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HON. MELVIN K. VARBAS  
OFFICE OF THE VICE GOVERNOR  
PROVINCE OF CAGAYAN  
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Republic of the Philippines  
Province of Cagayan  
City of Tuguegarao

**OFFICE OF THE SECRETARY TO THE SANGGUNIAN**

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July 26, 2018

**Dr. Rosalinda P. Callang**  
Secretary to the Sanggunian  
Sangguniang Panlalawigan, Province of Cagayan  
Capitol Hills, Tuguegarao City

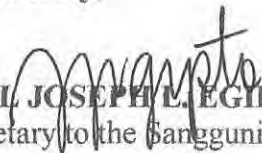
**Madam:**

Pursuant to Section 54 of the Local Government Code, we are now submitting for review and action the attached legislative measure enacted by the Sangguniang Panlungsod on July 26, 2018, to wit:

- **CITY ORDINANCE NO. 34 – 2018 – *An Ordinance Amending Ordinance No. 01-2006 Titled “An Ordinance Revising Ordinance No. 13-2000 otherwise known as the Tuguegarao City Child and Youth Welfare Code”***

Thank you.

Yours truly,

  
**JOEL JOSEPH L. EGIPTO, Ph.D.**  
Secretary to the Sanggunian



Republic of the Philippines  
 PROVINCE OF CAGAYAN  
 City of Tuguegarao  
**SEVENTH CITY COUNCIL**



EXCERPTS FROM THE MINUTES OF THE 91<sup>st</sup> REGULAR SESSION  
 OF THE SEVENTH CITY COUNCIL OF TUGUEGARAO CITY, CAGAYAN  
 HELD ON JULY 10, 2018, 9:00 A.M., TUESDAY,  
 AT THE MAYOR'S OFFICE CONFERENCE ROOM

PRESENT:

Hon. Danilo L. Baccay	Acting City Vice Mayor/Presiding Officer
Hon. Jude T. Bayona	Sangguniang Panlungsod Member
Hon. Kendrick S. Calubaquib	-do-
Hon. Arnel T. Arugay	-do-
Hon. Winnoco R. Abraham	-do-
Hon. Imogen Claire M. Callangan	-do-
Hon. Mary Marjorie P. Martin-Chan	-do-
Hon. Raymund P. Guzman	-do-
Hon. Grace B. Arago	-do-
Hon. Anthony C. Tuddao	-do-
Hon. Karen L. Taguinod	Ex Officio Member

ABSENT:

Hon. Gilbert S. Labang	Sangguniang Panlungsod Member
Hon. Maila Rosario T. Que	Sangguniang Panlungsod Member (on Official Business)

NOTE:

Hon. Bienvenido C. De Guzman II	Acting City Mayor
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**CITY ORDINANCE NO. 34-2018**

**AN ORDINANCE AMENDING ORDINANCE NO. 01-2006 TITLED  
 "AN ORDINANCE REVISING ORDINANCE NO. 13-2000 OTHERWISE KNOWN AS THE  
 TUGUEGARAO CITY CHILD AND YOUTH WELFARE CODE"**

Sponsors: **HON. IMOGEN CLAIRE M. CALLANGAN  
 HON. DANILO L. BACCAY  
 HON. JUDE T. BAYONA  
 HON. KENDRICK S. CALUBAQUIB  
 HON. MAILA ROSARIO T. QUE  
 HON. ARNEL T. ARUGAY  
 HON. GILBERT S. LABANG  
 HON. WINNOCO R. ABRAHAM  
 HON. MARY MARJORIE P. MARTIN-CHAN  
 HON. RAYMUND P. GUZMAN  
 HON. GRACE B. ARAGO  
 HON. ANTHONY C. TUDDAO  
 HON. KAREN L. TAGUINOD**

**WHEREAS**, the United Nations Convention on the Rights of the Child which Philippines signed and ratified recognizes that all children have the right to survival, development, protection and participation;

**WHEREAS**, pursuant to Child 21 and the Child-Friendly Movement, local government units commit to deliver four gifts to children: (1) Local Development Plan for Children, (2) Local Investment Plan for Children, (3) Local Code on Children and (4) Local State of Children Report;

**WHEREAS**, new national laws affecting children have been enacted, including the Anti-Trafficking in Persons Act of 2003 (R.A. 9208), An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Strong Protection for the Work Child Amending for this Purpose Republic Act No. 7610 (R.A. 9231), the Anti-Violence Against Women and their Children Act of 2004 (R.A. 9262), the Juvenile Justice and Welfare Act 2006 (R.A. 9344) and the Anti-Child Pornography Act (R.A. 9775), among others;

**WHEREAS**, there is a need to localize and strengthen the implementation of the aforesaid national laws as well as enhance, rationalize and make existing ordinances on children more responsive to the ever changing times;

**WHEREAS**, there is a need for the various existing government agencies and non-government organizations (NGOs) to coordinate in providing services for children in Tuguegarao City;

**WHEREAS**, the City Government of Tuguegarao, a three-time recipient of the Child Friendly Component City Award, has an existing Child and Youth Welfare Ordinance No. 13-2000 amended by Ordinance No. 07-2002 which needs revision in light of the developments, current issues and emerging concerns involving and affecting children to strengthen local legislation in ensuring a child-friendly Tuguegarao City.

**NOW, THEREFORE**, be it enacted by the Sangguniang Panlungsod of Tuguegarao City in session assembled:

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

**SECTION 1. TITLE.** This ordinance shall be known as the “*Child and Youth Welfare Code of Tuguegarao City.*”

**SECTION 2. DECLARATION OF PRINCIPLES AND POLICIES.** Pursuant to International Laws, the Constitution and other relevant laws, it is hereby declared that the Tuguegarao City Government shall adopt the following policies and principles:

- A. It recognizes the inherent rights of the child to survival, development, protection and participation in accordance with the United Nations Convention on the Rights of the Child and relevant Philippine Laws on children. As such, the City adopts the following core principles of the U.N. Convention and shall uphold the same principles in all matters concerning or affecting children:
  - 1. Non-Discrimination – The rights of the child shall be respected without discrimination of any kind, irrespective of the child’s or his or her parents’ or legal guardians’ race, color, sex, gender, language, religion, political or other opinions, ethnic or social origin, property, disability, birth or other status;
  - 2. Best Interest of the Child – In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be the paramount consideration;
  - 3. Survival and Development – Every child has the inherent right to life and as such, his/her survival and development shall be ensured to the maximum extent possible; and
  - 4. Respect for the Views of the Child – Any child capable of forming a view has the right to express such view freely in all matters affecting him/her and the child’s view shall be given due weight in accordance with age and maturity.
- B. It is committed to provide quality services which will make the City an enabling environment for children to grow and develop their full potential at every stage of development and where children are protected by a responsive government from all forms of abuse, neglect, cruelty, exploitation, discrimination and other conditions prejudicial to their development;
- C. It shall uphold the sanctity of family life and protect and strengthen the family as a basic autonomous social institution; shall equally protect the life of the mother and the child and support the natural and



primary right and duty of parents in the rearing of the children and youth for civic efficiency and the development of their moral character;

- D. It shall establish and integrate an affirmation action strategy and gender equality as a framework in planning and implementing the City's budget, programs, services and activities with full recognition of the special needs of children with disabilities;
- E. It shall uphold the principle of inter-generational responsibility such that every generation shall recognize its responsibility to the next generation to preserve the rhythm and harmony of nature for the full enjoyment of a balanced and healthful ecology for the children of today and the children of tomorrow; and
- F. It shall pursue and strengthen its community approach to uphold the rights of the child through the Tuguegarao City Council for the Protection of Children and the Barangay Council for the Protection of Children in partnership with key stakeholders including, but not limited to, families, local communities, civil society organizations, churches, private organizations, schools, local government units, national government, mass media and 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 the government and the civil society;
- D. To improve the quality of life of children enabling them to fully develop their potentials and participate in community and nation building;
- E. To provide mechanisms to address violations that amount to abuse of the child or children.

**SECTION 4. DEFINITION OF TERMS.** The following terms shall be construed to mean:

1. **Anti-Social Related Activities** – are those acts against poverty, chastity and person which include, but not limited to, the following:
  - a. Petty crimes such as snatching, shoplifting and misrepresentation;
  - b. Using and pushing prohibited drugs, selling illegal or lewd reading materials;
  - c. Pimping for young and old prostitutes, doing or participating in obscene shows;
  - d. Gambling of any form;
  - e. Rape and incest;
  - f. Unjust and inhumane manner of eviction and demolition;
  - g. Bullying.
2. **Abandoned Child** - is one who has no proper parental care or guardianship or whose parent/s or guardian/s have deserted him/her for a period of at least 6 months.
3. **Barangay Council for the Protection of Children** – is a body established in the Barangays of the Local Government Units pursuant to Department of Interior and Local Government (DILG) Memorandum Circular No. 200-21 which subsumes the Early Childhood Care Development (ECCD) Coordinating Committee. The expanded membership, responsibilities and additional functions of which shall be provided in the Implementing Rules and Regulations hereinafter promulgated.
4. **Child Abuse** – refers to the maltreatment, whether habitual or not, of the child which includes any of the following:
  - a. Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;
  - b. Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;
  - c. Unreasonable deprivation of the child's basic needs for survival such as food and shelter; or
  - d. Failure to immediately give medical treatment to an injured child resulting in serious impairment of his/her growth and development or in his/her permanent incapacity or death.
5. **Child at Risk** – is a child who is vulnerable to and at the risk of committing criminal offenses because of personal, family and social circumstances such as, but not limited to, the following:

- a. Being abused by any person through sexual, physical, psychological, mental, economic or any other means and the parents or guardians refuse and/or are unwilling or unable to provide protection for the child;
  - b. Being exploited including sexually or economically;
  - c. Being abandoned or neglected, and after diligent search and inquiry, the parent or guardian cannot be found;
  - d. Coming from a dysfunctional or broken family or without a parent or guardian;
  - e. Being out of school;
  - f. Being a street child;
  - g. Being a member of a gang;
  - h. Living in a community with high level of criminality or drug abuse; and
  - i. Living in a situation of armed conflict.
6. **Child Labor** – refers to any work or economic activity performed by a child that subjects him/her to any form of exploitation or is harmful to his/her health and safety or physical, mental or psychosocial development;
  7. **Child Trafficking** – refers to the recruitment, transfer or deployment of a child and/or harboring or receipt of a child with or without the victim’s consent or knowledge through legal or illegal means, fraud or deceit, violence, coercion, intimidation, abuse of position or authority within or across national borders for purposes of prostitution, work services, marriage or adoption and other similar arrangements characterized by forced labor, slavery-like practices or sexual exploitation.
  8. **Children** – refer to persons below eighteen (18) years of age or those over said age and who, upon evaluation of a qualified physician, psychologist and psychiatrist, are unable to fully take care of themselves from abuse, neglect, cruelty, exploitation or discrimination because of physical or mental disability or condition.
  9. **Children in Conflict with the Law** – refer to children who are alleged as, accused of, or adjudged as having committed an offense under Philippine Laws.
  10. **Children in Need of Special Protection (CNSP)** - refer to children living under circumstances which gravely threaten or endanger their survival and normal development as defined, to include children in worst forms of child labor, neglected and abandoned children, street children, victims of commercial and sexual exploitation, victims of child abuse, children in situations of armed conflicts, children in conflict with the law, children in various forms of disability and children of indigenous peoples.
  11. **Children’s Desk** - is a position in the police station specially manned by trained police officers in dealing with child cases.
  12. **Children with Disabilities** – refer to children who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.
  13. **Commitment** - is the legal act of entrusting a child to the care of the City Social Welfare and Development Office (CSWDO) or any duly licensed similar child placement agency or individual.
  14. **Comprehensive Program for Children in Need of Special Protection** - refers to the coordinated program of services and facilities to protect children:
    - a. Children in worst forms of child labor
    - b. Neglected and abandoned children
    - c. Street children
    - d. Victims of commercial and sexual exploitation
    - e. Victims of child abuse
    - f. Children in situations of armed conflict
    - g. Children in various forms of disability
    - h. Children of indigenous peoples
  15. **Dangerous/Hazardous Circumstances for Children** – are circumstances which gravely threaten or endanger the survival and normal development of children which include, but are not limited to, the following:

- a. Working under conditions hazardous to life, safety and morals which unduly interfere with their normal development or working without provisions for their education.
  - b. Living in or fending for themselves in the streets of urban and rural areas without the care of parents or guardians or any adult supervision needed for their welfare.
  - c. Being in a community where there is armed conflict or being afflicted by armed conflict-related activities;
  - d. Being a member of a cultural community and/or living under conditions of extreme poverty or in an area which is underdeveloped and/or has no access or have an inadequate access to basic services needed for a good quality of life;
  - e. Being with family members or guardians having psychological problems grave enough for them to commit incest, siblings' rape, lascivious acts and other forms of physical and mental abuse;
  - f. Being a victim of man-made or natural disasters or calamities;
  - g. Being a victim of an illegal transnational organization or child trafficking;
  - h. Circumstances analogous to those above stated which endanger the life, safety or normal development of children.
- 16. Development Rights** – pertain to access of a child to educational opportunities, relevant information, play, leisure and cultural activities, and the right to freedom of thought, conscience and religion.
- 17. Diversion** – refers to an alternative child-appropriate process of determining the responsibility and treatment of a child in conflict with the law on the basis of his/ her social, cultural, economic, psychological or educational background without resorting to formal court adjudication.
- 18. Diversion Programs** – refer to programs that the child in conflict with the law is required to undergo in lieu of formal court proceedings;
- 19. Early Child Care and Development (ECCD) Program** – 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. This program includes:
- a. Center-Based Programs which are services at the community level undertaken in a center, school or in the workplace such as day care services established under Republic Act No. 6972, public and private pre-school, kindergarten or school-based program, community or church-based early childhood education programs initiated by civil society organizations, workplace-related child care and education programs, child minding centers, health centers and stations; and
  - b. Home-Based Programs which are services at the family level undertaken at home or in the neighborhood-based play groups, Parent Effectiveness Service, family day care programs or child-minding homes, parent education and home visiting development.
- 20. Gender Equality** – is the principle recognizing that all human beings are free and equal in dignity and right, and asserting the equality of men and women/boys and girls and their right to enjoy equal conditions realizing their full human potentials to contribute to and benefit from the results of development.
- 21. Inter-Generational Responsibility** – is the principle of holding the natural resources in trust for future generations such that every generation has a responsibility to the next generation to preserve the rhythm and harmony of nature for the full enjoyment of a balanced and healthful ecology.
- 22. Juvenile Justice** – refers to the legal procedure applied to children in conflict with the law starting from initial contact of the child up to his/her reintegration to the family and community.
- 23. Juvenile Justice System** – refers to all proceedings starting from 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.
- 24. Neglected Child** - is one whose basic needs have been deliberately unattended or inadequately attended.



- a. Emotional neglect exists when children are maltreated, raped or seduced; when children are exploited, overworked or made to work under conditions not conducive to good health, or are made to beg in the streets or public places, or when children are in moral danger or exposed to gambling, prostitution and other vices.
  - b. Physical neglect exists when the child is malnourished, ill clad and without proper shelter. A child is unattended when left by himself/herself without proper provisions and/or without proper supervision.
- 25. Parent Education** – refers to the various formal and alternative means of providing parents with information, skills and support system to assist them in their roles as their children’s primary caregivers and educators. These include public and private parent education programs linked to center, home and media-based child care and education programs.
- 26. Participation Rights** – include the child’s freedom to express himself/herself in matters affecting his/her life as part of his/her preparation for responsible parenthood and to freedom of association.
- 27. Protection Rights** – cover those which guard children against all forms of child abuse, exploitation and discrimination in major areas where a child is considered in extremely difficult circumstances.
- 28. Pornography** – refers to any representation through publication, exhibition, cinematography, indecent shows, information technology or by whatever means of a person engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a person primarily for sexual purposes.
- 29. Prostitution** – refers to any act, transaction, scheme or design involving the use of a person by another for sexual intercourse or lascivious conduct in exchange for money, profit or any other considerations.
- 30. Right to Development** – refers to the child’s right to education and to develop his/her personality, talents, and mental and physical abilities to the fullest extent, participation in cultural activities and access to appropriate and relevant information and opportunities for rest, play and leisure.
- 31. Sexual Exploitation** – refers to the participation by a child in prostitution or the production of pornographic materials as a result of being subjected to threat, deception, coercion, abduction, force, abuse of authority, debt bondage and fraud or through abuse of the child’s vulnerability.
- 32. Street Children** – The following persons are considered street children:
- a. Those 12-year old and below who are found loitering within the streets of Tuguegarao City;
  - b. Those engaged in selling sampaguitas, cigarettes, newspapers and any other products or commercial items in the City streets; or
  - c. Those found begging, sniffing rugby and other solvent products, pickpocketing and doing other illegal activities.
- 33. Worst Forms of Child Labor** – refer to:
- a. All forms of slavery as defined under the “*Anti-Trafficking in Persons Act 2003*” or practices similar to slavery such as sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including recruitment of children for use in armed conflicts;
  - b. The use, procuring or offering or exposing a child for prostitution, for the production of pornography or for pornographic performances;
  - c. The use, procuring or offering of a child for illegal or illicit activities including the production or trafficking of dangerous drugs and volatile 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.

**ARTICLE II  
RIGHTS OF CHILDREN**

**SECTION 5. BIRTH REGISTRATION.** The Tuguegarao City Government shall establish a system to ensure the 100% registration of births in Tuguegarao City to guarantee the right of the child to identity.

**SECTION 6. RIGHTS OF CHILDREN** – All children shall be entitled to the rights herein set forth, as provided in the Convention on the Rights of the Children (CRC) in addition to those rights espoused in the 1987 Constitution, Child and Youth Welfare Code (P.D. 603), R.A. 9255 and the Special Protection Act (R.A. 7610) and other related laws, irrespective of the child's race, color, sex, language, religion, ethnic or social origin, property, disability, birth or other status:

- A. The inherent right to life, and the State as *Parens Patriae* as well as the City has an obligation to ensure every child's survival and development;
- B. The right to express their views freely and without fear of rejection in all matters which affect their lives and their opinion should be given due weight depending on their age and maturity;
- C. The right to freedom of expression, except if it will violate or jeopardize the rights or reputation of others or for the protection of national security, public order, public health or morals;
- D. No child shall be subjected to arbitrary or unlawful interference with his/her privacy, family, home or correspondence, nor to unlawful attacks on his/her honor and reputation;
- E. The right to freedom of thought, conscience and religion, subject to proper guidance by their parents or legal guardians;
- F. The right to avail themselves of information and materials aimed at the promotion of their social, spiritual and moral well-being and physical and mental health;
- G. The right to leisure and participate freely in recreational, cultural and art activities appropriate for their ages;
- H. All children shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire nationality and, as far as possible, the right to know and be cared for by their parents/guardians;
- I. The right to preserve their identities including nationality, name and family relations as recognized by law without unlawful interference;
- J. The right to live with their parents unless they are deemed to be incompatible with the child's best interests. The child has also the right to maintain contact with both parents, if separated, with one or both;
- K. Children and parents have the right to live in any country and to enter their own country for purposes of reunion or the maintenance of the child-parent relationship;
- L. The right to meet others and join or form associations;
- M. Disabled children have the right to special care, education and training to help them enjoy a full and decent life in dignity and achieve the greatest degree of self-reliance and social integration possible;
- N. To the highest standard of health and medical care attainable, the Tuguegarao City Government shall place special emphasis on the provision of primary and preventive health care, public health education and the reduction of infant mortality;
- O. A child who is placed in an organization/agency/placement by the State for reasons of care, protection or treatment is entitled to have that placement evaluated regularly;
- P. The right to benefit from social security including social insurance;
- Q. The right to a standard of living adequate for their physical, mental, spiritual, moral and social development. Parents have the primary responsibility to ensure that the child has an adequate standard of living. The Tuguegarao City Government's duty is to ensure that this responsibility can be fulfilled. The government can include material assistance to parents and their children;
- R. The right to education that shall aim at developing the child's personality, talents and mental and physical abilities to the fullest extent. This education shall prepare the child for an active adult life in a free society and foster respect for the child's parents, his/her own cultural identity, language and values, and for the cultural background and values of others;
- S. Children of minority communities and indigenous population have the right to enjoy their own culture and practice their own religion and language;
- T. The right to be protected from work that threatens their health, education and development;
- U. The right to be protected from the use of narcotics and psychotropic drugs and from being involved in their production or distribution; and
- V. A child in conflict with the law has the right to treatment which promotes the child's sense of dignity and worth, takes the child's age into account and aims at his/her reintegration into society. The child is entitled to basic guarantees as well as legal or other assistance for his/her defense. Judicial proceedings and institutional placements shall be avoided whenever possible.

**SECTION 7. CLEAN AND HEALTHY ENVIRONMENT.** The Tuguegarao City Government shall ensure the judicious disposition, utilization, management, renewal and conservation of the City's natural



resources for the full enjoyment of children and the generations yet unborn consistent with the principle of inter-generational responsibility and the precautionary principle, especially in dealing with toxic chemicals. It shall develop and implement programs and services towards this end which shall include the following:

- A. The creation of an urban garden in every barangay and public school;
- B. The regulation on the use of non-biodegradable materials in schools and business establishments; and
- C. The prohibition on the purchase, use and improper disposition or storage of mercury, lead and other toxic substances in all private and public schools in the elementary and high school levels.

**SECTION 8. CLIMATE CHANGE ADAPTATION AND MITIGATION.** The Tuguegarao City Government shall consider the special needs of children in the formulation, planning and implementation of its Local Climate Change Action Plan (LCCAP) pursuant to Section 14 of Republic Act No. 9729 (The Climate Change Act 2009). It shall coordinate with civil society organizations, the academe, the private and corporate sectors and other local stakeholders in the planning and implementation of the LCCAP. It shall further capacitate the officials at the barangay level to identify issues concerning or affecting children and implement the most applicable solutions relevant to climate change adaptation and mitigation.

### **ARTICLE III SURVIVAL RIGHTS OF CHILDREN**

**SECTION 9. UNDER-FIVE PROGRAM FRAMEWORK.** The City Government shall ensure to the maximum extent possible the survival and development of the child. Survival rights include the inherent right to life, the right to health, the right to be cared by parents, the right to adequate food, shelter and clothing and the right to be adopted for the child's best interest.

**SECTION 10. FRAMEWORK FOR PRIMARY HEALTH CARE PROGRAM.** The City Government shall implement and sustain the Primary Health Care Program to primarily cater to children. To further ensure the implementation of this Section, it shall include the following health and preventive care programs:

- A. **Maternal and Care Program.** The City Government shall continue to implement and support its maternal and child care service program which shall cater to the health of the mother who affects the child in the womb with the end in view of delivering a healthy baby.
- B. **Child Minding Service Program.** The City Government shall develop, implement and sustain a Child Minding Service Program for the care of 0- to 2-year old children of working parents during the day; provided, that the Child Minding Service Program needs to take care of the children in a particular place and shall develop network of homes where adults may take care of children with adequate supervision of a social welfare officer of the City Social Welfare and Development Office; provided thereafter, that where young children are left to the care of paid domestic, an elderly relative or older children without adequate and competent adult supervision, the City Social Welfare and Development Office shall furnish such training and adult supervision until the children's care meets adequate standards whereby the children under their care will develop normally as healthy, happy and loved children, even in the absence of their parents during working hours. The City Social Welfare and Development Office, in coordination with institutions dealing with 3-4-year old children, shall develop a manual for this service to augment the manual developed for the Child Development Program.

The program shall include the following:

1. Monitoring of registration of births and the completion of immunization series for prevention of tuberculosis, diphtheria, tetanus, measles, poliomyelitis and such other diseases for which vaccines have been developed for administration to children up to six (6) years of age.
2. Growth and nutritional monitoring with supplementary nutritional feeding and supervision of nutritional intake at home.
3. Care for children of working mothers during the day and, where feasible, care for children up to six (6) years of age when mothers are working at night; provided, that the day care center need not to take care the children up to six (6) years of age of working mothers during work hours, with adequate supervision from the supervising social welfare officer of the City Social Welfare Development Office; provided further, that where young children are left to the care of paid domestic, elderly relative



or older children without adequate and competent adult supervision, the supervising social welfare officer shall provide such training and adult supervision until the children's care meets adequate standards whereby the children under their care will develop normally as healthy, happy and loved children even in the absence of their mothers during working hours;

4. A referral and support system from pregnant mothers for prenatal and neonatal care like birthing facility and in the proper care, for delivery of the infant under conditions which will remove or minimize risk to mother and child; provided, that high risk mothers shall be referred to the proper tertiary or secondary care service personnel and children who are not at risk from any condition or illness will be brought for care; provided further, that the day care shall be alert to illegal abortions and that they are provided the needed basic training for normal delivery and are trained to recognize high risk pregnancies which should be referred to competent and obstetrical and pediatric medical care for mother and child who are at risk;

**C. Mother and Child Immunization Program.** The program on preventive child care and health services will include among others the monitoring and registration of births and the completion of the immunization series for prevention of tuberculosis, diphtheria, pertussis, neonatal tetanus, measles, poliomyelitis, hepatitis B and such other diseases for which vaccines have been developed for administration to children up to five years of age.

**D. Child Patient of Indigent Parents.** The City Government shall ensure the availment of the hospital's indigent parents needing the professional services of private doctors/specialists to be cured of their ailments, subject to the recommendation of the CSWD after ensuring the availability of funds for such purposes.

**SECTION 11. FAMILY AND COMMUNITY WELFARE SUPPORT SYSTEM.** The City Government shall implement and sustain a Family and Community Welfare Support System for children. To further ensure the implementation of this Section, it shall take appropriate measures to support the program of family and community under a family and community welfare and development framework.

There shall be established a Comprehensive Family and Community Welfare and Development Program which shall include courses and services on reproductive health, child health and child rearing practices, parent effectiveness, pre-marriage and marriage counseling, responsible parenthood, among others, in the context of Filipino psychology. This shall also include courses in community organizing such as social preparation for people's community volunteer resource development and social welfare structure development, among others. The following programs shall form part of this Comprehensive Family and Community Welfare Program, which this City Government shall fervently support.

**A. Nutrition Program.** The City Government shall establish and sustain a growth and nutritional monitoring program with nutritional feeding and supervision of nutritional intake of children at home and in school. This program shall be under the administration and supervision of the City Health Office and shall include a monitoring and evaluation system which shall be established by the said office.

**SECTION 12. PRIMARY HEALTH CARE.** The City Government shall formulate and implement a primary health care program which shall be led by the City Health Officer with the assistance of the Department of Health in coordination with the members of the Local Council for the Protection of Children.

**SECTION 13. HEALTH EDUCATION AND ADVOCACY.**

- A. All producers and manufacturers which sell food-grade salt are hereby required to iodize the salt they import, produce, manufacture, trade, distribute or sell for public consumption.
- B. The central water supply of the City shall be iodized to such extent as maybe practicable.
- C. A City Special Task Force shall be constituted that shall monitor periodically, *motu proprio* or upon request for assistance by the Punong Barangay, and conduct unscheduled inspections on the quality of food-grade salt being sold in the purposes of compliance to the standards set by the Bureau of Food and Drugs.
- D. The membership and functions of the Task Force shall be provided for in the Implementing Rules and Regulations hereinafter promulgated.
- E. The City Information Officer, in addition to his/her statutory functions, is hereby directed to:

1. Formulate and implement a public information and awareness program on the benefits of the use of iodized salt;
  2. Coordinate with LCPC/BCPC in the conduct of awareness programs on the importance and benefits of iodized salt;
  3. Cause the posting at the end of every month in at least two (2) conspicuous places of a list of suppliers, manufacturers and retailers who have complied with this Code; and
  4. Prepare a list with the following data to be submitted to the BFAD:
    - a. name and address of company and/or owner
    - b. location of salt production site
    - c. annual production capacity and metric tons
    - d. types of salt produced, food grade or industrial salt
    - e. distribution channels
- F. Violations of this provision shall be penalized accordingly

**SECTION 14. HEALTH AND NUTRITION POST.** The LGU shall adopt the Enhanced Child Growth Strategy through the setting-up of Health and Nutrition Post in every barangay, or at least of every one-thousand population, or for a cluster of 20-30 families if hard to reach or sparsely-populated area. The post shall serve as an extension of the Health Centers and shall be run by the Barangay Health Workers (BHWs) or Barangay Nutrition scholars (BNSs) or trained mother volunteers. Basic integrated health and nutrition and early psychosocial services for children shall be provided by the Post. The Rural Health Unit personnel will provide administrative and technical support for its operation.

**SECTION 15. ROLE OF THE LOCAL HEALTH BOARD.** The Local Health Board (LHB) shall actively advocate for the adequate delivery of health services for all children in the locality. It shall conduct periodic monitoring and evaluation of children's health vis-à-vis health services available.

#### ARTICLE IV DEVELOPMENTAL RIGHTS OF CHILDREN

**SECTION 16. UNDER-EIGHTEEN PROGRAM FRAMEWORK.** The City Government shall ensure to the maximum extent possible the development of the child. This includes the right of the child to education, the right to freedom of thought, conscience and religion, the right to useful and wholesome information to prepare the child for responsible adulthood, the right to rest and the right to play, and the right to enjoy a full and decent life even when mentally or physically handicapped.

The Program includes the following:

- A. The maintenance/sustenance of the established 57 day care centers for the Early Childhood Care and Development (ECCD) of pre-school children with ages 3-4 years as well as those existing children's parks in the City; to facilitate and support the construction and establishment of day care centers in other barangays of the city without day care centers to accommodate the increasing number of preschoolers in the area.
 

The LGU shall establish day care centers in areas determined by the LCPC/BCPC in coordination with the barangays where such centers will be set up. These centers may be co-managed and jointly operated by the provincial, municipal, city and the barangays concerned.
- B. Materials and network of Child Development Workers who will provide intellectual and mental stimulation activities and group activities with peers.
- C. Special Education (SPED) Centers. Support the maintenance/sustenance of the facilities for the differently abled children like the School for the Blind.
- D. Children in Conflict with the Law. Facilitate the establishment of a Girl-Child and Women's Home which serves as the home of the Children in Conflict with the Law and at risks;
- E. Child and Youth Welfare Program. The City Government shall establish and support a Comprehensive Child and Youth Welfare and Development Program which shall include services such as peer group services, community-based services for street children, community-based services for delinquent youth and services for children in especially difficult circumstances, among others.



1. A support system and network of assistance from among the members of the barangay for the total development and protection of children.
- F. Women Welfare Program. The City Government shall recognize the role of women in the formation of the society as well as the child, hence, it shall establish and support a Women Welfare and Development Program which shall include courses and services such as self-enhancement, skills development, maternal and child care and skills training for employment and livelihood support, among others.

**SECTION 17. PUBLIC LIBRARIES.** The Tuguegarao City Public Library shall develop a children's section that shall provide access to child appropriate facilities, information and materials from a diversity of national and international sources especially those aimed at the promotion of the child's social, spiritual and moral well-being and physical and mental health. All barangays shall likewise establish a children's library and a summer reading and literacy program for children.

**SECTION 18. LEISURE, PLAY AND CULTURE.** The Tuguegarao City Government shall respect and promote the right of the child to participate fully in cultural and artistic endeavors and shall provide appropriate and equal opportunities for cultural, artistic, recreational and leisure activities. In pursuit thereof, the City Government shall in particular:

- A. Invest in the production of local literature or other relevant materials for children, especially those made by children; and
- B. Ensure that every barangay has a playground or park or other recreational facilities for children.

#### **ARTICLE V PROTECTION OF THE RIGHTS OF CHILDREN**

Protection rights include the right to a name and nationality, the right to be protected from discrimination, the right to be protected from abduction and sale, the right to be protected from war, the right to be protected by law from drug abuse, the right to be protected by law from physical abuse and degrading treatment, the right to be protected by law from all forms of sexual abuse, the right to dignity and worth even when in conflict with law and the right to be protected from economic abuse.

**SECTION 19. PROGRAM ON CHILD ABUSE, EXPLOITATION AND DISCRIMINATION.** There shall be a comprehensive program to be formulated by an appropriate office in the local government unit and the local council for the protection of children to protect children against child prostitution and other sexual abuses, child trafficking, obscene publications and indecent shows, and other acts of abuse and circumstances which endanger the child survival and normal development.

- A. Women and Children Protection Desk. Facilitate the establishment of a Quick Action Center in the 49 component barangays of the City manned by Quick Response Teams (QRT) for street children, neglected, abandoned, maltreated and victims of child labor.
- B. Quick Response Team, its Purpose, Functions and Composition. The authority and mandate of the Local Council for the Protection of Children covers responding to children in crisis as quickly and immediate as possible and as such, the QRTs are purposely designed to place appropriate and trained persons and necessary mechanism at the scene of the event within hours upon complaint to provide immediate, identifiable action to the child victim. It shall be composed of an integrated team of personnel under direction of a duly appointed head of the team. The team can be composed of, but not limited to, a social worker or any development workers in the area, a doctor or any medical practitioner in case of the barangays, a legal person, a local leader, a case writer and a local authority (police or tanod). It is, however, preferred to recruit members whose abilities are not limited to special function. The QRT has for its functions the following:
  1. Accessible and available 24 hours a day. The call for quick response knows no limit and place.
  2. Proceed immediately to the designated place upon notice.
  3. Follow the established procedure.
  4. Keep an open mind, have a listening heart and an analytical mind; rely on facts, not on hearsays.
  5. Decide on the merit of the case and actions to be taken.
  6. Provide referrals to appropriate institutions for proper action.

7. Follow through the case referred to other institutions.
  8. Document and keep a record of the case and its progress.
- C. A sanctuary for abused, neglected or exploited children, either in one child institution in the barangay and/or network of sanctuary homes which will take in children in urgent need of protection due to a situation which endangers the child or which has exposed the child to barangay chairman and their barangay-level support system, may call upon law enforcement agencies when the child needs to be rescued from an unbearable home situation.

**SECTION 20. CHILD PROSTITUTION AND OTHER SEXUAL ABUSES AND SANCTIONS.**

- A. Cases Involving Cyber-Sex Law, Anti-Trafficking Law, Child Prostitution and other sexual abuses and attempts to commit the same shall be dealt with under Section 5, Article III of Republic Act 7610. In addition to the penalties provided for under Section 11, Article VII of R.A. 7610, a penalty shall be imposed against the violators herein provided in this Code.
- B. Cases of Child Trafficking and Attempt to Child Trafficking shall be dealt with pursuant to Article IV for RA 7610. In addition to the penalties provided for under Section 11, Article VII of R.A. 7610, a penalty shall be imposed against the violators as provided in this Code. There is an attempt to commit Child Trafficking in this Code and when a child below 15 years old travels alone to or from the LGU without valid reason and without clearance issued by the Special Office for Children's Concerns or written permit or justification from the parent or legal guardian.

When spouse or the common-law husband of the pregnant woman, through force or intimidation or in conspiracy with the latter, executes an affidavit of consent for adoption for consideration or consent, participates or in any manner causes the registration of the birth of such child in the name of another with or without consideration.

- C. Obscene Publications and Indecent Shows shall be dealt with pursuant to Article IV of Republic Act 7610. In addition to the penalties provided for under Section 11, Article VII of R.A. 7610, a penalty shall be imposed against the violators as provided in this Code.

**SECTION 21. SANCTIONS FOR ESTABLISHMENTS OR ENTERPRISES WHICH PROMOTE, FACILITATE OR CONDUCT ACTIVITIES CONSTITUTING CHILD PROSTITUTION AND OTHER SEXUAL ABUSES, CHILD TRAFFICKING, OBSCENE PUBLICATIONS AND INDECENT SHOWS.**

All establishments or enterprises caught promoting or facilitating child prostitution and sexual abuse, child trafficking, obscene publications, indecent shows and other acts of abuse shall be immediately closed and be fined an amount of P5,000.00 with their authority or license to operate permanently cancelled, without prejudice to the owner, manager and other personnel thereof for being prosecuted under 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."*

**SECTION 22. OTHER ACTS OF NEGLECT, ABUSE, CRUELTY OR EXPLOITATION AND OTHER CONDITIONS PREJUDICIAL TO THE CHILD'S DEVELOPMENT.** Any person including the parents of a child who shall use, coerce, force or intimidate a child or any other child to do the following shall be penalized:

- A. Conceal or abandon the child with an intent to make such child lose his/her civil status
- B. Abandon the child under such circumstances as to deprive him/her of the love, care and protection he/she needs
- C. Sell or abandon the child to another person for valuable consideration
- D. Neglect the child by not giving him/her the education by which the family's status in life and financial conditions permit
- E. Fail or refuse without justifiable grounds to enroll the child as required by law
- F. Cause, abate or permit the truancy of the child from the school where he/she is enrolled
- G. Improperly exploit the child by using him/her directly or indirectly such as for purposes of begging and other acts which are inimical to his/her interest and welfare
- H. Inflict cruel and unusual punishment upon the child or deliberately subject him/her to indignations and other excessive chastisements that embarrass or humiliate him

- I. Cause or encourage the child to lead immoral or dissolute life
- J. Permit the child to possess, handle or carry a deadly weapon regardless of its ownership
- K. Allow or require a child to drive without license or with a license which the parent knows to have been illegally procured
- L. Cause or allow a child to act as a conduit or middleman in drug trafficking or pushing
- M. Cause or participate directly a child in the conduct of illegal activities

**SECTION 23. EMPLOYMENT OF CHILDREN.**

- A. Cases involving Working Children shall be dealt in pursuant to Republic Act 9231 and other national statutes with the consent of parents and with DOLE Permit.
- B. The employment of children as domestic helpers, aged 15 years old and below, in the above exceptional cases where any such child may be employed, the employer must first secure, before engaging such child, a work permit from the Department of Labor and Employment and the Office of the Governor/Mayor which shall ensure observance of the requirements.
- C. No person shall employ a child to model in all forms of commercials or advertisements promoting alcoholic beverages, intoxicating drinks, tobacco and its by-products, and violence.
- D. Children found working in violation of the above provision shall immediately be rescued and provided with appropriate intervention as provided in the Comprehensive Program for Children in Need for Special Protection.

**SECTION 24. CHILDREN IN CONFLICT WITH THE LAW**

- A. Cases involving Children in Conflict with the Law shall be dealt with in accordance with Ordinance No. 32-2017 *“An Ordinance Establishing Local Juvenile Intervention and Diversion Programs, Pursuant to the Provisions of Juvenile Justice and Welfare Act of 2006 (RA 9344), Providing Funds Therefor and for Other Purposes”*, the provision of P.D. 603, Family Courts Law and other pertinent national statutes and the Rules of Court on Juvenile in Conflict with the Law on Commitment on Children and other pertinent rules thereof.
- B. The LCPC in accordance with National Line Agencies shall initiate appropriate training for the members of the Local Police Force, members of the Citizens Armed Forces Geographical Unit and the Barangay Police.

**SECTION 25. CHILDREN IN SITUATIONS OF ARMED CONFLICT**

- A. Cases of Children Affected by Armed Conflict shall be dealt with in accordance with the provision of R.A. 7610.
- B. Cases of Children involved in Armed Conflict shall be dealt with in accordance with the provision of R.A. 7610 and the Memorandum of Agreement in the Handling and Treatment of Children in Armed Conflict entered into between and among the Department of National Defense, DILG, CAFG, DGNP, DSWD, CHRS and OPAPP.

**SECTION 26. ESTABLISHMENTS TO POST NOTICES AND INFORMATION AT ENTRY OR FRONT DESKS REGARDING CHILD PROTECTION.** All hotels, sauna baths, inns, motels, night clubs and other establishments of similar services shall be required to post notices and information about child protection to serve as deterrent to committing child trafficking, prostitution and other sexual abuses. The Local Council for the Protection for Children shall prepare the notices and information to be posted with the compliance of the concerned establishments through the City Business and Permit Licensing Office which shall require said establishments to post such information or notices before their licenses shall be renewed and/or approved.

**SECTION 27. CREATION OF SPECIAL SERVICES FOR CHILDREN IN NEED OF SPECIAL PROTECTION AND LEGAL SERVICES.** The City Government shall create a special program for the protection of children who are victims of incest and rape cases. It shall also endeavor to muster the support of the private sector more particularly the local chapter of the Integrated Bar of the Philippines and the Academe to provide legal and protective services to children who are in need of such services.



**SECTION 28. CHILDREN-WOMEN PROTECTION DESK.** There shall be established, maintained and support in the City Police Office a Children-Women Protection Desk.

**SECTION 29. MONITORING CRIMINAL CHARGES FILED AGAINST CHILDREN AND APPROPRIATE ASSISTANCE.** The City Social Welfare and Development Office shall do the application for suspension of sentences of children charged with criminal offenses in connection with or related to any anti-social activities with the assistance of the Provincial Social Welfare and Development Office. A special team from such offices shall be tasked to monitor closely the cases involving children in court to adequately enforce the suspension of sentences. An appropriate and responsive rehabilitation program shall be afforded to them under the care of the Provincial Social Welfare and Development Office pursuant to P.D. 603, otherwise known as the "Child and Youth Welfare Code", RA 7610, otherwise known as "*An Act Providing for Stronger Deterrence and Special Protection Against Child Abuse, Exploitation and Discrimination, Providing Penalties for Violation, and for Other Purposes*" and other laws affording protection to children. The framework of assistance shall be designed by the Local Council for the Protection of Children in close coordination with CSOs and other groups having special interests on children's rehabilitation.

**SECTION 30. SUPPORT TO PROSECUTORS OR COUNSELS WHO HANDLE CASES OF CHILDREN TO OBTAIN SPEEDY DISPOSITION AND PREFERENTIAL SETTLEMENT.** The City Government, in its desire to protect the children who may either the victims or the accused in any crime, shall give moral and other necessary support to the prosecutors or counsels handling their cases to ensure the speedy disposition and preferential settlement thereof.

**SECTION 31. ESTABLISHMENT OF CHILD AND YOUTH RELATIONS SECTION FOR THE PURPOSE OF STRENGTHENING THE PILLARS OF THE JUSTICE SYSTEM.** The City Police shall have a Child and Youth Relations Section tasked to handle cases involving children. Child-Friendly police procedures shall be implemented as contained in the police handbook of the management of cases of children in especially difficult circumstances. Each PNP element shall be provided a copy of the said handbook. The said section must be administered by a female police officer.

**SECTION 32. SPECIAL COURSE FOR PNP MEMBERS.** Continuing special courses for members of the City Police Office shall be designed to handle effectively the children involved in anti-social activities. All police officers shall take up the courses especially those who are assigned with the Child and Youth Relations Section (CYRS) and other CYR Officers in each PNP detachment.

The course shall be designed and provided by the Child Welfare Council in close coordination with the PNP Child Protection Team, CSOs and other organizations focused on child and youth programs.

**SECTION 33. CUSTODIAL BRUTALITY.** The commission of an offense against a minor/s by any person while said minor/s is being placed under his/her custody for whatever reason shall subject such offender/s to the maximum penalty provided by law for the offense committed.

**SECTION 34. ESTABLISHMENT OF A REHABILITATION CENTER AND PROVISION OF SUPPORT FACILITIES.** There shall be established a Rehabilitation Center for Children Offenders or Youthful Offenders in the City of Tuguegarao pursuant to Ordinance No. 32-2017 "*An Ordinance Establishing Local Juvenile Intervention and Diversion Programs, Pursuant to the Provisions of Juvenile Justice and Welfare Act of 2006 (RA 9344), Providing Funds Therefor and for Other Purposes.*" Said center shall be equipped with necessary facilities conducive to dwelling. The rehabilitation center shall develop home life services, psychological interventions and other services that will make the center conducive to life and rehabilitation.

**SECTION 35. ESTABLISHMENT OF A SEPARATE DETENTION CELL FOR CHILDREN AND YOUTHFUL OFFENDERS.** To be able to safeguard the physical and psychological conditions of detained children and youth having impending criminal charges, the City Government shall establish within the district jail a separate detention cell exclusively for children and youthful offenders.

**SECTION 36. ESTABLISHMENT OF RECEPTION AND TRAINING CENTER FOR CHILDREN AND YOUTH WITH COMPLETE FACILITIES AND PROVIDING FUND THEREFOR.** The City Government shall establish a Reception and Training Center for Children and Youth (RTCCY) to provide protective services to children and youth who are abandoned and victims of rape, incest and other similar cases. This facility shall also include the provision of psychological needs of the children.



The amount of P50.00/day per child shall be provided to sustain the board and lodging of the wards of the RTCCY, subject to an increase of 5% per year when necessary. The reception and training center shall be strictly a "no smoking area."

**SECTION 37. CREATION OF THE MUSLIM AND INDIGENOUS PEOPLE'S COUNCIL FOR CHILDREN.** A Council for Muslim and Indigenous Communities in the City of Tuguegarao shall be created to facilitate planning, decision making, implementation and evaluation of all government programs affecting children of indigenous and Muslim people. Civil Society Organizations focused on these communities shall also be recognized, respected and represented to the council.

**SECTION 38. CHILDREN AND FAMILY PSYCHOSOCIAL PROGRAM.** The City Social Welfare and Development Office in coordination with other government and non-government agencies shall design a comprehensive psychosocial program for both children and their families especially those affected by armed-conflicts.

**SECTION 39. SELECTIVE BAN ON BENEFIT DANCE IN THE BARANGAYS.** Barangay level fund raising activities shall not include "benefit dance." Any person caught promoting such "benefit dance" in the barangay shall be punished by one (1) year imprisonment and fined with Five Thousand (P5, 000.00) Pesos after due proceeding by the court of justice having jurisdiction thereof. Cultural relevant activities shall be promoted instead of utilizing young women as commodities during the "benefit dance."

**SECTION 40. CURFEW ON MINORS FOR THE PROTECTION OF CHILDREN BELOW EIGHTEEN (18) YEARS OF AGE.** Children below 18 years of age shall be prohibited from loitering around or sleeping in public places from 10:00 o'clock in the evening until 4:00 o'clock in the morning of the following day unless they are in the company of their parents or guardians. It is hereby ordered that Ordinance No. 2003-03 titled "*An Ordinance Implementing Citywide Curfew, Banning Minors aged below 18 from 10:00 P.M.*" shall be strictly implemented. Any person who has been found to violate the said ordinance shall be penalized in accordance with the provisions of Section 8 thereof.

**SECTION 41. REGULATING AMBULANT VENDORS OF JUNK FOOD IN SCHOOL VICINITIES FOR SANITATION PURPOSES AND ESTABLISHING MONITORING SYSTEM.** The City Government through the City Health Office shall protect school children from unsanitary food and junk food pursuant to City Ordinance No. 50-2017 titled "*An Ordinance Mandating the Strict Regulation of All Food Being Sold in Both Public and Private Elementary and Secondary Schools in Tuguegarao City.*"

**SECTION 42. PROHIBITION AGAINST LOITERING, ENTERING AND PLAYING IN BILLIARD HALLS, COMPUTER HOUSES, ETC.** All students below 18 years of age are hereby prohibited to loiter, enter and play games in billiard centers, computer game parlors and similar amusement centers during school hours particularly at seven thirty (7:30) o'clock in the morning to five (5:00) o'clock in the afternoon. Establishments which shall violate this shall be penalized as herein provided.

**SECTION 43. CANCELLATION OF BUSINESS PERMITS/LICENSES AND CLOSURE OF ESTABLISHMENTS ENGAGED IN THE WORST FORM OF CHILD LABOR.** In accordance with Republic Act No. 9231 or Elimination of the Worst Forms of Child Labor, the Business Permit and Licensing Office shall initiate proceedings for the permanent cancellation and revocation of the business permits/licenses of establishments if they are found to engage children in prostitution or obscene or lewd show or where the violation of any provision of the Act resulted in the death, insanity or serious physical injury of the child employed in such establishment. Further, the City shall coordinate with the Department of Labor and Employment for the immediate and permanent closure of such establishments as provided by the Law.

**SECTION 44. CHILD PROTECTION POLICY.** All government offices shall adopt a Child Protection Policy that sets standards of conduct and behavior for public officials and employees to ensure that they promote and protect the rights of children; provided, that all public schools in the elementary and high school levels as well as other relevant agencies shall abide by the Child Protection Policy issued by the Department of Education.

**SECTION 45. CHILDREN IN EMERGENCY OR DISASTER SITUATIONS.** The City Government shall ensure that in emergency or disaster situations, children shall be given utmost priority in the delivery of services. All efforts shall be exerted to ensure that the children are not separated from their parents/families. In case of separation, the reunification of children with their parents/families shall be given

utmost priority and immediate attention. This is in consonance with City Ordinance No. 33-2017 titled "*An Ordinance Implementing Forced Evacuation in Times of Disaster or Emergency When Danger of Loss of Lives Becomes Imminent, Providing Penalties Therefor.*"

## **ARTICLE VI PARTICIPATION RIGHTS OF CHILDREN**

Participation rights include the right to freedom of expression and the right to freedom of association and peaceful assembly.

**SECTION 46. PARTICIPATION RIGHTS OF CHILDREN.** The Children in the family, school, community or other organizations or institutions shall be heard. Each child regardless of sex, age and tribe has the right to express his/her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child. It shall be the responsibility of the adults to provide opportunities for children to express their views to obtain information known regardless of tribe, religion, age and sex.

**SECTION 47. CHILDREN'S CONGRESS.** There shall be a Children's Congress to be held in October every year to be participated in by Children Representatives from all barangays of the Local Government Unit.

**SECTION 48. FUN DAY.** There shall be a FUN DAY for Children with Special Needs to be held in November of every year to be participated in by all said children from all barangays of the Local Government Unit.

**SECTION 49. ESTABLISHMENT AND STRENGTHENING OF CHILDREN'S OR YOUTH'S GROUPS OR ORGANIZATIONS.** The City Government shall facilitate to process leadership development and formation of children's groups consisting of children from different sectors. It shall strengthen such groups or organizations through technical assistance, funding and other forms of support.

## **ARTICLE VII FAMILY ENVIRONMENT AND ALTERNATIVE CARE OF STREET CHILDREN**

**SECTION 50. PROHIBITED ACTS:** The following are prohibited acts under existing laws, rules, and regulations:

- A. All acts and activities of street children defined under Section 4(32) hereof are hereby considered as prohibited acts.
- B. Any person who shall coerce, force or intimidate a street child or any child to:
  1. Beg or use begging as a means of living
  2. Act as middleman in drug-trafficking or drug pushing
  3. Conduct any illegal activities
- C. Parents or family members who encourage their children to engage in the abovementioned prohibited acts without legal and moral justification.

### **SECTION 51. RULES OF PROCEDURE.**

- A. **MONITORING/REPORTING.** Barangay officials including the Barangay Security Development Officers (BSDO) are authorized to monitor and report the commission of prohibited acts and, if necessary, to take into custody street children found to have been loitering unaccompanied by their parents or legal guardian and deliver them to their homes.
- B. **APPREHENSION.** Street children falling within the definition in Section 4(32)(2-3) shall be brought immediately to the Reception and Action Center of the CSWDO for mendicants and the socially disadvantaged groups pending the establishment of the Tuguegarao City Center for the Child and Youth Development. The apprehending officer shall notify the child's parents or guardian on the whereabouts of the child who may be released to his/her family after being warned on the liability of the parents and guardian pursuant to P.D. 603 and this Code. Claimants should present evidence that he/she is the parent or guardian who shall be made to sign a complete information release slip.

In case where the apprehended street child falls within the provision of Section 4(32)(2-3) hereof, said child shall not be released. Instead, the case shall be immediately endorsed by the



CSWDO to the City Prosecutor who shall immediately undertake the necessary steps for the prosecution of the apprehended minor in accordance with the provisions of the Revised Penal Code and R.A. 6425, otherwise known as the *Dangerous Drugs Act*. However, a child nine years of age or under at the time of the violation of this Code shall be exempt from the liability, but it shall be the parent or guardian concerned who shall be held liable thereof.

All apprehending officers shall observe maximum tolerance in dealing with apprehended street children.

**C. MANNER OF INVESTIGATION.** If necessary, apprehending officers shall observe child-friendly procedures in conducting an investigation apprehension.

**D. CUSTODY.** The CSWDO shall accept the custody of apprehended street children and shall make proper evaluation of each child for proper referral to his/her family and concerned agencies. During such temporary custody, the CSWDO should provide all the necessity for the child's welfare.

**E. COMMITMENT**

1. Grounds – the CSWDO shall make the proper recommendation if there is a strong evidence that the street child is neglected or abandoned. The recommendation must be in the form of a verified petition for the involuntary commitment of said street child to the care of any duly licensed child placement agency. The petition shall be filed with the Regional Trial Court of the place where the parents or guardian resides or where the child is found.
2. Contents of the Petition.
  - A. The acts showing that the street children are abandoned or neglected.
  - B. The names of the parent or parents, if known, and residence. If the child has no parent or parents living, then the name and residence of the guardian, if any.
  - C. The name of the duly licensed child placement agency or individual in whose care or custody the commitment of the child is sought.
3. The judicial proceedings that will be conducted in connection with the prosecution of the petition shall be in conformity with Articles 144, 145, 146, 147, 148, 149 and 150 of P.D. 603, otherwise known as the Child and Youth Welfare Code.

**SECTION 52. SPECIAL COURSE FOR PNP/TCPC MEMBERS.** Each police station in Tuguegarao City shall have a Children's Desk manned by a child and youth relations officer tasked to handle cases involving children. Child-friendly police procedures shall be followed/implemented as contained in the Police Handbook on the management of cases of children in difficult circumstances. Each PNP/TCPC element shall be provided with a copy of the handbook.

A special course of the PNP/TCPC elements shall be designed to handle effectively children involved in anti-social activities. All police officers shall take up the course especially those who are interested to be assigned with the Children's Desks in the police stations.

The course shall be designed and provided by the CSWDO in close coordination with the PNP/TCPC child protection team, if any, and concerned civil society organizations focused on child and youth programs.

**SECTION 53. LIABILITY OF PARENTS/PENAL PROVISION:**

- A. Any parent or guardian found to be grossly negligent in the performance of the duty imposed by this Code shall be punished as follows:
  1. For the first offense, admonition by the CSWDO
  2. For the second offense, counselling by the CSWDO and with the notice of the the imposition of the criminal liability for subsequent apprehension
  3. For the third and final offense, the filing by any responsible person of appropriate criminal charges against the parent/s or guardian of the minor who shall be punished with a fine of Five Hundred Pesos (P500.00) or imprisonment of not more than ten (10) days or both at the discretion of the Court.

The penalty imposed by this ordinance shall be without prejudice to the filing of other charges against the offender under R.A. 7610 "An Act Providing for Stronger Deterrence and Special Protection Against Child Abuse, Exploitation and Discrimination."

- B. Any person found guilty of violating Section 51 (B) of this Article shall be punished with imprisonment of one year without prejudice to the filing of appropriate charges against the offender under R.A. 7610 and other related laws.

**SECTION 54. CREATION OF THE TUGUEGARAO CITY CENTER FOR CHILD AND YOUTH DEVELOPMENT.**

- A. Establishment of Tuguegarao City Center for Child and Youth Development. It is hereby authorized the creation and establishment of a child and youth center which shall be known as the Tuguegarao City Center for the Child and Youth Development under the supervision and management of CSWDO.
1. Location
  2. Functions – The center shall provide and perform the following functions and services:
    - a. Protective custody for children brought in the center whether temporary or permanent
    - b. Parental guidance and counseling
    - c. Education opportunities and assistance
    - d. Psychological and psychiatric evaluation and treatment
    - e. Medical, physical and dental examination and treatment
    - f. Spiritual and moral growth and livelihood development service
    - g. Home life service
    - h. Dietetic service
    - i. Self-employment assistance
    - j. Practical skills development
    - k. Special social services
    - l. Referral for legal assistance
- B. Policy-Making Body of the Center – The policy-making body of the center shall be composed of the following Tuguegarao City Officials:
1. The Heads of the CSWDO
  2. Two Councilors who are the Chairman of the Committee on Education and the Chairman of the Committee on Youth and Development
  3. The City Administrator
  4. The City Health Officer
  5. The Superintendent of the Division of City Schools
- C. Powers – The policy-making body of the center shall formulate the general powers necessary to carry out its purpose and administration and shall recommend, for the final approval of the City Council, the rules and regulations for its operation as managed by the CSWDO.
- D. Quorum – A majority of all members of the center who have been qualified and holding office at the time of the meeting shall constitute a quorum.
- E. Annual Report – The policy-making body shall submit a yearly report to the Mayor and the City Council of the Center's financial status and past activities as well as the growth and development of their beneficiaries to make the center's care for its residents more responsive to their needs.
- F. Copy of the location of the Center, organizational chart, scope of work and budgetary estimate for the construction of the Center, schedule of the expenses for personnel services, and maintenance and operating expenses are hereto attached and made integral parts of this Code.
- G. Funding – There is hereby appropriated amount of \_\_\_\_\_ or as much thereof as may be necessary to cover the construction of the Center, purchase of the necessary furniture, equipment and commodities, personnel services, and maintenance and operating cost for the year \_\_\_\_\_ broken down as follows:
1. Capital Outlay:



Building with furniture and fixture –

2. Operating Expenses:

Personnel Services –

Maintenance and Operation – \_\_\_\_\_

Grand Total \_\_\_\_\_

The amount of \_\_\_\_\_ is hereby appropriated from any available funds of the Office of the City Mayor to cover the salaries, insurance, premiums and other benefits appurtenant to the personnel. The same to be included in the \_\_\_\_\_ Annual Budget of the Tuguegarao City Government and every year thereafter.

**SECTION 55. PROGRAMS AND SEMINARS ON CHILD AND YOUTH**

- A. The CSWDO must conduct periodic community dialogues especially with barangay officials, BSDOs and TCPC personnel.
- B. Parent Education Program – The CSWDO shall, from time to time, hold parent education congress which shall aim to enable parents to understand child growth and development, parent-child relationship, family life and family-community relationship.
- C. Scholarship for deserving residents of the Center.
- D. Barangay officials are encouraged to keep a record of the trend of the proliferation or diminution of the existence of street children in their barangays. This is for the purpose of providing the local CSOs and other concerned agencies with facts and statistics which may be used as bases for determining the policies that will be used to truly address the needs of the children.

**ARTICLE VIII  
RIGHTS OF CHILDREN OF INDIGENOUS PEOPLES**

**SECTION 56.** In addition to the rights guaranteed to children under this Code and existing laws, children of indigenous peoples shall be entitled to protection, survival and development consistent with the customs and traditions of their respective tribes to include, but not limited to, Badjaos, Samals, etc.

**SECTION 57.** The Local Council for the Protection of Children in coordination with the local Department of Education Division Office shall develop and institute an alternative system of education for children of indigenous peoples which is culture-specific and relevant to their needs.

**SECTION 58.** The delivery of basic social services in health and nutrition to children of indigenous cultural communities shall be given priority. Hospitals and other health institutions shall ensure that children of indigenous peoples are given equal attention. In the provision of health and nutrition service to children of indigenous peoples, indigenous health practices shall be respected and recognized.

**SECTION 59.** Children of indigenous peoples shall not be subjected to any and all forms of discrimination.

**ARTICLE IX  
PROMOTION OF CHILDREN'S RIGHT**

**SECTION 60. PROMOTING AWARENESS ON CHILDREN'S CODE AND RELEVANT LAWS.** The City Government shall pursue effective dissemination of information and promote understanding of this Code and relevant laws in all schools, offices, churches and other relevant public places. Information, education and communication materials should be produced in English and Filipino and distributed to all barangays and local communities.

**SECTION 61. PROMOTING AWARENESS OF CHILDREN'S RIGHTS AMONG CHILDREN.** The Convention on the Rights of the Child as well as other information on child's rights shall be integrated in the curricula of all public and private schools in the elementary and high school levels. The same shall be done in other youth training activities as may be appropriate.

**SECTION 62. PROMOTING AWARENESS OF CHILDREN'S RIGHTS AMONG LAW ENFORCERS.** Capability-building efforts for government service providers shall be established with focus on understanding children in various life stages, addressing age-specific concerns and issues and



promoting and protecting children's rights. Capability building programs shall likewise focus on total child development and the exploration of culture and community-appropriate child development practices. Competency development (knowledge, skills and attitudes) shall be instituted through comprehensive and ladder capacity-building programs for service providers at different levels (institutional and individual, especially day care workers and public school teachers in elementary and high school levels)

**SECTION 63. CHILDREN'S MONTH AND CHILDREN'S DAY CELEBRATION.** The City shall celebrate the National Children's Month in October and the National Children's Day on October 17 pursuant to Presidential Decree No. 267 and Presidential Decree No. 74, respectively, by conducting child-focused activities promoting the rights and the responsibilities of children.

**SECTION 64. MEDIA PARTNERSHIP.** The City Government shall partner with media to inform and educate the general public on issues affecting children. Strategic partnership with media shall be established for social marketing. Existing interventions centered around children and the principles of creating a child-friendly society shall be disseminated broadly through special television programming, print, information technology or other forms of media. Partnership with media shall also be established to provide alternative education through the collaboration with government and non-government agencies on education efforts such as the schools in the air or schools online.

**ARTICLE X  
RIGHTS OF DIFFERENTLY-ABLED CHILDREN AND YOUTH**

**SECTION 65. PROGRAM IMPLEMENTATION.** The City Government of Tuguegarao shall dynamically monitor, evaluate and provide the necessary policy climate and technical support to initiate and/or sustain existing programs and projects aimed at fully integrating and empowering the differently-abled children and youths. To ensure responsive implementation of such programs and projects, the City Government shall consult and require the participation of said differently-abled children and youth and/or through the parents or guardians.

**SECTION 66. HUMAN DEVELOPMENT OPPORTUNITIES.** Special trainings shall be encouraged to cater to the differently-abled children and youth which will afford them the opportunity to find full and remunerative employment befitting their distinct and unique skills and capabilities.

**SECTION 67. EQUAL EMPLOYMENT OPPORTUNITY.** No employable differently-abled person shall be discriminated and disqualified to any employment opportunity on account of physical or social impairment or disability, provided that he/she attains the minimum qualification required of the job sought for.

**SECTION 68. INTEGRATION OF ACCESSIBILITY LAW AND MAGNA CARTA FOR DIFFERENTLY-ABLED PERSONS.** The City Government of Tuguegarao shall integrate Batas Pambansa Bilang 344, otherwise known as "*The Accessibility Law*" and Republic Act 7277, also known as the "*Magna Carta of Person with Disabilities*", in all its programs and projects and shall likewise mandate public and private entities to strictly comply with the same.

**ARTICLE XI  
LOCAL COUNCIL FOR THE PROTECTION OF CHILDREN**

**SECTION 69. ORGANIZATION, FUNCTION AND STRENGTHENING OF LOCAL COUNCIL FOR THE PROTECTION OF CHILDREN (LCPC).** The Council for the Protection of Children shall be organized city level and the Barangay Councils for the Protection of Children shall organize their respective Councils for the Protection of Children. The composition of the Local Council for the Protection of Children shall be as follows:

- |          |   |
|----------|---|
| Chair:   | City Mayor                                  |
| Members: | Chair, SP Committee on Women and Family     |
|          | Chair, SP Committee on Social Services      |
|          | Liga ng mga Barangay                        |
|          | DILG – Tuguegarao City                      |
|          | City Social Welfare and Development Officer |
|          | City Civil Registrar                        |
|          | City Health Officer                         |
|          | City Legal Officer                          |



City Budget Officer  
City Planning and Development Officer  
City Treasurer  
City Agriculturist  
City Technology, Livelihood and Development Officer  
City Disaster Risk and Reduction Management Officer  
City Business Permit and Licensing Officer  
City Persons with Disability Officer  
City Gender and Development Focal Person  
City Public Employment Service Officer  
Tuguegarao City Schools Division Superintendent, DepEd  
Tuguegarao City Police Officer  
Civil Society Organization Representative

#### **SECTION 70. FUNCTIONS OF THE LCPC.**

- A. Formulate plans, programs and policies for children that are gender-fair, culturally relevant and responsive to the needs of diverse groups of children as defined in Section 4(8)
- 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 the appropriate agency
- I. Perform such other functions as provided for in the ECCD Law and other related laws

**SECTION 71. SECRETARIAT.** The City Planning and Development Office shall serve as the Secretariat of the Council.

#### **ARTICLE XII FINAL PROVISIONS**

**SECTION 72. MISCELLANEOUS PROVISIONS.** Notwithstanding the provisions of this Code, other existing ordinances and laws to the contrary, the City Mayor is hereby given full power and authority to issue executive orders and rules and regulations appurtenant hereto, with the end view of making this Code truly reflective of the ideals of good governance.


**SECTION 73. SEPARABILITY CLAUSE.** If for any reason, any section or provision of this ordinance is declared illegal or unconstitutional, other sections or provisions hereof which are not affected thereby shall continue in full force and effect.

**SECTION 74. REPEALING CLAUSE.** Ordinance No. 01-2006 titled "*An Ordinance Revising Ordinance No. 13-2000, otherwise known as the Tuguegarao City Child and Youth Welfare Code*" and all previous issuances, ordinances, rules and regulations or parts thereof which are inconsistent or in conflict with the provisions of this Code are hereby repealed or modified accordingly.

**SECTION 75. EFFECTIVITY.** This ordinance shall take effect immediately upon approval.

x-x-x

I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

  
**JOEL JOSEPH L. EGIPTO, Ph.D.**  
Secretary to the Sanggunian

ATTESTED:



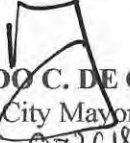
**HON. DANILO L. BACCAY**

Acting City Vice Mayor

Presiding Officer

Date: 072618

APPROVED:



**HON. BIENVENIDO C. DE GUZMAN II**

Acting City Mayor

Date: 072618

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