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Annex M-1.1

Bauko Municipal Code for Children



Republic of the Philippines
MOUNTAIN PROVINCE
BAUKO
SANGGUNIANG BAYAN

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EXTRACT FROM THE MINUTES OF THE REGULAR SESSION OF THE
SANGGUNIANG BAYAN OF BAUKO, MT. PROVINCE HELD AT THE SB HALL ON
APRIL 11, 2005.

PRESENT:	HON. JOSE B. TANGGACAN	Vice Mayor Presiding Officer
	HON. JUAN P. MALINIAS	Member
	HON. BARTOLOME B. BADECAO	Member
	HON. CARMELITA M. MASIDONG	Member
	HON. PIO T. SITI	Member
	HON. RANDOLPH T. AWISAN	Member
	HON. MILO A. PANISIGAN	Member
	HON. VALENTIN A. CAMEYENG	ABC Fed. Pres.
	HON. JESSEBELLE P. MASIDONG	SK Fed. Pres.
ABSENT:	HON. ROMEO M. PAGEDPED	Member
	HON. WILLY G. PASNGADAN	Member

MUNICIPAL ORDINANCE NO. 009-D2
Series of 2005

AN ORDINANCE PROVIDING FOR THE CHILD SURVIVAL DEVELOPMENT, PROTECTION AND PARTICIPATION AND ESTABLISHING A COMPREHENSIVE CHILDREN SUPPORT SYSTEM IN THE MUNICIPALITY OF BAUKO AND FOR OTHER PURPOSES OTHERWISE KNOWN AS THE BAUKO MUNICIPAL CODE FOR CHILDREN.

Be it ordained by the Sangguniang Bayan, Bauko, Mt. Province, that:

BASIC PRINCIPLES

ARTICLE I
POLICY AND APPLICATION

Section 1. TITLE. This ordinance shall be known as “An Ordinance Providing for Child Survival, Development, Protection and Participation and Establishing a Comprehensive Support System in Bauko and for Other Purposes” otherwise known as the Bauko Municipal Code for Children.

Section 2. DECLARATION OF PRINCIPLES AND POLICIES. It is hereby declared that Bauko is Child Friendly Municipality. As such, it is to the policy of the

Municipal Government that the rights of the child for survival, development, protection and participation must be established and be given priority.

Section 3. SCOPE OF APPLICATION. This code shall apply to all barangays in the municipality.

Section 4. DEFINITION OF TERMS

- a.) Children refer to persons below eighteen (18) years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of physical or mental disability or condition;
- b.) Survival Rights deals with the provision in relation to parental and governmental duties and liabilities, adequate living standards and access to basic health, health services, nutritional services and social security;
- c.) Development Rights pertain to the access of the child to educational opportunities, rest and leisure, right to enjoy one's culture and religion, privacy and a right to name and nationality;
- d.) Protection Rights encompass those rights of the child to be protected and guarded against abuse and neglect, commercial exploitation, discrimination and to be safe from emergency or especially difficult circumstances. It further includes the child's right to legal assistance and adequate judicial processes;
- e.) Participation Rights include the child's freedom of expression and association as part of the child's preparation for responsible parenthood and citizen;
- f.) Circumstances which gravely threaten or endanger the survival and normal development to the children which include, but are not limited to the following:
 - 1. Being in a community where there is armed conflict or being affected by armed conflict-related activities;
 - 2. Working under conditions hazardous to health, safety and morals which unduly interfere with their normal development or working without provision for their education;
 - 3. Living under conditions of extreme poverty or in an area which is underdeveloped and/or lack or has inadequate access to basic services needed for a good quality of life;
 - 4. Being with family members or guardians having psychological problems grave enough for them to commit incest, siblings rape, acts of lasciviousness and other forms of physical and mental abuse;

5. Being a victim of man-made or natural disaster or calamity;
 6. Being a victim of an illegal transnational organization or child trafficking;
 7. Circumstances analogous to those above stated which endanger the life, safety or normal development of children.
- g.) Anti-social related activities are those acts against poverty, chastity and person which include but not limited to the following:
1. Petty crimes such as theft and vagrancy;
 2. Using and pushing prohibited drugs, selling illegal or lewd reading materials;
 3. Gambling of any form;
 4. Rape and incest;
 5. Any other circumstances as defined in existing laws.
 6. Film showing of lewd films by videoke bars and other establishment
 7. Cursing
- h.) Culturally Relevant Activities refer to activities show-casing Filipino culture such as but not limited to the following:
1. Ethnic/Folk Dance
 2. Ethnic/Folk Music
 3. Ethnic/Folk Drama
 4. Others
- i.) Pre-school Education refers to the age from birth up to six years of age (0—6) and known to be the critical phase of the child's psychomotor development. It is the phase when ninety percent (90%) of the human brain is developed. It is therefore the phase when activities for development stimulation for children must be provided, the Early Childhood Care and Development Program.
- j.) Differently-abled children refer to children who possess unique/special skills and abilities despite of disabilities.

ARTICLE II SURVIVAL AND DEVELOPMENT RIGHTS OF CHILDREN

Section 5. UNDER FIVE PROGRAM FRAMEWORK. The Municipal Government shall ensure to the maximum extent possible survival and development of the child. The Early Childhood Care and Development Program coupled with Parents Effectiveness Service Program on child survival and development shall include the following, among others:

5.1 Day Care Service Program. There is hereby established a day care center in every barangay which shall serve children up to six (6) years old with consent of parents. The program shall include the following:

- a.) Growth and nutritional monitoring
- b.) Care of children of working mothers during the day, e.g. child minding centers.
- c.) Materials and networks of surrogate mothers -- care givers who will provide intellectual and mental stimulation to children.
- d.) A center for neglected children during part of the day.
- e.) A support system and network of assistance from the members of the barangay for the total development and protection of children.

The Day Care Service Program shall be implemented by the barangay. It shall call upon private volunteers who are responsible members of the community to assist in the care of children and provide referral service for medical, educational and other needs of the children.

The Department of Social Welfare and Development shall be responsible for the accreditation of barangay day care workers. The Regional and the Provincial Social Welfare and Development Office will assist in the assessment of day care workers' performance and status of Day Centers while also providing trainings to Day Care Workers. The Municipal Social Welfare and Development Office assist the training of Day Care Workers and shall conduct periodic monitoring of the Day Care Centers and extend technical assistance to Day Care Workers.

Fund for the establishment and maintenance and operation of the barangay day care centers shall be sourced from the Annual Budget of the Barangay. The province or municipality shall provide financial assistance for the establishment of every barangay day care center in their respective locality subject to the availability of funds. The RSDO shall also help the barangays to fund the construction of Day Care Centers.

A monthly allowance of not less than P1,000 shall be paid to every day care worker in accredited Day Care Centers of which fund shall be sourced from the barangay budget.

Augmentation funds for the monthly allowance of Day Care Workers shall come from various sources such as the municipal government covering the area, NGO's operating in the area, community, and from monthly contribution of the parents.

5.2 Child Minding Service Program. The Municipal Government and the barangays shall develop, implement and sustain Child Minding Centers, whenever

needed, in work places such as schools, public markets, hospitals and government offices where parents work during the day. The Child Minding Service caters to children 0 to 3 years old which shall be operated by a team of trained caregivers and medical staff.

Funds for implementation and sustenance of the Child Minding Service Program shall be borne out from the contributions of parents augmented by the municipality where the child Minding Center is, and the Provincial Government.

The Municipal and Provincial Social Welfare and Development Office shall regularly monitor and extend technical assistance to caregivers.

Section 6. PRIMARY HEALTH CARE PROGRAM FRAMEWORK. The Municipal Government shall coordinate with/or assist the Barangay Governments to implement and sustain the Primary Health Care Program to primarily cater to children. To further ensure the implementation of this section, it shall appropriate measures to support the program on health under the framework of primary health and preventive care.

6.1 Safe Motherhood Program. The Municipal Government shall continue to implement and support its **SAFE MOTHERHOOD PROGRAM** which shall cater to the health of mother and the unborn child.

The Municipal Government through the Municipal Health Office as lead agency shall conduct trainings to mothers and shall promote immunization for women of child bearing age and iron supplementation for pregnant and breastfeeding mothers.

It shall conduct functional literacy classes for women and finally appropriate funds for the maintenance of its health centers and for drugs and medicines.

As front liners in the implementation of the safe motherhood program, the Municipal Health Workers as well as the Barangay Health Workers shall be trained on essential obstetric, home-based monitoring of mothers and infants and hygienic deliveries.

6.2 Breastfeeding Program. The Municipal and Barangay Governments shall promote exclusive and sustained breastfeeding for at least the first six (6) months of a child's life, to prevent malnutrition, illness and death.

The Municipal Government shall also implement the rooming as a policy of hospitals to encourage, protect and support the practice of breastfeeding. With the help of the Municipal and Barangay Governments, it shall further endeavor to advocate the "Lang-ay", an indigenous breastfeeding practice wherein the baby is breastfed by another suckling mother meantime that the new mother could not

express milk or in the absence of the real or true mother.

This will ensure continuous breastmilk for the baby. There shall be a continuing information, education and re-education drive to be spearheaded by the Municipal Health Office with the assistance of other government agencies, professional and non-governmental organizations which can be done during pre-natal and post-natal visits and during functional literacy classes.

6.3 Immunization Program. The immunization program shall include BCG, inoculation against diphtheria, pertusis, tetanus and oral poliomyelitis, protection against measles and immunization against Hepa-B. The Municipal Government shall allocate funds for vaccines against BCG, Oral Polio and Hepa-B.

Section 7. NUTRITION PROGRAM. The Municipal Government shall establish and sustain a growth and nutritional monitoring with nutritional feeding and supervision of nutritional intake of children at home and in school. The program shall be under the administration and supervision of the Municipal Health Office. This program shall include a monitoring and evaluation system which shall be established by the office. Further, the Municipal Government shall especially allocate funds for the celebration of the nutrition month, Araw ng Sangkap Pinoy and other initiatives for the promotion of proper nutrition. All barangays must also have a Barangay Health Center where there are adequate health services/resources served by trained health workers.

Section 8. MOTHER AND BABY-FRIENDLY HOSPITALS, HEALTH CENTERS. Aside from LHRMH, all Health Centers in Bauko Municipality shall comply with the requirements of the Department of Health for a mother and Baby-Friendly Center. The Municipal Council for the Welfare of Children shall establish a committee tasked to monitor and ensure the compliance of all the latter to the mandate of this provision.

Section 9. PROVISION FOR THE STRICT IMPLEMENTATION OF THE ASIN LAW IN MOUNTAIN PROVINCE. The Municipal Government shall, in line with the provision of R.A. 8172, MO. 005-B, ensure the strict implementation of R.A. 8172, otherwise known as "An Act Promoting Salt Iodization Nation Wide." The Municipal Ordinance Nutrition Council, Mountain Province shall be tasked to supervise the implementation of the ASIN LAW in Mountain Province which shall be as follows:

9.1 **Municipality** - shall pass ordinances prohibiting the sale of raw salt, allocate funds and establish billboards regarding the use of iodized salt in public places.

9.2 **Barangay** - shall assist other sectors in the campaign on iodized salt. The barangay health workers through its federation shall be the operator and manager of packing and iodization of raw salt in Mountain Province.

9.3 **MHO/PHNRHM/Sanitary Inspector** - conduct information campaign

during consultations and mothers' classes, continuously check on the use of iodized salt, regularly monitor food establishments on the use of iodized salt.

9.4 **Education Sector** - conduct teacher-child-parent approach on the importance of iodized salt, conduct quiz bees and contests in schools and advocate to parents during PTA meetings.

9.5 **Social Welfare Sector** - conduct information drives to parents of day care children.

9.6 **Agriculture Sector** - inclusion of the ASIN Law during farmers classes, quiz shows and establishment of message corner on ASIN.

9.7 **NGO and Civic Organizations** - production of IEC materials and join in the campaign on the use of iodized salt.

9.8 **Business Sector** - sell only iodized salt.

Section 10. INSTITUTIONALIZATION OF FOSTER HOMES FOR CHILDREN.

The municipal government, in its effort to establish a community-based strategy for the protection of children, shall endeavor to institutionalize the foster homes for children with the technical assistance and supervision of the Department of Social Welfare and Development.

Section 11. COMMUNITY SUPPORT SYSTEM. There shall be an established comprehensive community support system for the survival and development, protection, security and participation of children in the municipality of Bauko.

The community support system and structures shall be the Municipal Council for the Welfare of Children, and the Barangay Council for the Protection of Children, among others.

11.1 Functions of the Municipal Council for the Welfare of Children.

The following shall be the functions of the Bauko Council for the Welfare of Children:

1. Prepare the child and youth welfare annual plan;
2. Provide technical assistance to the municipality and barangays in the preparation of development plans for the children and ensure its integration into the Provincial Development Plan;
3. Monitor and evaluate the implementation of the provincial and municipal action plans for children;
4. Submit quarterly status report on the plan implementation to Regional Council for the Welfare of Children
5. Promptly address issues and concerns affecting children and youth;
6. Advocate for the passage of child-friendly ordinances at all levels;
7. Advocate for the increased support and resource allocation for the children's program and projects;
8. Provide technical assistance to the community-based frontline workers through conduct of capability building and human resource development activities;

9. Prepare contingency measures to protect children and their families in crisis situations brought about by natural and man-made calamities; and,
10. Ensure the proper implementation of this ordinance.

11.2 Creation of Sub-Committees by the Council. The council shall create sub-committees which it may deem appropriate and necessary whose chairmanship shall be held by the regular mandated members of the council for the purpose of furthering its functions.

11.3 Secretariat Support. The secretariat support shall be lodged with the Municipal Social Welfare and Development Office and shall be responsible for the documentation of proceeding and meetings, preparation of reports and other necessary documents needed by the committee.

11.4 Honorarium for Council Members. The council members shall be authorized to receive honoraria in connection with the disposition of their respective functions. The rates for their honoraria shall be fixed by the Sangguniang Bayan (SB) based upon and in consonance with the pertinent guidelines issued by the Commission on Audit and/or the Government Accounting and Auditing Manual.

11.5 The Barangay Council for the Welfare of Children, its Composition, Members and Functions. There shall be created a Municipal Sub-Committee for the Welfare of Children in each barangay in the municipality. The Punong Barangays are hereby mandated to spearhead the creation and strengthening of the said council with the support of the Department of Interior and Local Government (DILG) and other concerned government and non-government agencies in the area.

11.6 Composition of the Municipal Council for the Welfare of Children. The membership of the respective Municipal Council for the Welfare of Children (MCWC's) shall be composed of the following:

1. Municipal Mayor - Chairman
2. Sanggunian - Co-chairman on Social - Vice Chair.
3. MSWDO - Secretariat

Members:

1. Mun. Planning & Dev't Coordinator
2. Mun. Health Officer
3. Municipal Agriculturist
4. School Principal and/or District Supervisor
5. Municipal Prosecutor
6. Three (3) Non-Government Organizations
Representatives/Peoples Organization Rep.
(aside from the NGOs represented in the MDC)
7. Mun. Federation of SK Presidents
8. A member of the Local Finance Committee
9. MLGOO
10. Philippine National Police

11.7 Powers Functions of the MCWC

1. Formulate municipal plan of action for the welfare of children
2. Submit quarterly status reports on the plan implementation to the Provincial for the Welfare of Children-Sub Com.
3. Implement child-friendly ordinances and advocate the same.
4. Source out funds for the child-friendly projects/ programs.
5. Monitor the implementation of the Municipal Plan for Children and the Child Friendly Ordinances enacted.

11.8 The Barangay Council for the Protection of Children, its Composition, Members and Functions. There shall be a created Barangay Council for the Protection of Children (BCPC) in every barangay in Bauko municipality. The barangay captains are hereby mandated to spearhead the creation and strengthening of the said council with the support of the Department of Interior and Local Government, Department of Social Welfare & Dev't Officer, and other concerned government and non-government agencies in the area.

11.9 Composition of the Barangay Council for the Protection of Children. The membership of the respective Barangay Council for the Protection of Children (BCPC) shall be taken from the responsible members of the community including a representative of the youth, as well as representatives of the government and private agencies concerned with the welfare of children and youth whose area of assignment includes the particular barangay. The membership shall be on purely voluntary basis.

11.10 Powers and Functions of the Barangay Council for the Protection of Children. The following shall be the functions of the Barangay Council for the Protection of Children in each respective barangay:

1. Prepare Barangay Plan of Action for Children and implement the same.
2. Foster education of every child in the barangay.
3. Protect and assist abandoned, maltreated and abused children and monitor cases filed against child abusers and report the same.
4. Protect children who are not allowed by the law to work from abuse and exploitation.
5. Take steps to prevent juvenile delinquency and assist parents and children with behavioral problems so that they can get expert advice. Assist parents whenever necessary in securing expert guidance counseling from proper government or private agencies.
6. Adopt measures for the promotion of good health and nutrition status of children.
7. Establish and sustain day care centers and other services that are necessary for child and youth welfare.
8. Coordinate the activities of organizations devoted for the welfare of children

- and secure their cooperation.
9. Promote wholesome entertainment necessary in the community especially in home videos and the likes.
 10. Work for the passage of child friendly ordinances by the barangay Sanggunian.
 11. Submit quarterly barangay accomplishment report to the Municipal Council for the Welfare of Children on the implementation of the Barangay Plan for Children.
 12. Arrest any individual who is actually committing, about to commit or just committed an offense against the person or minor.

11.11 **Barangay Appropriation for BCPC.** Each barangay shall regularly appropriate funds of not less than 5% from its annual and/or supplemental budgets to support the administrative and operational needs of the Barangay Council for the Protection of Children.

Section 12. CHILD FRIENDLY BUILDINGS. The approval of the proposed building in the municipality of Bauko, the office of the Municipal Engineer (authority in building permits) shall ensure the inclusion of child friendly facilities therein. And to avoid any accidents, the proposed buildings must observe the following specifications:

1. Balusters in staircases must be placed in a manner that their distance from each other would not exceed six (6) inches to avoid children from accidentally falling through.
2. In case of buildings having more than one story, railings or balusters acting as horizontal or vertical barriers must be likewise be spaced in a manner that their distance from each other must not exceed six (6) inches and said railings or baluster must have a height of not less than (5) feet.
3. lavatories, urinals, etc. exclusively for children's use must be installed in the proposed plans of commercial buildings to accommodate the personal necessities of children entering the said building.

Section 13. PROVISION FOR THE STRICT IMPLEMENTATION OF EXECUTIVE ORDER NO. 51. To ensure that safe and adequate nutrition for all infants in Bauko Municipality is provided, it is hereby ordered that Executive Order No. 51 entitled *'ADOPTING A NATIONAL CODE OF MARKETING BREASTMILK SUBSTITUTES, BREASTMILK SUPPLEMENTS AND RELATED PRODUCTS, PENALIZING VIOLATION THEREOF, AND FOR OTHER PURPOSES'* shall be strictly implemented.

Any person who has been found to have avoided the said code shall be penalized in accordance with the provision of Section 13 thereof. A sub-committee to be spearheaded by the Municipal Health Officer to monitor the implementation of this section shall be organized.

Section 14. SURVEY AND ACTIVE PROGRAM FOR DIFFERENTLY - ABLED CHILDREN. The Municipal Government shall make a periodic comprehensive survey and situational analysis on the differently-abled children in the barangay. The Municipal Social Welfare and Development Office together with the offices of the District Schools Supervisor, the Municipal Health and Population Management shall spearhead the conduct of this situational analysis on differently-abled children in the barangay. The result of this situational analysis shall be submitted to and shall be the basis of the planning by the Child Welfare Council and other concerned agencies, for programs and projects for these children.

Section 15. DOCUMENTATION AND ADOPTION OF CHILD FRIENDLY PRACTICES. The Municipal Government shall continue to document indigenous child-friendly practices in the different barangays of the Bauko. The product of the documentation shall be lodged with the Municipal Planning and Development Office in coordination with the BDC of each barangay. The result of the documentation shall be taken as subjects for advocacy among the communities.

Section 16. INSTITUTIONALIZATION OF THE ANNUAL SEARCH FOR CHILD FRIENDLY LGU's. There shall be an annual search for child-friendly municipalities. The Municipal Council for the Welfare of Children (MCWC) shall spearhead the search for child friendly barangays making use of existing guidelines developed by the National Government for the annual search. The Municipal Council for the Welfare of Children (MCWC) shall replicate this on their own level for child-friendly barangays.

Section 17. SURVEY AND ACTIVE PROGRAM FOR CHILDREN IN LABOR. The Municipal Government shall make a comprehensive survey on child labor in the municipality. The Municipal Planning and Development Coordinator shall conduct the survey and the completion of its situational analysis. The result of the survey shall be the basis of planning for children in labor in the municipality.

Section 18. FAMILY AND COMMUNITY WELFARE SUPPORT SYSTEM. The Municipal Government shall implement and sustain a Family and Community Welfare Support System for Children. To further ensure the implementation of this section, it shall take appropriate measures to support the program on family and community under a family and community welfare and development framework.

The comprehensive Family and Community Welfare Development program shall include courses and services on reproductive health, child health and child rearing practices, parent effectiveness, pre-marriage and marriage counseling, responsible parenthood, among others, in the context of Filipino Psychology. This shall further include courses and services in community organizing such as social preparation for people's preparation, community volunteer resource development, and social welfare structure development among others. The following programs shall form part of this Comprehensive Family and Community Welfare Program which this government shall zealously support.

18.1 Child and Youth Welfare Program. The Municipal Government shall strengthen and support a comprehensive child and youth welfare development program which shall include the service such as peer group service, community based services for street children, community based services for delinquent youth, and services for children in especially difficult circumstances, and others.

The parents or guardians shall exercise just and reasonable parental authority and responsibility over their legitimate or adopted children and provide them with affection, companionship and understanding.

They shall also extend moral guidance, supervise the child's activities, advise him/her properly and provide him/her with adequate support and administer his properties, if any.

18.2 Women Welfare Program. The Municipal Government shall recognize the role of women in the information of the society as well as the child, hence it shall support a Women Welfare and Development Program which shall include courses such as self-enhancement skills development, maternal and child care, skills training for employment and livelihood support, among others.

Section 19. TRAINING PROGRAM FOR EDUCATORS AND HEALTH PROFESSIONALS HANDLING DIFFERENTLY-ABLED CHILDREN. Training program for educators and health professionals handling differently-abled children shall form part of the priority programs of the Municipal Government of Bauko, hence funds which are due to be sourced from the 20% Municipal Development Fund (MDF) shall be provided thereof.

Section 20. SUPPORT TO SPECIAL EDUCATION PROGRAM (SPED). The Municipal Government shall support the Special Education Program which is presently implemented by the Department of Education, by providing regular assistance thereto. The Municipal Government with the assistance of the DepEd shall ensure that the Special Education Center shall be set up in public schools whenever and wherever necessary to enable the differently-abled children to enroll if possible within their barangays. The Municipal Government shall regularly provide funds for the Special Education Program (SPED) to be taken from the Special Education Fund (SEF).

Section 21. PROVISION OF SUPPORT SYSTEM TO THE PRE-SCHOOL EDUCATION PROGRAM FOR EARLY CHILDHOOD CARE AND DEVELOPMENT INITIATED BY THE PEOPLE AND NON-GOVERNMENT ORGANIZATIONS. The Municipal Government shall provide for a support system to the Pre-School Education Program for early childhood care and development initiated by the People's Organization and Non-Government Organizations by significantly responding to the gaps of government service in providing for a Pre-School

Education Program having an alternative curriculum which is developmentally appropriate and culturally relevant to the poor communities; encouragement of accreditation, materials, technical assistance such as enrichment trainings for facilitators; and financial aid monitoring activities for community based Early Child Care and Development Program (ECCD) as an alternative approach for the continuing basic problem of poor children.

Aside from this program, a religious sect in the barangays shall be tapped to teach Christian doctrines to pre-schoolers and pupils.

Section 22. PROVISION OF FUNDS FOR CHILDREN'S WELFARE AS ONE OF THE BASIC OF THE SANGGUNIANG BAYAN'S REVIEW OF BARANGAY BUDGET. To ensure that Barangays shall give priority to the welfare of children in their respective barangays, the Sangguniang Bayan (SB) shall review the Barangay Budget and give strict attention to the allocation of funds for programs, projects and services for the welfare of children.

Section 23. MUNICIPAL AND BARANGAY LEVEL RECREATIONAL AND CULTURAL FACILITIES AND PROGRAM. A municipal and barangay level program for the revival of indigenous games reflective of the cultural diversity of the municipality shall be the Municipal Planning and Development Coordinator of each municipality to conduct a research on indigenous games; the result of which will be the basis of choosing an indigenous game to be introduced during Municipal and Barangay Fiestas and to be participated in by the children and youth. This regular cultural program shall be spearheaded by the respective Municipal and Barangay Councils under the leadership of the Mayor and Barangay Captain together with the chairman on the committee for children and women. The existing community structures in both the community and the barangays shall be tapped to support the program.

The Municipal Government shall strengthen and empower the Municipal Council on Culture and Arts which shall be primarily responsible in the attainment of the goal and monitor the implementation of this program. Each barangay shall endeavor to provide recreational facilities in their areas. Fund for such facilities shall be sourced from the Municipal Development Fund (20%).

Section 24. LOCAL CHILDREN'S LITERATURE. In support to the socio-cultural development of children of Bauko Municipality, the municipal government shall invest in the production of local literature for children and other relevant materials. The barangay government shall also be encouraged to invest in such projects.

To promote the local children's literature, there shall be established a Bauko Literature Center in the municipality which shall serve as a repository of local children's literature where children and youth can read and learn. The Municipal Council on Culture and Arts shall coordinate in implementing the program.

Section 25. PARENTING ORIENTATION COURSES. Marriage License applicants shall be required to participate to a Parenting Orientation Course I or Pre-Marriage Counseling Seminar, among other requirements, prior to the issuance of marriage license by the Local Civil Registrar. This course shall become an integral part of existing Family Planning Seminar on Reproductive Health Course in close coordination with the Municipal Health Office, the Municipal Social Welfare and Development and the Population Commission Office.

Parent applicants for birth certificates of their children shall also be required to participate to a Parenting Orientation II Course before issuance of Certificate of Live Birth by the Civil Registrar without prejudice to the early registration requirements under existing law. This shall be monitored by the Municipal Council for the Welfare of Children (MCWC).

Section 26. INCLUSION OF CONVENTION OF RIGHTS OF CHILDREN IN THE SCHOOL CURRICULUM. As part of the advocacy, information and education campaign of the government on the survival and development, protection and security and participation rights of children, the Convention on the Rights of Children shall be included as part of School Curriculum of Schools in Bauko Municipality, both public and private at all levels.

Section 27. TRAINING FOR TEACHERS ON RIGHTS OF CHILDREN. Daycare, Pre-school, elementary and high school teachers are encouraged to undertake continuous training on the rights and sensitivity to children in need of special protection to be able to help them. The training shall be initiated by the Municipal Council for the Welfare of Children and the Department of Education, the fund of which will come from barangays, municipality, province, and other funding agencies like UNICEF.

ARTICLE III PROTECTION RIGHTS OF CHILDREN

Section 28. PROGRAM ON CHILD ABUSE, EXPLOITATION AND DISCRIMINATION. There shall be a comprehensive program to be formulated by the Bauko Municipality Council in coordination with other government agencies, the private sector or NGO's concerned within one (1) year from the date of effectivity of this code to protect children against prostitution, child trafficking, obscene publications and incident shows and other acts of abuse; and circumstances which endanger child survival and normal development. The program shall cover the strict implementation of the provisions of P.D. 7610, as amended.

Section 29. SPECIAL PROTECTION OF CHILDREN BELOW 25 YEARS OF AGE. "AN ACT PROHIBITING THE EMPLOYMENT OF CHILDREN BELOW 15 YEARS OF AGE IN PUBLIC AND PRIVATE UNDERTAKING".

Section 30. PROTECTION, REHABILITATION, SELF-DEVELOPMENT AND SELF RELIANCE OF DISABLED PERSONS AND THEIR INTEGRATION INTO THE MAINSTREAM OF SOCIETY AND FOR OTHER PURPOSES. The council shall formulate plans and programs for the protection, rehabilitation, self-development and self-reliance of disabled persons and their integration into the mainstream of society and for other purposes. Their welfare shall be taken into account in the issuance of building permits and in the preparation of the plans and specifications of public and commercial buildings.

Section 31. SANCTIONS FOR ESTABLISHMENT OF ENTERPRISES WHICH PROMOTE, FACILITATE OR CONDUCT ACTIVITIES CONSTITUTING CHILD PROSTITUTION AND OTHER SEXUAL ABUSE, CHILD TRAFFICKING, OBSCENE PUBLICATIONS AND INDECENT SHOWS. All establishment or enterprises caught promoting or facilitating child prostitution and sexual abuse, child trafficking, obscene publications and indecent shows, and other acts of abuse shall be immediately closed and fined an amount of five thousand pesos (P5,000.00) with their authority of licensure to operate permanently cancelled, without prejudice to the owner, manager, and other personnel thereof for being prosecuted under R.A. 7610, as amended, otherwise known as *“AN ACT PROVIDING FOR STRONGER DETERRENCE AND SPECIAL PROTECTION PENALTIES AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, PROVIDING PENALTIES FOR ITS VIOLATION AND OTHER PURPOSES.”*

Section 32. ESTABLISHMENT TO POST NOTICES AND INFORMATION AT ENTRY OR FRONT DESKS REGARDING CHILD PROTECTION. All hotels, sauna baths, inns, motels, night clubs, and other establishments of similar services shall be required to post notices and information about child protection to serve as deterrent to committing child trafficking, prostitution and other sexual abuse. The notices and information to be posted shall be developed by the Council for the Welfare of Children with the technical assistance of the Municipal Welfare and Development Office. To ensure the compliance by the concerned establishment to this section of this ordinance, the Provincial Governor’s and Mayor’s Office through the License Division shall require these establishments to post such information or notices before their respective licenses shall be renewed and/or approved.

Section 33. CERTIFIED BIRTH CERTIFICATE AS A REQUIREMENT FOR WORKING PERMITS. All applicants for working permits shall be required to submit a duly authenticated birth certificate by the Local Civil registrar who issued said certificate. Any violation of this provision by any government official or employee shall subject such offender to administrative liabilities and shall be punished with the appropriate penalty that the law provides.

Section 34. CREATION OF SPECIAL SERVICES FOR CHILDREN IN NEED OF SPECIAL PROTECTION AND LEGAL SERVICES. The municipal government shall

create special programs for the protection of children who are victims of incest and rape cases. It shall also endeavor to muster support of the private sector more particularly the Local Chapter of the Integrated Bar of the Philippines and the academe to provide legal and protective services to children who are in need of such services.

Section 35. MONITORING CRIMINAL CHARGES FILED AGAINST CHILDREN AND APPROPRIATE ASSISTANCE. Application for suspension of sentences of children charged with criminal offenses in connection with related to any anti-social activities as defined herein shall be done by the Department of Social Welfare and Development with the assistance of the Municipal Social Welfare Development Office. A special team from such offices shall be tasked to monitor closely the cases involving children in court to adequately enforce the suspension of sentences. Appropriate and responsive rehabilitation program shall be afforded to them under the care of the Municipal Social Welfare and Development Office pursuant to P.D. 603 otherwise known as "An Act Providing for Stronger Deterrence and Special Protection Against Child Abuse, Exploitation and Discrimination, Providing Penalties for its Violation, and for Other Purposes" and other law protection for children. The framework of assistance shall be designed by the Bauko Municipality Council for the Welfare of Children in close coordination with the NGO's and other groups having special interest on children's rehabilitation.

Section 36. SUPPORT TO PROSECUTORS OR COUNSELS WHO HANDLE CASES OF CHILDREN TO OBTAIN SPEEDY DISPOSITION AND PREFERENTIAL SETTLEMENT. The municipal government, in its desire to protect the children who may either be the victims or the accused in any crime, shall give moral and other necessary support to the prosecutors or counsels handling their cases to ensure the speedy disposition and preferential settlement thereof.

Section 37. ESTABLISHMENT OF CHILD AND YOUTH RELATIONS SECTION FOR THE PURPOSE OF STRENGTHENING THE PILLARS OF JUSTICE SYSTEM. Each police station in the municipality shall have a Child and Youth Relations Section tasked to handle cases involving children. Child Friendly Police procedures shall be implemented as contained in the Police Handbook on the Management of Cases of Children in especially difficult circumstances. Each Philippine National Police (PNP) element shall be provided a copy of the said handbook. The section must be administered by a female police officer.

Section 38. SPECIAL COURSE FOR PNP MEMBERS. The continuing special course for members of the Philippine National Police shall be designed to handle effectively the children involved in anti-social activities. All police officers shall take up the course especially those who are interested to be assigned with the Child and Youth Relations Section (CYRS) and other CYR offices in each PNP detachment.

The course shall be designed and provided by the Child Welfare Council in close coordination with the PNP Child Protection Team, NGO's and other Civic

Organizations focused on Child and Youth Programs.

Section 39. CUSTODIAL BRUTALITY. The commission of an offense against minor(s) by any person while said minor(s) is being placed under his or her custody for whatever reasons shall subject such offender(s) to the penalty provided by law for the offense committed.

Section 40. ESTABLISHMENT OF A REHABILITATION CENTER AND PROVISION OF SUPPORT FACILITIES. There shall be established a Rehabilitation Center for Children and Youth Offenders in the Municipality of Bauko.

Said center shall be equipped with necessary facilities for conducive dwelling. The Rehabilitation Center shall develop home life services, psychological interventions and other services that will make the center conducive to life and rehabilitation.

Section 41. ESTABLISHMENT OF SEPARATE DETENTION CELL FOR CHILDREN, YOUTH OFFENDERS AND WOMEN. To be able to safeguard the physical and psycho-social conditions of detained children having pending criminal charges, the Municipal Government shall establish with the Municipal Jail a separate detention cell exclusively for children and youth offenders.

Section 42. ESTABLISHMENT OF CENTER FOR CHILDREN AND YOUTH WITH COMPLETE FACILITIES AND PROVIDING FUNDS THEREOF. The Municipal Government shall establish a center for children and youth to provide protection services to children and youth who are abandoned, victims of rape, incest and other similar cases. The reception and training center shall be strictly a "NO SMOKING AREA". It shall also serve as venue for youth congress meetings and conventions.

Section 43. CHILDREN AND FAMILY PSYCHO-SOCIAL PROGRAM. The Municipal Social Welfare and Development Office in coordination with other government and non-government agencies shall design a comprehensive psycho-social program for both children and their families especially those affected by armed-conflict.

Culturally relevant activities shall be promoted instead of utilizing young women as commodities during "benefit dances".

Section 44. CURFEW ON MINORS FOR THE PROTECTION OF CHILDREN BELOW EIGHTEEN (18) YEARS OF AGE, THEY SHALL BE PROHIBITED FROM LOITERING AROUND OR SLEEPING IN PUBLIC PLACES FROM 9'O'CLOCK IN THE EVENING UNTIL 4 O'CLOCK IN THE MORNING OF THE FOLLOWING DAY UNLESS THEY ARE IN THE COMPANY OF THEIR PARENTS OR GUARDIANS. Children caught violating this provision shall be immediately turned over to the custody of the Municipal Social Welfare and Development Office and shall be released only after having attended with their respective parents or guardians to a one (1) day seminar on the duties and responsibilities of children and parents

conducted by the same office, provided, that this provision shall not be imposed during the presence of children in public places during such time are allowed or encouraged. The Philippine National Police shall spearhead the implementation of this section.

Section 45. REGULATING AMBULANT VENDORS OF JUNK FOOD IN SCHOOL VICINITIES FOR SANITATION PURPOSES AND ESTABLISHING MONITORING SYSTEM. The municipal government in coordination with the barangay governments shall protect the school children from unsanitary food and junk food. In furtherance of this mandate, all vendors within the vicinity of all school campuses within the municipality shall be subjected to safety and sanitation standards. The Municipal Health Office, in coordination with the Barangay Health Workers shall regularly monitor schools and encourage vendors to undergo food handling courses to ensure safe and sanitary food commodities that they sell.

ARTICLE IV PARTICIPATION RIGHTS OF CHILDREN

Section 46. PARTICIPATION OF CHILDREN IN DECISION-MAKING PROCESS. The interest and welfare of children in the family, school, community or other organization or institution shall be heard. Every child has the right to express his opinions freely in so far as such opinion is not contrary to law, morals, good customs, public safety and public policy, and to have that opinion be taken into account in all matters of procedures affecting the child. It shall be the responsibility of the adults to provide opportunities for children to express their views, organize among themselves, obtain information, make ideas or information known regardless of tribe, sex, religious belief.

Each shall encourage its children to express their views especially on matters that affect their survival and development.

These healthy discussions shall be made on a family day where all the members of the family devote their time together.

Each school shall also endeavor to maintain the homeroom hour for both pupils/students and the teachers to discuss matters and come up with sound solutions and pieces of advice. Aside from this, each school shall establish and maintain a school paper where students and pupils can develop their skills in journalism.

Each local level shall promote the participation rights of children through the recognition of the role of the *dap-ay/ato* as a venue where children can participate freely in meetings and that their views shall be heard and considered.

Section 47. CONVENTION OF CHILDREN TO PROMOTE THEIR PARTICIPATION RIGHTS. It is important to consult and provide children. As a fulfillment of proclamation Nos. 74 and 267 the Municipal Government shall set aside the 17th day of October of each year as a Municipal Children's Day and October of each year as Children's Month. It shall also recognize the 2nd Sunday of December every year as Children's Broadcasting Day.

Every local government unit is encouraged to celebrate and provide assistance in recognition to children in their respective areas during the set days.

The municipal government shall also institutionalize a Municipal Youth Camp and Youth Congress which shall be celebrated with a series of activities that enhance children's development. The events shall be widely participated in by children.

ARTICLE V IMPLEMENTING MECHANISM

Section 48. MUNICIPAL COUNCIL FOR THE WELFARE OF CHILDREN. The municipal government with the Barangay Council for the Welfare of Children shall be tasked to over see the implementation of this code.

ARTICLE VI FINAL PROVISIONS

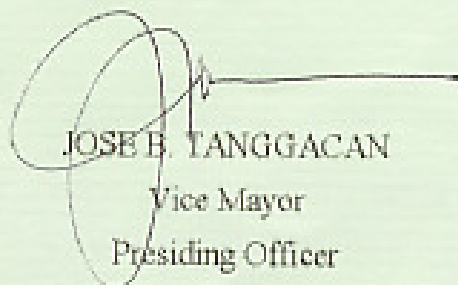
Section 49. FUNDING. For the effective and efficient implementation of the code, the municipal government shall regularly appropriate funds not less than five (5%) of its annual budget which is exclusively of the appropriation intended for the Municipal health Office and the Special Education Fund and without limitation to an additional in any supplemental budget.


Section 50. SEPARABILITY CLAUSE. If for any reasons, any part or provision of this code shall be invalid or unconstitutional, other parts or provisions hereto are not affected, thereof shall continue in full force and effect.

Section 51. REPEALING CLAUSE. All ordinances, Executive Orders, Resolutions, and other Local Memorandum or Rules inconsistent with the provisions of this code are hereby repealed or modified accordingly.

Section 52. EFFECTIVITY CLAUSE. This code shall take effect after its publication in at least two (2) local newspapers of general circulation.

CARRIED: April 11, 2005


JOSE B. TANGGACAN
Vice Mayor
Presiding Officer


JUAN P. MALINIAS
Member

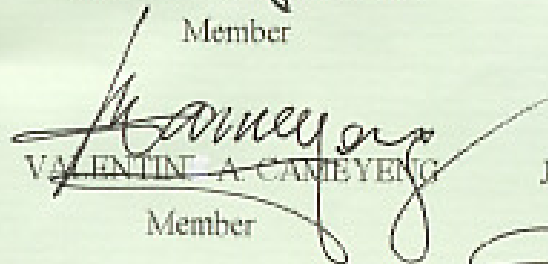

BARTOLOME B. BADECAO
Member


CARMELITA M. MASIDONG
Member


PIO T. SITI
Member


RANDOLPH T. JAWISAN
Member


MILO S. PANISIGAN
Member


VALENTIN A. CAMAYENG
Member


JESSEBLE T. MASIDONG
Member

ATTESTED: 
RICARDO M. MASIDONG JR.
SB Secretary

Approved: 
SIMON C. LACWASAN
Municipal Mayor