



Republic of the Philippines
Province of Aurora
MUNICIPALITY OF BALER

Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BALER, AURORA WHICH WAS HELD ON OCTOBER 21, 2009 AT THE SB SESSION HALL, LEGISLATIVE BUILDING.

Present:

Hon. Nelianto C. Bihasa	Vice Mayor-Presiding Officer
Hon. Benjamin C. Mata	SB Member
Hon. Edith S. Buluag	SB Member
Hon. Marcelino B. Zabat	SB Member
Hon. Danilo M. Ong	SB Member
Hon. Nenita DS. Gonzales	SB Member
Hon. Arthur L. Sanchez	SB Member-PCL President
Hon. Pedro V. Querijero	SB Member-ABC President

Absent:

Hon. Zenaida S. Querijero	SB Member (On sick leave)
Hon. Zaldy R. Hugo	SB Member
Hon. John Mark A. Aragon	SB Member-SK Fed. Chairman

MUNICIPAL ORDINANCE NO. 05-2009

AN ORDINANCE ENACTING THE CHILDREN'S CODE OF BALER, AURORA.

WHEREAS, the Local Government Code 1991 states that municipalities shall exercise and discharge its powers, functions and responsibilities appropriate or incidental to the efficient and effective provision of basic services and facilities, which includes, among others, programs and projects on child and youth welfare;

WHEREAS, Child 21 states: there is a need to be sensitive to the needs of children by building a Child Friendly Society where children are nurtured and allowed to grow and develop in dignity, protected from threats to their well being and free to express themselves and participate on their development;

WHEREAS, children are considered the "*Hope of the Future Generation*"; however, the most vulnerable sector of our society;

WHEREAS, the municipality of Baler recognizes that children are important assets of our society and should be given a decent quality life and it is only when they are able to exercise their rights that they could develop their full potentials;

WHEREAS, in keeping with its duties and commitment to uphold the rights and well being of children, the Municipal Government of Baler deems it necessary to adopt measures and address these needs;

NOW THEREFORE BE IT ORDAINED AS IT IS HEREBY ORDAINED BY THE SANGGUNIANG BAYAN OF BALER IN SESSION DULY ASSEMBLED THAT:

ARTICLE I

TITLE, POLICY, PRINCIPLES AND DEFINITION OF TERMS

Section 1. **TITLE** – This Ordinance shall be known as **Children's Code of Baler, Aurora.**

Section 2. **DECLARATION OF POLICY AND PRINCIPLES:**

The Municipality of Baler recognizes the vital role of youth/children in the development of this municipality and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It recognizes that children have rights as provided in the United Nations Convention on the Rights of the Child and Other Laws.

It recognizes the importance of effectively promoting fully enhancing and institutionalizing the survival, development, protection and participation rights of children.

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

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

Section 3 - Purposes. – This code is enacted with the following Purposes:

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

Section 4. - DEFINITIONS OF TERMS- As used in this Code

- a. Children – refers to persons below 18 years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect cruelty and exploitation or discrimination because of physical or mental disability or condition.
- b. Survival Rights (CRC)– refers to inherent rights to life and needs that are basic to existence which include the following:
 1. Right to life
 2. Right from birth to a name
 3. Right to acquire a nationality
 4. Right to know his/her parents and be cared for by them
 5. Right to adequate and decent standard of living
 6. Right to access to basic health care and services.
- c. Development Rights (CRC)– refers to access education which includes the following:
 1. Right to education opportunity
 2. Right to access to appropriate information
 3. Right to leisure, recreation and cultural and artistic activities
 4. Right to develop the child’s physical and mental abilities to the fullest

- d. Protection Rights (CRC)– covers those rights, protecting the child from all forms of abuse, exploitation and discrimination which includes the following:
 - 1. Protection of the child from all forms of physical and mental abuse
 - 2. Right of the child to be protected from injury, neglect and maltreatment
 - 3. Protection from exploitation, sexual and economic abuse, including prostitution and involvement in pornography
 - 4. Protection from sale, trafficking and abduction
 - 5. Right to special protection and assistance if without a family
 - 6. Right to treatment for necessary and reintegration of abused or exploited
 - 7. Right to periodic review if placed under care, protection or treatment
 - 8. Right of protection in situation of armed conflict
 - 9. Right of children in conflict with the law
 - 10. Right of freedom from torture, death, penalty, life imprisonment and deprivation of liberty.
 - 11. Right to protection from child labour
 - 12. Right to be protected from the use of narcotics, psychotropic drugs and from being involved in the production or distribution.

- e. Participation Rights (CRC) – refers to right of children to participate, give opinion and be heard, which includes the following:
 - 1. Right to express his/her opinion freely and to have that opinion taken into account
 - 2. Right to obtain information, make ideas and information known
 - 3. Freedom of thought, conscience and religion subject to appropriate parental guidance
 - 4. Freedom to join association and peaceful assemblies
 - 5. Right to be heard in judicial and administrative proceedings and
 - 6. Right to privacy

- f. Child Abuse (RA 7610 & 9262, PD 603, RA 7877)– refers to the maltreatment, whether habitual or not of the child that includes any of the following:
 - 1. Physical and psychological abuse, neglect, cruelty, sexual and emotional
 - 2. Any act by deeds or words which degrades the dignity of a child as a human being
 - 3. Unreasonable deprivation of his/her basic needs such as food, shelter and clothing
 - 4. Failure to immediately give medical treatment to an injured child resulting in serious impairment of growth and development of permanent incapacity or death.

- g. Exploitation (RA 9208) – means hiring, employment, persuasion, inducement or coercion of a child to perform in obscure exhibitions and indecent shows, whether live or in video or film or the pose or act as a model in obscure publication or pornographic materials or to sell or distribute materials.

- h. Early Child Care Development (ECCD) – refers to the full range of health, nutrition, early education and social services programs that provide for the basic holistic needs of young children from birth to age six (6), to promote their optimum growth and development.

- i. Pre –School Education –refers to the age from birth up to six years of age (0-6) known to be critical phase of child’s psychomotor development. It is the phase when 90% of the human brain is developed. It is the phase when activities for developmental; situation must be provided, hence, the need for early childhood care and development program.
- j. Day Care – is the provision of substitute parental care and stimulating activities for the total development children zero to five (0-5) years when their parent are unable to take care of them during part of the day because of work and some other situation.
- k. Day Care Center – is a facility where Day Care Services are provided by an accredited Day Care Worker particularly on the 3-5 year age bracket.
- l. Special Concerns – are circumstances which gravely threatens or endanger the survival and normal development of children including but not limited to the following:
 - 1. Being in a community where there is armed conflict or being affected by armed conflict related activities
 - 2. Working under conditions hazardous to life safety and morals which unduly interfere with their normal development
 - 3. Living in or fending for themselves in the streets without the care of parents and guardians or any adult supervision needed for their welfare
 - 4. Being a member of indigenous cultural community and/or hiring under conditions of extreme poverty or in an area which is underdeveloped and/or lack or has inadequate access to basic services needed for a good quality of life.
 - 5. Being a victim of man-made or natural disaster calamity
 - 6. Circumstances analogous to those above stated which endanger life, safety or normal development of children
- m. Comprehensive Program Against Child Abuse, Exploitation and Discrimination – refers to the coordinated program of services and facilities to protect children against:
 - 1. Child prostitution and other child abuse
 - 2. Child trafficking
 - 3. Obscene publication and indecent shows
 - 4. Other acts of abuse and
 - 5. Circumstances which threatens or endanger the survival and normal development of child
- n. Anti-Social Related Activities – are those acts against property, chastity and person which include but not limited to the following:
 - 1. Petty crimes such as snatching, shoplifting, and misrepresentation
 - 2. Using and pushing prohibited drugs, selling illegal or bad reading materials
 - 3. Pimping for young and old prostitutes doing or participating in obscene show’s

4. Gambling of any form
 5. Rape and incest
 6. Unjust and inhumane manner of eviction and demolition
 7. Any other circumstances as defined in the existing laws
- o. Child in Conflict with the Law (CICL) - refers to a child who is alleged, accused of, or adjudged as, having committed an offense under Philippine Laws.

ARTICLE II
RIGHTS AND OBLIGATIONS OF THE CHILD

Section 5. – **RIGHTS OF THE CHILD**

- a. Every child shall be entitled to the rights herein set forth without distinction as to legitimacy, sex, social status, religion, political antecedents, and other factors.
- b. Every child shall possess the following rights which are classified into survival, development, protection and participation rights:
 1. “Survival rights” ensure the child’s inherent right to life and to the needs that are most basic to existence, the rights to a name and to a nationality, the right to identify and those dealing with parental and governmental duties and obligations, adequate and decent standard of living, access to basic health care and medical services, social security, and rehabilitation. The following are the survival rights:
 - a) Every child has the right to be born well, endowed with the dignity and worth of a human being from the moment of his or her conception;
 - b) Every child has the right to a wholesome family life that will provide him or her with love, care and understanding, guidance and counselling, and moral and material security. The dependent or abandoned child shall be provided with the nearest substitute of a home;
 - c) Every child has the right to balanced diet, adequate clothing, sufficient shelter, proper medical attention, and all the basic physical requirements of a healthy and vigorous life.
 2. “Development Rights” refer to the rights of a child to education to develop her or his personality, talents and mental and physical abilities to the fullest extent. These also include participation in cultural activities, access to appropriate and relevant information, and opportunities for rest, play and leisure. The following are the development rights:
 - a) Every child has the right to a well-rounded development of her or his personality to the end that she or he may become a happy, useful, and active member of society specifically:
 - (1) The gifted child shall be given the opportunity and encouragement to develop her or his special talents;
 - (2) The emotionally disturbed or socially maladjusted child shall be treated with sympathy and understanding, and shall be entitled to treatment and competent care;
 - (3) The physically or mentally disabled child shall be given treatment, education and care required by her or his particular condition;

- b) Every child has the right to be brought up in an atmosphere of morality and rectitude for the enrichment and the strengthening of her or his character;
 - c) Every child has the right to grow up as a free individual in an atmosphere of peace, understanding, tolerance, and universal sisterhood/brotherhood, and with the determination to contribute her or his share in the building of better world;
 - d) Every child has the right to education. Primary education must be compulsory and higher education must be available and accessible to all on the basis of capacity by every appropriate means. The education of the child shall be directed to:
 - (1) The development of the child's personality, talents and mental and physical abilities to the fullest extent;
 - (2) The preparation of the child for responsible adult life in a free society;
 - (3) The development of respect for the child's parents, her or his cultural identity, language and values, and the cultural background and values of others;
 - (4) The development of respect for the natural environment;
 - e) Every child has the right to full opportunities for safe and wholesome recreation and activities, individual as well as social, for the wholesome use of her or his leisure hours.
 - f) Every child has the right to live in a community and a society that can offer her or him an environment free from pernicious influences and conducive to the promotion of her or his health and the cultivation of her or his desirable traits and attributes.
3. "Protection rights" cover those rights protecting the child from all forms of abuses and discrimination such as protection from cruelty, torture, arbitrary separation from family, abuses in the justice and penal system, involvement in armed conflict, child labor, drug abuse, sexual abuse, and exploitation.
4. "Participation rights" refer to the child's right to participate in matters that affect him or her most by providing all appropriate venues where he or she can express his or her opinions freely and to have these opinions taken into account, involvement in decision-making and a consultative process, freedom of association and peaceful assembly. The following are the participation rights:
- a) Every child has the right to be provided the opportunity to be heard in any judicial and administrative proceeding affecting him or her, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law;
 - b) Every child has the right to freedom of thought, conscience and religion, subject to appropriate parental guidance;
 - c) Every child has the right to freedom of statement. This right shall include freedom to seek, receive and impart information and ideas of all kind;
 - d) Every child has the right to express his or her opinions freely and to have these opinions taken into account in any matter or procedure affecting him or her;

- e) Every child has the right to privacy and shall be protected against unlawful interference, and to unlawful attacks against his or her honor and reputation.

Section 6. - **Responsibilities of the Child** – Every child, regardless of the circumstances of birth, sex, religion, social status, political antecedents and other factors shall:

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

ARTICLE III

SURVIVAL RIGHTS OF CHILDREN

Section 7 – **PRIMARY HEALTH CARE**

The Municipal Government shall implement and sustain the Primary Health Care Program. To ensure the implementation of this Section, it shall take appropriate measure to support the program on health under the following frameworks of primary health and preventive care.

7.1 MATERNAL AND CHILD CARE PROGRAM

The Municipal Government shall continue to implement and support its maternal and child care services program. The program on preventive child care and health services shall include the following:

- a) Regular pre-natal consultation of pregnant women at least once every tri-mester
- b) Monitoring and registration of birth, to ensure that all births must be attended by trained personnel's such as midwives, nurses or physicians
- c) Completion of immunization series for prevention of tuberculosis, diphtheria, pertussis, neonatal, tetanus, measles, poliomyelites, hepatitis B and such other diseases for which vaccine have been developed
- d) Pregnant and lactating mothers must be given get vitamins A and iron and iodine or iodized salt

- e) Children are given 1 dose of Vitamin A starting 6-11 months at 100,000 I.U and 1-5 years old are given Vitamin A at 200,000 I.U. capsules twice a year
- f) Pregnancies are spaced at least three (3) years apart
- g) To ensured that all neonates must undergo newborn screening at birth

7.2 DENTAL HYGENE

Section 8 – NUTRITION PROGRAM

The Municipal Government shall establish and sustain a growth and nutritional monitoring with nutrition feeding and supervision of nutritional intake of children in home and in school by:

- a) Encouraging mothers to breastfeed their babies by stressing the importance and benefits of breastmilk
- b) To ensure that safe and adequate nutrition for all infants is provided, Executive Order No. 51 entitled: *“Adopting a National Code of Marketing of Breastmilk Substitute, Breastmilk Supplement and Related Products, Penalizing Violation thereof and for Other Purpose”* shall be strictly implemented.
- c) Implementation of RA 8172 otherwise known as *“An Act Promoting the Salt Iodization Nationwide”*. This program on Nutrition shall be under the administration and supervision of the MHO
- d) Full implementation of Municipal Ordinance No. 01 Series of 2002 known as *“An Ordinance Regulating Ambulant Vendors of Junk foods on School Vicinities for Sanitation Purposes and Establishing Monitoring System”*
- e) The program on Nutrition shall include a monitoring and evaluation system which shall be established by MHO that operation timbang is conducted every first quarter followed by every quarter thereof

Regulating the hazardous plastic toys in the canteen and stores in school vicinities for health purposes and establishing monitoring system.

8.1 COMPREHENSIVE PARENT ORIENTATION PROGRAM

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

- a) Reproductive health
- b) Child health and child rearing practice
- c) Parent effectiveness service
- d) Pre-marriage and marriage counselling
- e) Responsible parenthood in the context of Filipino Psychology

ARTICLE IV DEVELOPMENT RIGHTS OF CHILDREN

Section 9. - EARLY CHILDHOOD CARE AND DEVELOPMENT PROGRAM shall include the following:

9.1 DAY CARE SERVICE PROGRAM

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

9.2 IMPORTANCE OF DAY CARE SERVICE PROGRAM

Day Care Service Program addresses the needs in the crucial stage of a child's growth. By the age of five (5) a child brain has already grown to 90 percent of its adult weight and much of the way he/she envisions and interacts with the world has been shaped. Thus, the formative years and the care that he/she gets during this period would significantly affect the learning capacity, personal and social interaction into adulthood.

9.3 DAY CARE CENTERS

- Which shall serves 3-5 years old children be set up in every barangay, the number of which shall depend on the population level of the community.

Day Care Centers aims to help the child:

- a) Become physically fit through proper care and nutrition
- b) Develop self-confidence, self-statement and self-discipline
- c) Relate well with others
- d) Develop strong spiritual, socio-cultural and nationalistic values as well as positive attitudes toward the family

9.4 DAY CARE WORKERS AND SUPPORT GROUP

- a. The Local Government Unit/Barangay shall implement Provincial Ordinance No. 79 s. Of 2001, which provides incentives and benefits to Day Care Workers. The MSWD shall provide a continuing number of technical assistance to the center.
- b. A Community volunteer Parents Group shall be organized to be an effective support group to the center. The volunteer group shall help mobilize resources for the improvement of the center, acquisition of more learning materials and play equipment and other support activities

9.5 SETTING UP OF DAY CARE CENTERS BY COMMUNITY BASED ORGANIZATIONS

Community based organizations can help mobilize resources to complement the effort of the Municipal Government in establishing day care centers in their communities. In this way more children needing attention can be reached.

Section 10 – RECREATIONAL AND CULTURAL PROGRAMS

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

Section 11 – **LOCAL CHILDREN LITERATURE**

In support for the threat for the socio-cultural development of children in the Province of Aurora. The Municipal Government of Baler shall invest in the promotion and production of local literature for children and other relevant materials.

Section 12 – **OTHER CHILD FRIENDLY FACILITIES**

The Municipal Government in partnership with NGO and Civic organizations are encourage to put up and maintain child-friendly facilities such as but not limited to libraries, museums, parks and playgrounds.

Section 13– **SPIRITUAL DEVELOPMENTS**

The spiritual and moral upliftment of children shall be the responsibility of the parents, schools, teachers, different churches and religious groups in the municipality.

Every family shall admonish their children to heed the teachings of their church, attend actively and get involved in their respective religious church activities such as Mass, catechism, worship, bible studies, retreats, seminars, family day, prayer meeting and the like to ensure a strong family relationship and God fearing community.

Religious education of children in all public and private schools is a legitimate concern of the church to which the student belong, all churches may offer religious instructions in public and private elementary and secondary schools subject to the requirements of the Constitution and existing laws.

ARTICLE V PROTECTION RIGHTS OF CHILDREN

Section 14 – The Local Government shall ensure the adoption and implementation of the following National Laws concerning the Children in Need of Special Protection (CNSP) and other existing laws protecting children such as:

1. R.A. 7610 – Special Protection of Children against child abuse, exploitation and discrimination Act of 1994
2. R.A. 7658 - Act Prohibiting the Employment of Children Below 15 years of Age in Public and Private Undertakings of 1994
3. R.A. 8353 – Anti-Rape (1997)
4. R.A. 8505 – Rape Victim Assistance and Protection Act of 1998
5. R.A. 7877 – Anti-Sexual Harassment Act of 1995
6. R.A. 9262 – Anti- violence against women and their children act of 2006
7. R.A. 9344 - Juvenile Justice and Welfare Act of 2006
8. R.A. 9208 – Anti- trafficking in persons especially woman and children
9. R.A. 9165 – Comprehensive Dangerous Drug Act
10. R.A. 8980 – The Early Childhood Care and Development Act of 2000
11. R.A. 9231 – prohibits the employment of children below 15 years of age
12. R.A. 9211 – Regulating the use & distribution of Tobacco Products

Section 15 – **OTHER PROHIBITED ACTS**

In addition to all acts defined and penalized under Republic Acts enumerated above, and other pertinent laws, the following acts shall likewise be punishable:

- a. Illegal Recruitment – any person who recruits other person to work shall be required to register with and secure a permit from the office of the Barangay Captain in the place of recruitment. Recruiting children without Brgy. permit is illegal.
- b. Peonage of Children – offering a child or the services of a child as payment for a debt or in exchange for a favor, such as but not limited to:
 1. Working in agricultural industries like rice & corn plantations or farms
 2. Working as housekeeper
- c. Pre-arrangement for Marriage- pre-arrangement made by parents or guardians to marry off their children onwards
- d. Using Girls as Commodities in Benefit Dances – minor girls shall not be allowed to be used as dancing partners in benefit dances for payment or free. The organizers or persons anchoring such benefit dances shall be penalized under this section.
- e. Discrimination of Girl Children – Discrimination of girl children by prohibiting and depriving them of formal education
- f. Discrimination of Non-Marriage Children - For schools to discriminate non-marriage children as follows but not limited to the following:
 1. Refusal to accept enrolment of illegitimate children in the school by reason of ones' illegitimacy
 2. Requiring the marriage contract of parents as a requirement for enrolment of the child
- g. Expulsion or Dropping by Reason of Pregnancy and or CICL - for schools to impose a penalty of expulsion against a child (minor) who has complied with all academic requirements by reason of her pregnancy/CICL. Schools may impose any other penalty which shall be made applicable based from existing laws rules and regulations of the government to both the pregnant girl and her partner if he is also enrolled in the same school.
- h. Refusal to Graduate by Reason of Pregnancy/CICL – for schools to refuse a child to graduate by reason of pregnancy if she has complied with all academic requirements
- i. Refusal to Issue Clearances by Reason of Pregnancy/CICL – for schools to refuse issuances of clearance to children by reason of pregnancy.
- j. Physical and Degrading Forms of Punishment - subject the child to physical and degrading forms of punishment such as but not limited to:
 1. Pulling the hair of the child
 2. Making the child stand for long hours in classrooms
 3. Stripping the child of his/her clothing's
 4. Shaving the head of a child
 5. Throwing objects such as but not limited to erasers, chalk etc at the child
 6. Shouting & uttering humiliating words that affects the emotional & psychological of the child
 7. Other acts that tried to belittle the child.
- k. Pushing/Enticing Minors to Live-in Arrangements - it shall be unlawful to parents to entice encourage and/or push their children to live together

with any person as husband and wife in exchange for money or any other consideration.

Section 16. – **Control on Exposure to New Technology**

Control on Children’s Exposure to Commercial Video Machines & Internet Cafes

- Commercial Video machines and internet cafes catering to children (except college students) during schools days from 7:00 o’clock in the morning to 5:00 o’clock in the afternoon and beyond 9:00 o’clock in the evening, shall be subjected to suspension of business permits for 15 days on the 1st offense and one (1) month suspension of the same for the 2nd offense. Confiscation of the video games & internet machine and cancellation of the business permit of the said establishment shall constitute the penalty for the third offense.

Section 17 – **Control of Children’s Exposure in Disco, Bistro, Videoke & Other Nighttime Entertainment**

For the protection of children below 18 years of age, the owner or operator of establishment are prohibited to allow minors to enter night-time entertainment.

Violation of this section shall be penalized as follows:

- 1st offense – 15 days suspension of business permit
- 2nd offense – 30 days suspension of business permit
- 3rd offense – cancellation of business permit
 - Confiscation of machine & filing of case in court

Section 18– **RESPONSIBILITIES OF PARENTS/GUARDIANS**

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

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

ARTICLE VI

ROLES AND RESPONSIBILITIES OF VARIOUS SECTORS

Section 19 – **GENERAL DUTIES OF PARENTS/GUARDIANS**

Parents shall have the following general duties toward their children:

- a) To give them affection, companionship and understanding;
- b) To extend to them the benefits of moral guidance, self-discipline and religious instructions; send their children to schools offering pre-elementary and basic education;
- c) To supervise their activities, including their recreation
- d) To inculcate in them the value of industry, thrift and self-reliance;

- e) To stimulate their children in civic affairs, teach them the duties of citizenship and develop their commitment to their country;
- f) To advise them properly on any matter affecting their development and well-being;
- g) To always set a good example;
- h) To provide them with adequate support as defined in Art. 194 of the Family Code.
- i) To administer their property, if any, according to their best interest, subject to the provisions of Art. 225 to 227 of the Family Code.
- j) Whenever a parent or guardian is found to have been unreasonably neglecting in his/her duties toward the child, he/she shall be admonished by the DSWD or by the Local Council for the protection of Children.
- k) To send their children to schools offering pre-elementary and basic education.

Section 20. – **EDUCATIONAL INSTITUTIONS**

Educational Institutions shall work together with parents, community organizations and agencies concerned with the activities for children.

It is the responsibility of the school administrations to design and provide guidelines for the protection of children within their school premises.

School officials, parents and local government officials shall see to it that school children and students are provided with adequate school room instructional materials and facilities including playground, space and facilities for sports and physical development activities. Such officials should see to it that the school environment is free from hazard to the health and safety of the students and that there is adequate safety measures for any emergency such as accessible exits, fire fighting equipments and the like. All children shall have the free access to adequate dental and medical services.

School based child protection team shall be established to have a mechanism that would help in the early detection, prevention and solution to abuse committed against children.

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

Section 21 – **ROLE OF MASS MEDIA**

The Mass Media shall be aware of their extensive social role and responsibility as well as their influence, in communications relating with the children. They should use their power to protect the rights of children by relaying consistent message through a balanced approach.

Protect the rights of children by using the Principle of Confidentiality in all cases involving children. Special attention shall also be given to effective anti-drug awareness campaigns and delinquency prevention.

Section 22 – **ROLE OF PEOPLES ORGANIZATION AND NON-GOVERNMENT ORGANIZATIONS**

To provide support to Government Organizations and other various stakeholders in promoting the Children's Welfare particularly along prevention, protection, rehabilitation and re-integration programs and services through involvement in the following strategic activities:

I. Advocacy and Social Mobilization

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

2 Capability Building

To participate in the trainings/seminars offered/given by concerned GOs/other NGOs in order to continuously upgrade knowledge and skills in handling and responding to child abuse cases and be part of the frontline workers in the implementation of such.

3. Data Collection and Management

To participate in immediate reporting of child abuse & exploitation cases through coordination to concerned authorities

4. Alliance Building and Networking

1. Establish and maintain collaborative linkages with concerned authorities by joining the Aurora Women and Children Quick Response Team's (Aurora-WCQRT) activities particularly periodical meetings
2. Actively participate in local discussions and initiatives that seek to protect and uphold the rights of children
3. Foster cooperation and coordination with the law enforcement agencies in the surveillance and rescue of children victims of abuse and exploitation and take part in giving protective custody to the child victim

5. Research, Policy Studies and Documentation

Cooperate in regular sharing of information with concerned agencies intended for the documentation of best practices and research.

6. Institutional Mechanism

Get involved in the inter-agency coordinative preventive mechanism on government programs.

Section 23. SIGNIFICANT ROLES OF THE PNP

The Philippine National Police based in the municipality shall ensure Police Visibility in places frequented by children especially in the evening to provide protection and immediate assistance in cases of harmful situations.

Police officers and force multipliers (Brgy. Officials and tanods) shall escort minors found loitering in public places beyond 10:00 o'clock in the evening to their proper domicile, to ensure their safety.

They should also advise their parents and/or guardians to limit the time they allowed their children to stay outside their homes to until 10:00 o'clock in the evening, or when necessary. Minors shall be accompanied by his/her relative within fourth degree by affinity and consanguinity.

Section 24. SIGNIFICANT ROLE OF HOSPITAL/CLINIC

All hospitals, clinics and other institution as well as private physicians providing treatment for any case of maltreated or abused child shall within 48 hours from knowledge of the case report in writing to the Provincial Fiscal, or to the LCPC or to the nearest unit of DSWD.

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

SIGNIFICANT ROLE OF CIVIL REGISTRAR

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

The Office shall also issue foundling certificate for those abandoned children incoordination with the Municipal Social Welfare and Development Office

Section 25 – ESTABLISHMENT OF BANTAY BATA HOTLINE

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

ARTICLE VI PARTICIPATION RIGHTS OF CHILDREN

Section 26– **RIGHTS TO OPINION** - Opinions of children shall be heard, in the family, school, community or other organization or institutions. Every child has the right to express his opinion freely in so far as such opinion is not contrary to law, morals, good customs, public safety and policy and to have that opinion be taken into account in all matters of procedure affecting the child. It shall be the responsibility of the adults to provide opportunities for children to express their views, organized among themselves, obtain information, make ideas or information known regardless of tribe, sex and religious belief.

Section 27- **PARTICIPATION OF CHILDREN IN ACTIVITIES THAT HARNESS THEIR POTENTIALS AND GIFTED TALENTS**

Parents are encouraged to allow their children to join and participate in school activities like scouting, school organizations, sports of interest, competitions in Arts, Sciences and other Social and cultural activities that will develop their well being.

Youth Associations – as used in this code, shall refer to any club, organization or association of individuals below 18 yrs of age which is directly or indirectly involved in carrying out child and youth welfare programs and activities. All youth organizations shall enjoy the same rights and discharge the same responsibilities as civic associations as may be permitted by law.

Students Organizations- All students' organization in public and private schools shall include in their objectives the cultivation of harmonious relations among their members and with the various segments of the community.

Likewise, the Municipal Government shall assist and support children with exceptional talents in singing, dancing, sports and academic intelligence to excel in the field.

Section 28 – **CONVENTION OF MINORS FOR PURPOSES OF CONSULTATION**

The LGU shall encourage Conventions of minors to hear their opinions and views in matters affecting their growth and progress.

It is necessary that minors ages 3 to 6 ,7 to 12 and 13 to 17 years old are convened once a year, especially during the Children's Month of October.

Section 29 – **OCTOBER AS "CHILDREN'S MONTH AND OCTOBER 17 OF EVERY YEAR AS NATIONAL CHILDREN'S DAY**

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

The Local Council for the Welfare of Children shall conduct child focused activities for the month and observe Children's Day with programs highlighting the rights, role and responsibilities of children.

Section 30 – **REP. ACT. NO. 8296 OTHERWISE KNOWN AS "AN ACT DECLARING EVERY 2ND SUNDAY OF DECEMBER AS NATIONAL CHILDREN'S BROADCASTING DAY"**

Every 2nd Sunday of December, television and radio stations nationwide are required to allocate three (3) airtime for children's program.

The Local Council for the Welfare of Children in coordination with the different schools and radio station are encouraged to initiate activities/program featuring talented children in broadcasting and hosting.

Section 31 –CHILDREN AND PARENT’S SUMMIT

This is a family enrichment intervention in which children and parents identify their needs and expectations and come-up with alternative strategies for conflict resolutions.

“Linggo ng Kabataan “ – The Federation ng Sangguniang Kabataan shall conduct the following activities during the Linggo ng mga Kabataan.

- a) Commemoration of young Filipino heroes who made significant contribution to the development of the country or the locality;
- b) Recognition and awarding of outstanding youth organizations for their achievement and contributions to development, and
- c) Awareness campaign on environmental issues. Sports festivities and competitions, cultural festivals, arts and skills exhibition, volunteer works, tour of historical places and such other youth oriented activities as may be deemed relevant.

ARTICLE VII IMPLEMENTING MECHANISM

Section 32 –_CREATION AND ORGANIZATION OF THE MUNICIPAL AND BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN MCPC AND BCPC

Legal Bases:

1. Republic Act 7610- Special Protection of Children against Child Abuse, Exploitation and Discrimination Act
2. Article 359 & 360 of the Civil Code of the Philippines provides that *“the government shall establish Councils for the Protection of Children.”*
3. Likewise, Art 87 of Presidential Decree (PD 603) Children and Youth Welfare Code – states that *“every Barangay council shall encourage the organization of a Local Council for the Protection of Children and shall coordinate with the council for the Welfare of children in drawing and implementing plans for the promotion of child and youth welfare”*.

There is therefore a need to organize LCPC not only in the barangays but also in all other Local Government Units (LGUs) to ensure synchronization and integration of policies, programs and projects for children.

4. RA 8980 otherwise known as the *“Early Childhood and Care Development (ECCD) Act”* promulgates a comprehensive policy and national system for children from 0-6 years old.
5. The LCPC shall be the umbrella organization for all programs on children and the ECCD Coordinating Committee shall be one of the committees under it.

Section 33 – THE MUNICIPAL COUNCIL FOR THE PROTECTION OF CHILDREN (MCPC)

Composition:

Chairperson -	Municipal Mayor
Co-Chair -	Vice Mayor
Members -	Sangguniang Bayan Member, Chairperson, Committee on Women & Family DILG Municipal Field Officer Div. Superintendent/District Supervisor of Dep. Ed Local Labor & Employment Officer Municipal Planning & Dev't. Officer Municipal Budget Officer Municipal Health Officer Municipal Social Welfare & Dev't. officer Municipal Civil Registrar Municipal Nutrition Officer Municipal Accountant Chief of Police Municipal Treasurer Municipal ABC President Municipal SK Federation President Parents-Teacher Association President Child Representative (District Federation President) At least three (3) representative of NGOs, two (2) of whom are appointed by the Committee handling ECCD Programs and one (1) from the trade/labor union sector

Section 34 – **FUNCTIONS OF MCPC**

1. Formulate plans, programs and policies for children that are gender-fair, culturally relevant and responsive to the needs of diverse groups of children from 0 to below 18 years of age;
2. Prepare AAFP for children and recommend appropriations to the Sanggunian;
3. Provide coordinative linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
4. Provide technical assistance and recommend financial support to the BCPC;
5. Establish and maintain database on children in the municipality;
6. Foster education of every child;
7. Advocate for the establishment and maintenance of playgrounds, day care center and other facilities necessary for child and youth development;
8. Recommend local legislations promoting child survival protection, participation and development, especially on the quality of television shows, media prints and coverage which are detrimental to children and with appropriate funding support.
9. Assist children in need of special protection and refer cases filed against child abuses to proper agencies/institutions
10. Conduct capability building programs to enhance knowledge and skills in handling children's program;
11. Document barangay best practices on children;
12. Monitor and evaluate the implementation of the program and submit quarterly status reports to PCPC.
13. Perform such other functions as provided for in the ECCD and other child related laws.

Section 35 – **THE BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN (BCPC)**

Composition:

Chairperson	-Punong Barangay
Co-Chair	-
Members	- Barangay Kagawad, Chairperson on Women & Family Barangay Nutrition Scholar Barangay Day Care Worker Barangay Health Nurse/Midwife Barangay Health Worker DEp. Ed. Principal/Teacher –in-Charge Chief Tanod Children’s Representative PTA Pres. /his Representative NGO/PO Representative Others

Members of the BCPC shall elect from among themselves the co-chair

Section 36 - **FUNCTIONS:**

1. Foster education of every child
2. Take steps to prevent juvenile delinquency and assist parents children will behavioural problems so that they can get expert advice;
3. Adopt measures for the health of children;
4. Conduct capability building projects to increase knowledge and skills in handling children’s programs
5. Encourage the proper performance of the duties and responsibilities of parents and provide learning opportunities on the adequate rearing of children and positive parent-child relationship
6. Promote wholesome entertainment in the community, especially in movie houses
7. Prepare AAFP for children and recommend appropriations to the Sanggunian
8. Provide coordinative linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
9. Establish and maintain database on children in the barangay;
10. Advocate for the establishment and maintenance of playgrounds, day care centers and other facilities necessary for child and youth development
11. Advocate for the passage of barangay resolutions/ordinances responsive to child-related issues and concerns and ensure the inclusion of children’s program in the executive agenda;
12. Protect and assist children in need of special protection (e.g. abandoned, maltreated and dependents) and refer cases filed against child abuses to proper agencies/institutions;
13. Monitor situational reports on children and prepare quarterly update, and dividing the implementation of children’s program and make recommendations to the MCPC for consideration and nationwide application.
14. Prepare such other functions and other child related laws especially in matters of child and parent educations, health, entertainment, etc.

Section 37 – **SECRETARIAT**

The MSWDO shall be the secretariat of the MCPC

Section 38 – **FUNDING**

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

Section 39 – **ROLE OF DILG**

- a. The DILG shall oversee the organization and functionality of the MCPC and BCPC
- b. Monitoring the advocacy of the 4 gifts for children in the context of Convention on the Rights of Children (CRC), right based approach and result based management
- c. Promote functional bodies dealing with children
- d. Monitoring the integration of children’s rights in LGPMS: use of social child rights indicator in performance review
- e. Monitoring the status of the Local Legislative system and processes to ensure that the system is effectively and efficiently implemented

ARTICLE IX REMEDIAL MEASURES AND PENAL PROVISIONS

Section 40 – **PENALTIES**

The penalty for any violation of this Code, which is not penalized elsewhere in other section of this Code or in a National Law, shall be: Imprisonment of 3 to 6 months and or a fine ranging from 500 to 1,000.

1st time offenders – in case where the offender is the parent or teacher of the child or relative within the 4th degree of consanguinity of the offender admits the offense and is sincere and willing to reform, the penalty may be waived subject to the consent of the child and the following measures imposed instead.

- a) Attendance in a parenting seminar
- b) Community service from 5 to 10 days
- c) Counseling sessions
- d) Family therapy
- e) Participation in appropriate training courses

For offense punishable under RA 7160, RA 7658 and other National Laws as well as this code, the offended party/ and or any party so authorized shall file a complaint under the national Law and the penalty in such national law shall be imposed.

Failure to comply with pertinent provisions of this Code by the concerned local chief executive, members of legislative bodies and/or head of offices or bodies shall constitute dereliction of duty subject to penalties prescribed under the local Government code and other pertinent laws.

Section 41– **SEPARABILITY CLAUSE**

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

Section 41 – **APPLICABILITY CLAUSE**

This code shall apply to all the people within the territorial jurisdiction of the Municipality of Baler, Aurora and to all persons who maybe subject to the provision of this code.

Section 42 – **REPEALING CLAUSE**

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

Section 43 – **EFFECTIVITY CLAUSE**

This code shall take effect 15 days following the completion of its full publication in at least (2) local newspaper of general circulation within the jurisdiction of the LGU and after posting in at least 3 conspicuous places in Baler, Aurora.

ENACTED: This 21st day of October, 2009 at the SB Session Hall, legislative Building Baler, Aurora.

AUTHOR: HON. EDITH S. BULUAG

Chairman-SB Committee on Women and Family

I hereby certify that this is a true and accurate copy of the Ordinance enacted by the Sangguniang Bayan of Baler, Aurora on October 21, 2009.

GLORIOSO A. VILLAFRANCA
Secretary to the Sangguniang Bayan

Attested:

HON. NELIANTO C. BIHASA
Vice Mayor-Presiding Officer

Approved:

ARTURO J. ANGARA, DMD.
Municipal Mayor

Date: 10-22-09