

WHEREAS, it is the declared policy of the State and the Municipality of Burauen to protect the rights and welfare of children:

WHEREAS, children, as the future leaders and caretakers of our society, deserve essential protection and support to help them fully embrace their roles within the community;

WHEREAS, the Municipal Government of Burauen will boost the performance of BCPCs in the municipality by encouraging them to exert their best efforts in doing their tasks through giving them additional incentives;

WHEREAS, advancing the efficacy and responsiveness of all BCPCs, by giving them ample means of motivation to excel further in performing their duties and responsibilities, will propel the city towards inclusive, robust and comprehensive socio-economic development;

BE IT ORDAINED, therefore, by the Sangguniang Bayan of the Municipality of Burauen that:

Section 1. TITLE. - For brevity, this ordinance shall be known as the "Most Child-Friendly Barangay Awards Ordinance".

Section 2. PURPOSE. - This ordinance is promulgated in order to:

a. Protect and promote the rights and welfare of children;

b. Enhance the efficiency, competence, and responsiveness of barangay governments in Burauen, Leyte; and

Establish a sustainable mechanism that will continually drive the barangays to implement innovative programs effectively and sustainably for protecting and promoting children.

Section 3. COVERAGE. - This Article shall cover all barangay governments of Burauen, Leyte and shall focus on the effectiveness and innovativeness of their respective programs on the protection and promotion of children rights and welfare.

Section 4. THE MOST CHILD-FRIENDLY BARANGAY AWARD. - The Most Child-Friendly Barangay Award is hereby established to be conferred to barangays of Burauen, Leyte, which have met the criteria and conditions prescribed in this Article, as confirmed, and validated by the Awards Committee comprised herein.

Section 5. CRITERIA. - The Most Child-Friendly Barangay Award shall be conferred to outstanding barangays which have gained the highest points in the following criteria:

Municipal Ordinance No. 24-25 Most Child-Friendly Barangay Awards Ordinance

1. FUNCTIONALITY OF BARANGAY	1.1. Established Barangay		T	2 2 OR 0	OPR:
VIOLENCE AGAINST WOMEN (VAW) DESK	VAW Desk and designated Barangay VAW Desk Officer	similar issuance on the establishment of Barangay VAW Desk and designated VAW Desk Officer			MSWDO
	1.2 Attendance of the Barangay VAW Desk Officer to at least three (3) training/orientations related to gender-sensitive handling of VAW Cases not earlier than June 2023	of any proof of training such as Certificate of Completion and/or Participation (at least 3)		3 3-3 275 150 0-0	
	1.3 Approved 2024 Barangay Gender and Development (GAD) Plan and Budget	Barangay Gender and Development (GAD) Plan and Budget		2 2 OR o	
	1.4 Submission of Monthly Accomplishment Reports on the incidence of VAW and violence against children (VAC) to C/MSWDO and C/MLGOO within 5 working days of the ensuing month (stamp received), pursuant to the Advisory dated March 3,	Accomplishment		Deduction of points based on the timeliness of submission (after 5 days -0.25) (6 days and beyond -0.5)	
	2021	☐ Quarterly Accomplishment Reports for CY 2024 (January-June 2024)	4	of submission (after 5 days -0.25) (6 days and beyond -0.5)	
	1.5 Updated database on VAW cases reported to the barangay, with the following information at the minimum: a) total number of VAW cases received	☐ Updated database of VAW cases reported to the barangay, with the following information at the minimum:	4	Additional points to recorded VAW cases .5 per recorded VAW cases with assistance provision or referred to concerned agencies	
	□number of cases documented for violating RA 9262 □number of cases documented for violating other VAW-related laws b) assistance provided to	☐ total number of VAW cases received ☐ number of cases documented for violating RA 9262 ☐ number of cases documented for violating other VAW-			
	victim-survivors c) presence of VAW cases logbook	related laws Dassistance provided to victim-survivors			
٥	1.6(a) At least 50% accomplishment of the physical targets in the GAD Plan	☐ CY 2023 GAD Accomplishment Report	4	Physical Accomplishment – 2 Financial Utilization -2	
	OR 1.6 (b) At least 50% fund utilization rate of the CY 2023 GAD Budget			Both - 4	
EALTH AND OCIAL WELFARE ERVICES IN THE ARANGAY	2.1. Presence of a Barangay Health Station/Center Consideration: Clustered Health Station/Center accessed by several barangays in a city/municipality	☐ Photo documentation of the BHS/C must be geotagged	2	Separate building – 2 Attached/Adjacent facility5 Shared facility25	OPR: MHO
	2.2. Appointment of a Barangay Health Worker	☐ EO or similar issuance on the Appointment of BHW	2	W/O - 0 W/EO - 2	

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	2.3. Appointment of a Barangay Nutrition Scholar (BNS)	☐ EO or similar issuance on the appointment of BNS	2	W/O-0 W/EO-2	
	2.4. Appointment of a Barangay Population Volunteers (BPV)	☐ EO or similar issuance on the appointment of BSPO/BPV	2	W/O -0 W/EO - 2	
	2.5. Availability of the following health services in the BHS/C such as: a. Immunization b. maternal and child healthcare c. family planning d. Health education/promotion	□ Photo documentations of the operations of the BHS/C □ Barangay Issuances on the provision of the four (4) listed health services: a. Immunization b. maternal and child healthcare c. family planning d. health education		a. Actual versus projection (percentage of fully immunized children) Data source midwives & BHW b.1 4 quality prenatal services b.2 100% facility delivery Data source midwives b. Contraceptive prevalence rate Data source: midwives/BHW c. IEC, logbook and social media health promotion 4 or o points	
3. FUNCTIONALITY OF THE BARANGAY DEVELOPMENT COUNCIL (BDC)	3.1. Organized BDC with its composition compliant to Section 107 of RA 7160	☐ EO or similar issuances organizing/reconstituting the BDC with its composition compliant to Section 107 of RA 7100	2		OPR: MCR and MPDO
	3.2. Conducted public hearings/ barangay assemblies for public consultation (2023)	☐ Minutes (at least 2) of the public hearings/barangay assemblies with attendance sheet	2	2 points Additional .5 for two or more barangay assembly	
	3.3 Approved Barangay Development Plan	☐ Barangay Development Plan with BDC and SB Resolutions adopting such	2	2 or 0	
	3.4(a) At least 50% accomplishment of the physical targets in the BDP OR 3.4(b) At least 50% fund	CY 2023 Accomplishment Report of the BDP (January-December 2023)	2	Physical Accomplishment – 1 Financial Utilization -1 Both - 2	
- EN INCOMONIA VIIIV	utilization rate of the CY 2023 BDP Budget (January-June 2024)				
4. FUNCTIONALITY OF THE BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN (BCPC)	4.1 Organization of the Barangay Council for Protection of Children (BCPC) with its composition compliant to the provisions of DILG MC No. 2021-039	similar issuance on the establishment of Barangay Council for Protection of Children (BCPC)	2	2 or o point	OPR: MSWDO and DepEd
	one (1) training/orientation related to their functions not earlier than January 2023	☐ Certified true copy of any proof of training such as Certificate of Completion and/or Participation (at least 1)	3	3 -3 275 150 0-0	
	TAT 1 1	☐ Approved BCPC Annual Work and	2	2 or 0	

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		Time and 1 and	_		
		Financial Plan (AWFP) 2024	1		
	4.4 Database on Children disaggregated by age, sex, ethnicity, with or with disabilities, OSY: *enrolled in ECCD - public or private center *home study	☐ Updated database	e 4	Manual5 Computer Aided5 Both (soft copy and hard copy) - 3	
	etc. updated as of June 2024 4.5 Updated Localized Flow	[] Undated Localized	1 2	2 OF O	
	Chart of Referral System not earlier than June 2024 4.6(a) At least 50%	Flow Chart of Referral System			
	4.6(a) At least 50% completion rate on PPAs in the BCPC Plan	☐ CY 2023 Accomplishment Report on BCPC Plan (January-December 2023)	4	Physical Accomplishment - 2 Financial Utilization -2	
	4.6(b) At least 50% utilization rate of CY 2023 BCPC AWFP Budget			Both - 4	9
	4.7 Functional BCPC	☐ Functionality of BCPC - Minutes - Notice of Meeting - Attendance Documentation		Conducted 4 quarterly meetings – 4pts 375 25 125	
	4.8 Presence of playground area	Availability of functional sports facilities such as basketball court, swing, seesaw, sepak takraw court with net, football field with football net		Swing – 1 Seesaw – 1 Speak takraw court with net -1 Football field with football net – 1	
	4.9 Presence of Reading center	Functional Reading Center with books, computers and internet connection	3	Other facilities: 1 Functional - 3 2 - 1 15	
5. MECHANISM FOR GENDER AND DEVELOPMENT (GAD)	5.1 Organized Barangay GAD Focal Point System	☐ EO or similar issuance organizing the Barangay GAD Focal Point System	2	2 Or 0	OPR: MLGOO
	5.2 Organized Barangay GAD Focal Point System (2023)	☐ Functionality of the GAD Focal Point System - Minutes - Attendance - Documentation - Notice of Meeting	4	Conducted 4 quarterly meetings – 4pts 375 25 125	
6. MAINTENANCE OF NPDATED RECORD OF BARANGAY INHABITANTS (RBIs)	6.1 Updated RBI for two semesters as of June 2024	☐ Accomplished RBI Form A of two semesters as of June 2024	2	1 semester5 2 semesters - 2	
7. FUNCTIONALITY OF THE BARANGAY NUTRITION COMMITTEE (BNC)	8.1 Organization of the Barangay Nutrition Committee (BNC)	☐ EO or similar issuance organizing the Barangay Nutrition Committee (BNC)	2	2 or 0	OPR: MNAO and RHU
	8.2 Presence of Barangay Nutrition Action Plan (BNAP) integrated in the AIP	☐ Presence of Barangay Nutrition Action Plan (BNAP) of CY 2024	2	BNAP integrated in AIP - 2 BNAP not in AIP5	
	8.3 Decrease in *Stunted *Wasted *Overweight and Obese Rate in the barangay	☐ Report on Operation Timbang (OPT) Plus CY 2023 and June 2024	2	Stunted – below 20% 0-59 months (1) Wasted – below 5 % of 0-59 months (1)	

Municipal Ordinance No. 24-25 Most Child-Friendly Barangay Awards Ordinance A.D

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	Data source: Electronic Operation Timbang		Overweight and obese – (1)
8.4(a) At least 50% accomplishment of the physical targets in the BNAP	☐ Accomplishment Report on BNAP as of December 2023	2	Physical Accomplishment – 1 Financial Utilization -1
OR			Both - 2
8.4(b) At least 50% fund utilization rate of the CY 2023 BNAP Budget			

COMPOSITION OF THE MOST CHILD-FRIENDLY AWARDS COMMITTEE. - The Most Child Friendly Awards Committee is hereby constituted and shall be composed of the following offices:

Chairperson:

Municipal Local Government Operations Officer

Co-Chairperson:

Municipal Social Welfare and Development Officer

Members:

SB Member, Chair - Committee on Child Protection and Education

Municipal Health Officer

Municipal Civil Registrar

Municipal Planning and Development Coordinator

Senior Tourism Officer

Municipal Nutrition Action Coordinator

Burauen East District Representative

Burauen North District Representative

Burauen South District Representative

4Ps Municipal Link

CSO Representative from Faith-Based Organization

Section 7. DUTIES AND FUNCTIONS OF THE MOST CHILD-FRIENDLY BARANGAY AWARDS COMMITTEE. - In order to efficiently and effectively implement the Most Child-Friendly Barangay Award, the Committee composed in the preceding section shall:

- Craft and implement guidelines on the efficient implementation of the Most Child Friendly Barangay Award:
- b. Review and suggest amendments, if necessary, in the criteria provided in this Article,
- Search, validate, review, evaluate and select the Most Child-Friendly Barangay Awardees following the established guidelines, rules and criteria of the awards, and
- Submit to the Municipal Mayor on or before October 31 of every year the list of the Child-Friendly Barangay Awardees.

Section 8. THE SECRETARIAT. - The Municipal Social Welfare and Development Office shall provide the secretariat functions of the Most Child-Friendly Barangay Awards Committee.

Section 9. FUNCTIONS OF THE SECRETARIAT. - The secretariat shall have the following functions and duties:

a. Serve as repository of all documents, memorabilia, pictures, and other related information on the Most Child-Friendly Barangay Awards;

b. Provide the Most Child-Friendly Barangay Awards committee with the various forms, guidelines, and criteria of the awards:

Municipal Ordinance No. 24-25 Most Child-Friendly Barangay Awards Ordinance





c. Assist in the search of the Most Child-Friendly Barangay Awardees; and

d. Plan and conduct a Most Child-Friendly Barangay Awards Presentation in NOVEMBER of every year during the LIGA Night.

Section 10. SELECTION AND EVALUATION PERIOD. – The selection and evaluation period shall cover the months from September of the preceding year to August of the current year. The evaluation and assessment shall be conducted in the month of September of the current year.

Section 11. AWARDING AND PRESENTATION OF THE MOST CHILD-FRIENDLY BARANGAY AWARDEES. — The awarding and presentation of the Most Child-Friendly Barangay Awardees shall be in November of every year. The event shall be one of the highlights of the celebration of the Children's Month.

Section 12. THE AWARDS. – Recipients of the Most Child-Friendly Barangay Awards shall be given the following prizes:

- a. 1st Place: One hundred thousand (\$\mathbb{P}\$100,000.00) worth of projects and a plaque of recognition
- b. 2nd Place: Sixty-five thousand (\$\mathbb{P}65,000.00) worth of projects and a plaque of recognition
- c. 3rd Place: Fifty thousand (\$\mathbb{P}\$50,000.00) worth of projects and a plaque of recognition
- d. 4th to 10th Place: Five thousand pesos (\$\mathbb{P}\$5,000.00) with certificate and token

Provided that the participant with the highest total score will be awarded 1st place, the one with the second highest score will receive 2nd place, and the participant with the third highest score will secure 3rd place. Additionally, barangays ranked 4th to 10th place must have a rating of not less than 60% to 70% to qualify for the consolation prize worth five thousand pesos (\$\mathbb{P}_5,000.00) with a certificate and token award. These placements will be determined based on the final computed total scores for each entry.

Section 12-A. PROCEDURE IN CASE OF A TIE. – In the event of a tie between two or more barangays, the following procedure shall be implemented:

- 1. Secondary Evaluation: A thorough secondary evaluation of the tied barangays will be conducted, focusing on:
 - o The long-term sustainability and impact of their child-friendly programs, policies, and ordinances (10%).
 - The level of community involvement in child-related activities (10%).
 - \circ Innovation and creativity in addressing child welfare issues (10%).
- 2. Panel Deliberation: The selection committee will convene for final deliberation to assess additional factors, including:
 - Consistency in the implementation of child-friendly policies (10%).
 - o Any special initiatives that exceed basic criteria (10%).
- 3. Community Feedback: The committee may gather feedback from the community, including parents, teachers, and children, to evaluate the effectiveness of the barangay's efforts (10%).
- 4. *Final Decision*: If a tie persists after the secondary evaluation, the committee will cast a final vote. In the event of a deadlock, the Chairperson of the selection committee shall have the deciding vote.

Section 13. UTILIZATION OF CASH AWARD. – The cash prize awarded under this Article shall be utilized solely on projects directly addressing child welfare, protection, and development. Eligible uses include, but are not limited to:

- 1. Purchase of reading materials
- 2. Purchase of TV and sound system
- 3. Installation of internet connection and initial subscription
- 4. Purchase of Desktop for reading center
- 5. Improvement of ECCD centers
- 6. Support to Brigada Eskwela Program
- 7. Improvement or Rehabilitation of Barangay Health Station

Municipal Ordinance No. 24-25 Most Child-Friendly Barangay Awards Ordinance age 6 of 8

8. Development of playground and sport facilities.

9. Celebration of Children's Month and Nutrition Month

10. Purchase of ECCD supplies

The barangay is obliged to implement and liquidate the project intended for the use of cash prize within a period of 6 months of the check's issuance. Failure to liquidate the cash prize will be a ground for disqualification from participating in future searches for the Most Child-Friendly Barangay.

Section 14. FUNDING. - The Local Government Unit of Burauen shall allocate an annual budget to ensure the successful and efficient implementation of the Most Child-Friendly Barangay Awards. This budget shall be included in the Municipal Council for the Protection of Children (MCPC) and shall amount to at least one percent of the municipality's total National Tax Allocation (NTA) under the Special Purpose Appropriation for the current year.

Section 15. REVIEW. - At least once every year, an evaluation of the performance and accomplishments of the AD Hoc Body shall be conducted to assess its effectiveness and functionality. This assessment will consider the overall effectiveness, efficiency, and sustainability of the Ad Hoc Body, providing valuable insights for informed decision-making regarding the establishment of a permanent organizational structure or the implementation of alternative measures.

Section 16. SEPARABILITY. - If any part or provision of this ordinance is held to be unconstitutional or invalid, the remaining parts or provisions shall continue to be in full force and effect.

Section 17. EFFECTIVITY. — This Ordinance shall take effect immediately upon approval by the Sangguniang Bayan of Burauen.

ENACTED AND APPROVED, October 21, 2024.

ØØRRECT:

ATTY. RUÐEJANE S. TAN etary to the Sanggunian

ATTESTED:

HON. NOELP. ALPINO Vice Mayor/Presiding Officer

INCENT G. ENERLAN Sangguniang Bayan Member

HON. CIPRIANO R. RELATORRES, JR.

Sangguniang Bayan Member

HON. HERMENIA C. CAMASIN

Sangguniang Bayan Member

HON BRYAN R. CINCO Sangguniang Bayan Member

(absent) HON. DEXTER R. SENO

Sangguniang Bayan Member

(absent) HON. ROBERT G. DEL PILAR

Sangguniang Bayan Member

Sangguntang Hayan Member

LnB President/ Ex-Officio SB Member

HON. OSCAR Sangguniang Bayan Member

(absent)

HON. JUSTINE MERP G. ANDRADE SK Federation President/ Ex-Officio Member

APPROVED:

HON. JUANITO E. RENOMERON

Municipal Mayor



OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATE OF POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that <u>Municipal Ordinance No. 24-25</u>, Series of 2024 of the Sangguniang Bayan of Burauen, Leyte, entitled, "An Ordinance Strengthening the Barangay Council for the Protection of Children in 77 Barangays in Burauen, Leyte, and Providing Incentives Through the Institutionalization of the Most Child-Friendly Barangay Awards", was enacted on October 21, 2024, approved on even date, and has been posted in two (2) conspicuous and publicly accessible places of the municipality from October 23, 2024 to November 12, 2024, in compliance with Section 59, paragraph (b) of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991".

Burauen, Leyte, November 13, 2024.

ATTY/RUDEJANE S. TAN Secretary to the Sanggunian

