



Republic of the Philippines
Province of Pangasinan
MUNICIPALITY OF CALASIAO

MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF CALASIAO,
PANGASINAN HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON JUNE 26, 2023

PRESENT:

(OIC) VICE MAYOR MANNY V. DATUINPresiding Officer
COUN. FELIPE K. DE VERAMajority Floor Leader
COUN. ARDIESON B. SORIANOMember
COUN. HAVERDANI DAS B. MESINAMember
COUN. GERALD C. AFICIALMinority Floor Leader
COUN. ELIAS S. VILLANUEVAMember
COUN. MYC D. SISONMember
ABC PRES. CARLITO A. DIONMember, Ex-Officio
S. K. FED. PRES. VANESSA S. ZULUETAMember, Ex-Officio

ABSENT: NONE

ORDINANCE NO. 8, SERIES OF 2023

CHAPTER I

GENERAL PROVISIONS

ARTICLE I - POLICY AND APPLICATION

**AN ORDINANCE ENACTING THE EXPANDED CHILD WELFARE CODE OF THE MUNICIPALITY OF
CALASIAO, PANGASINAN 2023 - 2028**

Section I. Title - This Ordinance shall be known as the "The Expanded Child Welfare
Code"

Welfare Code of the Municipality of Calasiao, Province of Pangasinan"

Section 2. Declaration of Policy - It shall be the official policy of the Municipality of Calasiao, Province of Pangasinan to give high priority to the promotion of the total growth and development of children. It shall ensure that the rights of children are fully protected and respected with the active support and participation and/or in concerted efforts with the parents, families, communities, peoples' organizations (PO), Non-Governmental Organizations (NGO) and other sectors of the society.






- a. The Municipality of Calasiao, Province of Pangasinan shall give priority to education of children especially the deserving and underprivileged **to prepare them with the challenges in life and to build a foundation for them to succeed in life.**
- b. The Municipality of Calasiao, Province of Pangasinan shall exert its best efforts to inculcate in children, positive values, genuine love for God and country and sense of identity and pride as Calasiaoenos and Filipinos.
- c. The Municipality of Calasiao, Province of Pangasinan shall mold its children to become model and responsive citizens. Towards the above ends. The Municipality of Calasiao, Province of Pangasinan shall;
 1. Protect the child from all forms of maltreatment by parents or others responsible for the care of the child and to establish appropriate social programs for the prevention of abuse and the treatment of victims.
 2. Provide special protection for child deprived of the family, environment and to ensure that appropriate alternative family care or institutional placement is available in such cases. Efforts to meet this obligation shall pay due attention to the child's cultural background.

3. Protect children from sexual exploitation and abuse, including prostitution and involvement in and/or exposure to pornography or any form of violence.
4. Exert every effort against the sale, trafficking and abduction of children.
5. Ensure that primary education is free and compulsory, to encourage different forms of secondary education accessible to every child and to make higher education available to all on the basis of capacity of the parent or guardian of the child. School discipline shall be consistent with the child's rights and dignity.
6. To provide special protection to children in situation of armed conflict from all forms of abuse, violence, neglect, cruelty, discrimination and other conditions prejudicial to their development, taking into consideration their gender, cultural, ethnic and religious background.

Section 3. Rules of Construction. In case of doubt, the interpretation of any of The provisions of this Code, including its implementing rules and regulations, shall be construed liberally in favor of the child.

Section 4. Definition of Terms. For purposes of this ordinance, these terms are Defined as follows:

- a. **Abandoned Child** - is one whose parent or guardian has deserted him for a period of at least six(6) months.
- b. **Abduction of children**—refers to the seizure, apprehension, taking in custody, detention or capture of one or more children either temporarily or permanently by force, threat of force or coercion. or deception for the purpose of any form of exploitation of such children in situations of armed conflict
- c. **Acts of gender-based violence** refers to physical or sexual violence other than rape, and psychosocial harm that is committed against a person as a result of power in equities that are based on gender roles. These include, among others battering, sexual slavery and abuse of children, female genital mutilation, prostitution, forced marriage, forced pregnancy or forced sterilization.
- d. **Armed conflict**— refers to armed confrontations occurring between government forces and one or more armed groups, or between such groups arising on the Philippine territory.
- e. **Age of Criminal Responsibility** - refers to person having an age of 15 years and 1 day old or above but below 18 years of age who commits an offense and acted with discernment.
- f. **Anti-Social Related Activities**- are those acts committed against chastity and person which include, but not limited to, the following: petty crimes, such as Failure to immediately give medical treatment to an injured child resulting in serious impairment of his growth and development or in his permanent incapacity or death.
- g. **"Bahay Kalinga"** —refers to a 24-hour child-caring institution which provides temporary shelter and custody for children at risk and children in conflict with the law.



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- h. **Bail** - refers to the security given for the release of the person in custody of the law, furnished by him or a bondsman, to guarantee his appearance before any court. Bail may be given in the form of corporate security, property bond, cash deposit, or recognizance.
- i. **BCPC** - refers to Barangay Council for the Protection of Children.
- j. **Best Interest of the Child**-refers to the totality of the circumstances and conditions which are most congenial to the survival, protection and feelings of security of the child and most encouraging to the child's physical, psychological and emotional development. It also means the least detrimental available alternative for safeguarding the growth and development of the child.
- k. **Breastmilk Substitute** -refers to any type of milk, in either liquid or powdered form, including soy milk and follow-up formula, that are specifically marketed for feeding infants and young children up to the age of three (3) years.
- l. **Child** - refers to a person below eighteen (18) years of age or those over 18 years but is unable to fully take care of himself or protect himself from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability condition.
- m. **Child Abuse**- refers to the maltreatment, whether habitual or not, of the child which includes any of the following:
1. Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment.
 2. Any act which tends to debase, degrade or demean the intrinsic worth and dignity of a child as a human being:
 3. Unreasonable deprivation of his basic needs for survival, such as food and shelter; And
 4. Failure to immediately give medical treatment to an injured child resulting in serious impairment of his growth and development or in his permanent incapacity or death.
- n. **Child at Risk**- refers to 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 provision of health, nutrition, psychological support and other service or activities which will restore their normal functioning.
1. Being abused by any person through sexual, physical, psychological, mental, economic or any other means and the parents or guardian refuse, are unwilling, or unable to provide protection for the child;
 2. Exploited including sexually or economically;
 3. Being abandoned or neglected, and after diligent search and inquiry, the parent or guardian cannot be found;
 4. Coming from a dysfunctional or broken family or without a parent or guardian;
 5. Being out of school;
 6. Being a street child;
 7. Being a member of a gang/fraternity/sorority;
 8. Living in a community with a high level of criminality or drug abuse; and
 9. Living in situations of armed conflict.

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- o. (o) **Child in Conflict with the law (CICL)** - refers to a child who is alleged as, accused of, or adjudged as having committed an offense under the applicable Philippine law.
- p. **Children in Need of Special Protection (CNSP)** - refers to all persons below 18 years of age, or those 18 years old and over but are unable to take care of themselves because of physical or mental disability condition; who are vulnerable to or are victims of abuse, neglect, exploitation, cruelty, discrimination and violence (armed conflict, domestic violence and other analogous conditions prejudicial to their development",
- q. **Child protection** - refers to measures, structures and activities that ensure the prevention and response to abuse, neglect, exploitation and violence affecting children. It shall include the protection of their development and psychosocial well-being.
- r. **Children affected by armed conflict**-refer to all children population experiencing or who have experienced armed conflict.
- s. **Children involved in armed conflict (CIAC)** - refers to children who are either forcibly, compulsorily recruited, or who voluntarily joined a government force or any armed group in any capacity. They may participate directly in armed hostilities as combatants or fighters; or indirectly through support roles such as scouts, spies, saboteurs, decoys, checkpoint assistants, couriers, messengers, porters, cooks or as messengers or as sexual objects,
- t. **Children in situations of armed conflict** – refers to all children involved in armed conflict affected by armed conflict and internally displaced children.
- u. **Child with special Needs**- refers to a child with a developmental or physical disability as defined in Republic Act No. 10165 or the Foster Care Act of 2012
- v. **Child Friendly Spaces** - refers to spaces where communities create nurturing environments for children to engage in free and structured play, recreation, leisure and learning activities. The child-friendly space may provide health, nutrition, psychological support and other service or activities which will restore their normal functioning.
- w. **Chronic Energy Deficiency (CED), or acute under nutrition** – refers to a condition where there is negative energy balance due to inadequate food and nutrient intake, problems in absorption, relatively rare or excessive nutrient loss mostly due to infection and malignancies.
- x. **Commitment** – refers to the legal act of entrusting a child to the care of the Municipal Social Welfare and Development (MSWDO) or any duly licensed similar child placement agency or individual.
- y. **Community-Based Program** – refers to the programs provided in a community setting developed for purposes of intervention and diversion, as well as rehabilitation of the child in conflict with the law, for reintegration into his family and/or community

- z. **Court** – refers to a family court or any regional trial court.
- aa. **Development-Based Programs** – refers to the access of a child to educational opportunities, access to relevant information, play, leisure, cultural activities and the right to freedom of thought, conscience and religion.
- bb. **Deprivation of Liberty** – refers to any form of detention. Or imprisonment or to the placement of the child in conflict with the law in a public or private custodial setting. From which the child in conflict with the law is not permitted to leave at his own will by order of any judicial or administrative authority.
- cc. **Disaster** – refers to a serious disruption of the functioning of a community or a society involving widespread **human, material, economic, or environmental losses and impacts, which exceeds the ability of the affected community or society to cope** using its own resources.
- dd. **Discernment** – refers to the capacity of the child at the time of the commission of the offense to understand the difference between right and wrong, and the consequences of the wrongful act.
- ee. **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 social, cultural, economic, psychological or educational background without resorting to formal court proceedings.
- ff. **Diversion Program** – refers to the program that the child in conflict with the law is required to undergo after he is found responsible for an offense without resorting to formal court proceedings.
- gg. **Early Childhood Care and Development (ECCD) Center** – refers to the various services of health and sanitation, nutrition, early education, child protection, social services development and human development that may be conducted as center-based programs or home-based programs by various ECCD service Providers.
- hh. **ECCD Service Providers** - refers to the various professionals, paraprofessionals and volunteer caregivers who are directly responsible for the care and education of young children from aged zero (0) to four (4) years through the various centers and home-based programs. They shall include, but are not limited to, day care workers hereinafter referred to as child development workers. Child development teachers, parents, teacher-aides, rural health midwives, social workers, community health workers barangay nutrition scholars, parents effectiveness service volunteers, and family day care providers.
- ii. **Early Stimulation** – refers to the process where infants and young children receive external stimuli to interact with others and their environment. It provides different opportunities for the child to explore, develop skill and abilities in a natural way and understand what is happening around them. Example of early stimuli are language, motor and sensory stimulation with the aim of optimizing their cognitive, physical, emotional and social abilities to avoid undesired states in development.

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- jj. **Emergency*** – refers to unforeseen or sudden occurrence, especially danger, demanding immediate action as defined in republic Act no. 10121
- kk. **False branding of children or labeling children as children involved in armed conflict*** – refers to the voluntary and intentional act referring to, calling, defining, reporting or any other form of communication that incorrectly defines children as children involved in armed conflict, when the status or condition of such children are such that they are not involved in armed conflict as defined in this Code.
- ll. **False reporting of a child in custody*** – refers to the voluntary and intentional act of any person of providing false, incorrect or mistaken information in relation to a child in custody in relation to situation of armed conflict.
- mm. **First one thousand (1,000) days of life*** – refers to the period of a child's life spanning the nine (9) months in the womb starting from conception to the first (24) months of life, which is considered to be the critical windows of opportunity to promote health and development and prevent malnutrition and its life-long consequences.
- nn. **Food Blockade*** – refers to an armed conflict tactic of forcibly cutting off entry of food supplies in a particular area where children can be found.
- oo. **Fortified Meal*** – refers to a meal with deliberately increased content of essential micronutrients so as to improve the nutritional quality of the food and provide the level of calories and protein as prescribed by the NNC which shall consist of at least one third ($\frac{1}{3}$) of the daily requirement based on the Philippine Dietary Reference Intake (PDR).
- pp. **Geographically Isolated and Disadvantaged Areas (GIDA)*** – refers to areas that are isolated due to distance or geographical isolation, weather conditions and lack of modes of transportation. This also refers to unserved and underserved communities and other areas identified to have access of service delivery problems, high incidence of poverty, presence of vulnerable sector. Communities in or recovering from situation of crisis or armed conflict, and those recognized as such by a government body.
- qq. **Government forces*** – refers to the Armed Forces of the Philippines (AFP). Philippine National Police (PNP). Paramilitary and other law enforcement agencies.
- rr. **Hazard*** – refers to a dangerous phenomenon, substance, human activity; or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage as defined in Republic Act No. 10121.



ss. Initial Contact with the Child – refers to the apprehension or taking into custody of a Child in conflict with the law by law enforcement officers or private citizens. It includes the time when the child alleged to be in conflict with the law receives a subpoena under Section 3(b) of Rule 112 of the Revised Rules of Criminal Procedure or summon under **Section 6 (a) or Section 9(b)** of the same rule in cases that do not require preliminary investigation or where is no necessity to place the child alleged to be in conflict with the law under immediate custody

tt. Internally displaced children - refers to children or group of children. Whether separated or together with their families, who have been forced or obligated to flee or to leave their homes or places of habitual residence. in particular, as a result of or in order to avoid the effect of armed conflict and situations of generalized violence.

uu. Intervention Programs -refers to a series of activities which are designed to address issues that caused the child to commit an offense. It may take the form of an individualized treatment program which may include counseling, skills training, education, and other activities that will enhance his psychological, emotional and psycho-social well-being

vv. Juvenile Justice and Welfare System – refers to a system dealing with children at risk and children in conflict with the law, which provides child-appropriate proceedings, including programs and services for prevention, Diversion, rehabilitation, re-integration and aftercare to ensure their normal growth and development.

ww. Law Enforcement Officer - refers to the person in authority or his agent as defined in Article 152 of the Revised Penal Code. Including a barangay tanod.

xx. Low birth weight - refers to weight at birth of an infant, whether born full term or preterm, of less than 2,500 grams or 5.5 pounds, or 5 pounds and 8 ounces.

yy. Malnutrition - refers to deficiencies, excess or imbalances in a person's intake of protein, Energy (carbohydrates and fats) and/or nutrients covering both under nutrition which includes suboptimal breastfeeding, stunting, Wasting or thinness, underweight and micronutrient deficiencies or insufficiencies, as well as over nutrition, which includes overweight and obesity.

zz. MSWDO - Municipal Social Welfare and Development Office

aaa. MCPC - Municipal Council for the Protection of Children

bbb. Neglected Child -refers to a child whose basic needs have been deliberately unattended or inadequately attended who has poor or no proper parental care or guardianship.

1. 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.
2. Physical neglect exists when the child is malnourished, ill clad and without proper shelter.

ccc. Nutrition-sensitive intervention and program -refers to interventions or programs that address the underlying determinants of maternal fetal, infant and child nutrition and development, such as those pertaining to food security, social protection, adequate care giving resources at the maternal, household and community levels, and access to health services and a safe and hygienic environment, and incorporate specific nutrition goals and actions. Nutrition sensitive programs, can serve as delivery platforms for nutrition-specific interventions, potentially increasing their scale, coverage and effectiveness.

ddd. Nutrition-specific intervention and program – refers to interventions or programs that address the immediate determinants of maternal fetal infant and child nutrition and development, adequate food and nutrient intake, feeding, care giving and parenting practices, and low burden of infectious diseases.

eee. Nutritionally-at-risk pregnant women– refers to pregnant women, including teenage mothers, with a low pre-pregnancy body mass index (BMI) or those who do not gain sufficient weight during pregnancy, with any of the following predisposing factors: narrowly-spaced pregnancies and births, situated on families with low income, with large number of dependents where food purchase is an economic problem, has previously given birth to a preterm low birth weight infant, or other unfavorable prognosing factors, such as obesity or anemia, with diseases which influence nutritional status such as mental disorder.

fff. Overweight and obesity – refers to the abnormal or excessive fat accumulation that may impair health. It is measured by BMI, a simple index of weight-for-height, which is commonly used to classify overweight and obesity among adults. BMI is calculated by dividing a person's weight in kilograms by the square of his/her height in meters (kg/m^2). According to the WHO, adults with a BMI greater than or equal to twenty-five (25) are overweight and a BMI greater than or equal to thirty (30) is obese. For children, it is defined as the percentage of children aged zero (0) to fifty-nine (59) months whose weight for length/height is above two (2) SD (overweight) or above three (3) SD (obese) from the median of the WHO Child Growth Standards.

ggg. Offense –refers to any act or omission whether punishable under special laws or the Revised Penal Code, as amended.

hhh. Orphans or Orphaned Children – refers to children who do not have a family and relatives who can assume responsibility for their care.

iii. Participation Rights –include the child's freedom to express oneself in matters affecting his life as part of preparation for responsible parenthood and to freedom of association.

jjj. Protection Rights -rights that are essential in safeguarding children from all forms of abuse, neglect and exploitation.

kkk. PNP -Philippine National Police

III. Recognizance - refers to an undertaking in lieu of a bail bond assumed by a parent or custodian who shall be responsible for ensuring the appearance in court of the child in conflict with the law when required.

mmm. Responsible caregiving - refers to the method where the caregiver pays prompt and close attention with affection to what the child is signaling and then provides a response that is appropriate to the child's immediate behavior, needs and developmental state.

nnn. Separated Children - refers to children separated from both parents, or from their previous legal or usual primary caregiver, but not necessarily from other relatives. As a result, this may include children accompanied by other family members.

ooo. State of Calamity - refers to a condition involving mass casualty and/or major damages to property, disruption of areas of livelihoods, roads, normal way of life of people in the affected areas as a result of occurrence of natural or human induced hazard as defined in Republic Act No. 10121.

ppp. Status Offenses - refers to offenses which discriminate only against a child, while an adult does not suffer any penalty for committing similar acts. These shall include curfew violation, truancy, parental disobedience and the like.

qqq. Street Children - refers to person who are below 18 years of age who are homeless and sleeping or staying in the streets.

rrr. Stunting - refers to chronic under nutrition during the most critical periods of growth and development in early life. It is defined as the percentage of children aged zero (0) to fifty-nine (59) months whose height for age is below minus two (2) SD (moderate stunting) and minus three (3) SD (severe stunting) from the median of the WHO Child Growth Standards.

sss. Survival Rights - are those which relate to parental and governmental duties and liabilities, adequate living standard and access to **basic health services** and social security towards the interest and welfare of children.

ttt. Unaccompanied Children - refers to children who have been separated from both parents and other relatives, and who are not being cared for by an adult who by law or custom, is responsible for doing so.

uuu. Undernourished Child - refers to a child who has been supplied with less than the minimum amount of foods essential for sound health and growth. It shall include children who are suffering from chronic hunger and malnutrition as well as those who are considered as wasted, severely wasted or stunted under the World Health Organization Growth Standards.

vvv. Victimless Crime - refers to offenses where there is no private offended party.

www. Women and Children's Protection Desk (WCPD) - refers to a section in police station specially manned by women police officers trained in dealing with child cases.

xxx. R.A No. 10410 - refers to the law that recognizes the age from zero (0) to eight (8) years as the first crucial stage of educational development of children and strengthens the early childhood care and development system.

CHAPTER II- CHILDREN'S RIGHTS

Section 5. *Right of Children.* All children in the Municipality of Calasiao, Province of Pangasinan shall be entitled to the rights hereinafter set forth. As provided in the United Nations Convention on the *Rights of Children* (UNCRC), In addition to those rights espoused in the 1987 Constitution, Child and Youth Welfare Code (P.D. 603), and The Special Protection Act (R.A. No.7610), Juvenile Justice and Welfare Act of 2006 (R.A.No.9344 as amended by R.A.10630) 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 Parents Patriae, as well as the Municipality, has an obligation to ensure every child's survival and development;
- b. The right to express his views freely or without fear of rejection in all matters which affect his life and his opinion should be given due weight depending on his age and maturity.
- c. The 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 privacy, family, home or correspondence, or nor to unlawful attacks on his honor and reputation;
- e. The freedom of thought, conscience and religion, subject to proper guidance by his parents or legal guardians;
- f. To avail himself of information and materials aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health;
- g. To leisure and to participate freely in recreational, cultural and art activities appropriate for his age;
- h. The child shall be registered immediately after birth and shall have the right from birth to name, the right to acquire a nationality, name and family relations as recognized by Law without unlawfull interference:
- i. To live with his parents unless this is deemed to be incompatible with the child's best interests. The child has also the right to maintain contact with both parents, if separated from one or both;
- j. Children and their parents have the right to leave any country and to enter their own. for purposes of reunion or the maintenance of the child-parent relationship;
- k. To meet with others. and join or reform associations;
- l. A child with disability has the right to special care, education, and training to help him enjoy a full and decent life in dignity and achieve the greatest degree of self-reliance and social integration possible;
- m. To the highest standard of health and medical care attainable. The Municipal Government shall place special emphasis on the provision of primary and preventive health care, public health, education and the reduction of infant mortality;
- n. A child who is placed temporarily by the Municipal Government for reasons of care, protection or treatment is entitled to have that placement evaluated regularly:
- o. To benefit from social security including social insurance;

- p. To a standard of living adequate for his physical, mental, spiritual, moral and social development. Parents have the primary responsibility to ensure that the child has an adequate standard of living. The Municipal Government's duty is to ensure that this responsibility can be fulfilled. The government can include material assistance to parents and their children;
- q. Education shall aim at developing the child's personality, talents and mental physical abilities to the fullest extent. Education shall prepare the child for an active adult life in a free society and foster respect for the child's parents, his own cultural identity language and values, and for the cultural background and values of others.
- r. Children of minority communities and indigenous populations have the right to enjoy their own culture and to practice their own religion and language;
- s. To be protected from work that threatens his health, education and development;
- t. The protection from the use of narcotics and psychotropic drugs, and from being involved in their production or distribution

Section 6. *Rights of the Child in Conflict with the Law* Every child in conflict with the law shall have the following, including but not limited to:

a. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment;

b. The right not to be imposed a sentence of capital punishment or life imprisonment, without the possibility of release;

c. The right not to be deprived, unlawfully or arbitrarily, of his liberty, detention or imprisonment being a disposition of last resort, and which shall be for the shortest appropriate period of time;

d. The right to be treated with humanity and respect, for the inherent dignity of the person, and in a manner which takes in to account the needs of a person of his age. In particular, a child deprived of liberty shall be separated from adult offenders at all times. No child shall be detained together with adult offenders. He shall be conveyed Separately to or from court. He shall await hearing of his own case in a separate holding area. A child in conflict with the law shall have the right to maintain contact with his family through correspondence and visits, save in exceptional circumstances;

e. The right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his liberty before a court or other competent, independent and impartial authority, and to a prompt decision on such action;

f. The right to bail and recognizance, in appropriate cases;

g. The right to testify as a witness in his own behalf under the rule on examination of a child witness;

h. The right to have his privacy respected fully at all stage of the proceeding;

i. The right to diversion if he is qualified and voluntarily avails of the same;

j. The right to be imposed a judgment in proportion to the gravity of the offense where his best interest, the rights of the victim and the needs of society are all taken into consideration by the court, under the principle of restorative justice;

k. The right to have restrictions on his personal liberty limited to the minimum, and where discretion is given by law to the judge to determine whether to impose fine or imprisonment, the imposition of fine being preferred as the more appropriate penalty;

l. In general, the right to automatic suspension of sentence;

m. The right to probation as an alternative to imprisonment, if qualified under the Probation Law;

n. The right to be free from liability from perjury, concealment or misrepresentation and

o. Other rights as provided for under existing laws, rules and regulations.

The Municipality further adopts the provisions of the United Nations Standard Minimum Rules for the Administration of Juvenile justice or "Beijing Rules", United Nations Guidelines for the prevention of Juvenile Delinquency or the "Riyadh Guidelines", and the United Nations Rules for the Protection of Juveniles Deprived of Liberty.

Section 7. Participation Rights of Children

a. Participation rights of children in decision-making processes:

The children in the family, school, community or their organization or institution shall be heard. Each child regardless of sex, age, religion and tribe has the right to express his 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, obtain information, make ideas or information known, regardless of tribe, religion, age and sex.

b. Installation of mechanism for participation in policy and program formulation in the Municipal Government:

It is important to consult and provide venue for the expression of views relevant to the Municipal Government's policies. It is therefore proper that children seven to twelve (7- 12) years old and thirteen to eighteen (13 -18) years old are convened to a meeting through their representatives, once a year basis, specifically during the children's month, which is November. Non-government organization (NGOs) concerned with these groups of children shall be part of the process in both preparation and evaluation of the convention. Detailed implementing rules and guidelines shall be drafted by the Sangguniang Kabataan Municipal Federation (SKMF) and or the MSWDO in coordination with the Municipal Council for the Protection of Children.

CHAPTER III- BASIC HEALTH AND NUTRITION WELFARE

Section 8. *Early Childhood Care and Development Program such as the Day Care Program.*

The Municipality of Calasiao, Province of Pangasinan government shall initiate for the care of, children ages below five (5) years old through the early childhood care and Development program which shall be supervised and implemented by the MSWDO in every child development center.

Section 9. *Promotion of Primary Health Care Program.*

The Barangay Health Center shall implement the primary health care program. Each barangay health center shall have a Barangay Health Worker who will be assigned as a Barangay Child Health Officer who shall monitor child health in the barangay level. The Municipal Government, through the Municipal Health Office shall take appropriate measures

1. To combat disease and malnutrition within the frameworks of primary health care through the application of readily available technology and through the provision of adequate health care services;
2. To establish a comprehensive Parents Orientation Development Program which includes course on reproductive health, child health and child rearing practices in the context of Filipino psychology;
3. To conduct massive information and education on breastfeeding utilizing existing reference material for effective breastfeeding education program.

Section 10. *Child Friendly Center.*

The Municipal Health Office shall set-up Child Friendly desks to attend to the health needs of the children.

CHAPTER IV- BASIC EDUCATIONAL AND SOCIO-CULTURE WELFARE

Section 11. *Local Children Literature.*

In Support of the socio-cultural development of children, the Municipal Government shall invest in the production of Local literature or other relevant materials for children

Section 12.

In addition to above the following shall also be provided for socio-culture development of the children:

1. to be given opportunity for play and leisure.
2. to develop his potential and skills.
3. to be able to express his own views.
4. to have enough food, shelter and healthy and active body.
5. to provide facilities such as park, amusement places, municipal library that will enhance their full developments.
6. to provide regular sports and cultural activities to improve their social interaction skills and attitudes and values to make them more productive to our community.

Section 13.

In compliance with the Republic Act No. 10410, the following shall be provided for the early childhood care and development of a child whose age ranges from zero to four years old:

1. to enhance the physical motor. Socio-emotional. Cognitive, language, psychological and spiritual development of young children;
2. to facilitate a smooth transition from care and education provided at home to community or school-based setting and to kindergarten;
3. to ensure that young children are adequately prepared for the formal learning system that begins at kindergarten;
4. to establish an efficient system for early identification, prevention, referral and intervention for the **wide range** of children with special needs from age zero (0) to four (4) years;
5. to upgrade and update the capability of service providers and their supervisors to comply with quality standards for various ECCD programs;
6. to reinforce the role of parents and other caregivers as the primary caregivers and educators of their children especially from age zero (0) to (4) years;
7. to enhance and sustain the efforts of communities to promote ECCD programs and ensure that special support is provided for poor disadvantaged and linguistic minority communities;
8. to improve the quality standards of public and private ECCD programs through, but not limited to, a registration and credential system for ECCD service providers and facilities; and
9. to ensure that the education of person, and in particular children, who are blind, deaf or deaf blind, are conducted in the most appropriate languages, modes and means of communication for the individual, and in environment which maximize academic and social development.

CHAPTER V- PROHIBITED ACTS AGAINST CHILDREN

Section 14. *Prohibited Acts.*

Prohibited act punishable under existing laws, rules and regulations, but not limited to.

a. Parents, guardians, family members or any person who shall allow a child to commit the following acts thereby exposing the child to risk or danger:

1. Beg or use begging as a means of living;
2. Act as middleman in drug-trafficking or drug-pushing; or
3. Conduct any illegal or unlawful activities.

b. Parents, guardians family members or any person who shall allow a child below three (3) years old to ride in a single motorcycle thereby exposing the child to potential risk and danger.

c. Parents. Guardians, family members or any person who shall drink beer, liquor or any intoxicating drinks in the presence of the child or shall watch pornographic or lewd activities or materials with the child;

CHAPTER VI -REGULATORY PROVISION ON LEISURE AND CULTURAL ACTIVITIES

ARTICLE 1 – REGULATING THE PLAYING/SELLING/DISTRIBUTION OF VIDEOGAMES CONSOLES AND SOFTWARE, MACHINES, FAMILY COMPUTERS AND OTHER SIMILARS ITEMS/MACHINES FOUND IN AMUSEMENT/GAMING CENTERS, INTERNET CAFES, MALLS AND OTHER SIMILAR ESTABLISHMENTS

Section 15.

The operation of billiard hall or any kind of video machine, arcade, family/personal computer used for games and other similar items or gadgets within the radius of two hundred (200) meters from any educational or religious institution is prohibited.

Section 16.

All minors, particularly school children, are absolutely restricted to play in billiard halls or the above mentioned devices found in amusement centers, malls and other similar establishment located in the Municipality of Calasiao, Province of Pangasinan. During school hours from 7:00 A.M to 5:00 P.M Mondays to Fridays. Operators and owners of these machines/ establishments/billiard halls must strictly implement this prohibition, under penalty of law.

Section 17.

Except for billiard halls and any form of video machine rental stores. Minors maybe allowed to enter amusement centers, malls and other similar establishments located in the municipality from Mondays to Fridays even during school hours solely for the purpose of conducting a research for school assignments or projects, provided that, the minor must present a valid school ID and permission slip duly signed by his teacher-adviser, school official or parent/guardian or is accompanied personally by the teacher or parent/guardian.

The owner / operator / proprietor of the computer rentals establishment must enter in a record book the name of the minor, the time and day of entry and the name of person who issued the permission slip or accompanying the minors. The record book must be maintained for inspection by the authorized representative of the Office of the Municipal Mayor.

Section 18. Categorization and Rating of Video Games

A. Video games shall be categorized into:

1. Puzzle
2. Sports
3. Fighting/Combat
4. Action
5. Racing
6. Adventure
7. Strategy

B. Video games shall be rated into:

1. KF – Kid-Friendly (non-violent)
2. LV – Less violent
3. V – Violent
4. UV – Ultra -violent

Section 19.

Children below 14 years of age may play video games rated as Kid-Friendly or non-violent under the category of puzzle, sports, adventure, racing, strategy, flight simulator and the likes, during the hours/days allowed under this Code.

Section 20.

Children 15 years up to below 18 years of age may play video games rated as less violent games under any of the categories listed during the hours/days allowed under this Code.

Section 21.

Violent games are those games that reveal on audio or video graphics of profanity, bestiality and brutality such as the throwing of invectives, slandering, the breaking of limbs, mutilation or dismemberment, spewing of blood, blasting of limb/body with high powered guns or equipment.

Section 22.

Ultra-violent video games, pornographic videos and animation, nudity, video carreras and other similar form which corrupt the child's intellectual, spiritual, social and emotional growth are prohibited from being operated, sold or distributed.

Section 23.

The Calasiao Video \ Videogame Regulatory Board, as may be created under the Business Permit and Licensing Office under an appropriate Executive Order, shall monitor and screen all video games and animation and to categorize a particular game or video, and implement the provisions of this Code.

ARTICLE 2 –PROHIBITING THE USE AND SALE OF CIGARETTE INCLUDING VAPE OR E-CIGARETTE VAPE OR E-CIG. AND ANY OTHER TOBACCO PRODUCTS, AND LIQUORS TO CHILDREN

Section 24.

The use and sale of any brand of cigarettes, tobacco products or any kind of liquor or intoxicating drinks to persons below eighteen (18) years of age is strictly prohibited.

Likewise prohibited is the act of instructing, ordering, sending to an errand or co-opting a child to buy or acquire any of the prohibited articles, including parent/s and guardian/s of a child without legal and moral justification.



Section 25.

Any person, whether manufacturer, wholesaler or retailer, found to be selling cigarettes, vape or e-cigarette and other tobacco products or any kind of liquor or intoxicating drinks to children shall be held liable under this Code.

Section 26.

Owners, proprietors or operators of retail sari-sari, convenience stores, groceries, bars and similar establishments are required to post the following notice on a conspicuous place in the establishment:

"Selling of beer, liquor and other intoxicating beverages, cigarettes and other tobacco products to children is strictly prohibited by law."

Section 27. Sale of Tobacco Products / Vape and/or Liquor / Intoxicating Drinks Within the Place of Children Activity.

The sale or distribution of cigarettes or any tobacco products and/or liquor / intoxicating drinks is prohibited within one hundred (100) meters from any point of the perimeter of a school, public playground or other facility frequented by minors.

ARTICLE 3 – CURFEW FOR CHILDREN

Section 28.

It shall be unlawful for owners, proprietors, operators, possessors, manager, or administrators restaurant, cafes, refreshment, convenience stores, computer or video establishment or place similar in nature to allow children to stay in their premises after 10:00 o'clock in the evening up to 5:00 o'clock in the morning. The owners, proprietors, operation, possessor, managers, or administrators of the aforementioned establishment are required to display at least one (1) legible and visible sign posted within their premises saying:

"CHILDREN ARE PROHIBITED FROM STAYING BEYOND 10:00 PM."

Section 29.

It is hereby prohibited for children to be loitering outside their homes/residences or in any public place from 10:00 P.M to 4:00 A.M, except:

- a. Children found outside their homes/residences during emergency situations;
- b. Children who are found outside their home/residences from 10:00 PM to 4:00 A.M to run errand for the purpose of saving lives during emergency situations or any other legitimate purpose;
- c. Children found outside their home/residence from 10:00 P.M. to 4:00 A.M. who are accompanied by their parents;
- d. Children attending family celebrations or parties held outside the home/residence during nighttime and while on their way from such celebration or parties;
- e. Child doing group studies outside his home/residence or staying in internet cafes doing school-sanctioned research work, project or assignment beyond 10:00P.M. provided, that the child must bring with him a valid school ID. The child below thirteen (13) years old is not exempt under this paragraph.
- f. Child attending activities in connection with the school, church or barangay and municipal patronal fiestas and other official activities, and while on his way from such activities.

ARTICLE 4- SALE OF RUGBY OR SOLVENTS

Section 30.

Hardware stores and other establishment operating in the Municipality of Calasiao, Province of Pangasinan are hereby prohibited from selling rugby and/or solvent to children. Furthermore, said establishment are required to maintain a log book where the name, address and purpose of the customer in buying the substance shall be recorded.

ARTICLE 5- PROHIBITION OF CHILDREN IN BARS, BEERHOUSE AND/OR OTHER ADULT ENTERTAINMENT VENUES

Section 31.

It is hereby prohibited the entry of children in bars, beerhouse and other venues providing mature entertainment and/or catering to adults. The owners or operators of these establishment stating that:

"CHILDREN ARE NOT ALLOWED"

CHAPTER VII - DETERMINATION OF THE AGE OF THE CHILD

Section 32. *Exemption from Criminal Liability*

A child fifteen (15) years of age or under at the time of the commission of the offenses shall be exempt from criminal liability. However, the child shall be subjected to an intervention program pursuant to Section 20 of Republic Act No. 9344.

A child above fifteen (15) years but below eighteen (18) years of age shall likewise be exempt from criminal liability and be subjected to an intervention program, unless he acted with discernment, in which case, such child shall be subjected to the appropriate proceeding in accordance with Republic Act No. 9344.

The exemption from criminal liability herein established does not include exemption from civil liability, which shall be enforced in accordance with existing laws.

Section 33. *Determination of Age.*

The child in conflict with the law shall enjoy the presumption of minority. He shall enjoy all rights of a child in conflict with the law until he is proven to be eighteen (18) years old and older. The age of a child may be determined from the child's birth certification, baptismal certificate or any other pertinent documents, such as but not limited to, the child's school records, dental records, travel papers, etc.. In the absence of these documents, age may be based on information from the child himself, testimonies of other persons, the physical appearance of the child and other relevant evidence. In case of doubt as to the age of the child, after all measure are exhausted to determine it. The doubt shall be resolved in favor of the child's minority.

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Any person contesting the age of the child in conflict with the law, prior to the filing of the information in any appropriate Court, may file a case in a summary proceeding for the determination of the child's age before the Family Court, which shall decide the case within twenty-four (24) hours from the receipt of the appropriate pleading of all interested parties.

If a case has been filed against the child in conflict with the law and is pending in the appropriate Court, a person may file a motion to determine the age of the child in the same Court where the case is pending. Pending the hearing of the said motion, the proceeding on the main case shall be suspended.

In all proceedings, law enforcement officers, prosecutors, judges and other government officials concerned, shall exert all efforts of determining the age of the child in conflict with the law.

- a. Person, the owners, proprietors, operators, possessors, managers, or administrators of bars, night clubs, restaurants, cafes, refreshment convenience stores, computer or video establishment or places of similar nature, shall:
- b. Buyers, the vendor/retailer of cigarettes or any tobacco products, liquor/intoxicating drinks and/or rugby or solvents, shall:
- c. Customers who wishes to buy rugby or solvent at their stores, the owners, operation sales clerk, employees/representative of the concerned establishment, shall;

Verify, by means of any valid form of identification paper containing both the photograph and the date of birth of the bearer, such as, but not limited to valid school identification card, passport, driver's license, Social Security System identification card, postal identification card and the like, that the person is at least eighteen (18) years old.

Section 34. Ignorance of Real Age of a Child Not a Defense.

- a. As applied in Articles 1,3 and 5, Chapter VI of this Code. It shall not be a defense for the owners, proprietors, **operators**, possessors, managers, or **administrators** of bars, night clubs, resort, restaurant, cafes, refreshment, convenience stores. Computer or video establishment or places of similar in nature, that he did not know or was not aware of a real age of the child who stayed in their business establishment beyond 10:00 P.M..
- b. As applied in Article 2, Chapter VI of this Code, likewise, it shall not be a defense for the person selling, distributing or purchasing cigarettes or any tobacco products, rugby or solvent and /or liquor/intoxicating drinks that he did not know or was not aware of a real age of the child to whom said cigarettes or any tobacco products, rugby or solvent and/or liquor/intoxicating drinks was sold or distributed, or from whom they were purchased, as the case may be. Neither shall it be a defense that he did not know nor had any reason to believe that the cigarettes or any tobacco product, rugby or solvent and/or liquor/intoxicating drinks was for the consumption of this child to whom it was sold.



CHAPTER VIII - PENAL PROVISION

Section 35. Violation of the Provision of this Code shall be penalized as follows:

- a. Any person found guilty of violating the provision of Chapter V. Section 14 shall be punished with a fine of Two Thousand Five Hundred Pesos (Php 2,500.00) or imprisonment of six (6) months, or both, at the discretion of the court without prejudice to the filing of appropriate charge against the offender under republic Act No. 7610 and other related laws.
- b. For violation of the provision of Chapter VI:
 1. Article 1- by any operator, owner, seller, or **distributor** of video games and machines;
 2. Article 2 - by any person instructing, ordering, sending to an errand or co-opting a minor to buy or acquire cigarettes, tobacco products or any kind of liquor or intoxicating drinks, including parent/s, guardian/s and/or family members of such children without legal and moral justification (second paragraph. Section 24); by any person, whether manufacturer. Wholesaler or retailer, found to be selling cigarettes, tobacco products or any kind of liquor or intoxicating drinks to children (section 25); and
 3. Article 4 - by the owners, operators, sales clerks employees/representative of hardware stores and other establishment selling/distributing rugby and other solvents.

First Offense: Fine of one Thousand Pesos (Php 1,000.00) or an imprisonment of not more than (1) month, or both, at the discretion of the Court. Including the confiscation/destruction of video machines and other related paraphernalia/materials and merchandise (i.e. cigarettes, vape, tobacco products, liquor/intoxicating drinks, rugby and solvents) and suspension of business permit for a period of one (1) month.

Second Offense: Fine of One Thousand Five Hundred Pesos (Php 1,500.00) or an imprisonment of not more than three (3) months, or both, at the discretion of the court. Including the confiscation/destruction of video machines and other related paraphernalia /materials and merchandise (i.e cigarettes, vape, tobacco products, liquor/intoxicating drinks, rugby and solvents) and suspension of business permit for a period of three (3)months.

Third Offense: Fine of Two Thousand Five Hundred Pesos (Php 2,500.00) or an imprisonment of not more than six (6) months, or both, at the discretion of the Court, including the confiscation/destruction of video machines and other related paraphernalia/materials and merchandise (i.e. cigarettes, tobacco products, vape, Liquor/intoxicating drinks, rugby and solvents) and the automatic cancellation/revocation of business permits or license and closure of the business establishment.

However, in the case of a corporation, partnership or association, the penalty shall be imposed upon the officials responsible for such violation.



- c. Violation of the provision of Articles 3 and 5, Chapter VI, the owners, proprietors, operators, possessors, managers, or administrator or bars, night clubs, restaurants, cafes, refreshments, convenience stores, computers or video establishments or places of similar in nature shall be liable and be meted with the following penalties:

First Offense: Fine of Three Hundred Pesos (Php 300.00) for every child caught inside their establishment;

Second Offense: Fine of Five Hundred Pesos (Php 500.00) for every child caught inside their establishment and three (3) months suspension of business permit/license; and

Third Offense: Fine of One Thousand pesos (Php 1,000.00) for every child caught inside their establishment and revocation of business permit and permanent closure of business.

Section 36.

Any parent or guardian found to be grossly negligent in the performance of the duties and obligation imposed by this code shall be penalized as follows:

- a. **First Offense:** Admonition by the WCPD of the PNP Calasiao;
- b. **Second Offense:** Counseling by the MSWDO and with a notice of the imposition of criminal liability for subsequent apprehension;
- c. **Third Offense:** The filing by any responsible person of the appropriate criminal charges against the parent or guardian of the child who shall be punished with a fine of One Thousand Pesos (Php 1,000.00), or imprisonment of not more than ten (10) days, or both at the discretion of the Court. The penalty imposed by the this Code shall be without prejudice to the filing of other charges against the offender under Republic Act No. 7610 (An Act Providing for Stronger Deterrence and Special Protection Against Child Abuse, Exploitation and Discrimination).

Section 37.

In addition to the penalties imposed by the foregoing section 35, the parents, nearest relative/s or guardian/s of children found violating the provisions of section 27, Article 2 and Section 28, Article 3 of Chapter V of this Code must pay the fine of Two Hundred pesos (Php 200.00) for the first offense, Three Hundred Pesos (Php 300.00) for the second offense and Five Hundred Pesos (Php 500.00) for the third and subsequent offense.

Section 38.

Any child caught violating the provisions of this code shall be processed as provided for in the following Chapter.



CHAPTER IX - TREATMENT OF CHILDREN BELOW THE AGE OF CRIMINAL RESPONSIBILITY

Section 39. Monitoring / Reporting.

The members of the MCPC together with the BCPC, are authorized to monitor and report the commission of prohibited acts, and if necessary, to take into custody street children and children in conflict with the law.

Section 40. Children Below the Age of Criminal Responsibility

If it has been determined that the child taken into custody is fifteen (15) years old or below, the authority which will have an initial contact with the child has the duty to bring the child to the nearest temporary shelter.

The law enforcers shall notify the child's parent/s, nearest relative/s or guardian/s on the whereabouts of the child. The child shall be released immediately to the parent/s, nearest relative/s or guardian/s on recognizance who shall be responsible for the child's appearance whenever required. The parent/s, nearest relative/s or guardian/s shall execute an undertaking that he shall take custody of the child and surrender the said child whenever required by the court or competent authorities. Said law enforcers shall likewise give notice to the MSWDO who will determine the appropriate programs in consultation with the child and to the person having custody over the child. Children who have not been claimed by the parents shall be committed to the care of the MSWDO within a reasonable time of the same day. The MSWDO shall commit such child to the custody or care of the Department of Social Welfare and Development in accordance with P.D. 603 otherwise known as "The Child and Youth Welfare Code"

If the parent/s, guardian/s or nearest relative/s cannot be located, or if they refuse to take custody, the child may be released to any of the following:

1. A duly registered non-governmental or religious organization;
2. A barangay official or a member of the Barangay Council for the Protection of Children (BCPC);
3. MSWDO, if the child referred to herein has been found by the MSWDO to be abandoned, neglected or abuse by the parents, or in the event that the parents will not comply with prevention program, the proper petition for involuntary commitment shall be filed by the MSWDO pursuant to Presidential Decree No. 603, otherwise known as "The Child and Youth Welfare Code". In cases where the child falls within the provision of Section 4 (hh), Article 1, Chapter 1, said child not be released. instead, the case shall be immediately endorsed to the MSWDO who shall immediately undertake the necessary step for the determination of the appropriate measure and/or intervention or diversion program.

The conduct of the initial investigation shall be guided by the principle of the best interest of the child and consideration for the concerned and needs of the victim. It is the duty of the law enforcement to refer the child to the MSWDO for the determination of discernment. The taking of the statement of the child shall be conducted in the presence of the following:

1. Child's counsel of choice or if the absence thereof, a lawyer from the Public Attorney's Office;
2. The child's parents, guardians, or nearest relative, as the case may be; and
3. The MSWDO, in the absence of the child's parents, guardians or nearest relative, and the local social welfare and development officer, the investigation shall be conducted in the presence of a representative of an NGO, religious group, or member of the BCPC.

The law enforcement officer from the Women and Children Protection Desk shall conduct the interview of the child.

Section 43. Report on the Initial Investigation.

After the initial investigation, the law enforcement officer conducting the same shall prepare a report, which contains the following information:

1. Whether handcuffs or other instruments of restraint were used, and if so, the reason for such use;
2. The fact that the parents or guardians of a child, the DSWD or the MSWDO, and the PAO have been duly informed of the apprehension and the details thereof;
3. The exhaustion of measures to determine the age of the child;
4. The basis for the determination of the age of the child;
5. The precise details of the physical and medical examination or the failure to submit a child in such examination;
6. To whom the child was released and the basis for the release;
7. Whether or not the child is exploited in the commission of the crime;
8. If the child is above fifteen (15), the assessment of the Social Worker whether the child acted with or without discernment; and
9. Where the case shall be referred and the basis for such disposition, i.e. the nature of the offense allegedly committed by the child, the corresponding imposable penalty for the commission of the alleged offense, and the assessment of discernment.

Section 44. Where the Case shall be Referred.

After the initial investigation, the law enforcement officer shall determine if the case of the child be referred to:

1. The MSWDO for intervention if the child is:
 - a. Fifteen (15) years old or below; or
 - b. Above 15 but below 18 years of age and acted without discernment.

CHAPTER X - INITIAL CONTACT WITH THE CHILD

Section 41. Procedure for Taking the Child into Custody.

From the moment the child is taken into custody, the law enforcement officer shall faithfully observe the following procedures:

1. Properly identify oneself and present proper identification to the child.
2. Immediately notify the child's parents or guardians by the MSWD, and the Public Attorney's Office (PAO) after the child's apprehension. The notification shall be made not later than eight (8) hours after apprehension.
3. Explain to the child in **simple** language or dialect, which the child can understand:
 - a. The reason for placing the child under custody;
 - b. The offense allegedly committed; and
 - c. The child's constitutional rights and the child's right under Republic Act 7418 or An Act Defining Certain Rights of Person Arrested, Detained and Investigating Officers, and Providing Penalties for Violations Thereof.

If the child cannot understand the language or local dialect or suffers from disability, an interpreter or a mental health professional shall be provided.

4. Determine the age of the child.
5. Take the child immediately to the proper medical or health officer for a thorough physical and mental examination. Whenever medical treatment is required, steps shall be immediately undertaken to provide the same.
6. Immediately but not later than eight (8) hours after apprehension, turn over the custody of the child to the MSWDO or other accredited NGOs. However, in cases where the child is fifteen (15) years old or below, the law enforcement officer shall immediately release the child to the custody of the child's parents or guardian, or in their absence, the child's nearest relative, upon assessment and recommendation of the MSWDO.

A child in conflict with the law shall only be searched by a law enforcement officer of the same gender. It is the duty of the enforcement officer to refer the child to the MSWDO for the determination of discernment.

Section 42. Duties During Initial Investigation – The initial investigation is the stage after initial contact, when the law enforcement officer gather relevant evidence including the **testimonies** of witnesses, documents, object evidence, local knowledge and review of scenes when a crime allegedly involving a child is reported.

The conduct of the initial investigation shall be guided by the principle of the best interest of the child and consideration for the concerned and needs of the victim. It is the duty of the law enforcement to refer the child to the MSWDO for the determination of discernment. The taking of the statement of the child shall be conducted in the presence of the following:

1. Child's counsel of choice or if the absence thereof, a lawyer from the Public Attorney's Office;
2. The child's parents, guardians, or nearest relative, as the case may be; and
3. The MSWDO, in the absence of the child's parents, guardians or nearest relative, and the local social welfare and development officer, the investigation shall be conducted in the presence of a representative of an NGO, religious group, or member of the BCPC.

The law enforcement officer from the Women and Children Protection Desk shall conduct the interview of the child.

Section 43. *Report on the Initial Investigation.*

After the initial investigation, the law enforcement officer conducting the same shall prepare a report, which contains the following information:

1. Whether handcuffs or other instruments of restraint were used, and if so, the reason for such use;
2. The fact that the parents or guardians of a child, the DSWD or the MSWDO, and the PAO have been duly informed of the apprehension and the details thereof;
3. The exhaustion of measures to determine the age of the child;
4. The basis for the determination of the age of the child;
5. The precise details of the physical and medical examination or the failure to submit a child in such examination;
6. To whom the child was released and the basis for the release;
7. Whether or not the child is exploited in the commission of the crime;
8. If the child is above fifteen (15), the assessment of the Social Worker whether the child acted with or without discernment; and
9. Where the case shall be referred and the basis for such disposition, i.e. the nature of the offense allegedly committed by the child, the corresponding imposable penalty for the commission of the alleged offense, and the assessment of discernment.

Section 44. *Where the Case shall be Referred.*

After the initial investigation, the law enforcement officer shall determine if the case of the child be referred to:

1. The MSWDO for intervention if the child is:
 - a. Fifteen (15) years old or below; or
 - b. Above 15 but below 18 years of age and acted without discernment.

2. Diversion, to be administered by the:
 - a. Law enforcement officer, if the child is above 15 but below 18 years of age, acted with discernment, and allegedly committed an offense with an imposable penalty of not more than six (6) years of imprisonment; or
 - b. MSWDO, if the child is above fifteen (15) but below eighteen (18) years of age, acted with discernment, and allegedly committed an offense with an imposable penalty of not more than six (6) years of imprisonment upon discretion of the court;
3. The Prosecutor or Judge, if the child is above fifteen (15) but below eighteen (18) years of age, acted with discernment, and allegedly committed an offense with an imposable penalty of not more than six (6) years of imprisonment upon discretion of the court.

The report on the initial investigation shall state where the case shall be referred to , and the basis for such disposition, which shall include the following information:

1. The nature of the offense allegedly committed by the child;
2. The corresponding imposable penalty for the commission of the offense; and
3. Where the case of the child shall be referred in the event of no assessment that the child acted with discernment.

Section 45. Turn Over of Custody.

In all cases, the law enforcement officer shall turn over the physical custody of the child to the MSWDO within eight (8) hours from apprehension. The physical custody of the child shall be transferred to the MSWDO, even if the law enforcement officer has not yet exhausted all measures to determine the age of the child and even if the initial investigation has not yet been terminated. After the physical custody of the child is turned over, the MSWDO shall then explain to the child and the child's parents or guardians, the consequences of the child's act with a view towards providing counseling and rehabilitations, diversion from the criminal justice system, and whenever appropriate, obtaining reparation from the victim or victims.

In the event that **the child turned over** by the law enforcement officer is fifteen (15) years old or below, the MSWDO shall take all measures to release the child to the parents or guardians or of any of the persons or organization duly accredited by the DSWD, and proceed with the development of appropriate diversion programs.

Section 46. Pending Turn Over of Custody.

Pending the turnover of the custody of the child in the parents, guardians or the MSDWO, in cases when the child is apprehended at night time or during weekends, the law enforcement officers shall ensure that the child shall be temporarily secured in an area separate from that of the opposite sex and adult offenders and shall not be placed inside the detention cell or jail. The temporary physical custody of the child in such cases may also be given to an NGO that is licensed and accredited by the DSWD, a foster parent, or a member of the BCPC, who is selected based on the criteria set by the DILG.

Section 47. Duty to Maintain Strict Confidentiality and Privacy.

From the time of taking custody of the child in conflict with the law, the law enforcement officer and all duty bearers shall handle the case of the child with utmost confidentiality.

Section 48. Prohibited Acts When the Child is in Custody.

The following are the prohibited acts when the child in conflict with the law is in custody of the law enforcement officer.

1. The law enforcement officer shall refrain from subjecting the child to greater restraint than is necessary for apprehension. If handcuffs or other instrument of restraints are employed on the child, the law enforcement officer shall record such fact in the report on the initial investigation and the reason for the use of such instrument of restraint. From the time of the initial contact with the child, the law enforcement officer shall also avoid displaying or using any firearms, weapon, handcuffs or other instrument of force or restraint, unless necessary and only after all other methods of control have been exhausted and have failed.
2. The law enforcement officer shall not use violence or unnecessary force on the child in conflict with the law.
3. A child in conflict with the law shall never be locked up in a detention cell, such as the barangay lock-up, police station lock-up, jails managed by BJMP, provincial jails and other similar facilities, but shall only be placed in a "Bahay Pag-asa" or youth care facility.
4. A child in conflict with the law who is in custody shall not be searched by a law enforcement officer of the opposite sex.
5. Should the detention of the child in conflict with the law be necessary pending turnover to the MSDWO or other persons who may take custody of the child, the child shall be secured in quarters separate from that of the opposite sex and adult offenders.
6. All duty bearers shall; not use vulgar or profane words against, or in the presence of, the child in conflict with the law.
7. All duty-bearers shall not sexually harass or abuse, or make sexual advance on the child in conflict with the law.
8. Other duty-bearers, including but not limited to persons to whom the custody of the child is turned over, and all persons having contact with the child in conflict with the law, are bound by the same obligations and shall strictly observe all the prohibitions under this Section.

CHAPTER XI - SPECIAL PROTECTION OF CHILDREN IN SITUATION OF ARMED CONFLICT

Section 49. Declaration of Policy.

Pursuant to Section 2 of Republic Act No. 11188, otherwise known as the "Special Protection of Children in Situations of Armed Conflict Act", the Municipality of Calasiao shall:

- a. Fully implement the protection guaranteed under the United Nations Convention on the Rights of the Child (UNCRC). Its Optional Protocol on the involvement of the children in armed conflict and all other core human rights treaties, particularly, the International Covenant on Civil and Political Rights and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; other pertinent international instruments such as International Labor Organization Convention No. 182
- b. Take into account the United Nations Guiding Principles on Internal Displacement, the United Nations Security Council Resolutions related to children affected by armed conflicts, United Security Council Resolution (UNSCR) No. 1820 on Women, Peace and Security, and other pertinent international instruments in the implementation of its treaty obligations;
- c. Respect the human rights of children at all times. It shall be recognized that children are entitled to dignity and respect as human beings in need of protection from degradation, humiliation, maltreatment, exploitation and assault;
- d. Consider as paramount the best interests of children, and treat all children involved in affected by or displaced by armed conflict as victim;
- e. Take all feasible measures to prevent the recruitment and use of children in armed conflict and shall take all necessary measures to ensure the effective implementation and enforcement of the provisions of this Code;
- f. Take all the necessary measures to address the root causes of armed conflict including, but not limited to, poor governance, issues of injustice, and widespread poverty and economic inequity that result in involving, affecting, or displacing children;
- g. Continue to recognize its primary role in providing effective protection and relief to all children in situations of armed conflict;
- h. Continue to fulfill its responsibilities to end impunity and to prosecute those responsible especially for the grave child rights violations in armed conflict; and
- i. Ensure the right to participation of children affected in armed conflict in all its policies, actions, and decisions concerning their rescue, rehabilitation and reintegration.

Section 50. Scope of Application.

This Chapter shall apply in all children involved in affected by or displaced by armed conflict. The application of this Code shall not affect the legal status of any party to the armed conflict.

Section 51. Children of Zones of Peace.

Children are hereby declared as Zones of Peace. As such, They shall be treated in accordance with the policies stipulated under Article X, Section 22 of Republic Act No. 7610, otherwise known as the "Special Protection of Children Against Child Abuse, Exploitation and

Discrimination Act", Treatment of children as Zones of Peace shall extend beyond territorial or geographical boundaries and shall focus on the person of the child whose rights shall be promoted and **protected** at all times, especially in situations of armed conflict or violence.

Section 52. Rights of Children in Situations of Armed Conflict.

Children in situations of armed conflict shall have the following rights:

- a. The right to life, **survival** and development;
- b. The right of special respect and protection against any form of abuse, neglect, exploitation and violation especially in the context of armed conflict;
- c. The right to be treated as victims. They shall be treated in accordance with this Code and other applicable laws, consistent with the State obligation under international law, within the framework of restorative justice, social rehabilitation and promotion of their protection;
- d. The right to be protected from maiming, torture, abduction, rape and killing especially extrajudicial killing;
- e. The right to be immediately provided and have safe access to essential, adequate and culturally appropriate food and nutrition; basic shelter and housing; culturally appropriate clothing; water, sanitation and hygiene; basic health services including essential drugs, medicines and vaccines, minimum initial service package for reproductive health, and health professional evaluation and appropriate intervention; education, including religious and moral education, early childhood care and development programs, psychosocial support and social services. All services provided for them must be child-specific and gender sensitive and responsive;
- f. The right to enjoy their freedom of thought, conscience, religion or belief, opinion and expression, to associate freely and participate equally in legitimate community affairs; to communicate in a language they understand even in situations of armed conflict and whether or not they have been internally displaced or are living in evacuation or settlements;
- g. The right to be treated humanely in all circumstances, without any adverse distinction founded on race, color, religion or faith, sexual orientation, gender identity and expression, birth, wealth or any other similar criteria;
- h. The right not to be interned or confined in camp;

- i. The right of the injured, the wounded and the sick, those with disabilities, those who are separated and unaccompanied, expectant and lactating mothers, to care, protection and assistance required by their condition and treatment which takes into account their special needs such as their health needs, reproductive health care, appropriate counselling, prevention of infectious disease and mental health psychosocial support services;
- j. The right to be with their families, especially with their mothers, during evacuations and in evacuation centers
- k. The right to be reunited with their families in case of separation due to armed conflict;
- l. The right to privacy and confidentiality in all proceedings;
- m. The right to nondiscrimination;
- n. The right especially of internally displaced children and their families to leave the country; seek safety in another part of the country; seek other service providers; seek asylum in another country; and be protected against forcible return to resettlement in any place where their life, safety, liberty or health would be at risk;
- o. The right to obtain necessary documents to enjoy their legal rights. The state shall have the duty to expedite services in the issuance of new documents or the replacement of documents lost in the course of displacement, without imposing unreasonable conditions and without discrimination against female child and male child, who shall have equal rights to obtain and to be issued the same in their own names;
- p. The right to access to justice including free legal aid when filing cases against the perpetrators;
- q. The right to the protection of their family's properties and possessions in all circumstances; and
- r. The right to be consulted and to participate in all matters affecting them. Whenever feasible, views of children, as well as families and the communities to which these children return, should be sought in all stages of assessment, planning, implementation and evaluation activities aimed at preventing the association of children with government forces and armed groups; as well as in the developments and design of policies, programs and services for the rescue, rehabilitation, and reintegration of children involved in armed conflict.

The rights enumerated in this Section shall not hinder the application of other rights recognized and guaranteed in the constitution and other existing laws in keeping with the best interest of the child.

Section 53. Prevention.

The municipality shall take all feasible measures to prevent the recruitment, re-recruitment, use, displacement of, or grave child rights violations against children involved in armed conflict. It shall take all necessary measures to ensure the effective implementation and enforcement of the provisions of this Code. Towards this end, the municipality shall:

- a. Prioritize children's issues in the peace program of the government and include children's concerns, specifically the effects of armed conflicts, in peace negotiations;
- b. Pursue in both formal and non-formal settings the mainstreaming of peace education programs and the promotion of the culture of peace and nonviolence;
- c. Provide educational assistance, whether formal or alternative learning system, that is child and culturally sensitive. Girls should have an equal right to education irrespective of their status as mothers or wives;
- d. Develop and implement training programs and campaign towards promoting a culture of peace and respect for human rights and international humanitarianism law in collaboration with civil society organizations;
- e. Provide capacity building on Local Governance and Community Development , and ensure the participation of the Local Council for the Protection of Children, various organizations, especially of children's and people's organizations at the community level. These organizations shall be involved in consultation and decision-making processes and in the development and implementation of programs, projects and activities established for them;
- f. Establish livelihood programs which shall be made available to **communities** on all affected areas in order to alleviate the living conditions of the people;
- g. Make available basic health services in health facilities in all affected areas. Culturally-sensitive nutrition programs and activities including supplementary feeding shall also be made available. Efforts to support traditional health practices in indigenous peoples' area shall also be initiated;
- h. Establish basic facilities and infrastructures needed;
- i. Ensure that child protection mechanisms are present and functional; and
- j. Establish a comprehensive effective and efficient system for monitoring and reporting and response for violations as provided in Section 54 of this Code.

Section 54. Prohibited Acts and Penalties

- a. It shall be unlawful for any person to commit the following acts of grave child rights violations:
 - 1. Killing of children;
 - 2. Torture committed against children;
 - 3. Intentional maiming of children; and
 - 4. Rape of children and other forms of sexual violence.



- b. The following acts of grave child rights violations are also hereby prohibited:
1. Cruel, inhuman and degrading treatment or punishment committed against children;
 2. Abduction of children;
 3. Causal maiming of children;
 4. Taking children as hostages or using them as human shield;
 5. Recruitment, conscription or enlistment of children into government forces and other armed groups;
 6. Acts of gender-based violence against children; and
 7. Attacks on schools, hospitals, places of worship, evacuation centers and settlements and other public places such as recreation parks, playgrounds and malls.
- c. Likewise, it shall be unlawful for any person to commit the following acts:
1. Hamleting;
 2. Food blockade;
 3. Intentional delayed reporting of a child in custody;
 4. False reporting of a child in custody;
 5. False branding of children or labeling children as children involved in armed conflicts; and
 6. Arrest, arbitrary detention or unlawful prosecution of children allegedly associated with armed groups or governments forces.

Any person found guilty of committing any of the acts enumerated in paragraph (a), (b) and (c) of this section shall suffer the penalty of a fine of Two Thousand Five Hundred Pesos (Php2,500.00) or an imprisonment of six (6) months or both at the discretion of the Court without prejudice of filling the necessary crime committed against a national law.

Section 55. Non Prescription.

The crimes defined and penalized under this Chapter, their prescription and the execution of sentences imposed on their account shall not be subject to any prescription.

Section 56. Inventory of Custody of Children in Situations of Armed Conflict.

The PNP and MSWDO are hereby directed to submit to the Local Chief Executive an inventory of all children in situations of armed conflict under their custody.



CHAPTER XII - CHILD LABOR PREVENTION AND ELIMINATION

Section 57. *Declaration of Policy.*

Pursuant to Republic Act no. 9231, otherwise known as "AN ACT PROVIDING FOR THE ELIMINATION OF THE WORST FORMS OF CHILD LABOR AND AFFORDING STRONGER PROTECTION FOR THE WORKING CHILD", it is hereby declared to be the policy of the municipality;

1. To provide special protection to children from all forms of abuse, neglect, cruelty, exploitation and discrimination and other conditions prejudicial to their development including child labor and its worst forms;
2. To provide sanctions for their commissions and carry out a program for prevention and deterrence of and crisis intervention in situations of child abuse, exploitation and discrimination;
3. To protect and rehabilitate children gravely threatened or endangered by circumstances which affect or will affect their survival and normal development and over which they have no control.

The best interest of children shall be the paramount consideration in all actions concerning them, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities and legislative bodies, consistent with the principle of First Call for Children as enunciated in the United States Nations Convention in the Rights of the Child Every effort shall be exerted to promote the welfare of children and enhance their opportunities for a useful and happy life

Section 58. *Employment of Children.*

Children below fifteen (15) years of age shall not be employed except:

1. When a child works directly under the sole responsibility of his/her parents or legal custodian and where only members of his/her family are employed;
2. The employer shall ensure the protection, health, safety, morals and normal development of the child;
3. The employer shall institute measures to prevent the child's exploitation or discrimination taking into account the system and level of remuneration, and the duration and arrangement of working time; and
4. The employer shall formulate and implement, subject to the approval and supervision of competent authorities, a continuing program for training and skills acquisition of the child.

In the above-exceptional cases where any such child may be employed, the employer shall first secure, before engaging such child, a work permit from the Department of Labor and Employment which shall ensure observance of the above requirements.

Section 59. *Hours of Work of a Working Child.*

1. A child below fifteen (15) years of age may be allowed to work not more than twenty (20) hours a week: provided: That the work shall not be more than four (4) hours at any given day;



2. A child fifteen (15) years of age but below eighteen (18) shall not be allowed to work for more than eight (8) hours a day, and in no case beyond forty (40) hours a week;
3. No child below fifteen (15) years of age shall be allowed to work between eight o'clock in the evening and six o'clock in the morning of the following day and no child fifteen (15) years of age but below eighteen (18) shall be allowed to work between ten o'clock in the evening and six o'clock in the morning of the following day.

Section 60. Ownership, Usage and Administration of the Working Child's Income.

The wages, salaries, earnings and other income of the working child shall belong to him/her in ownership and shall be set aside primarily for his/her support, education or skills acquisition and secondarily to the collective needs of the family: Provided, That not more than twenty percent (20%) of the child's income may be used for the collective needs of the family. The income of the working child and/or the property acquired through the work of the child shall be administered by both parents. In the absence or incapacity of either of the parents, the other parent shall administer the same. In case both parents are absent or incapacitated, the order of preferences on parental authority as provided for under the Family Code shall apply.

Section 61. Trust Fund to Preserve Part of the Working Child's Income.

The parent or legal guardian of a working child below eighteen (18) years of age shall set up a trust fund for at least thirty (30%) of the earnings of the child whose wages and salaries from work and other income amount to at least two hundred thousand pesos (Php200,000.00) annually, for which he/she shall render a semi-annual accounting of the fund to the Department of Labor and Employment. The child shall have full control over the trust fund upon reaching the age of majority.

Section 62. Prohibition against Worst Form of Child Labor.

No child shall be engaged in the worst forms of child labor. The phrase "worst form of child labor" shall refer to any of the following:

1. All forms of slavery, as defined under the "Anti-trafficking in Person Act of 2003", or practice 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 conflict; or
2. The use, procuring, offering or exposing of a child for prostitution, for the production of pornography or for pornographic performances; or
3. The use, procuring or offering of a child for illegal or illicit activities, including the production and trafficking of dangerous drugs and volatile substances prohibited under existing laws; or
4. Work which by its nature or the circumstances in which it is carried out, is hazardous or likely to be harmful to the health, safety or morals of children, such that it:



- a. Exposes the child to physical, emotional or sexual abuse, or is found to be highly stressful psychological or may prejudice morals, or
- b. Is performed underground, underwater or at dangerous heights; or
- c. Involves the use of dangerous machinery, equipment and tools such as power-driven or explosive power-actuated tools; or
- d. Exposes the child to physical danger such as, but not limited to the dangerous feats of balancing, physical strength or contortion, or which requires the manual transport of heavy loads; or
- e. Is performed in an unhealthy environment exposing the child to hazardous working conditions. Elements, substances, co-agent or processes involving ionizing, radiation fire, flammable substances, noxious components and the like, or to extreme temperatures, noise levels, or vibration; or
- f. Is performed under particularly difficult conditions; or
- g. Exposes the child to biological agents such bacteria, fungi, viruses, protozoans, nematodes and other parasites; or
- h. Involves the manufacture or handling of explosives and other pyrotechnic products.

Section 63. Access to Education and Training for Working Children.

- a. No child shall be deprived of formal or non-formal education. In all cases of employment allowed in this Code, the employer shall provide a working child with access to at least primary and secondary education.
- b. To ensure and guarantee the access of the working child to education and training, the Department of Education (DepEd) shall (1) formulate, promulgate, and implement relevant and effective course designs and educational programs; (2) conduct the necessary training for the implementation of the appropriate curriculum for the purpose; (3) ensure the availability of the needed educational facilities and materials; and (4) conduct continuing research and development program for the necessary and relevant alternative education of the working child.
- c. The DepEd shall promulgate a course design under its non-formal education program aimed at promoting the intellectual, moral and vocational efficiency of working children who have not undergone or finished elementary or secondary education. Such course design shall integrate the learning process deemed most effective under given circumstances.

Section 64. Prohibition on the Employment of Children in Certain Advertisements.

No child shall be employed as a model in any advertisement directly or indirectly promoting alcoholic beverages, intoxicating drinks, tobacco and its by products, gambling or any form of violence or pornography.

Section 65. Penalties

Any person found guilty of committing any of the provisions of this Chapter shall suffer the penalty of a fine of Two Thousand Five Hundred Pesos (PhP 2,500.00) or an imprisonment of six (6) months or both at the discretion of the Court without prejudice of filing the necessary crime committed against a national law.

Section 66. Who May File a Complaint

Complaints on cases of unlawful acts committed against children as enumerated herein may be filed by the following:

- a. Offended party;
- b. Parents or guardians;
- c. Ascendant or collateral relative within the third degree of consanguinity;
- d. Officer social worker or representative of a licensed child- caring institutions;
- e. Barangay chairman of the place where the violation occurred, where the child is residing or employed; or
- f. At least three (3) concerned responsible citizens where the violation occurred.

**CHAPTER XIII - EMERGENCY RELIEF AND PROTECTION FOR
CHILDREN BEFORE, DURING AND AFTER DISASTERS AND OTHER
EMERGENCY SITUATIONS**

Section 67. Declaration of Policy,

Pursuant to Section 2 of Republic Act No. 10821. Otherwise known as the "Children's Emergency Relief and Protection Act". It is hereby declared to be the policy of the municipality:

1. To protect fundamental rights of children before, during and after disasters and other emergency situation when children are gravely threatened or endangered by circumstances that affect their survival and normal development: and
2. Guided by the principles on survival and development on child participation, and consistent with the United Nation Convention on the Right of the Child. As well as the Children's Charter for Disaster Risk and Reduction, and the minimum standards for children in humanitarian action, to establish and implement a comprehensive and strategic program of action to provide the children and pregnant and lactating mothers affected by disaster and other emergency situations with utmost support and assistance necessary for their immediate recovery and protection against all forms of violence, cruelty, discrimination, neglect abuse, exploitation and other acts prejudicial to their interest, survival development and well-being.



Section 68. Evacuation Centers –

Evacuation centers to be used should have at least the following provisions: (a) Breastfeeding rooms; (b) Separate toilets for male and female; (c) Couple's rooms; (d) Kitchen areas; (e) Medical rooms; and (f) Child friendly spaces.

Only in cases where there is no other available place or structure which can be used as a general evacuation center may a school or child development center be used as an evacuation center. When a school or child development center is used as an evacuation center, gymnasiums, learning and activity centers, auditoriums and other open spaces shall be utilized first. Classrooms shall only be used as a last resort. The use of the school premises shall be as brief as possible. If the use is predicted to exceed fifteen (15) days, the municipality shall provide written documentation to the DepEd and the DILG on the following:

1. The name and location of the school;
2. All alternative site and Proposal for final site selection;
3. Measure being implemented to prevent interference or disruption to the school and educational activities of children; and
4. Other particulars to be provided in the implementing rules and regulations of this Code.

The DepEd in coordination with the DPWH, shall continuously monitor and assess the condition of temporary learning spaces or other transitional and semi-permanent structures used as classrooms after a disaster, and if the use exceeds six (6) months after declaration of state of calamity, the regional DepEd office shall conduct regular site inspections and shall certify to the Secretary of education that such spaces are in good physical condition and sufficient to ensure the safety of the children and their environment.

Section 69. Orphaned, Unaccompanied, or Separated Children.

The MSWDO upon consultation with relevant offices, shall develop a minimum set of standards and guidelines for the Family Tracing Reunification System of orphaned, unaccompanied and separated children.

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

Section 70. System of Restoring Child Registry Documents.

To ensure that vital information pertaining to the personal circumstances of a child are adequately and available at all times, the MSWDO shall develop a system for the restoration and reconstruction of civil registry documents that been destroyed or declared lost or missing during a disaster or calamity.

The MSWDO shall submit a report on the number of restored or reconstructed documents to appropriate government agencies for effective monitoring and reporting and to ensure the continued access of the affected children to social services and facilitate the reunification of the separated children with their families.

The MSWDO shall likewise develop a system for the registration of children born during national or local state of calamity.

CHAPTER XIV - SAFETY OF CHILDREN ABOARD MOTORCYCLES, TRICYCLES

Section 71. Declaration of Policy.

Pursuant to Section 2 of Republic Act No. 10666, otherwise known as the "Children's Safety on Motorcycle Act of 2015", it is hereby declared to be the policy of the Municipality:

1. To define the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other condition prejudicial to their development.

2. To pursue a more proactive and preventive approach to secure the safety of passengers, especially children, by regulating the operation of motorcycles along roads and highways.

Section 72. Prohibition.

It shall be unlawful for any person to drive a two (2) wheeled motorcycle with a child on board and a tricycle with more than 4 passengers including backride on public roads where there is heavy volume of vehicles, and there is a high density of fast moving vehicles or where a speed limit of more than 40 kph is imposed unless:

1. The child passenger can comfortably reach his/her feet on the standard foot peg of the motorcycle;
2. The child's arms can reach around and grasp the waist of the motorcycle rider; and
3. The child is wearing a standard protective helmet referred to under Republic Act No. 10054, otherwise known as the "Motorcycle Helmet Act of 2009".

Notwithstanding the prohibition provided in this section, this Code shall not apply to cases where the child to be transported requires immediate medical attention.

Section 73. Penalties.

Any person who operates a motorcycle in violation of Section 72 of this Code shall be fine with an amount of five hundred pesos (P500.00) for the first offense; one thousand five hundred pesos (P1,500.00) for the second offense; and two thousand five hundred pesos (P2,500.00) for the third and succeeding offenses.

Section 74. Qualifying Circumstances.

If in violation of the provisions of this Chapter death shall have resulted or serious or less serious injuries shall have been inflicted upon the child or any other person, a penalty imposed by Section 8 of Republic Act No. 10666 shall be imposed upon the motorcycle rider or operator of the motorcycle involved without prejudice to the penalties provided under Act No. 3815, otherwise known as "The Revised Penal Code of the Philippines", as amended.

CHAPTER XV - MUNICIPAL MENTAL HEALTH POLICY

Section 75. Declaration of Policy.

Pursuant to Section 2 of Republic Act No. 11036, otherwise known as the "Mental Health Act". It is hereby declared to be the policy of the municipality:

1. To affirm the basic right of all Filipinos to mental health as well as the fundamental rights of people who require mental health services.

2. To promote the well-being of people by ensuring that: (a) mental health is valued, promoted and protected; (b) mental health conditions are treated and prevented; (c) timely, affordable, high quality, and culturally appropriate mental care is made available to the public; (d) mental health services are free from coercion and accountable to the service users; and (e) persons affected by mental health conditions are able to exercise the full range of human rights, and participate fully in society at work, free from stigmatization and discrimination.
3. To comply strictly with its obligations under the United Nation Declaration of Human Rights, the convention on the Rights of Person with Disabilities, and all other relevant international and regional human rights, convention and declarations. The application of Republic Act No. 7277, as amended, otherwise known as the "Magna Carta for Disabled Person". To person with mental health conditions, as defined herein, is expressly recognized.

Section 76. Objectives

The objectives of this Chapter are as follows:

1. Strengthen effective leadership and governance for mental health by, among other formulating developing and implementing national policies strategies, programs and regulations relating to mental health;
2. Develop and establish a comprehensive, integrated, effective, and efficient municipal health care system responsive to the psychiatric, neurologic, and psychosocial needs of the people of Calasiao;
3. Protect the rights and freedoms of persons with psychiatric neurologic, and psychosocial health needs;
4. Strengthen information systems, evidence and research for mental health;
5. Integrate mental health care in the basic health services; and
6. Integrate strategies promoting mental health in educational institutions workplace and in communities.

Section 77. Rights of Service Users

Service users shall enjoy, on an equal and nondiscriminatory basis, all rights guaranteed by the Constitution as well as those recognized under the United Nations Universal Declaration of Human Rights and the Convention on the Rights of Person with Disabilities and all other regional human rights conventions and declarations, including the right to:

- a. Freedom from social, economic and political discrimination and stigmatization whether committed by the public or private actors;
- b. Exercise all their inherent civil, political, economic, social, religious, educational and cultural rights respecting individual qualities, abilities, and diversity of background, without discrimination on the basis of physical disability, age, gender, sexual orientation, race, color, language, religion or nationality, ethnic or social origin;

- c. Access to evidence-based treatment of the same standard and quality, regardless of age, sex, socioeconomic status, race, ethnicity or sexual orientation;
- d. Access to affordable essential health and social services for the purpose of achieving the highest attainable standard of mental health;
- e. Access to mental health service at all levels of the municipal health care system;
- f. Access to comprehensive and coordinated treatment integrating holistic prevention, promotion, rehabilitation care and support aimed at addressing mental health care needs through a multidisciplinary user driven treatment and recovery plan;
- g. Access to psychosocial care and clinical treatment in the least restrictive environment and manner;
- h. Humane treatment free from solitary confinement, torture and other forms of cruel, inhumane, harmful or degrading treatments and invasive procedures not backed by scientific evidence.
- i. Access to aftercare and rehabilitation when possible in the community for the purpose of social reintegration and inclusion;
- j. Access to adequate information regarding available multidisciplinary mental health services;
- k. Participate in mental health advocacy, policy planning, legislation service provision, monitoring, research and evaluation;
- l. Confidentiality of all information, communications and records in whatever form or medium stored, regarding the service user any aspect of the service user, mental health, or any treatment or care received by the service user, which information, communications and records shall not be disclose to third parties without the written consent of the service user concerned or the service user's legal representative, except in the following circumstances;
 - 1. Disclosure is required by law or pursuant to an order issued by a court of competent jurisdiction;
 - 2. The service user has expressed consent to the disclosure;
 - 3. A life-threatening emergency exists and such disclosure is necessary to prevent harm or injury to the service user or to other persons;
 - 4. The service user is a minor and the attending mental health professional reasonably believes that the service user is a victim of child abuse; or
 - 5. Disclosure is required in connection with an administrative, civil or criminal case against mental health professional or worker for negligence or a breach of professional ethics, to the extent necessary to completely adjudicate, settle or resolve any issue or controversy involved therein;
- m. Give informed consent before receiving treatment or care, including the right to withdraw such consent. Such consent shall be recorded in the service user's clinical record;
- n. Participate in the development and formulation of the psychosocial care or clinical treatment plan to be implemented;
- o. Designate or appoint a person of legal age to act as his or her legal representative except in cases of impairment or temporary loss of decision-making capacity;

- p. Send or receive uncensored private communication which may include communication by letter, telephone or electronic means, and receive visitors at reasonable times, including the services users legal representative and representative from the Commission on Human Rights (CHR);
- q. Legal services, through competent counsel of the service user's choice. In case the service user cannot afford the services of a counsel, the Public Attorney's Office, or a legal aid institution of the service user or representative's choice shall assist the service user;
- r. Access to their clinical records unless, in the opinion of the attending mental health professional, revealing such information would cause harm to the service user's health or put the safe of others at risk. When any such clinical records are withheld, the service user or her legal representative may contest such decision with the internal review board created authorized to investigate and resolve disputes or with the CHR;
- s. Information, within twenty-four (24) hours of admission to a mental health facility, of the rights enumerated in this section in a form and language understood by the service user; and
- t. By oneself or through a legal representative, to file with the appropriate agency, complaints of improprieties, abuse in mental health care, violations of rights of person with mental health needs, and seek to initiate appropriate investigation and action against those who authorized illegal or unlawful involuntary treatment or confinement, and other violations.

Section 78. Rights of Family Members, Carers and Legal Representatives.

Family members carers and duly designated or appointed legal representative of the service user shall have the right to:

- a. Receive appropriate psychosocial support from the relevant government agencies;
- b. With the consent of the concerned service user, participate in the formulation development and implementation of the service user's individualized treatment plan;
- c. Apply for release and transfer of the service user to an appropriate mental health facility; and
- d. Participate in mental health advocacy policy planning, legislation, service provision monitoring, research and evaluation.

Section 79. Rights of Mental Health Professionals.

Mental health professionals shall have the right to:

- a. A safe and supportive work environment;
- b. Participate in a continuous professional development program;
- c. Participate in the planning, development and management of mental health services;
- d. Contribute to the development and regular review of standards for evaluating mental health services provided to service users;
- e. Participate in the development of mental health policy and service delivery guidelines;
- f. Except in emergency situations, manage and control all aspects of his or her practice including whether or not to accept or decline a service user's for treatment; and
- g. Advocate for the rights of a service user, in cases where the service

Section 80. Quality of Mental Health Services

Mental health services shall be;

- a. Based on Medical and scientific research findings
- b. Responsive to the clinical, gender, cultural, and ethnic and other special needs of the individuals being served; such as the economic, social, and spiritual needs of the individuals;
- c. Most appropriate and least restrictive setting;
- d. Age appropriate; and
- e. Provided by mental health professionals and workers in a manner that ensures accountability.

Further, mental health services **shall** be accessible, available, affordable, and acceptable; delivered by an adequate number of competent health workers who have been trained to provide mental health care according to their level and setting; provide reasonable accommodation to persons with disabilities; and guided by high professional and ethical standards.

Section 81. Mental Health Services at the Community Level.

Responsive primary mental health services shall be developed and integrated as part of the basic health services at the appropriate level of care, particularly at the municipal and barangay levels. The standards of mental health services shall be determined by the DOH in consultation with stakeholder based on current evidences.

Mental health services at the community level that encompass wellness promotion, prevention, treatment, and rehabilitation shall be inclusive and responsive to the needs of the vulnerable population. These services must also actively link peer supports, education, livelihood and employment, social services, and other community support services.

Section 82. Community-based Mental Health Care Facilities.

The municipal government shall fund the establishment and assist in the operation of community-based mental health care facilities in the municipality to provide appropriate mental health care services, and enhance the rights-based approach to mental health care.

For the purpose of this Code, a community based mental health care facility refers to a mental health facility outside of a mental hospital. Examples of community-based mental health care facilities include, but are not limited to. Community mental health centers, outpatient care centers, crisis centers, drop-in centers and other facilities offering services to help address the distinct needs and unique characteristics of the population, including well-being enhancement programs.

Each community-based mental health care facility shall, in addition to adequate room, office or clinic, have a complement of mental health professionals, allied professionals support staff, trained barangay health workers, volunteer family members of patients or services users, basic equipment and supplies, and adequate stock of medicines appropriate at that level. Establishment of community-based mental health care facilities shall be based on DOH guidelines.

Section 83. Reportorial Requirements.

The Municipal Health Office (MHO) shall make a quarterly report to the Philippines Council for Mental Health through the DOH, subject to the Data Privacy Act. The report shall include, among others the following data: number of patents/service users attended to and/or served, the respective kinds of mental illness or disability, duration and result of the treatment, and patients/service users age, gender, educational attainment and employment without disclosing the identities of such patients/service users for confidentiality. Information on the mode of confinement, whether voluntary or involuntary, shall be reported.

Section 84. Duties and Responsibilities of Mental Health Facilities.

Mental health facilities shall:

- a. Establish policies, guidelines and protocols for minimizing the use of restrictive care and involuntary treatment; circumstances surrounding any instance of unavoidable seclusion or restraint shall be properly documented and reported.
- b. Inform service users of their rights under Code and all other pertinent laws and regulations. Mental health service providers shall be trained and educated to provide accurate, adequate and relevant information to the service users and their family member carers or substitute decision makers.
- c. Provide every services user's, whether admitted for voluntary treatment, with complete information regarding the plan of treatment to be implemented.
- d. Ensure that informed consent is obtained from service users prior to the implementation any medical procedure or plan of treatment or care, except during psychiatric or neurologic emergencies or when the service users has impairment or temporary loss of decision-making capacity.
- e. Maintain a register containing information on all medical treatments and procedures administered to service users compliant with the Data Privacy Act; and clinical treatments and procedures which include, but not limited to pharmacologic and non-pharmacologic intervention such as, medications, food supplements and any herbal or alternative preparations, experimental drugs, psychotherapies, neuro stimulation interventions, and other clinical interventions. The register must also include reports on adverse reactions (if applicable) to the treatments and procedures, subject to a document retention policy set out by DOH.
- f. Ensure that legal representatives are designated or appointed only after the requirements of this Code and the procedures established for the purpose have been observed. Which procedures should respect the autonomy and preference of the patient as far as possible

Section 85. Drug Screening Services.

Pursuant to its duty to provide mental health services and consistent with the policy of treating drug dependency as a mental health issue, each local health care facility must be capable of conducting drug screening. Drug screening services may include any one or combination of but not limited to, laboratory examination administration of risk assessment scales and screening questionnaires as deemed appropriate.

Section 86. Suicide Prevention.

Mental health services shall also include mechanism for suicide intervention prevention and response strategies with particular attention to the concern of the youth. In collaboration with other agencies and stakeholders, the MHO shall develop a municipal suicide prevention strategy as part of its municipal mental health programs.

A municipal suicide prevention strategy includes, among other components the following:

- a. Emergency mental health care for person in suicide crisis situations;
- b. Mainstreaming of suicide prevention in public health education and within other priority health programs such as HIV/AIDS, adolescent and youth health, and non-communicable diseases, as well as in special settings such as schools, workplace, and disaster areas;
- c. Training of first responders, health professionals and volunteers to recognize suicidal behaviors provide telephone counseling and support those bereaved by suicide;
- d. Responsible media reporting and handling of suicide event; and
- e. Establishing a system for suicide surveillance.

Section 87. Public Awareness.

The LGU shall initiate and sustain a campaign to raise the level of public awareness on the protection and promotion of mental health and rights including, but not limited to mental health and nutrition, stress handling, guidance and counseling, and other elements of mental health. Activities on public awareness shall also include advocacy for respecting, protecting and promoting the rights of persons with psychosocial disabilities and other vulnerable population, in coordination with associations/organizations of service user families and care groups, the Person with Disabilities Office (PDAO), and other support systems.

Section 88. Capacity Building of Barangay Health Worker (BHWs).

The LGU with technical assistance from the DOH, shall be responsible for training of BHWs and other barangay volunteers on the promotion of mental health. The LGU shall provide assistance to the BHWs with medical supplies and equipment to carry out their functions effectively. The LGU shall ensure the capacity building and supervision of the BHWs for the promotion of mental health, advocacy for patient's rights case finding, identification and referral.

Section 89. Penalties.

Any person who commits any of the following acts shall be fined with an amount of five hundred pesos (P500.00) for the first offense; one thousand five hundred pesos (P1,500.00) for the second offense; and two thousand five hundred pesos (P2,500.00) for the third and succeeding offenses;

- a. Failure to secure informed consent of the service user;
- b. Violation of the confidentiality of information
- c. Discrimination against a person with mental health condition; and
- d. Administering inhumane, cruel degrading or harmful treatment not based on the medical or scientific evidence.

If the violation is committed by a juridical person, the penalty provided for this shall be imposed upon the directors, officers, employees or other officials or persons therein responsible for the offense.

If the violation is committed by alien, the alien offender shall be immediately deported after service of sentence without need of further proceedings.

These penalties **shall** be without prejudice to the administrative or civil liability of the offender, or the facility where such violation occurred.

CHAPTER XVI – MUNICIPAL HEALTH AND NUTRITION PROGRAMS

Section 90. Declaration of Policy.

Pursuant of Section 2 of Republic Act No. 11148, otherwise known as the "Kalusugan at Nutrisyon ng Mag Nanay Act". It is hereby declared to be the policy of the Municipality.

1. The right to health is a fundamental principle guaranteed by the State. The State shall protect and promote the right to health of the people and instill health consciousness among them.
2. The right to adequate food, care and nutrition to pregnant and lactating mothers. Including adolescent girls, women of reproductive age, and especially children from zero (0) to two (2) years old.
3. The municipality commits to the Philippine Development Plan and the national plans on nutrition to contribute to the improvement of human resource in the country, and the reduction of maternal and child mortality and stunting.

4. The determination to eliminate hunger and reduce all forms of malnutrition.
5. The municipality maintains that ensuring healthy lives, promoting well-being, ending hunger and food insecurity, and achieving good nutrition for all at all ages are essential to the attainment of sustainable development.
6. The municipality scales up nutrition intervention programs in the first one thousand (1,000) days of a child's life, allocates resources in a sustainable manner to improve the nutritional status and to address the malnutrition of infants and young children from zero (0) to two (2) years old, adolescent females, pregnant and lactating women, as well as to ensure growth and development of infants and young children.

Section 91. Objectives. This chapter specifically aims to:

1. Provide comprehensive, sustainable, multi-sectoral strategies and approaches to address health and nutrition problems of newborns, infants and young children, pregnant and lactating women and adolescent females, as well as multi-factorial issues that negatively affect the development of newborns, infants and young children, integrating the short, medium and long-term plans of the government to end hunger, improve health and reduce malnutrition;
2. Provide a policy environment conducive to nutrition improvement;
3. Provide evidence-based nutrition and actions which integrate responsive caregiving and early stimulation in a safe and protective environment over the first one thousand (1000) days as recommended by the United Nations Children's Fund (UNICEF) and the World Health Organization (WHO), as well as nutrition-specific and nutrition-sensitive mechanisms, strategies, programs and approaches in implementing programs and project to improve nutritional status, and to eradicate malnutrition and hunger;
4. Strengthen and define the roles of the MHO, the Municipal Nutrition Council and other government offices tasked to implement nutrition programs in the first one thousand (1,000) days;
5. Institutionalize and scale up nutrition in the first one thousand (1,000) days in the municipal plan on nutrition, the early childhood care and development intervention packages for health and nutrition;
6. Ensure the meaningful, active and sustained participation, partnership and cooperation of the municipality, National Government Agencies, civil society organizations, and the private sector, in an integrated and holistic manner, for the promotion of the health and nutritional well-being of the population, prioritizing interventions in areas with high incidence and magnitude of poverty, Geographically Isolated Disadvantaged Areas (GIDA), and in hazard and conflict zones;
7. Strengthen enforcement of Executive Order No. 51, otherwise known as the "National Code of Marketing of Breastmilk Substitute, Breastmilk supplements and Other Related Products" or the "Milk Code", and Republic Act No. 10028, otherwise known as the "Expanded Breastfeeding Promotion Act of 2009", to protect promote and support optimal infant and young child feeding and maternity protection, and in consultation with the stakeholders in the public and private sectors, consider the new recommendation from the World Health Assembly (WHA) Resolution 69.9 to end the inappropriate promotion of food for infant and young children;
8. Strengthen the implementation of other nutrition-related laws, programs, policies and guideline including multi-sectoral integration, gender equality and promotion of the United Nations Convention on the Rights of the Child (UNCRC); and
9. Strengthen the family community support systems with the active engagement of parents and caregivers, with support from the LGU, NGAs, CSOs, and other stakeholders.

Section 92. *Scaling Up Health and Nutrition for the First One Thousand (1,000) Days of Life.*

The LGU, the CSOs and other stakeholders shall develop a comprehensive and sustainable strategy for the first one thousand (1,000) days of life to address the health, nutrition, and development problems affecting infants, young children, adolescent female and pregnant and lactating women. It shall operationalize the latest municipal plan on nutrition, integrating the short, medium and long-term plans of the government in response to the global call to eradicate hunger, improve nutrition, and prevent and manage malnutrition as one of the seventeen Sustainable Development Goals (SDGs).

Section 93. *Coverage.*

The Chapter covers those who are nutritionally-at-risk, especially pregnant and lactating women, particular teenage mothers, women of reproductive age, adolescent girls and all Filipino Children who are newly born up to age twenty-four (24) months.

Priority shall be given to those who reside in disaster-prone areas and GIGA, such as areas that are isolated due to distance, inaccessibility to transportation, and weather conditions, unserved and **underserved** communities and other areas identified to have high incidence of poverty, those persons belonging to the vulnerable sector communities in or recovering from situation of crisis or armed conflict and recognized as such by a government body.

The LGU shall prioritize areas, which meet any of the following criteria:

- a. With the highest prevalence of undernutrition and nutrient-deficiency among pregnant and lactating women and children aged zero (0) to two (2) year;
- b. **Availability** of facilities or capability to implement the program; and
- c. Prioritizes such program in their locality and willingness to provide counterpart resources for its implementation.

Section 94. *Program Implementation.*

The LGU shall be responsible for the implementation of the provisions of this Chapter at the barangay level through the rural health unit and/or barangay health centers, in coordination with Sangguniang Barangay.

The Barangay Nutrition Scholar (BNS) and the Barangay Health Worker (BHWs) shall be mobilized and provided with resources and benefits to carry out their tasks.

The LGU is encouraged to integrate maternal, neonatal child health and nutrition programs in the local nutrition action plans and investment plans for health.

Section 95. *Program Components.*

The program shall include health and nutrition services and investments provided at the different life stages. The LGU, NGAs, concerned CSOs, and other stakeholders shall work together to ensure the delivery of these services and interventions.

- a. **Prenatal Period (First Two Hundred Seventy (270) Days.** – Prenatal care services at the facility and community level shall include, but not be limited to. The following:
 1. Pregnancy tracking and enrollment to antenatal care services (ANC);
 2. Regular follow-up to complete the recommended minimum number of quality ANC care visits with proper referral for high risk pregnancies;
 3. Provision of maternal immunization including tetanus and diphtheria toxoid vaccine, and other vaccines as appropriate;

4. Empowering women on the preparation of birth and emergency plans and appropriate plans for breastfeeding and rooming-in including counselling;
 5. Counselling on maternal nutrition, appropriate infant and young child feeding practices;
 6. Early identification and management of nutritionally-at-risk pregnant women and pregnant adolescent females and provision of ready-to-use supplementary food (RUSF) in addition to dietary supplementation;
 7. Provision of micronutrient supplements such as iron, folic acid, calcium, iodine and other micronutrients deemed necessary.
 8. promotion of the consumption of iodized salt and food fortified with micronutrients deemed necessary;
 9. Assessment of risk for parasitism and provision of anti-helminthic medicines;
 10. Provision of oral health services including oral health assessment;
 11. Counselling on proper hand-washing environmental sanitation and personal hygiene;
 12. Counselling on and utilization of responsible parenthood and family health services.
 13. Counselling on nutrition, smoking cessation, and adoption of healthy lifestyle practices;
 14. Philippine Health Insurance Corporation (Philhealth) enrollment and linkages to facility and community-based health and nutrition workers and volunteers;
 15. Social welfare support to improve access to health and nutrition services such as, but not limited to dietary supplementation, healthy food products and commodities for nutritionally-at-risk pregnant women belonging to poorest of the poor families, including those with disabilities.
 16. Maternity protection during pregnancy.
 17. Counselling and support to parents and caregivers on parent/caregiver/infant/child interaction for responsive care and early stimulation for early childhood development.
 18. provision of counselling and psychosocial support to parents and caregivers with priority to high-risk pregnant women and adolescent females belonging to poorest of the poor families; and
 19. Others as may be determined based on international and national guidelines and evidence generated locally.
- b. **Women About to Give Birth** and Immediate Postpartum Period – Health and Nutrition services at the facility and community level shall include, but not be limited to, the following:
1. Adherence to the couple's birth, breastfeeding, and rooming-in plans;
 2. Provision of mother-friendly practices during labor and delivery in line with, and in compliance with Mother and Baby-Friendly Health Facility Initiative (MBFHF) Republic Act No. 10028, otherwise known as the "Expanded Breastfeeding Promotion Act of 2009", Executive Order No. 51 or the "Milk Code", and other related administrative issuances of the DOH on maternal and newborn care;
 3. Monitoring of the progress of labor and the well-being of both the mother and the fetus, and provision of interventions to any health issue that may arise;

4. Identification of high-risk newborns that will be delivered; the premature, small for gestational age (SGA), and/or low birth weight infants; and the provision of the preventive interventions to reduce complications of prematurity or low birth weight;
 5. Coverage and utilization of PhilHealth benefit packages for maternal care;
 6. Nutrition counselling and provision of nutritious food and meals at the facility, most especially for women who gave birth to babies who are preterm, SGA, or low birth weight, until discharged;
 7. Provision of lactation management services to support breastfeeding initiation and exclusive breastfeeding for six (6) months most especially for caesarean deliveries, and thereafter until discharged;
 8. Counselling on proper hand-washing, environmental sanitation and personal hygiene;
 9. Counselling on and utilization of modern methods of family planning and access to reproductive health care services as defined in republic Act No. 10354, otherwise known as "The Responsible Parenthood and Reproductive Health Act of 2012";
 10. Maintenance of non-separation of the mother and her newborn and rooming-in for early breastfeeding initiation;
 11. Assurance of women and child-friendly spaces during calamities, disasters, or other emergencies;
 12. Provision of support to fathers and caregivers to ensure their commitment to support the mother and the child on proper health and nutrition care and provide necessary counselling and positive parenting support interventions;
 13. Counselling and support to parents and caregivers on parent/caregiver/infant/child interaction for responsive care and early stimulation for early childhood development; and
 14. Others as may be determined based on international and national guidelines and evidence generated locally.
- c. Postpartum and Lactating Women – Health and nutrition services at the facility and community level shall include, but not be limited to the following:
1. Follow up visits to the health facilities where they gave birth;
 2. Home visits for women in difficult-to-reach communities especially if located in a GIDA;
 3. Lactation support and counselling from birth up to two (2) years and beyond, including those women who will return to work and for women in the informal economies, and those with breastfeeding difficulties;
 4. Nutrition assessment and counselling to meet the demands of lactation in health facilities and workplaces;
 5. Identification and management of malnutrition of chronically energy deficient (CED) and nutritionally-at-risk postpartum and lactating women, including adolescent mothers, and provision of RUSF in addition to dietary supplementation, as appropriate;

6. Organization of community-based mother support groups and peer counselor for breastfeeding in cooperation with other health and nutrition workers;
7. Lactation breaks for women in the workplaces including micro, small and medium enterprises;
8. Availability of lactation stations in the workplaces, both in government and in the private sector, informal economy workplaces, and in public places and public means of transportation as stipulated in republic Act No. 10028, otherwise known as the "Expanded Breastfeeding Promotion Act of 2009: and its implementing rules and regulations.
9. Organization of breastfeeding support group in workplaces, in cooperation with occupational health workers and human resource managers trained in lactation management for the workplace.
10. Provision of micronutrient supplements including iron, folic acid, Vitamin A and other micronutrients deemed necessary;
11. Promotion of the consumptions of iodized salt and foods fortified with **micronutrients** deemed necessary;
12. Provision of oral health services;
13. Counselling and utilization of modern methods of family planning and access to reproduction health care services, as defined in Republic Act No. 10354, "The Responsible Parenthood and reproductive Health Act of 2012.
14. Social welfare support to improve access to health and nutrition services, such as, but not limited to, dietary supplementation, health food products and commodities for CED and nutritionally-at-risk postpartum and/or lactating women belonging to poorest of the poor families.
15. Assurance of women-friendly and child-friendly spaces where mothers and their infants will be able to continue breastfeeding during calamities, disasters, or other emergencies;
16. Provision of support to fathers and caregivers to ensure their commitment to support the mother and the child on proper health and nutrition care and provide necessary counselling and positive parenting support intervention:
17. Counselling and support to parents and caregivers on parent/caregiver infant/child interaction for responsive care, and early stimulation for early childhood development; and
18. Others as may be determined based on international and national guidelines and evidence generated locally.

d. Birth and Newborn Period (Twenty-Eight (28) Days) – Health and nutrition servicers at the facility and community level shall include, but not be limited to, the following:

1. Provision of baby-friendly practices during delivery inline and in compliance, with the MBFHF and essential newborn care protocol of the DOH in all facilities providing birthing services;
2. Provision of early and continuous skin-to-skin contact to all full-term babies and continuous kangaroo mother care for small babies born preterm and low birth weight in compliance with the newborn protocol of the DOH in all facilities providing birthing services.

3. Maintenance of non-separation of the mother and her newborn **from** birth for early breastfeeding initiation and exclusive breastfeeding;
 4. Provision of routine newborn care services such as eye prophylaxis, Vitamin K supplementation, and immunizations;
 5. Administration of newborn screening and newborn hearing screening;
 6. Availment and utilization of appropriate PhilHealth benefit packages for the newborn including the preterm, low birth weight and small babies.
 7. Provision of early referral to higher level facilities to manage illness and/or other communications;
 8. Availability of human milk pasteurizer for strategic level two (2) and level three (3) facilities with neonatal intensive care units to ensure breastmilk supply for small babies born **preterm and low birth weight within its facility, the service** delivery network it serves, and for use of infants and young children during emergencies and disasters;
 9. Assurance of a child-friendly space where exclusively breastfed infants will be able to continue breastfeeding during calamities, disasters or other emergencies;
 10. Others as may be determined based on international and national guidelines and evidence generated locally.
- e. First six (6) Months of Infancy (One Hundred Eighty (180) Days) – Health and nutrition services at the facility and community level shall include but not limited to the following:
1. Provision of continuous support to mother and her infant for exclusive breastfeeding, including referral to trained health workers on lactation management and treatment of breast conditions;
 2. Provision of appropriate and timely immunization services integrated with assessment of breastfeeding, early child development growth monitoring and promotion, and Infant and Young Child Feeding (IYCF) counselling.
 3. Growth and development monitoring and promotion of all infants less than six (6) months old especially those who had low birth weight are stunted or had acute malnutrition;
 4. Counseling household members on hand-washing environmental sanitation and personal hygiene;
 5. Provision of early referral to higher level health facilities to manage common childhood illness including acute malnutrition;
 6. Identification and management of moderate or severe acute malnutrition among infants less than six (6) months and provision of lactation management services and management of medical conditions contributing to malnutrition;
 7. Counseling and support to parents and caregivers on parent/caregiver-infant/child interaction for responsive care and early stimulation for early childhood development;
 8. Social welfare support to improve access to health and nutrition services for **newborns belonging to poorest of the poor families**;
 9. Provision of support to fathers and caregivers to ensure their commitment to support the mother and the child on proper health and nutrition care and provide necessary counselling and positive parenting support intervention;

10. Assurance of women and child-friendly spaces during calamities, disasters, or other emergencies where health and nutrition services for women and children shall be provided; and

11. Others as may be determined based in international and national guidelines and evidence generated locally.

f. Infants Six (6) Months up to Two (2) Years of Age – Health and nutrition services at the facility and community level shall include, but not be limited to, the following:

1. Timely introduction of safe, appropriate, and nutrient-dense quality complementary food with continued and sustained breastfeeding for all infants from six (6) months up to two (2) years of age, with emphasis on the use of suitable nutrient-rich, home-prepared, and locally available foods that are prepared and fed safely;
2. Provision of nutrition counselling on complementary food preparation and feeding to mothers and caregivers;
3. Dietary supplementation of age-appropriate and nutrient-dense quality complementary food;
4. Growth and development monitoring and promotion in health facilities and at home;
5. Provision of routine immunization based on the latest DOH guidelines;
6. Provision of micronutrient supplements deemed necessary;
7. Management of common childhood illnesses based on WHO and DOH guidelines;
8. Management of moderate and severe acute malnutrition using national guidelines and proper referral to higher level health facilities as appropriate, for treatment and management especially those with serious medical complications;
9. Provision of oral health services including application of fluoride varnish to prevent dental caries;
10. Provision of anti-helminthic tablets for children one (1) to two (2) years old as appropriate;
11. Availability of potable source of water, counselling of household members on hand-washing, environmental sanitation, and personal hygiene, and support for sanitation needs of households to reduce food, water, and vector-borne disease;
12. Counselling and supports to parents and caregivers on parent/caregiver-infant/child interaction for responsive care, and early stimulation for early childhood development and referral for development delays and other disabilities for early prevention, treatment and rehabilitation;
13. Social welfare support to improve access to health and nutrition services for such as, but not limited to, dietary supplementation, complementary food, other healthy food products and commodities, assessment and referral for development delays and other disabilities for early prevention, treatment and rehabilitation for infants six (6) months and above who belong to poorest of the poor families;
14. Support for home kitchen gardens wherever feasible;

15. Provision of locally available grown crops, vegetables and fruits in addition to other agricultural products to be used in complementary feeding and dietary supplementation;
16. Protection against child abuse, injuries and accidents including the provision of first aid, counselling and proper referrals; and
17. Others as may be determined based in international and national guidelines and evidence generated locally.

Section 96. Health and Nutrition of Adolescent Females.

To address the cyclical nature of malnutrition among the population, delivery of health and nutrition services for adolescent female ten (10) to eighteen (18) years old at facility, school, and community levels shall include, but not be limited to, the following:

- h. Assessment of health and nutrition status and identification of nutritionally-at-risk adolescent girls, as well as provision of ready to use supplementary food or ready to use therapeutic food for nutritionally-at-risk adolescent females, as appropriate;
- i. Provision of age-appropriate immunization based on the latest DOH guidelines;
- j. Provision of oral health services including oral health assessment;
- k. Provision of anti-helminthic drugs for deworming;
- l. Counselling on proper hand-washing environmental sanitation, and personal hygiene;
- m. Provision of micronutrient supplements according to guidelines of the DOH, in partnership with the Department of Education;
- n. Promotion of the consumption of iodized salt and foods fortified with micronutrients that may be deemed necessary;
- o. Referral to appropriate health facilities to manage menstruation irregularities or abnormalities that contribute to anemia and blood loss, and to manage complicated illnesses including moderate, severe acute malnutrition;
- p. Counselling on proper nutrition, mental health, avoidance of risk-taking behaviors, smoking cessation, adoption of healthy lifestyle practices, and family health; and
- q. Others as may be determined based on international guidelines and evidence generated locally.

Section 97. Nutrition in the Aftermath of Natural Disasters and Calamities.

Areas that are affected by disasters and emergency situations, both natural and man-made, must be prioritized in the delivery of health and nutrition services, and psychosocial services interventions. The municipality is mandated to immediately provide emergency services, food supplies for proper nourishment of pregnant and lactating mothers, and children, specifically those from zero (0) to two (2) years old. Women, infant and child-friendly spaces shall be prepared and ready to accommodate women and their children, provide their daily necessities such as food, clothing, clean water, and shelter, readily available breastfeeding support and counselling for those with children up to two (2) years or beyond, as well as provision and guidance on the appropriate complementary food for children over six (6) months old.

Donations of milk formula, breastmilk substitutes, and/or products covered by the Milk Code without the approval of the Inter-Agency Committee (IAC) created under Executive Order No. 51, Series of 1986, shall be prohibited in order to protect the health and nutrition of pregnant and lactating women, infants and young children before during and after a disaster.

In emergency situation, donations or assistance from the private sector, with no conflict of interest or those not involved with manufacture, marketing, and sales of products covered by the scope of the Milk Code, shall be allowed immediately in the aftermath of natural disasters and calamities. Strict compliance with the Milk Code and its revised implementing rules and regulations shall be observed, and options for mothers with breastfeeding problems will be provided, such as but not limited to, the mobilization of breastfeeding support groups or strategic establishment of local milk banks.

CHAPTER XVII - MUNICIPAL FEEDING PROGRAM FOR UNDERNOURISHED CHILDREN IN PUBLIC DAY CARE, KINDERGARTEN AND ELEMENTARY SCHOOLS

Section 98. Declaration of Policy.

Pursuant to Section 2 of Republic Act No. 11037, otherwise known as the "Masustansyang Pagkain para sa Batang Pilipino Act", it is hereby declared to be the policy of the municipality:

1. To recognize the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being.
2. To establish a comprehensive national feeding program that will address the problem of malnutrition among Filipino children.

Section 99. Municipal Feeding Program.

The Municipal Feeding Program, hereinafter referred to as the Program, is hereby established to address undernutrition among Filipino children.

The Program shall have the following components and coverage:

- a. Supplemental Feeding Program for Day Care Children – The MSWDO shall implement a supplemental feeding program for undernourished children with ages three (3) to five (5) years. The Program shall be administered in day care centers or in any other facility which can be used for such purposes; Provided, that the Program shall include the provision of at least one (1) fortified meal for a period of not less than one hundred twenty (120) days in a year: Provided, further, that in the preparation of fortified meals, the MSWDO shall work in collaboration with recognized parents' organizations;
- b. School Based Feeding program – The LGU shall coordinate with DepEd in the implementation of a school-based feeding program for undernourished public-school children from kindergarten to grade six (6): Provided, that the Program shall include the provision of at least one (1) fortified meal to all undernourished public elementary school children for a period of not less than one hundred twenty (120) days in a year;

- c. **Micronutrient Supplements** – The municipality shall provide micronutrient supplements to the Program beneficiaries including the use of iodized salt in accordance with Republic Act No. 8172, otherwise known as the "Salt Iodization or ASIN" law
- d. **Health Examination, Vaccination and Deworming** – The LGU shall coordinate with DOH and other concerned NGAs in the conduct of simultaneous health examinations, including, but not limited to, deworming and vaccinations, as the case may be, to Program beneficiaries;
- e. **Water, Sanitation, and Hygiene (WASH)** – The municipality shall establish and maintain water and sanitation facilities, promote good hygiene and safe food preparation in all of its component units especially in areas devoted for the preparation of fortified meals under the Program; and
- f. **Integrated Nutrition Education, Behavioral Transformation, and Social Mobilization** – The Program shall be complemented by a public health, nutrition, and values transformation campaign to promote a holistic and integrated approach to health and nutrition education. Orientation-training on the objectives and mechanics of the Program shall be held among personnel of the municipality, parent volunteers and the parent-teachers associations (PTAs) to generate support for the Program.

Section 100. Private Sector Participation.

The LGU shall encourage the participation of the private sector in the Program which shall include, among others, PTAs, private corporations, people and nongovernment organizations and such other groups or organizations, both foreign and local, that may want to be partner in whole or in part with the implementation of the Program.

CHAPTER XVIII – THE EARLY YEARS ACT OF 2013

Section 101. Declaration of Policy.

Pursuant to Section 2 of Republic Act No. 10410, otherwise known as the "The Early Years Act of 2013", it is hereby declared to be the policy of the municipality.

- 1. To promote the rights of children in survival, human development, and special protection with full recognition of the nature of childhood as well as the need to provide developmentally appropriate experiences to address their needs.
- 2. To support parents/families in their roles as primary caregivers and as their children's first teachers.
- 3. To promote the inclusion of children with special needs, provide for reasonable accommodation and accessible environments for children with disabilities and advocate respect for cultural and linguistic diversity, including the use of Filipino Sign Language as the visual language of the deaf community.

Section 102. Early Childhood Care and Development (ECCD) System.

The ECCD System refers to the full range of health, nutrition, early education and social services development programs that provide for the basic holistic needs of young children from age zero (0) to four (4) years: and to promote their optimum growth and development.

Section 103. Objectives.

The municipal ECCD System shall be strengthened to pursue the following objectives:

- a. To achieve improved infant and child survival rates by ensuring that adequate health and nutrition programs are accessible to young children and their parents from the prenatal period throughout the early childhood years;
- b. To enhance the physical-motor, socio-emotional, cognitive, language, psychological and spiritual development of young children;
- c. To facilitate a smooth transition from care and education provided at home to community or school-based setting and to kindergarten;
- d. To ensure that young children are adequately prepared for the formal learning system that begins at kindergarten;
- e. To establish an efficient system for early identification, prevention, referral and intervention for the wide range of children with special needs from age zero (0) to four (4) years;
- f. To upgrade and update the capabilities of service providers and their supervisors to **comply** with quality standards for various ECCD programs.
- g. To reinforce the role of parents and other caregivers as the primary caregivers and educators of their children especially from age zero (0) to four (4) years;
- h. To enhance and sustain the efforts of communities to promote ECCD programs and ensure special support is provided for poor, disadvantage and linguistic minority communities;
- i. To improve the quality standards of public and private ECCD programs through, but not limited to, a registration and credential system for ECCD service providers and facilities;
- j. To ensure that the education of person, and in particular children, who are blind, deaf or deafblind, are conducted in the most appropriate languages, modes and means of communication for the individual and in environments which maximize academic and social development: and
- k. To employ teacher, including teacher with disabilities, who are qualified in sign language and/or braille, and to train professionals and staff who work at all level of education.



Section 104. *The Early Childhood Care and Development (ECCD) Council.*

The ECCD Council shall be composed of the ECCD Governing Board and the ECCD Council Secretariat.

The ECCD Governing Board shall have the following composition:

Chairman.....Municipal Mayor

Vice Chairman.....MSWDO

Members:

Municipal Health Officer

LIGA President

SK Federation President

Nutrition Officer

Accredited NGO Representative (Child Development Workers Association)

The ECCD Governing Board shall meet quarterly or upon the call of the Chairman or at least (3) members of the Governing Board.

Section 105. *The Early Childhood Care and Development (ECCD) Council Secretariat.*

The ECCD Council Secretariat shall be composed of the following:

Focal Person for Child Development Workers

Four(4) Child Development Workers

The ECCD Council Secretariat shall provide support service for the achievement of objectives, supplementation of functions and coordination and monitoring of policies and programs formulation by the ECCD Council.

Section 106. *Responsibilities of the ECCD Council.*

In coordination with the Local Council for the Protection of Children (LCPC) of the province, municipal and barangay levels, the ECCD Council shall be responsible for

- a. Establishing national standards;
- b. Developing policies and programs;
- c. Ensuring compliance thereof; and
- d. Providing technical assistance and support to the ECCD service providers.

Section 107. *Functions of the ECCD Council.*

The ECCD Council shall have the following functions;

- a. Promulgate policies and implement guidelines for ECCD programs in consultation with the stakeholders, including the regional level when appropriate;
- b. Establish ECCD program standards that reflect developmentally appropriate practices for ECCD programs, which shall interface with the kindergarten curriculum of the DepEd;

Section 104. *The Early Childhood Care and Development (ECCD) Council.*

The ECCD Council shall be composed of the ECCD Governing Board and the ECCD Council Secretariat.

The ECCD Governing Board shall have the following composition:

Chairman.....Municipal Mayor

Vice Chairman.....MSWDO

Members:

Municipal Health Officer

LIGA President

SK Federation President

Nutrition Officer

Accredited NGO Representative (Child Development Workers Association)

The ECCD Governing Board shall meet quarterly or upon the call of the Chairman or at least (3) members of the Governing Board.

Section 105. *The Early Childhood Care and Development (ECCD) Council Secretariat.*

The ECCD Council Secretariat shall be composed of the following:

Focal Person for Child Development Workers

Four(4) Child Development Workers

The ECCD Council Secretariat shall provide support service for the achievement of objectives, supplementation of functions and coordination and monitoring of policies and programs formulation by the ECCD Council.

Section 106. *Responsibilities of the ECCD Council.*

In coordination with the Local Council for the Protection of Children (LCPC) of the province, municipal and barangay levels, the ECCD Council shall be responsible for

- a. Establishing national standards;
- b. Developing policies and programs;
- c. Ensuring compliance thereof; and
- d. Providing technical assistance and support to the ECCD service providers.

Section 107. *Functions of the ECCD Council.*

The ECCD Council shall have the following functions;

- a. Promulgate policies and implement guidelines for ECCD programs in consultation with the stakeholders, including the regional level when appropriate;
- b. Establish ECCD program standards that reflect developmentally appropriate practices for ECCD programs, which shall interface with the kindergarten curriculum of the DepEd;

- c. Develop a municipal system of awards and recognition to deserving ECCD program implementers and service providers;
- d. Promote, encourage and coordinate the various ECCD programs of the DepEd, the DSWD, the DOH and the NNC, and monitor the delivery of services to the ECCD program beneficiaries of the municipality;
- e. Evaluate and assess the impact and outcome of various ECCD programs of the municipality through an effective information system;
- f. Develop a municipal system for early identification, screening and surveillance of young children from zero (0) to four (4) years;
- g. Develop various support mechanisms that maximize public and private resources for implementing ECCD programs, giving priority to the needy and high risk children from poor communities.
- h. Provide funds to poor and disadvantaged communities for the establishment and expansion of public ECCD programs, improvement of physical facilities and for hiring of ECCD service providers;
- i. Promote and encourage private sector initiatives for the establishment of ECCD programs;
- j. Provide guidelines for the conduct of solicitation from local and international civic organizations, request private foundations to supplement available resources; and
- k. Perform such other functions the ECCD council may deem necessary.
- l.

Section 108. Responsibilities of the Municipality.

The municipality shall include allocations from their Special Education Fund (SEF) and Development (GAD) Fund, in addition to other local funds, to be utilized, among others, for the following purposes.

- a. Support the implementation of ECCD programs;
- b. Organize and support parent cooperatives to establish ECCD programs;
- c. Provide counterpart funds for the continuing professional development of their ECCD public service providers; and
- d. Provide the facilities for the conduct of their community-based ECCD Programs.

Section 109. Participation of Parents/Families and Communities.

Parents/Families and communities shall support local ECCD programs by participating in various ECCD projects such as, but not limited to, health, nutrition, social development of their children. Families are encouraged to continue their time and services to support the ECCD programs:

Section 110. Fundamental Principles in Financing ECCD Programs.

The following fundamental principles shall be considered in financing ECCD programs:

- a. ECCD programs shall be financed through a combination of public and private funds;
- b. ECCD programs shall prioritize children from zero (0) to four (4) years from families who are in greatest need and who can least afford private ECCD programs;
- c. Additional funds may be generated from intergovernmental donors and government financial institutions to support the ECCD programs including for the urban poor;
- d. Fees and contributions may be collected for both public and private ECCD programs but the same shall be monitored by the ECCD Council to ensure that these are affordable and within reasonable limits.

**CHAPTER XIX – THE MUNICIPAL COUNCIL FOR THE
PROTECTION OF CHILDREN**

Section 111. Creation and Establishment and Strengthening of the Municipal Council for the Protection of Children.

Pursuant to Section 15, Chapter I of Title III of R. A. No 9344 as amended by R.A. 10630, the Municipal Council for the Protection of Children (MCPC) shall be created and established which shall be strengthened within one (1) year from the effectivity of this Code.

Section 112. Composition.

The MCPC shall be composed of the following:

Chairman.....Municipal Mayor
Vice Chairman.....Municipal Vice Mayor

Members:

SB Chairman Committee on Women, Family and Child Welfare
SB Chairman Committee on Health & Sanitation
LIGA President
SKF President
MLGOO
District Supervisor
MSWDO
Municipal Health Officer
Municipal Treasurer
MPDC
Municipal Budget Officer
MDRRMO
Public Employment Service Officer (PESO)
Municipal Nutrition Officer
PNP/WCPD Officer
PTA President
Child Representative
NGO Representative (Child Development Workers Representative)
GAD Focal Person

The MCPC shall adopt rules and regulations necessary to govern its proceedings.

Section 113. Purpose.

The MCPC shall serve as the primary advisory board of the municipality towards the promotion, development and protection of children.

Section 114. Powers and Functions of the MCPC.

The MCPC shall have the following powers and functions:

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 **Annual Work and Financial Plan (AWFP)** 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 Barangay Council for the Protection of Children;
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 centers 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 detrimental to children, and with appropriate funding support;
9. Assist children in need of special protection and refer cases filed against child abusers 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. Assist the children in the promotion of their mental health and nutrition.
14. Perform such other functions as provided for in the ECCD and other child related laws;

Section 115. Secretariat.

The Municipal Social Welfare and Development Office, headed by the Municipal Social Welfare and Development Officer shall be designated as the secretariat to the MCPC.

Section 116. *Funding.*

As provided for under Section 15, Chapter I of Title III of R. A. No 9344, at least one percent (1%) of the internal revenue allotment of the municipality and the barangays shall be allocated for the strengthening and implementation of the programs of the MCPC, provided, that the disbursement of the fund shall be made by the LGU concerned.

Section 117. *The Role of the Sangguniang Kabataan.*

The Sangguniang Kabataan Municipal Federation (SKMF) shall coordinate with the MCPC in the formulation and implementation of juvenile intervention and diversion programs in the community.

CHAPTER XX – COMPREHENSIVE JUVENILE INTERVENTION PROGRAM

Section 118. *Development of a Comprehensive Local Juvenile Intervention Program.*

A comprehensive local juvenile intervention program covering at least a three-year period shall be instituted in the municipality and its barangays.

The municipality, in coordination with the Municipal Council for the Protection of Children (MCPC), shall call on all sectors concerned, particularly the child- focused institutions, NGOs, people's organizations, educational institutions and government agencies to participate in the planning process and implementation of juvenile intervention programs. Such programs shall be implemented consistent with the national program formulated and designed by the Juvenile Justice Welfare Council with the MCPC.

CHAPTER XXI – MISCELLANEOUS PROVISIONS

Section 119. *Special Provisions for PNP.*

The Municipality of Calasiao shall help enhance the services and support the Calasiao Municipal Police Station (CMPS) specifically the WCPD manned by WCPD officers 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.

Section 120. *Deputation, Police Visibility and Recording.*

The Barangay Officials and Barangay Tanods/Police are hereby deputized as law enforcement officers to take into custody minors or minor students or persons violating this Code who shall immediately indorse the said offender to the PNP or MSWDO. The members of the Philippine National Police (PNP) shall conduct roving patrols and police visibility from time to time to ensure the strict compliance of this Code, particularly Article 3 of Chapter V hereof.

Section 121.

The apprehending officer, official or Tanod is required to record in the separate police blotter book or barangay blotter logbook, as the case may be, the incident of apprehension of child or persons violating this Code. The apprehending officer, official or Tanod who fails to comply with this provision shall be administratively liable.

Section 122. Confidentiality of Records.

Records of apprehension and proceedings against the children shall be considered privileged and may not be disclosed in accordance with Article 200 of the Presidential Decree No. 603 otherwise known as "The Child and Youth Welfare Code" as amended and Section 43, Chapter 5 of Juvenile Justice and Welfare Act of 2006 (R.A. No. 9344), as amended by R.A. 10630.

CHAPTER XXII - FINAL PROVISIONS

Section 123. Repealing Clause.

All ordinances, rules and regulations or parts thereof in conflict or inconsistent herewith are hereby repealed or modified accordingly.

Section 124. Separability Clause.


In the event that any provision of this Code is declared illegal, the validity of other provisions shall not be affected by such declaration which shall continue to be in full force and effect.

Section 125. Effectivity.

This Code shall take effect fifteen (15) days after its posting in at least three (3) conspicuous places and publication in a regular newspaper.




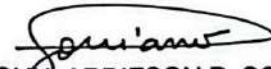
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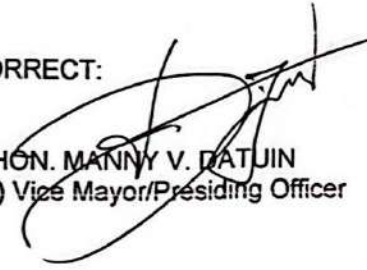

COUN. MYC D. SISON


COUN. VANESSA S. ZULUETA


ATTESTED:


BRYAN B. CALAUNAN
Secretary to the Sangguniang Bayan

CERTIFIED CORRECT:


HON. MANNY V. DATUIN
(OIC) Vice Mayor/Presiding Officer

APPROVED:


HON. NESTOR A. GABRILLO
(OIC) Municipal Mayor