



Republic of the Philippines
PROVINCE OF LEYTE
OFFICE OF THE SANGGUNIANG PANLALAWIGAN
Palo, Leyte
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COMMITTEE ON RULES, LAWS AND PRIVILEGES
and
COMMITTEE ON WOMEN, CHILDREN AND FAMILY WELFARE
COMMITTEE REPORT
No. 8 S. 2026

Date: March 23, 2026

RE: THE PROVINCIAL CHILDREN'S WELFARE CODE OF THE PROVINCE OF LEYTE, ESTABLISHING A COMPREHENSIVE CHILDREN AND FAMILY SUPPORT SYSTEM AND FOR OTHER PURPOSES, OTHERWISE KNOWN AS "THE REVISED LEYTE CHILDREN'S WELFARE CODE OF 2026"

Prepared by: Committee on Rules, Laws and Privileges and Committee on Women, Children and Family Welfare
Chairperson: Atty. Ronnan Christian "Bolingling" Reposar
Hon. Raissa J. Villasin
Vice-Chairperson: Atty. Carlo P. Loreto
Hon. Carmen L. Cari
Members: Hon. Wilson Uy, Hon. Michael L. Cari, Hon. Ma. Martina L. Gimenez, Hon. Kathryn V. Kabigting, and Hon. MJ Luinly D. Lumen

I. BACKGROUND

The proposed Ordinance is intended to institute a comprehensive, rights-based policy framework for the promotion, protection, and full realization of the rights and welfare of children within the territorial jurisdiction of the Province of Leyte. It is contemplated to apply to all local government units, government agencies and instrumentalities, educational institutions, establishments, organizations, and individuals, and is generally anchored on the pertinent provisions of the 1987 Constitution, the United Nations Convention on the Rights of the Child, and other applicable national laws. The measure reflects the principles of the best interests of the child, non-discrimination, survival and development, and respect for the views of the child, while recognizing the primary role of parents or legal guardians and allowing for appropriate state intervention in cases where the rights of children are violated, threatened, or neglected.

It further outlines the protection, development, and participation rights of children and provides for prohibited acts, corresponding penalties, and the institutional arrangements for its implementation, monitoring, and enforcement. It likewise contemplates the strengthening of Local Councils for the Protection of Children (LCPCs), the creation of a Provincial Inter-Agency Monitoring Task Force, and the institutionalization of programs and services for children in vulnerable circumstances. Additionally, it provides for the establishment of child-friendly facilities, the adoption of curfew and access regulations, and the imposition of accountability mechanisms for public officials. Overall, the ordinance is designed to operate in harmony with existing national laws, promote a coordinated approach to child welfare governance, and support the holistic development, well-being, and rights of all children within the Province of Leyte

II. FINDINGS

The Committees find that the provisions of the proposed Ordinance are reasonable, proportionate, and consistent with existing national laws on child

protection, juvenile justice, and social welfare. In this regard, the committees are of the opinion the enactment thereof is necessary, proper, and conducive to the effective promotion and safeguarding of the rights and welfare of children in the Province of Leyte.

III. RECOMMENDATION

In view of the foregoing, the Committee on Rules, Laws and Privileges and the Committee on Social Services, Women, Children and Family Welfare jointly recommend for the enactment of the ordinance, setting the same for second reading.

The joint committee likewise recommend that the proposed provincial ordinance entitled "The Revised Leyte Children's Welfare Code of 2026" be certified as urgent.

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**REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE**

SANGGUNIANG PANLALAWIGAN

**THE PROVINCIAL CHILDREN'S WELFARE CODE OF THE PROVINCE OF LEYTE,
ESTABLISHING A COMPREHENSIVE CHILDREN AND FAMILY SUPPORT
SYSTEM AND FOR OTHER PURPOSES, OTHERWISE KNOWN AS
"THE REVISED LEYTE CHILDREN'S WELFARE CODE OF 2026"**

Article I

*Title, Coverage, Policy and Basic Principle, Definition
of Terms and Legal Basis*

Section 1. SHORT TITLE. This Ordinance shall be known as "*The Revised Leyte Children's Welfare Code of 2026*".

Section 2. COVERAGE AND SCOPE OF APPLICATION. This Code shall be applicable within the territorial jurisdiction of the Province of Leyte. It shall apply to all local government units, government agencies and instrumentalities, schools, organizations, corporations, establishments, private and public institutions and all persons concerned especially children.

Section 3. DECLARATION OF POLICY. The provincial government of Leyte reiterates its adherence to the general principles provided for in the 1987 Constitution providing for the State's responsibility to the rights and welfare of the children in favor of their development.

- A. It recognizes the vital role of the youth in nation-building and encourages their involvement in public and civic affairs and advocates for the promotion and protection of children's rights to enable children to develop their potentials and faculties. Pursuant thereto, it is committed to:
1. defend the rights of the children to survival and assistance; and,
 2. provide every child with proper care, nutrition, equal access to quality education and special protection against all forms of neglect, abuse, cruelty, exploitation and discrimination, as well as other forms of conditions prejudicial to their development.
- B. Adhering to the general framework of the 1989 UN Convention on the Rights of the child, the provincial government likewise adopts these four general principles as follows:
1. "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration";
 2. "State parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given weight in accordance with the age of maturity of the child";
 3. The third principle is that of the survival and development of the child. "Survival" is an amplification of the right of life. The term "development" relates to the individual child and should be interpreted in broad sense. It adds a qualitative aspect to the right to life and implies that laws, policy, and administrative action must look beyond the physical, social, and cultural development;
 4. The fourth is the right of children to non-discrimination.

- C. In recognizing the primary role of parents or legal guardians in child rearing, the provincial government of Leyte shall provide assistance to the development of children only in cases where it is not possible for the parents and legal guardians to rear their children. In this case, they shall be referred to private and public welfare institution;

Section 4. BASIC PRINCIPLES. The implementation of this Code shall be guided by the following basic principles:

- a. That the provincial government of Leyte recognizes the rights of children and acknowledges the fact that the exercise of these rights will ensure their development into exemplary *citizens* of the country;
- b. That the best interests of the children shall be *the* paramount consideration in all actions concerning them, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities, and legislative bodies, consistent with the principle of First Call for Children as enunciated in the United Nations Convention on the Rights of the Child;
- c. That the State shall intervene on behalf of the child when parent, legal guardian, teacher or person having care or custody of the child fails or is unable to protect the child *against abuse, exploitation and discrimination*, or when acts against the child are committed by the said parent, legal guardian, teacher or person having care or custody of the same;
- d. That the State should try its best to achieve improved infant and child survival rates, enhance the physical, social, emotional, cognitive, psychological, spiritual and language development of young children;
- e. That every child has the right:
 1. to be born, to have a name and nationality;
 2. to have a family who will love and care for them;
 3. to live in a peaceful community and a wholesome environment;
 4. to have adequate food and a healthy and active body;
 5. to obtain a good education and develop potential;
 6. to be given opportunities for play and leisure;
 7. to be protected from abuse, exploitation, neglect, violence and danger;
 8. to be defended and given assistance by the government; and
 9. to be able to express their own views.
- f. That every effort should be exerted to promote the welfare of children and enhance their opportunities for a useful and happy life.

Section 5. DEFINITION OF TERMS. As used in this *Code*, the following terms shall mean:

- a. ***Anti-Social Related Activities*** – are those acts against property, chastity and person which include but not limited to the following:
 1. Petty crimes such as snatching, shoplifting, misrepresentation;
 2. Using and pushing prohibited drugs, selling illegal or lewd reading materials;
 3. Pimping for young or old prostitutes, doing or participating in obscene show;
 4. Gambling of any form;
 5. Rape and incest;
 6. Unjust and inhuman manner of eviction and demolition; and
 7. Any other circumstances as defined in the existing laws; (R.A. 7610)
- b. ***Bahay Pag-asa*** - refers to a 24-hour child-caring institution established, funded and managed by local government units (LGUs) and licensed and/or accredited

nongovernment organizations (NGOs) providing short-term residential care for children in conflict with the law who are above fifteen (15) but below eighteen (18) years of age who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction;

- c. ***Best Interest of the Child*** - refers to the totality of the circumstances and conditions which are most congenial to the survival, protection and feelings of security of the child and most encouraging to the child's physical, psychological and emotional development;
- d. ***Child/Children*** - refers to a person below eighteen (18) years of age and those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation and/or discrimination because of physical or mental disability or condition;
- e. ***Child Abuse*** - refers to the maltreatment of the child, whether habitual or not, which includes any of the following:
 - 1. *Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;*
 - 2. *Any act by deeds or words that debases, degrades or demeans the intrinsic worth and dignity as a human being;*
 - 3. *Unreasonable deprivation of his/her basic needs for survival, such as food and shelter; and*
 - 4. *Failure to immediately give medical treatment to an injured child resulting in serious impairment of his or her growth and development or in his/her permanent incapacity or death.*
- f. ***Children's Assembly*** – refers to a company of children gathered together to advance their welfare.
- g. ***Child Participation*** – is the right of all children to be listened to, to freely express their views on all matters that affect them, and to freely express themselves and their thoughts, to associate with others, and to access information.
- h. ***Child at Risk*** - refers to a child who is vulnerable to and at the risk of committing criminal offenses, such as, but not limited to the following:
 - 1. *Being abused by any person through sexual, physical, psychological, mental, economic or any other means;*
 - 2. *Exploited sexually or economically;*
 - 3. *Abandoned or neglected;*
 - 4. *Coming from a dysfunctional or broken family or without a parent or legal guardian;*
 - 5. *Out of school;*
 - 6. *Street Child;*
 - 7. *Member of a gang;*
 - 8. *Living in a community with a high level of criminality or drug abuse;*
 - 9. *Living in situations of armed conflict;*
- i. ***Child Care and Development Workers*** – refer to individuals or institutions such as government agencies and civil society organizations working for child welfare.
- j. ***Child Exploitation*** – refers to the use of children for someone else's advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child, which are detrimental to the child's physical and mental health, education, moral, social and emotional development. These include situations of manipulation, misuse, abuse, victimization, oppression or ill-treatment.

- k. ***Child-Friendly Space*** – refers to safe spaces for children to play and learn. This will also help to prevent and respond to incidents that threaten children's safety, such as natural disasters, conflicts or violence. These efforts provide safe spaces for children by rehabilitating/refurbishing learning spaces during emergency.
- l. ***Children in Conflict with the Law (CICL)*** - refers to children who are alleged as, accused of, or adjudged as, having committed an offense under Philippine laws.
- m. ***Child 21*** - other name for the Philippine National Strategic Framework for Plan Development for children adopted through Executive Order No. 2013 which provide the road map towards the progressive realization of children's rights and lead the foundation for a rights-based approach to planning and programming woven across the child's stage of development;
- n. ***Circumstances which gravely threaten or endanger the survival and normal development of children*** include but not limited to the following;
 - 1. *Being in the community where there is armed conflict or being affected by armed conflict related activities;*
 - 2. *Working under conditions hazardous to life, safety, and morals, which unduly interfere with their normal development;*
 - 3. *Living or fending for themselves in the streets of urban or rural areas without the care of parents or a guardian or an adult supervision needed for their welfare;*
 - 4. *Being a member of an indigenous cultural community and/or living under condition of extreme poverty or in an area which is underdeveloped and /or lack or has inadequate access to services needed for a good quality of life;*
 - 5. *Being a victim of a man-made or natural disaster/calamity; and*
 - 6. *Circumstances analogous to those above stated which endanger life, safety, or normal development of children.*
- o. ***Comprehensive program against child exploitation and discrimination*** - refers to the coordinated program of services and facilities to protect children against:
 - 1. *Child prostitution and other sexual abuse;*
 - 2. *Child trafficking;*
 - 3. *Obscene publications and indecent shows;*
 - 4. *Other acts of abuse;*
 - 5. *Circumstances which threaten or endanger the survival and normal development of children.*
- p. ***Child Development Center*** - is a facility where early childhood care services for 3-4 years old children are provided by an accredited child development worker.
- q. ***Child-Friendly Municipality*** – the municipality is child-friendly when it is able to assure that all children possess the rights to survival, development, protection, and participation and that their needs are realized.
- r. ***Child Labor*** – refers to the employment of children under 15 years old which is prohibited under the direct supervision of parents and under certain requirements and in non-hazardous occupation, pursuant to Sec 12 of R.A. 7658 “ An act prohibiting the employment of children below 15 years of age in public and private undertakings.
- s. ***Child Protection Unit*** – refers to one-stop shop building or unit for victims of violence against children and provides immediate assistance for medical, medico-legal, and psychosocial services. This is composed of Multi-Disciplinary Team which is composed of Social Worker, Women and Children Police Desk Officer (WCPD) and Municipal Health Officer.

- t. **Child Trafficking** – any person who shall engage in trading and dealing with children including, but not limited to, the act of buying and selling of a child for money or any other consideration, or barter;
- u. **Corporal Punishment** - refers to punishment or penalty for an offense or imagined offense, and/or acts carried out to discipline, train or control a child, inflicted by an adult or by another child. It includes physical and humiliating or degrading punishment such as, but not limited to:
1. Blows to any part of a child's body, such as beating, kicking, hitting, slapping, lashing, with or without the use of an instrument such as a cane, shoes, broom, stick, whip or belt;
 2. Pinching, pulling ears or hair, shaking, twisting joints, cutting and shaving hair perpetrated as a form of punishment for an offense committed by the child, carrying or dragging a child or throwing a child;
 3. Forcing a child, through the use of power, authority or threats, to perform physically painful or damaging acts, such as holding a weight or weights for an extended period, kneeling on stones, salt or pebbles, squatting, standing or sitting in a contorted position;
 4. Deliberate neglect of a child's mental, emotional, physical, social and spiritual needs where this is intended as punishment.
 5. Use of extreme substances, such as burning or freezing materials, water, smoke, pepper, alcohol, excrement or urine;
 6. Confinement, including being shut in a confined space or material, tied up or forced to remain in one place for an extended period of time; or
 7. Any other physical act perpetrated on a child's body, for the purpose of punishment of discipline, intended to cause some degree of pain or discomfort, however light humiliating and degrading punishment includes such acts but not limited to:
 - Any threat of physical punishment;
 - Being exploited including sexually or economically;
 - Being exploited including sexually or economically;
 - Being abandoned or neglected and after diligent search and inquiry, the parent or guardian cannot be found;
 - Coming from a dysfunctional or broken family or without a parent or guardian;
 - Being out of school;
 - Being a street child;
 - Being a member of a gang;
 - Living in a community with a high level of criminality or drug abuse; and
 - Living in situations of armed conflict.
- v. **Development Rights** - pertain to the access of a child to educational opportunities, access to relevant information, play, leisure, cultural activities and the right to freedom of conscience and religion.
- w. **Differently-Able Children or Children with Special Needs** - are children with either physical or mental infirmities whether congenital or acquired after birth.

- x. ***Deprivation of Liberty*** - refers to any form of detention or imprisonment, or placement of a child in conflict with the law in a custodial setting, from which the child is not permitted to leave.
- y. ***Diversion*** - shall refer to an alternative process of managing children in conflict with the law (CICL) without resorting to formal court system.
- z. ***Diversion Program*** - shall refer to activities that the CICL are required to undergo after they have found responsible for an offense, without the child being made to undergo formal court litigation.
- aa. ***Exploitative Benefit Dance*** - refers to a dance promoted in the locality wherein children identified as benefit dancers are offered to dance with any partner upon payment or promise of payment of a certain amount.
- bb. ***Juvenile Justice*** – refers to the legal procedures applied to children in conflict with the law starting from the initial contact of the child up to the integration of the child to family and community.
- cc. ***Juvenile Justice System*** – refers to all proceedings starting from the initial contact including diversion proceedings, court proceedings after the filing of the proper information and until disposition of the case involving children in conflict with the law.
- dd. ***OSAEC/OSEC*** - Online Sexual Abuse or Exploitation of Children refers to the use of Information and Communication Technology (ICT) as a means to abuse and/or exploit children sexually which includes cases in which offline child abuse and/or exploitation is combined with an online component.
- ee. ***CSAEM/CSAM*** – Child Sexual Abuse or Exploitation Material - refers to any representation, whether offline, or by, through with the use of ICT, by means of visual, video, audio, written, or any combination thereof by electronic, mechanical, digital, optical, magnetic, or any other means.
- ff. ***Out-of-school youth/children*** – school age children who are dropped outs from school due to poverty and circumstances affecting the level of education.
- gg. ***Intervention*** - refers to a series of activities which are designed to address issues that caused the child to commit an offense.
- hh. ***Local Council for the Protection of Children*** = is a council organized at the Barangay/Municipal/Provincial level to serve as an umbrella organization for all children's concerns focused at ensuring the survival, developmental, protection and participation of children and youth.
- ii. ***Participation Rights*** – includes the child's right to be heard, freedom to express oneself in matters affecting his/her life as part of preparation for becoming a responsible adult; freedom of association; right to privacy; and right to age-appropriate and culturally sensitive information, all in accordance to the child's evolving capacity.
- jj. ***Positive Discipline*** - refers to an approach to parenting that teaches children and guides their behavior, while respecting their rights to healthy development, protection from violence and participation in their learning.
- kk. ***Pre-school education*** - refers to education given at the age 3-4 years old and known to be the critical phase of child's psychomotor development. It is also the phase when activities for development stimulation for children must be provided.

- ll. ***Pre-school services*** - includes the following such as but not limited to programs, activities, initiatives, facilities, and similar undertakings to address needs of 3-4 years old children.
- mm. ***Protection Rights*** - cover those which guard children against all forms of child abuse, exploitation, and discrimination, in areas where a child is considered in extremely difficult circumstances.
- nn. ***Rescue Team*** – *is an inter-agency team established in the LGU under the auspices of the LCPC/BCPC for cases involving children.*
- oo. ***Special Education*** - refers to education of persons who are gifted or talented and those who have physical, mental, social, or sensory impairment and cultural differences so as to require modification of the school curricula, programs and special services and physical facilities to develop them to their maximum capacity.
- pp. ***Survival Rights*** - deal with the provision in relation to parental and governmental duties and liabilities, adequate living standard and access to basic health and health services and social security.
- qq. ***United Nations Convention of the Rights of the Child (UNCRC)*** - adopted in November 30, 1989 by the United Nations General Assembly, stresses the right of children on survival, protection, development and participation in governance. The Philippine became the 31st state to ratify the Convention on July 26, 1990 by virtue of Senate Resolution No. 109.
- rr. ***Youth*** - refers to a person regardless of sex, race, or religion, 15-24 years old, either out-of-school or in-school.
- ss. ***Youth Rehabilitation Center*** - is a 24-hour residential care facility managed by the Department of Social Welfare and Development, LGUs, licensed and/or accredited NGOs monitored by the DSWD, which provides care, treatment and rehabilitation services for children in conflict with the law;

Section 6. LEGAL BASIS.

- a. **Republic Act No. 8980**, otherwise known as the ECCD Act of 2000-defines the right of children to survival, development and special protection with full recognition of the nature of childhood and its special needs; and to support parents in their roles as primary caregivers and as their children's first teachers.

Republic Act 10410 otherwise known as the Early Years Act (EYA) of 2013. An Act recognizing the age from zero (0) to eight (8) years as the first crucial stage of education development and strengthening the Early Childhood Care and Development System, appropriate funds thereof and for other purposes.
- b. **Republic Act 7160**, otherwise known as the Local Government Code of 1991, under section 391 (a)(19), providing for the delivery of basic services and the functions of the Sangguniang Barangay such as to provide for the proper development and welfare of children in the barangay level by promoting and supporting activities for the protection and total development of children, particularly those below seven (7) years of age.
- c. **Republic Act 6972** of 1990 otherwise known as an Act Establishing a Day Care Center in every Barangay, Institution for the total Development and Protection of Children for Day Care Center shall be provided for children up to 6 years of age with the consent of parents.

- d. **Republic Act No. 10661** otherwise known as an Act declaring November of every year as national Children's Month.
- e. **Republic Act 10157** otherwise known as the Kindergarten Education Act of 2011-An Act institutionalizing kindergarten education into the basic education system and appropriating funds therefor.
- f. **Republic Act No.7610** or the Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act which requires: "strict confidentiality" on the identity of child abuse victims and to all records pertaining to the case.
- g. **Republic Act No. 8369** (Family Courts Act of 1997) which provides that all hearings and conciliation of the child and family cases shall be treated in a manner consistent with the promotion of the child's and family's dignity and worth, and shall respect their privacy at all stages of the proceedings. It further provides for the confidentiality of all records of cases and the identity of the parties involved therein unless necessary and with court authority.
- h. **Republic Act No. 9165** (Comprehensive Drugs Act of 2002) which provides for the confidentiality of records of children under both the voluntary and compulsory submission program of those of children discharged after compliance with conditions of suspended sentence. It further provides for confidentiality of records of probation and community service of the child.
- i. **Republic Act No. 9208** or the Anti-Trafficking in Persons Act of 2003 otherwise known as an Act to institute policies to eliminate trafficking in persons especially women and children, establishing the necessary institutional mechanisms for the protection and support of trafficked persons, providing penalties for its violation and for other purposes.
- j. **Republic Act No.9262** or the Anti-Violence Against Women and Their Children Act of 2004, which provides for a protection order issued for the purpose of preventing further acts of violence against a woman or her child and granting other necessary relief.
- k. **Republic Act No. 9344** or the Juvenile Justice and Welfare Act of 2006, mandating that all records and proceedings involving children in conflict with the law from initial contact until final disposition the case shall be considered privilege and confidential.
- l. **Republic Act No. 9775** or An Act Defining the Crime of Child Pornography, Prescribing Penalties, therefor and for other Purposes.
- m. **Republic Act No. 10627** otherwise known as the Anti-Bullying Act of 2013-An Act requiring all elementary and secondary schools to adopt policies to prevent and address the acts of bullying in their institutions.
- n. **Republic Act No.9231** otherwise known as an Act providing for the elimination of the worst forms of child labor and affording, stronger protection for the working child amending for this purpose RA 7610.
- o. **Republic Act 10821** or the Children's Emergency Relief and Protection Act. An Act mandating the provision of emergency relief and protection of children before, during and after disasters and other emergency situations.
- p. **RA 7610 Sec. 25 - Rights of Children Arrested for Reasons Related to Armed Conflict.** Any child who has been arrested for reasons related to armed conflict, either as combatant, courier, guide or spy is entitled to the following rights: a) separate detention from adults except where families are accommodated as family units; b) immediate free legal assistance; c) immediate notice of such arrest to the parents or

guardians of the child; and d) release of the child on recognizance within twenty four (24) hours to the custody of the Department of Social Welfare and Development or any responsible member of the community as determine by the court.

- q. **DILG MC No.2009-37** - Support for Community Based Program for Children with Disabilities (CWDs).
- r. **Executive Order 51.** - Adopting a National Code for Marketing of Breast milk substitutes, Breast milk supplements and related products, penalizing violations thereof, and for other purposes. It aims to contribute to the provision of safe and adequate nutrition for infants by the protection and promotion of breastfeeding and by ensuring the proper use of breast milk substitutes and breast milk supplements when these are necessary, on the basis of adequate information and through appropriate marketing and distribution.
- s. **DILG MC No. 2012-120** - Allocation of 1% Internal Revenue Allotment (IRA) for the strengthening and implementation the programs, projects and activities of the Local Council for the Protection of Children (LCPC) per Sec 15 of RA 9344.
- t. **RA 11648** otherwise known as an Act Providing for Stronger Protection Against Rape and Sexual Exploitation and Abuse, increasing the age for determining the Commission of Statutory Rape, amending for the purpose Act no. 3815, as Amended, otherwise known as "The Revised Penal Code, "Republic Act No. 8353, Also known as "The Anti-Rape Law of 1997," and Republic Act No. 7610, as Amended, otherwise known as the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act."
- u. **RA 11188** otherwise known as an Act Providing for the Special Protection of Children Situation of Armed Conflict and Providing Penalties for Violations thereof.
- v. **RA 11596** otherwise known as an Act Prohibiting the Practice of Child Marriage and Imposing Penalties for Violations thereof.
- w. **RA 3753** or the Civil Registry Law
- x. **RA11909**, otherwise known as, "Permanent Validity of the Certificates of Live Birth, Death, and Marriage Act."

Article II

Survival and Developmental Rights

Section 6. REGISTRATION OF CHILD AT BIRTH. A child has the right to a name, nationality, and all the rights inherent to a citizen. Since civil registration is a basic framework in establishing the fundamental right to determine civil status of every citizen, the parents shall cause the early birth registration of the child with the Office of the Local Civil Registrar of the municipality/city where the child is born.

To promote an effective and efficient timely registration of births and other vital events, the province in coordination with the *Philippine Statistics Authority (PSA)* municipalities/cities, and barangays, shall implement the Barangay Civil Registration System (BCRS) pursuant to Republic Act No. 3753 or the Civil Registry Law *Republic Act No. 11909, otherwise known as, "Fermanent Validity of the Certificates of Live Birth, Death, and Marriage Act."*

Section 7. POVERTY REDUCTION AND HUNGER MITIGATION AMONG CHILDREN. Child poverty has multiple dimensions; it is more than income poverty and manifests itself in deprivations that have consequence on a child's over all well-being and development.

There are three main circumstances to determine child poverty:

- a. Children living in poor households.
- b. Deprivation of basic amenities such as electricity, potable water and sanitary toilets facilities; and,
- c. A child development index which is a composite of health, education and quality of life indicators.

Hunger among children, as a major manifestation of child poverty is measured by nutrition indicators, such as, underweight, wasted, stunting and children experiencing food insecurity. In addition, the other and more sensitive discussion of child poverty is the issue in need of special protection.

A. Programs and Strategies:

1. Poverty reduction strategies and social protection measures to address child poverty and its multiple dimensions towards ensuring equality for all children will be guided by the following fundamentals.
 - a. Political will, leadership and governance
 - b. Adequacy of resources and their allocation to marginalized children
 - c. Safety measures/mechanism in the administration, management and monitoring of social safety nets
 - d. Sustainability
 - e. Outcome monitoring
2. Pantawid Pamilyang Pilipino Program (4Ps) is a poverty reduction strategy that provides conditional cash grants to poor household with children 0-14years of age and with pregnant and lactating mothers, to build human capital through investments in health and education
3. Sustainable Livelihood Program (SLP) or other Income Generating Projects-is a community-based program which provides capacity building to improve the program participants' socio-economic status. It supports microenterprises to become organizationally and economically viable and provide employment opportunities.
4. National Health Insurance Program (NHIP) - aims to provide adequate and effective social health insurance for all Filipino covering health prevention and curative measures.
5. Infant and Young Child Feeding (IYCF) - Pro-active measures will be undertaken to strengthen the enforcement of EO 51-The Milk Code of the Philippines and IYCF laws.
6. Nutrition Program - proper preparation of low cost but nutritious food for young children at home and in community learning institutions.
7. Food Sufficiency and Security- farms and rural enterprises shall be the producers of basic food commodities for the consumption of families especially the basic need of children.
8. Supplementary Feeding Program (SFP)-is the provision of food in addition to the regular meals. The food supplementation will be in a form of hot meals to be served during snack/meal time to children five (5) days a week for 120days in the Child Development Centers (CDCs) in the barangays funded by the DSWD, at elementary levels of the DepEd and other initiatives done by the Local Government Units to minimize malnutrition in the communities.
9. Operation Timbang and Child Growth Monitoring - is done at the barangay levels for 0-59 months old by the personnel of Barangay Health Station (BHS)for the tracking of nutritional status of children and immediate referrals for severe malnutrition for appropriate treatment and other interventions.

10. Monitoring of registration of births and the completion of immunization and vaccination of children aging 0-6 years old for the prevention of polio, measles, tuberculosis, tetanus and other diseases that may affect the health condition of children.

Section 7. MOTHER AND CHILD CARE. The provincial government of Leyte through the Provincial Health Office shall provide technical assistance, updates, and augmentation support in line with the implementation of programs and services anchored to the survival and development rights of the child as follows:

- a. **Maternal Neonatal Child Health Care and Nutrition Program** - The provincial government of Leyte shall strengthen the implementation of *promotive, preventive and curative health care services from conception until delivery to ensure the health of the mother and the child* throughout the early childhood years. This shall include the provision of technical assistance and augmentation support to the following programs:

1. **Women's Health and Safe Motherhood Program/Community Health Team (CHT)**- The program shall ensure fetal development and maternal well-being from pregnancy, delivery to post-partum period. *Thus, the provincial government includes programs that would improve access to health facilities with Basic Emergency Obstetric and Neonatal Care (BEMONC).* The following activities are undertaken to ensure fetal and maternal welfare:

- i. Safe Motherhood Package, which includes Delivery Kits and Newborn Screening Kits available in all health facilities;
- ii. Pregnancy and newborn tracking;
- iii. Review of Maternal Deaths and Neonatal Deaths;
- iv. Conduct Newborn Screening;
- v. Conduct Supportive Supervision Visit (SSV) by the BEMONC Team of Provincial and District Hospitals;
- vi. Conduct prenatal and post-partum visits;
- vii. Provision of Tetanus toxoid immunization;
- viii. Family Planning Services;
- ix. Promotion of Exclusive Breastfeeding;
- x. Promote establishment of birthing facilities where deliveries are handled by trained health personnel;
- xi. Discourag e handling of deliveries by "hil ts;"
- xii. Minimum Intervention Standard Package; *and,*
- xiii. Infant and Young Child Feeding.

2. **Child Health and Nutrition Program** - The program shall provide for services to ensure children's full growth and development within the first 1000 days (0 to 2 years old). These include the following activities to wit: Expanded Program on Immunization, Environmental Sanitation, Infant and Youth Child Feeding, Nutritional Guidelines for Filipinos, Children's Growth Monitoring and Deworming.

- i. First 100 days of Life Program;
- ii. Support timely and age appropriate, complementary feeding with continued breastfeeding from 7months-2 years old;
- iii. Formation of Breastfeeding Community Support Groups for both parents and wet nursing;
- iv. Establishment of Women and Child Friendly Space in all Health and Non-health facilities;
- v. Oral Health; *and,*
- vi. Targeted Supplementary Feeding Program

3. **Micronutrient Supplementation Program (MSP)** - The Program shall be undertaken to ensure that women and children are protected from under nutrition and consequences of micronutrient deficiency, such as Vitamin A Deficiency Disorder, Iron Deficiency

Anemia, and Iodine Deficiency Disorder. Thus, the Province supports the implementation of R.A. 8976 otherwise known as the Philippine Food Fortification Act of 2000. Moreover, to address under nutrition, supplemental feeding for 90-120 days is given to undernourished preschoolers in selected municipalities. In support to the initiatives to ensure decrease in the incidence of micronutrient deficiency, the conduct of “*Garantisadong Pambata*” every April and October of every year shall be continued, with the following support components:

- i. Food Fortification;
- ii. Salt Iodization;
- iii. Establishment of Community Based Management of Acute Malnutrition (CMAM) Centers in Rural Health Units and Hospitals;
- iv. Philippine Integrated Management of Acute Malnutrition Program on Moderate Acute Malnutrition (MAM) and Severe Acute Malnutrition (SAM);
- v. Out-Patient Therapeutic Center in RHUs Ready to use therapeutic Food Provided by DOH;
- vi. In-Patient Therapeutic Centers are Provincial and District Hospitals.
- vii. Provision of micronutrient supplements such as Vitamin A, Iron, Zinc, and Ferrous Sulfate for low-birth-weight infants in a form of micronutrient powder;
- viii. Nutrition counseling with complementary feedings and proper referral health service providers;
- ix. Nutrition in Emergencies;
- x. Program on Immunization; *and*,
- xi. Early Teenage Pregnancy

Section 8. ESTABLISHMENT OF DATA BANK FOR CHILDREN. The Provincial Social Welfare and Development Office, Provincial Health Office, Provincial Planning Development Office and the Department of Education shall establish data banking for children with disaggregation by age, classification, in-school and out of school, “Especially in Difficult Circumstances” (CEDC), Child Labor, Street Children, Children in Armed Conflicts and IPs. Pursuant thereto:

- a. The Barangay Council for the Protection of Children shall conduct a survey in their respective barangay. Barangay consolidated report shall be submitted to the MSWDO in coordination with the Municipal Planning and Development Office, which shall then be submitted to the PSWDO.
- b. The Province through the PSWDO in coordination with Provincial Planning and Development Office shall formulate and provide template to M/BGUs.

Section 9. OUT-OF-SCHOOL YOUTH PROGRAM. The Province through the Provincial Social Welfare and Development Office in coordination with the Department of Education (DepEd), Technical Education Skills Development Authority (TESDA) and the *Department of Labor and Employment (DOLE)* shall implement programs such as alternative literacy programs and technical skills training for the out-of-school youth and other disadvantaged youth to help them re-integrate to the regular school program and acquire technical skills that would help them become self-reliant, economically productive, and socially responsible citizens. In relation thereto:

- a. The SK in coordination with DepEd Alternative Learning System (ALS) Coordinator shall conduct survey of Out-of-School Youth in every barangay.
- b. The DepEd ALS Coordinator in coordination with the SK and Chairperson of the Committee on Education shall organize and implement ALS Program in every barangay (e.g. Basic Literacy, Accreditation and Equivalency Programs (A and E, Technical Skills Training), and conduct activities for Out-of-School Youth such as Summer Youth Encampment, Leadership and Basic Business Management Skills Training and Sports Development.

- c. The DepEd and the LGU shall fund the Alternative Learning Systems Programs at all level on a counterpart basis.
- d. The TESDA, DOLE, and other concerned agencies shall conduct public awareness on scholarships and job opportunities for in-school and out-of-school youth in the Province/Municipalities and Barangay.
- e. The DSWD shall re-organize the Pag-asa Youth Association or other related youth-oriented organization.

Section 10. TRAINING PROGRAM FOR THE TEACHERS, HEALTH WORKERS, AND OTHER *EARLY CHILDHOOD CARE AND DEVELOPMENT* (ECCD) PROVIDERS FOR THE SPECIAL PROGRAM ON CHILDREN WITH SPECIAL NEEDS. Training Program for teachers and health workers for the Special Program on Children with Special Needs shall be part of the priority program of the provincial government. In line thereto:

- a. DepEd shall allocate funds for the training of Special Education teachers.
- b. The provincial government and other institutions shall allocate funds for the training of Health Workers and Child Development Service Coordinators.
- c. Provide capability building activities, trainings, orientation to municipal child development service coordinator who will serve as resource persons in their respective municipalities.
- d. Provide technical assistance on child development service implementation.
- e. Extend funding/financial assistance for child development center construction, repair and improvement. Setting up of child development center requires barangay counterpart such as but not limited to: lot as evidenced by a copy of the Deed of Donation or Deed of Sale attached to the Barangay Resolution, fund allocation.
- f. Ensure that Child Development Centers are constructed based on the standard size, meeting minimum requirements for physical environment and safety as provided under Administrative Order No. 29 otherwise known as Standards for Day Care, other ECCD Centers and Service Providers.
- g. Sustain advocacy on the implementation of RDC Resolution No. 9 S 2007 Enjoining Local Government Units (LGUs) to provide child development workers with a minimum honorarium of P 2,000.00 per month.
- h. Issue Provincial Executive Order on the proper hiring and replacement of barangay child development workers and ensuring their security of tenure, and recognizing those with commendable accreditation rating.
- i. The LGUs shall not mobilize child development workers during disaster/relief operation to continue child development activities.
- j. The LGUs shall allocate funds for the structuring of child development centers, child-friendly schools, supplies, learning facilities and materials.
- k. The LGUs may established supervised neighborhood play (SNP) for out of school 3-4 yrs.

Section 11. SUPPORT TO SPECIAL EDUCATION PROGRAM (SPED). The province shall support the SPED program being undertaken by the DepEd and shall ensure that SPED classes be set up in public schools wherever necessary to allow *differently able children* to enroll within nearby barangays. Following such:

- a. The DepEd shall require all SPED scholars to organize classes for children with special needs.

- b. The DepEd to establish friendly SPED centers for differently able children.
- c. LGUs to shall allocate funds for the development of programs for differently able children.

Section 12. PROVISION OF INTEGRATED HEALTH SERVICE FOR CHILDREN WITH DISABILITIES. The Province, through the Provincial Health Office, shall provide an integrated health service for children with disabilities which shall include:

- a. immunization, nutrition and counseling;
- b. early detection of disability and timely intervention to arrest disabling conditions; and,
- c. medical treatment and rehabilitation. It shall institute appropriate capability development of its health personnel to enhance their competencies in dealing with children with disabilities.

Section 13. ESTABLISHMENT OF WOMEN AND CHILD-FRIENDLY SPACE IN ALL HEALTH AND NON-HEALTH FACILITIES. All establishments or institutions in the LGUs shall establish Women and Child- Friendly Space consistent with the provisions of RA 10028. Compliance therewith shall be monitored by the concerned LGUs.

Section 14. CAPACITY BUILDING PROGRAM FOR EDUCATORS AND HEALTH SERVICE PROVIDERS. Training program for educators and health professionals handling children's health, and differently-able children shall form part of the priority programs of the provincial government, hence, funds from the local government development shall be provided thereof for:

- a. handling health related issues/concerns of children, adolescents and youth
- b. adolescent Job Aid Manual
- c. formation of Peer Educators for Health (all age groups particularly adolescents)
- d. all persons with disabilities including children and their families to have full access to inclusive and rehabilitation services.

Section 15. ADOLESCENT-FRIENDLY SEXUAL AND REPRODUCTIVE HEALTH PROGRAM. The Provincial Health Office (PHO), Provincial Population Office (PPO) and other concerned departments, shall formulate an adolescent-friendly, sexual and reproductive health program involving access to information and services related to prevention of early pregnancies, sexually-transmitted diseases and infections, HIV/AIDS, and with services for teenage mothers, pregnant girls as well as promotion of sexual health and rights in compliance to the provisions of RA 10354 also known as the Reproductive Health Law.

The provincial government shall endeavor to establish teen centers preferably in municipalities/city with high schools where provincial/district hospitals are located for information, counseling and referral.

The provincial government, through its Provincial Population Office, in coordination with national line agencies such as DEPED and NGOs shall take the lead in planning and implementing the programs to be in place in the teen centers, such as but not limited to:

- a. Syndromic Approach for Sexually Transmitted Infection (STI) in RHUs and Hospitals should be made accessible by children anytime.
- b. Program for Young Parents – hospital-based

Section 16. MENTAL HEALTH PROGRAM FOR CHILDREN AND YOUTH. The provincial government through the hospitals and Rural Health Units shall manage children and youth who

are mentally challenged or those with mental illnesses. A mental health program must be included in the Provincial/City and Municipal Local Health Investment Plan.

Section 17. CHILD-FRIENDLY HEALTH FACILITIES IN THE PROVINCE OF LEYTE. All hospitals, lying-in clinics, birthing homes and other health facilities in the province of Leyte should be child-friendly. Hospitals shall have children's ward that have child-friendly personnel including rooming-in and breastfeeding facilities, pediatric-appropriate mechanisms and gadgets. Hospitals shall also establish their Child Protection Units, which shall serve as a one-stop shop for victims of violence against children and provide health, medico-legal, legal and psychosocial services.

Section 18. CHILD-FRIENDLY ENVIRONMENT IN ALL ESTABLISHMENTS IN THE PROVINCE OF LEYTE. All establishments that are accessible to children in the Province of Leyte shall endeavor to maintain child-friendly environment where they can explore, play and learn.

Section 19. ACCESS OF CHILDREN TO SCHOOL AND COMMUNITY WATER, SANITATION AND HYGIENE (WaSH) FACILITIES. The local government shall ensure that the schools and barangays maintain the WaSH facilities in their respective localities to include safe water sources, safe drinking water, hand-washing and toilet facilities. It shall further ensure that Provincial Health Office (PHO) and the Provincial/District/City/Municipal Sanitary Inspectors (P/D/M/CSI) conduct regular monitoring to communities and schools. Barangay Councils must conduct a regular inspection also and submit status reports as the need arises.

Section 20. FORMAL, NON-FORMAL AND ALTERNATIVE BASIC EDUCATION. The Department of Education shall implement supporting programs such as, but not limited to, Alternative Learning System, ABOT ALAM, GUIDANCE PROGRAM to improve children's access to quality formal, non-formal and alternative basic education for the differently able person, LGBT children, young children, Muslim children, IP children, children in conflict with the law, children in prostitution, working children, out-of-school children, street children, children in poor communities, internally displaced children, children in disaster prone and conflict-affected areas, unregistered/undocumented children among other. Pursuant thereto:

- a. The school to furnish a copy of School Improvement Plan to Local School Board.
- b. The Local School Board shall prepare an annual educational plan to support DepEd programs and projects.

Section 21. SAFETY PROTOCOL. The Local Council for the Protection of Children Technical Working Group shall promote and ensure safe, hazard-free and violence-free schools, child development centers and other learning institutions and facilities.

Article III *Protection Rights*

Section 22. PROHIBITION AGAINST WORST FORMS OF CHILD LABOR. No child below fifteen (15) years of age shall be employed or allowed to work, except when he/she works directly under the sole responsibility of the child's parents or guardians, and his/her employment or work does not in any way interfere with the schooling or is non-hazardous.

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

The phrase "worst forms of child labor" shall refer to any of the following as stated in RA 9231:

- a. All forms of slavery, as defined under the RA 9208 or the 'Anti-trafficking in Persons Act of 2003', or practices similar to slavery such as sale and trafficking of children as defined in RA 7610, debt bondage and serfdom and forced or compulsory labor, including recruitment of children in armed conflict or

- b. The use, procuring, offering or exposing of a child for prostitution, for the production of pornography or for pornographic performances, or
- c. The use, procuring or offering of a child for illegal or illicit activities, including the production and trafficking of dangerous drugs and violate substances prohibited under existing laws; or
- d. Work which, by its nature or the circumstances in which it is carried out, is hazardous or likely to be harmful to the health, safety or morals of children, such that it:
 - i. Debases, degrades or demeans the intrinsic worth and dignity of a child as a human being; or
 - ii. Exposes the child to physical, emotional or sexual abuse, or is found to be highly stressful psychologically or may prejudice morals; or
 - iii. Is performed underground, underwater or at dangerous heights; or
 - iv. Involves the use of dangerous machinery, equipment and tools such as power-driven or explosive power actuated tools; or
 - v. Exposes the child to physical danger such as, but not limited to the dangerous feats of balancing, physical strength of condition, or which requires the manual transport of heavy loads; or
 - vi. Is performed in an unhealthy environment exposing the child to hazardous working conditions, elements, substances, co-agents or processes involving ionizing, radiation, fire, flammable substances, noxious components and the like, or to extreme temperatures, noise levels, or vibrations; or
 - vii. Is performed under particularly difficult conditions; or
 - viii. Exposes the child to biological agents such as bacteria, fungi, viruses, protozoans, nematodes, and other parasites; or
 - ix. Involves the manufacture or handling of explosives and other pyrotechnic products.

Section 23. EMPLOYMENT OF CHILDREN.

- a. For employment of children as domestic helpers ages 17 years and younger, the employers shall first secure before engaging such child a work permit from DOLE that shall ensure observance of the welfare of the child. Provisions under RA 10361 or the Batas Kasambahay of 2013 shall then apply.
- b. No person shall employ a child to act as a model in all forms of commercials and an advertisement promoting alcoholic beverages, intoxicating drinks, tobacco and it's by products.
- c. Children found working in violation of the above provisions shall be rescued and provided with the appropriate interventions. The provincial government of Leyte in coordination with the national and regional agencies shall initiate appropriate training for members of the PNP and Barangay Tanods/Barangay Peacekeeping Action Teams (BPATs).
- d. The concerned municipality/city Local Government Unit (LGU) shall intervene on behalf of the child when the parent, legal guardian, or person having custody of the child fails, or is unable to protect the child against abuse or exploitation. The provincial government shall assist the municipality/city if necessary.

Section 24. PROVISION OF A SEPARATE CELL FOR CHILDREN IN CONFLICT WITH THE LAW. Every municipality/city shall provide a separate cell for *children in conflict with the law* to insulate them from the company and influence of hard-core criminals.

Section 25. COMPREHENSIVE PROGRAM FOR CHILDREN IN CONFLICT WITH THE LAW. The provincial government shall ensure a comprehensive program for children in conflict with the law pursuant to RA 9344 or the Juvenile Justice Welfare Act of 2006 as amended by RA10630 through the following:

- a. Establishment of Bahay Pag-asa in the province;
- b. Intervention and Diversion Programs = The programs shall include the provision of basic needs, food and clothing, health services, security and transportation. (refer to DSWD Guidelines and provisions in R.A 9344);
- c. Other programs for CICL.

Section 26. ESTABLISHMENT OF WOMEN AND CHILDREN PROTECTION DESK (WCPD). All police stations of cities and municipalities have established Women and Children Protection Desk managed by policewomen to receive complaints, problems and assist victims of abuses. *The Philippine National Police of Leyte* shall assist in strengthening and monitoring sustainability of Women and Children Protection Desk in all areas within the province.

Section 27. REPORTING AND COVERAGE OF CASES INVOLVING CHILDREN. Media practitioners have the duty to maintain the highest ethical and professional standards in reporting and covering cases of children and should observe that in all publicity concerning children, the best interest of the children shall be the primordial and paramount concern. Media practitioners shall at all times adhere to the guidelines on responsible reporting and coverage of cases involving children pursuant to RA 10173, otherwise known as "Data Privacy Act of 2012".

Section 28. PROGRAM ON CHILD ABUSE EXPLOITATION AND DISCRIMINATION. There shall be comprehensive program to be formulated by the LCPC in coordination with other government agencies, the private sector of NGOs concerned to protect children against worst form of child labor, child trafficking, obscene publication, indecent shows and other acts of abuse and circumstances which endanger child survival and normal development, hence:

- a. The program shall cover the strict implementation of the provisions of PD 603, otherwise known as "The Child Welfare Code and R.A. 7610 as amended, otherwise known as "An Act providing for stronger deterrence and special protection against child abuse, exploitation and discrimination, providing penalties for its violation, and for other purposes," and all other laws affording protection against child exploitation.
- b. Any concerned person who has knowledge on child abuse case shall have the responsibility to report to LGU offices either to LCPC/BCPC, MSWDO, MHO, PNP and Schools.
- c. The concerned Municipality/City Local Government Unit (LGU) shall intervene on behalf of the child when the parent, legal guardian, or person having custody of the child fails, or is unable to protect the child against abuse or exploitation. The Provincial Government shall assist the municipality/city if necessary.

Section 29. PROHIBITION OF CORPORAL PUNISHMENT. The use of corporal punishment which includes emotional, degrading and humiliating punishment on children shall be prohibited in home, early childhood development facilities and child development centers and facilities, community centers, sports teams and centers, government units and in other places where there are children. Pursuant thereto:

- a. Parents, nannies, house helpers and caregivers, foster parents, guardians, relatives who have custody of the child, or other persons legally responsible for the child, including those exercising special or substitute parental authority, school teachers, personnel and officers of both public and private academic and vocational institutions, employers and supervisors or churches, or any other person under whose care the child has been entrusted to and who inflicts corporal punishment on the child shall be liable in accordance with existing penal laws.
- b. Offenders shall be referred to the MSWDOs for assessment of appropriate intervention programs such as seminars or counseling sessions on children's rights and positive and

non-violent discipline of children, anger management, and referrals to other rehabilitative services.

- c. The penalty imposable for habitual or repeat offenders is arresto menor (imprisonment from 21 to 30 days) and/or fine not exceeding Php 2,500.00.

Section 30. PROMOTION OF POSITIVE DISCIPLINE. The LGU/Province and the line agencies shall develop a comprehensive program to promote positive discipline in lieu of corporal punishment of children. A continuing information dissemination campaign and capacity building shall be conducted in schools, communities and municipality relative to its techniques and benefits among parents, teachers and other caregivers.

This code encourages DepEd and other schools to establish child protection committee to handle cases and issues related to child welfare. Schools must add in its policies special consideration to working children, differently-able children, LGBT, children from indigenous communities, Muslims and other religion.

Section 31. REGULATION ON CHILDREN'S EXPOSURE TO COMMERCIAL ELECTRONIC PORNOGRAPHY AND VIOLENCE, ONLINE SEXUAL ABUSE OR EXPLOITATION (OSAEC/OSEC) AND CHILD SEXUAL ABUSE MATERIALS (CSAM). The following acts involving online or offline means or a combination of both is hereby regulated. Violations of the following regulations may cause the suspension or cancellation of business permits, as deemed appropriate, in addition to the penalties provided under Article VII hereof and such other applicable laws, rules and regulations:

- a. All internet cafes are enjoined shall keep their facilities transparent and/or open to view to deter customers especially children from accessing pornographic sites and violent online games. Operators shall not maintain enclosed and/or non-transparent cubicles or rooms in the establishment.
- b. ICT services, studios, film distributors and theaters, by themselves or in cooperation with other entities, shall not distribute any form of Child Sexual Abuse or Exploitation Materials.
- c. It shall be unlawful for internet cafes, ICT services, studios, film distributors and theaters or any person to offer, sell, distribute, advertise, promote, publish, transmit and broadcast, by any means, any form of CSAEM.
- d. It shall be unlawful for internet cafes, ICT services, studios, film distributors and theaters or any person to hire, employ, use, persuade, induce, extort, engage, or coerce a child to perform or participate in whatever way in the creation or production of any form of OSAEC and CSAEM.
- e. All other Unlawful or Prohibited Acts enumerated under Section 4 of R.A. NO. 11930, otherwise known as An Act Punishing Online Sexual Abuse of Exploitation of Children, Penalizing the Production, Distribution, Possession and Access of Child Sexual Abuse or Exploitation Materials.

The provincial government in coordination with the and the City and Municipal Council for the Protection of Children shall conduct regular monitoring and implementation of *programs against commercial electronic pornography and violence, online sexual abuse or exploitation and child sexual abuse materials and other similar instances.*

The LGU Public Employment Service Office (PESO) in coordination with DOLE and other relevant agencies shall create a monitoring mechanism on the number, nature of employment and status of employed children. Reports of which shall be submitted to the Local Chief Executive so that appropriate interventions can be made when necessary.

Section 32. RIGHTS OF CHILDREN RESCUED FOR REASONS RELATED TO ARMED CONFLICT. Any child involved in armed conflict who is rescued shall be regarded as a victim and shall be accorded the following rights:

- a. Treated with respect and in a child-sensitive manner.
- b. Immediate tracing of and reunification with the victim's family if separate.
- c. Immediate access to culturally-sensitive and appropriate health services, psychosocial services and rehabilitation and reintegration program, including alternative parental care if needed. Separate temporary shelters from adults except where families are accommodated together.
- d. Interventions for children of Muslim and Indigenous People shall be provided in recognition of the traditional structures and institutions and communities.
- e. Access to education programs that are appropriate to his or her needs
- f. Immediate free legal assistance and physical security upon rescue;
- g. Immediate notice of such rescue should be given to the parents or guardians of the child;
- h. Turn-over the child to MSWDO or any responsible member of the community. (*e.g. religious group, CSO, LCPC.*)

Section 33. MONITORING AND REPORTING OF CHILDREN IN SITUATIONS OF ARMED CONFLICT, DISASTERS AND CALAMITIES. The Chairperson, Punong Barangay or any designated official of the barangay affected by armed conflict, disasters and calamities shall submit the names, sex and birthdays of the children as well as children separated from their families and residing in said barangay to the Municipal Disaster Risk Reduction and Management Council (MDRRMC), which shall then forward the data to the Provincial Social Welfare and Development Office (PSWDO) within a reasonable time from the occurrence of the armed conflict, disasters and calamities.

Section 34. COMPREHENSIVE EMERGENCY PROGRAM. As stipulated in the Republic Act 10821 also known as the Children's Emergency Relief and Protection Act of 2016, the Province/City/Municipal/Barangay must ensure the protection of children's particular needs before, during and after emergencies. The program should be gender and child sensitive and shall endeavor for following:

- a. Establishment of Evacuation Centers – The Provincial government in coordination with the municipal governments shall establish and identify safe locations as evacuation centers for children and families in accordance with RA 10121 and RA 10821 which says that schools can only be used as a last resort and if utilized, there are only specific areas that can be occupied and the school can only be used for a maximum of 15 days.
- b. Establishment of Transitional Shelters for Orphaned, Separated, and Unaccompanied Children - The provincial government shall establish an option for transitional shelters, prioritizing vulnerable and marginalized groups including orphaned, separated, and unaccompanied children and pregnant and lactating mothers. New transitional shelters shall be designed with the following considerations: gender-specific emergency latrine, bathing cubicles, and hand-washing facilities specifically designed for children. It shall provide mother and child-friendly spaces where children can take part in child activities. It shall also have provisions for maternal and newborn and infant care and rooms to protect and feed. Provide personal care and ensure the right to privacy. Existing transitional shelters shall be modified to the extent possible to comply with the abovementioned considerations.
- c. Immediate Delivery of Basic Necessities and Services - The Program shall facilitate and

ensure the immediate delivery of basic necessities and services specifically required by the affected children in different stages of development such as access to basic health services, food, water, nutrition, medicines, clothing, sanitary and hygiene kits, and other emergency needs such as blankets, mosquito nets, cooking ware, fuel and flashlights. The Program shall give priority to the specific health and nutrition needs of pregnant women, lactating mothers, newborn babies, children under five years old and children with special needs and protection.

- d. Stronger Measures to Ensure the Safety and Security of affected Children - The LCPC shall come up with measures and protocols to monitor and ensure the safety and the security of the affected children including and not limited to children with disability and with special needs and protection in time of calamities and also ensure protection of children against all forms of violence, abuse and exploitation. Pursuant thereto:
 - i. The LGUs shall prioritize the establishment and functionality of the Barangay Violence Against Women and Children (VAWC) desks. The VAWC desk shall serve as one of the key reporting and referral mechanism for cases of violence, abuse, and exploitation of children in the barangay during all phases of emergency response and recovery.
 - ii. Children shall be given priority during evacuation as a result of a disaster or other emergency situation. Existing CSOs in the community shall be tapped to look after the safety and well-being of children during evacuation operations. Measures shall be taken to ensure that children evacuated are accompanied by persons responsible for their safety and well-being.
- e. Delivery of Health and Nutrition Services - Under the Program of the PHO, in coordination with the MSWDO, and the different departments/units, and CSOs in the community, shall provide the health and nutritional needs of children in the areas declared under the state of calamity, including psychosocial interventions for children in different stages of development.
- f. Plan of Action for Prompt Resumption of Educational Services for Children - The Department of Education (DepEd) in coordination with the MSWDO, DILG shall ensure the prompt resumption of educational services for all children, including early childhood care and development for children aged below five (5).
- g. Establishment of Child-Friendly Spaces - The local government unit shall set up Child-Friendly Spaces in every barangay declared under the state of calamity, as needed, based on the guidelines to be promulgated by LCPC. In addition, the local government shall coordinate with lead agencies and development partners to effectively respond to the needs of the children in the area. Child-Friendly Spaces shall be made available throughout a crisis, from emergencies to recovery.

In case the concerned barangay cannot immediately respond due to the huge impact of disaster, the MSWDO, together with the concerned government agencies and in coordination with development partners as well as nearby LGUs, shall provide the necessary child care services and social protection of affected children.

- h. Promotion of Children's Right - The Program shall include activities and processes that will promote and uphold the rights of children by:
 - i. Providing child-centered training for all responders;
 - ii. Ensuring that children are provided with adequate access to age appropriate information on their roles and responsibilities and those of government agencies before, during and after disasters and other emergency situations;
 - iii. Providing for an effective mechanism for training and meaningful participation

of children in community disaster risk reduction program; and,
iv. Consulting with the affected children on their needs and priorities for post-disaster relief and recovery.

- i. Establishment of Assistance to Differently-Able Children or Children with Special Needs - The provincial government shall provide assistance to children with disabilities that need assistive devices for the mobility, improved hearing and vision shall be provided by the national agencies, LGU and other donor organizations. The LGU shall legislate policies for the provision of local subsidy for indigent persons with disability specially for children and shall appropriate funds to provide assistance to children with special needs.
- j. Services for orphaned, unaccompanied, or separated Children - The LCPC shall develop a minimum set of standards and guidelines for the Family Tracing Reunification System of unaccompanied and separated children.

Orphaned children, and unaccompanied or separated children whose families or relatives cannot be found or assessed to be incapable of providing proper care and protection shall be placed in a licensed or accredited residential care facility or with a foster family in accordance with Article 140 of the Child and Youth Welfare Code, or a community-based center. A registered social worker shall provide the needed case management and intervention.

- k. System of Restoring Civil Registry Documents - To ensure that vital information pertaining to the personal circumstances of a child are adequately protected and available at all times, the Local Civil Registrar shall develop a system for the restoration and reconstruction of civil registry documents that have been destroyed or declared lost or missing during a disaster or calamity.

The Local Civil Registrar shall submit a report on the number of restored or reconstructed documents to appropriate government agencies for effective monitoring and reporting and to ensure the continued access of the affected children to social services and facilitate the reunification of separated children with their families. It shall likewise develop a system for the registration of children born during a national or local state of calamity.

- l. Training of Emergency Responders on Child Protection- The Local DRRMC shall promote and conduct a child-responsive training program for all responders in the calamity area such as community and barangay leaders, community members, school personnel and other rescuers. The training program shall include the following:
 - i. Proper procedures and measures to assess the situation, safeguard and protect the affected children during and after emergencies and disasters; and
 - ii. Appropriate training on psycho-social interventions for children in different stages of development who are victims of calamities.
 - iii. Each member agency shall include or mainstream child protection in the emergency response training to service providers.
- m. Data Gathering, Monitoring, and Reporting – The LCPC shall come up with a report taken from agencies mandated under RA 10821 to monitor and report on the implementation of services under the Program and submit the same to the Local Chief Executive annually. The report shall include a specific section on pregnant women and children under five years of age as a strategy for ensuring to address the post-disaster nutrition needs of children and pregnant women.

In the aftermath of a national or local state of calamity, the collection and reporting of data for the Disaster Risk Reduction Management Information System at all levels, as provided for in Republic Act No. 10121 shall be disaggregated by age,

gender, ethnicity and special needs. Such collected data shall be utilized to understand and respond better to the needs of children affected by disasters and calamities.

Within five (5) days from the declaration of a national state of calamity or as soon as practicable, the MSWDO and the Barangay Affairs Unit shall jointly submit written documentation and report on their surveillance and monitoring activities to the Sangguniang Bayan.

- n. Appropriations to the Comprehensive Emergency Program - The implementation of the programs under RA 10821 shall be charged against the 5% Calamity Fund of the Local Government.

Article IV *Participation Rights*

Section 35. The PLGU shall enjoin LGUs to encourage the child's freedom to express oneself in matters affecting his/her life by supporting political, religious, socio-cultural and community development activities which will develop child's mental and physical capabilities in preparation for adulthood.

Section 36. PROMOTION OF CHILDREN'S RIGHTS BY THE PROVINCIAL, CITY AND MUNICIPAL FEDERATION OF SANGGUNIANG KABATAAN. The Sangguniang Kabataan shall be the potent partner in the promotion of children's rights, and therefore, it shall be equipped with the necessary leadership skills through training and capability-building to be facilitated by DILG in cooperation with the provincial, city and municipal LGUs and LCPCs.

Section 37. Participation rights of differently-able, out-of-school youths, LGBTs, CIGL, IPs shall be given special attention by concerned agencies such as the DOH, DepEd and DSWD in coordination with the Provincial Government, LCPCs, private sector and other CSOs focusing on children's concerns through skills trainings and related activities at the early stage so they can be mainstreamed in the society. The Provincial Government acknowledges that every child has the right to be heard in all matters affecting them and to have their views taken seriously.

Section 38. RIGHT TO ORGANIZE. The provincial government through the municipal/city LGUs shall encourage children's organization and federation of children's association in the community and in school to promote their participation in socio-cultural, economic activities, given that it does not hamper children's education and health. For accreditation and recognition:

- a. Children's Association/organization may apply for accreditation to the Sangguniang Panlalawigan/Sangguniang Bayan/Sangguniang Panglungsod and be given representation in the local development councils and in special bodies of the local government (*Local Health Board, Local School Board, LCPC, Local Peace and Order Council, LDC, DRRMC*) pursuant to DILG Memorandum Circular No. 2025-063. In connection thereto, submission of the following minimum documentary requirements must be met:
 - i. list of membership
 - ii. list of officers
 - iii. minutes of the meeting; and,
 - iv. Constitution and By-Laws.
- b. The Barangay Children's Association federation shall submit a resolution to the Sangguniang Bayan for them to be recognized and accredited at the municipality.
- c. Children should identify programs and activities that are of interest to them and that can enhance their self-esteem such as but not limited to summer camps, children's dialogue, sports fest, symposium, art literary and musical activities in consultation and in coordination with the LCPC.

- d. LCPC should monitor the organization of children's groups along with their programs and activities.
- e. LCPCs in coordination with DepEd, DSWD, DOH and other concerned agencies should provide financial and capability building support for child leaders to train second liners.

Section 39. ORGANIZATION OF CHILDREN'S ASSOCIATION. The provincial government through the municipal/city LGU shall encourage the organization of children's association in the community and in school and promote their participation in socio-cultural activities.

Section 40. A yearly Provincial Parent and Youth Camp or similar forum shall be conducted to encourage communication, thresh out problems and issues between/among adult and children.

Section 41. RIGHT OF CHILDREN TO INFORMATION. Programs affecting and benefiting children should be widely disseminated as possible to include schools and communities and other platforms where children have access to information. Awareness raising and information drive on the provisions of this code shall be intensified through the use of mainstream and social media; and other awareness-raising activities in coordination with the LGUs, schools, NGOs and people's organizations to usher in the integration of the same in the plans, programs and activities of all stakeholders in the Province of Leyte. This shall be done by DSWD as the lead agency in coordination with other agencies like DOLE, DILG, Population Office, DepEd with PTCA.

Section 42. RIGHT TO FREEDOM OF EXPRESSION AND OPINION. A yearly Parent and Youth Camp or other related programs shall be initiated by the LCPCs to encourage communication, thresh out problems and issues between/among adult and children. This should be reflected in the Annual Work and Financial Plan of the LCPC. This should include education of parents on children's right to expression and opinion.

Section 43. CHILDREN OF INDIGENOUS CULTURAL COMMUNITIES. Indigenous cultural communities whose members are bound by a common ethnic origin, language, culture or religion or belief and whose existence as a distinct community with its own particular characteristics should be preserved.

- a. Children of indigenous cultural communities shall be entitled to protection, survival and development consistent with the customs and traditions of their respective communities;
- b. The Local Council for the protection of children shall develop and institutionalize an alternative system of education. Children can be enrolled in any private or public school in the municipality according to the choices of their parents.
- c. The delivery of basic social services in health and nutrition to children shall also be extended to this indigenous cultural community. Hospital and health institutions should give equal attention to these children.
- d. Any person who discriminates against children of indigenous cultural communities shall be dealt with pursuant to Article IX of R.A. 7610.

Article V *Prohibited Acts*

Section 44. PROHIBITED ACTS. In addition to all acts defined and penalized under Republic Act No. 7610 (Special Protection of Children Against Abuse, Exploitation, and Discrimination Acts, as amended by Republic Act No. 9231); Republic Act No. 7658 (An Act Prohibiting the Employment of Children below 15 years of age, amending Section 12 of R.A. 7610); Republic Act No. 9208 (Anti-trafficking in Person's Act of 2003); Republic Act No. 9262 (Anti-Violence against Women and their Children Act of 2004); and other pertinent laws, the following acts shall likewise be prohibited and punishable.

- a. **Child Trafficking.** Any person who shall travel with a child not his/her relative within the fourth civil degree without clearance from the Department of Social Welfare and Development Office or written permit or clearance from the child's parents or legal guardian shall be punished. There is a presumption of trafficking when a person is found together with a child or minor not his/her relative without the said clearance or permit at the airport or port of exit for the purpose of traveling to other destination.
- b. **Employment of Children.** Allowing a child to work as porter (kargador), pedicab driver, motorized tricycle driver, motorboat operator or as an assistant, peddlers, farm laborers, laborer in construction work or in quarrying activities as a stone splitter and other similar activities which are hazardous and/or hamper the child's education and development.
- c. **Discrimination of Illegitimate Children.** It shall be prohibited for schools to discriminate illegitimate children including, but not limited to the following:
 - i. Refusal to accept enrollment of illegitimate children in school by reason of one's illegitimacy.
 - ii. Requiring the marriage contract of parents in the enrollment of the child.
- d. **Expulsion by Reason of Pregnancy.** No school shall impose the penalty of expulsion against a child who has complied with academic requirements by reason of pregnancy.
- e. **Not allowing a child to graduate by reason of Pregnancy.** No school shall disallow a child to graduate by reason of pregnancy after having complied with all academic requirements. Refusal to issue a clearance by reason of pregnancy is likewise prohibited.
- f. **Sexual Exploitation of Children.** Sexual exploitation of children by any person is prohibited. Persuading children to do public display of lascivious conduct shall be considered prima facie evidence of sexual exploitation.
- g. **Entry, Selling, Distribution, Patronage and Showing of Pornographic and Violent Multi-Media Materials.** The Local Council for the Protection of Children, Local Law Enforcers shall monitor and prevent the entry of pornographic and violent multi-media materials. It shall be unlawful for any person to sell, distribute, patronize, and show such materials.
- h. **Computer shops/Internet Cafes.** All computer shops and/or internet cafes are prohibited from allowing school children to use the facility during school days from 7 o'clock in the morning to 5 o'clock in the afternoon. Children doing research work may be allowed provided they present written permission from their teachers or parents/guardian, and they shall be closely supervised by the owner/manager. Signage to this effect shall be conspicuously posted in the establishment. Any violation hereof by the establishment shall be penalized with a suspension of the business permit for fifteen (15) days for the first offense; one (1) month suspension of business permit for the second offense; and cancelation of the business permit for the third offense.

It is further prohibited to establish computer shops and internet cafes within 200 meters of any elementary and secondary school premises; however, municipal LGUs are not precluded from enacting measures to address actual concerns in relation thereto. This provision shall not in any way amend, modify, or repeal a different time, daily schedule, and penalty provision of a similar ordinance of a lower-level Local Government Unit (LGU) which shall continue to be in force and effect.

- i. **Selling and/or Giving Liquor, Cigarettes, Rugby, and other Addictive Substances to Children.** It shall be unlawful for any person to sell or give liquor, cigarette, rugby, or any addictive substance to a child.
- j. Children shall be prohibited at cockpit premises and shall not be allowed in participating in any cockfight.

- k. **Peonage of Children.** Offering a child or the services of the child as payment for a debt or in exchange for a favor, such as but not limited to:
- i. Working in agricultural farms
 - ii. Working as house helpers
- l. **Pushing/Enticing Children/Minors to Live-In Arrangement.** It shall be unlawful for any person to entice, encourage, and/or push children to live together with any person as husband and wife in exchange for money or any other consideration.
- m. **Physical and other degrading forms of punishment.** Subjecting a child to physical and degrading forms of punishment such as, but not limited to the following:
- i. Directing a child to kneel on salt or another similar granular object.
 - ii. Shaving the head of the child.
 - iii. Harsh whipping of the child with a stick, belt and other similar object.
 - iv. Tying up the child, placing him/her inside a sack, locking him/her up in a cabinet or any closed structure, otherwise detaining him/her.
 - v. Pulling the hair of the child.
 - vi. Throwing objects such as, but not limited to erasers, chalk, and notebook at the child.
 - vii. Causing the child to stand under the heat of the sun.
 - viii. Directing the child to stand in front of the class as punishment of an act or omission.
 - ix. Defamatory utterances directed to the child.
 - x. Disallowing enrollment of children on temporary status due to absence of birth certificate.
 - xi. Disallowing children from taking examinations by reason of non-submission of projects.
 - xii. Posting of names of pupils and students anywhere in the classroom and or in the campus due to non-payment of any voluntary contribution and/or school fees

Any person who commits any of the above-mentioned prohibited acts shall be penalized with a fine of not less than One Thousand Pesos (P1, 000.00) and not more than Five Thousand Pesos (P5, 000.00) or an imprisonment of not less than six (6) months and not more than one (1) year, or both such fine and imprisonment, at the discretion of the court.

Article VI *Special Concerns*

Section 45. ORGANIZATION, FUNCTION, AND STRENGTHENING OF LOCAL COUNCILS FOR THE PROTECTION OF CHILDREN. The Provincial and Municipal/City Council for the Protection of Children shall be organized at the Provincial/Municipal/City level respectively, and the Barangay Council for the Protection of Children shall organize their respective Council for the Protection of Children. The composition of the Provincial Council for the Protection of Children shall be as follows:

- | | |
|-------------|---|
| Chairperson | : Provincial Governor |
| Co-Chair | : Sangguniang Panlalawigan Member (Chairperson, Committee On Women, Children, and Family Relations) |
| Members | : Provincial Director, DILG
Provincial Social Welfare and Development Officer
Provincial Labor and Employment Officer
Leyte Schools Division Superintendent, DepEd
Provincial Planning and Development Officer
Provincial Budget Officer |

Provincial Health Officer
 Provincial Director, PNP
 Provincial Treasurer
 President, League of Municipalities of the Philippines (Leyte Chapter)
 Provincial SK Federation President (Leyte Chapter)
 Provincial PCL President (Leyte Chapter)
 Prov'l President, Liga ng mga Barangay (Leyte Chapter)
 Provincial Nutrition Action Officer
 Provincial Disaster Risk Reduction Management Officer
 Provincial Gender and Development Focal Person
 Armed Forces of the Philippines
 At least three (3) representatives from private sector, two (2) of whom
 are appointed by the Committee handling ECCD programs and one
 (1) from the labor union sector.

Section 46. FUNCTIONS OF LCPC.

- a. Formulate plans, programs, and policies for children that are gender-fair, culturally relevant and responsive to the needs of diverse group of children from 0 to below 18 years of age;
- b. Prepare Annual Work and Financial Plan (AWFP) for children and recommend appropriations to the Sanggunian;
- c. Provide coordinative linkages with other agencies and institutions in the planning, monitoring, and evaluation of plans for children;
- d. Provide technical assistance and recommend financial support to the lower level Councils;
- e. Establish and maintain database on children in the area of responsibility;
- f. Recommend local legislations promoting child survival, protection, participation, and development, especially on the quality of television shows and media prints and coverage, with appropriate funding support;
- g. Conduct capability building programs to enhance knowledge and skills in handling children's programs;
- h. Monitor and evaluate the implementation of programs and submit reports to appropriate agency;
- i. Perform such other functions as provided for in the ECCD Law and other related laws.

Section 47. PROVINCIAL INTER-AGENCY MONITORING TASK FORCE (IMTF)-TECHNICAL WORKING GROUP (TWG). A Provincial Inter-Agency Monitoring Task Force (IMTF)-Technical Working Group (TWG) is hereby created with technical personnel/representatives from the following offices:

Chairperson	:	Department of the Interior and Local Government
Members	:	Provincial Social Welfare and Development Office Provincial Planning and Development Office Provincial Health Office Department of Education-Leyte Division Provincial Disaster Risk Reduction and Management Office Leyte Provincial Police Office NGO Representative Child Representative

Section 48. FUNCTION OF IMTF-TWG. The Technical Working Group shall perform the following functions:

- a. Provide technical and administrative support to the Provincial Council for the Protection of Children;
- b. Monitor implementation of plans and programs geared toward addressing children's rights and development;
- c. Retrieve and review documents from the Municipal Council for the Protection of Children;
- d. Evaluate and assess the MCPC based on documents submitted;
- e. Perform other functions as may be directed

Section 49. CHILDREN'S MONTH CELEBRATION. Pursuant to RA 10661 declaring November as National Children's Month, the LGU shall conduct child-focused activities to promote the rights and responsibilities of Filipino Children.

Section 50. ORGANIZATION AND MONITORING ON THE FUNCTIONALITY OF THE LOCAL COUNCIL FOR THE PROTECTION OF CHILDREN. The LGU shall ensure the organization of the LCPC. Pursuant to DILG MC 2008-126, the Inter-Agency monitoring task force shall monitor the functionality of the councils.

Section 51. MANDATORY CAPABILITY BUILDING FOR MEMBERS OF THE LOCAL COUNCIL FOR THE PROTECTION OF CHILDREN. To ensure efficiency and effectiveness, all members of the Local Council for the Protection of Children (LCPC) from the municipality and barangay shall undergo formal child protection and welfare trainings.

Section 52. ADOPTION OF LEYTE CHILDREN'S WELFARE CODE. In coordination with the municipal governments, the Provincial Government shall monitor the adoption of the Leyte Children's Welfare Code within six months after the approval of the amended Leyte Children's Welfare Code.

Private organizations within Leyte that are in any way dealing with children, such as corporations, businesses, churches, health and medical centers, sports groups, transport organizations and the like, shall be encouraged to adopt their own code of conduct for the protection of children.

Section 53. CHILDREN ENGAGED IN ANTI-SOCIAL RELATED ACTIVITIES. Children found engaging in Anti-social Related Activities shall be rescued and provided with the appropriate interventions by the inter-agencies.

Section 54. CURFEW: 10:00 P.M. to 5:00 A.M. Minors caught outside their residence or boarding house during curfew without justifiable reason shall be brought by the Barangay Tanod to the barangay hall/outpost or police station for safekeeping. Their parents or guardians shall be informed and shall personally fetch these minors for custody.

Section 55. OTHER PROHIBITIONS. The provincial government shall ensure that local governments implement their roles of ensuring that internet Cafés, billiard inns, videoke stands, and other recreation houses shall not admit pupils or students without written permit from the head of their respective schools, except when it could be proven by the pupil or student that at the time of their stay in the said establishments they have no scheduled classes. However, appropriate documentary proof shall be required.

School heads, teachers and staff are encouraged to allow the pupils or students to use the electronic libraries and other facilities in schools for their research works in order to deter them from going outside school premises.

Section 56. INFORMATION DISSEMINATION. The Provincial Government shall formulate and implement an information program and cause the printing and distribution of this code to the general public.

Article VII *Penalty Clause*

Section 57. PENALTIES. The penalty for any violation of this code, which is not penalized elsewhere in other sections of this Code or in any national law, shall be:

First Offense - A fine of One Thousand Five Hundred Pesos Only (P1,500.00) and/or imprisonment of one (1) month to three (3) months, depending upon the discretion of the court;

Second Offense - A fine of Three Thousand Pesos Only (P3,000.00) and/or imprisonment of three (3) months to six (6) months, depending upon the discretion of the court;

Third and succeeding offenses - A fine of Five Thousand Pesos (P5, 000.00) and/or imprisonment of six (6) months to one (1) year, depending upon the discretion of the court.

For the first time offenders of the Prohibited Acts enumerated in this Code, except for Section 45 (h) hereof, and in cases where the offender is the parent or teacher of the child or relative within the fourth degree of consanguinity, and admits the offense and is sincere and willing to reform, the penalty may be lowered, subject to the consent of the child, and any of the following measures may be imposed:

- a. Attendance in a parenting and/or counseling sessions;
- b. Community service of 10 to 15 days;
- c. Participation in appropriate training courses.

For offenses punishable under Presidential Decree No. 603 (Child and Youth Welfare Code); and Republic Act No. 7610 (Special Protection of Children against Abuses, Exploitation and Discrimination Act as amended by Republic Act No. 9231); Republic Act No. 7658 (An Act Prohibiting the Employment of Children below 15 years of Age, amending Section 12 of R.A. No. 7610); Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003); Republic Act No. 9262 (Anti-Violence Against Women and their Children Act of 2004); *Republic Act No. 11930 (An Act Punishing Online Sexual Abuse of Exploitation of Children, Penalizing the Production, Distribution, Possession and Access of Child Sexual Abuse or Exploitation Materials)*, the Revised Penal Code or any other law as well as this Code, the offended party and/or any party so authorized may file a complaint under the national law, and the penalty in such national law shall be imposed.

Section 58. PENALTIES AND SANCTIONS. Violations of any provision of this Code not define hereof shall be penalized and sanctioned in accordance with the provisions of existing applicable laws, rules and regulations. Where specific penalties and/or sanctions are provided in this Code, the same shall be applied without prejudice to the imposition of other penalties for specific acts not mention hereof, as may be provided in other laws.

No penalty shall be imposed on children for said violations, and they shall instead be brought to their residence or to any barangay official at the barangay hall to be released to a custody of their parents/guardians or appropriate authorities.

Any parent or guardian found to be negligent in the performance of their duties to children shall be punished as follows:

- a. **For the first offense - counseling or parent education;**
- b. **For the second and subsequent offenses - the filing by the LCPC of the appropriate charges on child abuse under Republic Act No. 7610 and Petition for Involuntary Commitment pursuant to Presidential Decree No. 603, or other criminal or civil cases under applicable laws.**
- c. Without prejudice to the filing of appropriate charges pursuant to the provisions of Republic Act No. 7610, violation of any provision of this code shall be punished by imprisonment not exceeding six (6) months or a fine not exceeding Two Thousand Five Hundred Pesos (P 2,500.00) or both upon the discretion of the court.
- d. All establishments and enterprises which promote or facilitate child prostitution and other social abuse, child trafficking, obscene publications, indecent shows and other acts of abuse shall be immediately inspected and verified, closed and their authority or license to operate cancelled without prejudice to the manager or owner being prosecuted under this Code.

Article VIII *Final Provisions*

Section 59. PENALTY FOR THE REFUSAL OR NEGLIGENCE OF ANY GOVERNMENT OFFICIAL OR EMPLOYEE TO IMPLEMENT THIS CODE. Any government official or employee, charged with the duty to implement this *Code*, and who refuses or neglects his/her duty, shall be punished with six (6) months suspension from the service without pay, provided that due process on administrative discipline as established under the Civil Service Law and other pertinent laws shall be strictly observed before said penalty is imposed to such offender.

Section 60. APPROPRIATIONS FOR CHILDREN'S PROGRAMS. Local Government Units shall appropriate funds, as part of its annual budget, for the implementation of children's program. The provincial government shall allocate funds necessary for the implementation of this Code, including training and orientation of stakeholders and promotion of this Code to the general public.

Section 61. SUPPLEMENTARY APPLICATION. The applicable provisions of Presidential Decree No.603 (Child and Youth Welfare Code); Republic Act No. 7610 (Special Protection of Children against Abuses, Exploitation and Discrimination Act as amended by Republic Act No. 9231); Republic Act No. 7658 (An Act Prohibiting the Employment of Children below 15 years of Age, amending Section 12 of R.A. No. 7610); Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003); Republic Act No. 9262 (Anti-Violence Against Women and their Children Act of 2004); *R. A 9344 (An Act Establishing a Comprehensive Juvenile Justice and Welfare System, Creating the Juvenile Justice and Welfare Council under the Department of Justice, Appropriating Funds Therefore and for other Purposes); as amended by RA 10630, RA 9775 (An Act Defining the Crime of Child Pornography, Prescribing Penalties Therefore and for other purposes); Senate Bill No. 1107 (Anti- Corporal Punishment Law), RA 10410 Early Years Act of 2013, RA 10121 (Philippine Disaster Risk Reduction and Management Act of 2010), RA 10821 (Children in Emergencies), the Revised Penal Code and other pertinent laws shall be supplementary to this Code.*

Section 62. SEPARABILITY CLAUSE. If for any reason a provision of this *Code* is declared invalid or unconstitutional, other parts or provisions hereof which are affected thereby shall continue to be in full force and effect.

Section 63. REPEALING CLAUSE. All ordinances, resolutions, executive orders, and other local issuances which are inconsistent with any of the provisions of this *Code* are hereby repealed or modified accordingly.