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Annex M-4.1

Sagada Municipal Code for Children

MUNICIPAL ORDINANCE NO. 02-06

AN ORDINANCE PROVIDING FOR CHILD SURVIVAL, DEVELOPMENT, PROTECTION AND PARTICIPATION AND ESTABLISHING A COMPREHENSIVE SUPPORT SYSTEM IN THE MUNICIPALITY OF SAGADA, MOUNTAIN PROVINCE AND FOR OTHER PURPOSES

Be it ordained by the Sangguniang Bayan of the Municipality of Sagada, 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 the Municipality of Sagada and for Other Purposes*” otherwise known as the Municipal Code for Children”.
- Section 2. DECLARATION OF PRINCIPLES AND POLICIES.** It is hereby declared that the Municipality of Sagada is Child-Friendly. As such, it is the policy of the Municipal Government that the rights of the child for survival, protection, participation and development must be given priority.
- Section 3. SCOPE OF APPLICATION.** This code shall apply to the Municipality of Sagada and its barangays.
- Section 4. DEFINITION OF TERMS/TERMS OF REFERENCE**
- a) Child refers to persons below eighteen (18) years 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 conditions;
 - b) Survival Rights deal 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 rights 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 citizenship.
- f) Circumstances which gravely threaten or endanger the survival and normal development of the child include, but are not limited to parenthood and citizenship.
 - 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 tendencies or propensity for them to commit incest, acts of lasciviousness and other forms of physical and mental abuse upon initial investigation of the PNP/DSWD/LGU;
 - 5. Being a victim of man-made or natural disaster or calamity;
 - 6. Being a victim of child trafficking; and
 - 7. Circumstances analogous to those above, which endanger the life, safety and normal development of a child.
- g) Anti-social related activities are those acts against property, chastity and person which include but are 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 under existing laws.
- h) Culturally Relevant activities refer to such activities show-casing Filipino culture such as but not limited to the following:
1. Ethnic/Folk Dances
 2. Ethnic/Folk Music
 3. Ethnic/Folk Drama
 4. Others
- i) Pre-school education starts from conception 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 developmental stimulation for children must be provided like the Early Childhood Care and Development Program.

ARTICLE II SURVIVAL AND DEVELOPMENT RIGHTS OF CHILDREN

Section 5. PRIMARY HEALTH CARE PROGRAM. The Municipal Government shall implement and sustain the Primary Health Care Program to primarily cater to children. To further ensure the implementation of this section, it shall enact appropriate measures to support the program on health under the framework of primary health and preventive care.

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

The Municipal Government with the assistance of the Provincial 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 the Rural Health Center and for the provision of 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 obstetrics, home-based monitoring of mothers and infants and hygienic deliveries.

5.2 BREASTFEEDING PROGRAM. The Municipal Government with the 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-in as a policy of hospitals to encourage, protect and support the practice of breastfeeding. With the help of the Barangay Governments, it shall further endeavor to advocate the "Lang-ay", an indigenous breastfeeding practice wherein the baby is breastfed by another lactating mother meantime that the new mother could not express milk or in the absence of the mother. This will ensure continuous breast milk 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, professionals and non-government organizations, which can be done during pre-natal and post-natal visits and during functional literacy classes.

5.3. IMMUNIZATION PROGRAM. The immunization program shall include BCG, inoculation against diphtheria, pertusis, tetanus and oral poliomyelitis, protection against measles and immunization against rubella.

The Municipal Government shall prioritize programs on immunization against hepa-B for infants and children below eight (8) years old and shall provide hepa-B vaccines for newly-born babies within 24 hours after birth.

5.4. HEALTH FINANCING PROGRAM (Sagada Health Insurance Program) The Municipal Government shall ensure the institutionalization of health care financing scheme which fosters community ownership, management and accountability of such by the people themselves. It is a cooperative endeavor, whereby healthy people help sick people get well. It enhances community empowerment and participation to care for one's own health (a concrete example of "Health in the Hand of the People"). The Sagada Health Insurance Program (SHIP) shall help address the inadequacy of funds for health through the continued contribution of each member with the Local Government Unit counterpart. It promotes community empowerment through partnerships and participation while expanding health insurance coverage to every family member.

The Municipal Government shall ensure the availability of health services and shall regularly allocate funds for drugs and medicines to provide quality health

services for children and mothers and to make health services more accessible.

5.5. BARANGAY HEALTH STATION. All barangays shall establish their own Barangay Health Station where adequate health services/resources will be provided by trained health workers.

5.6. MOTHER AND BABY-FRIENDLY HOSPITALS IN THE MUNICIPALITY OF SAGADA, MOUNTAIN PROVINCE. All hospitals in the municipality shall comply with the requirements of the Department of Health for a mother and Baby-friendly hospital. The Municipal Council for the Welfare of Children shall establish a committee tasked to monitor and ensure the compliance of all hospitals in the municipality to the mandate of this provision.

Section 6. BIRTH REGISTRATION. The birth of the child shall be registered within 30 days from the time of birth at the Office of the Municipal Civil Registrar of the city/municipality where the event occurred, except in the following cases:

- a. when a child is born aboard a vehicle, vessel or airplane while in transit with in the Philippine territory and the exact place of birth can not be ascertained, the birth shall be recorded in the Civil Register of the mother's destination or the city or municipality where the mother habitually resides;
- b. when the child is born aboard a vessel or airplane en route to the Philippines and the exact place of birth can not be ascertained, the birth shall be recorded in the Civil Registrar of the city or municipality where the mother habitually resides if she is a resident of the Philippines, and if either the father or mother or both parents are citizens of the Philippines;
- c. when the child, whose mother or father or both parents are citizens of the Philippines is born aboard a vessel or airplane en route to another country from the Philippines or from any country, the birth shall be recorded in the Philippine Foreign Service Establishment of the country of the mother's destination.

6.1. PERSON RESPONSIBLE TO REPORT THE EVENT.

- a. when the birth occurred in a hospital or clinic or in a similar institution, the administrator thereof, shall be responsible in causing the registration of such birth. However, it shall be the attendant at birth who shall certify the facts of birth.

- b. when the birth did not occur in a hospital or clinic or in a similar institution, the physician, nurse, midwife, “hilot”, or anybody who attended to the delivery of the child shall be responsible in certifying the facts of birth and causing the registration of such birth.
- c. in default of the hospital/clinic administrator or attendant at birth, either or both parents of the child shall cause the registration of birth.
- d. When the birth occurs aboard a vehicle, vessel or airplane while in transit, registration of said birth shall be a joint responsibility of the driver, captain or pilot and the parents, as the case may be.

Section 7. UNDER SIX PROGRAM . The Municipal Government shall ensure to the maximum extent possible the 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:

7.1. CHILD MINDING SERVICE PROGRAM. The Municipal Government with the help of the Provincial and barangay governments shall develop, implement and sustain a Child Minding Center, 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 and the barangay where the Center is located.

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

7.2. 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. The program shall include the following:

- a) Growth and nutritional monitoring
- b) Care of children of working parents during the day.
- c) Materials and network of surrogate mothers and care-givers who will provide intellectual and mental stimulation to children.

- d) A center for potentially 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 may call upon private volunteers who are responsible members of the community to assist in the care of children and to provide referral services for their medical, educational and other needs.

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

Funds for the establishment, maintenance and operation of a barangay Day Care Centers shall be sourced from the Annual Budget of the barangay. The province and the Municipality may provide financial assistance for the establishment of a Day Care Center in every barangay subject to the availability of funds.

A monthly allowance of not less than P1,000.00 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 Provincial Government, the Municipal Government, NGO's operating in the area, community and parents from their monthly contribution.

7.3. ESTABLISHMENT OF AN EARLY CHILDHOOD CARE AND DEVELOPMENT (ECCD) RESOURCE CENTER. At least one day care center in the municipality shall be developed as an ECCD Resource Center which will serve as model and learning center for other day care workers from other barangays. Criteria for selecting the ECCD Resource Center include the accessibility to other barangays/day care center, accredited and assessed as 4 to 5 star. The DCW handling the resource center should have been trained in Integrated ECCD, revised Manual for DCWs, ECCD checklist and other relevant and related trainings. The DCW should likewise be an active member of the ECCD Barangay

Coordinating Council, handling two sessions with a minimum number of 15 children per session.

The municipal government and the provincial government shall provide support to parents and the barangay in the provision of ECCD materials and equipments. The MSWDO and the PSWDO will extend technical assistance and monitor the operation of these centers.

7.4. PRE-SCHOOL EDUCATION. The Municipal Government in coordination with the Provincial Government shall institutionalize the pre-school education in coordination with the Department of Education and the barangay.

Section 8. NUTRITION PROGRAM. The Municipal Government shall establish and sustain 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 said office.

Further, the municipal government and the Provincial 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.

8.1 REGULATING AMBULANT VENDORS OF UNSANITARY FOOD AND 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. Furthermore, selling of junk foods within the school campuses is prohibited. 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 and Barangay Health Workers shall strictly enforce food vendors to secure health certificates.

Section 9. PROVISIONS FOR THE STRICT IMPLEMENTATION OF THE ASIN LAW IN THE MUNICIPALITY OF SAGADA. The Municipal Government shall ensure the strict implementation of R.A. 8172, otherwise known as “An Act promoting Salt Iodization Nationwide” and Provincial Ordinance No. 12- “An Ordinance Implementing Salt Iodization Province wide and for related purpose. The Municipal Nutrition Council shall be tasked to supervise the implementation of the ASIN LAW in the municipality and shall be as follows:

- 9.1. MUNICIPALITY** – shall pass ordinances prohibiting the sale of the raw salt, allocate funds and establish billboards regarding the use of iodized salt in public places.
- 9.2. BARANGAYS** – shall assist the other sectors in the campaign on the use of iodized salt.
- 9.3. MHO/MHN/RHM/SANITARY INSPECTORS** – Conduct information campaign during consultations and mothers’ classes, continuously check on the use of iodized salt, and regularly monitor food establishments on 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 Parent-Teachers-Community Association 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 a 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** –All food outlets, groceries, restaurants and stores are hereby required to make available to customers only iodized salt in their establishments.

Section 10. PROVISION FOR THE STRICT IMPLEMENTATION OF EXECUTIVE ORDER NO. 51. To ensure that safe and adequate nutrition for all infants in the 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 Office to monitor the implementation of this section shall be organized.

Section 11. 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 municipality. The Municipal Social Welfare and Development Office in coordination with the Municipal Health Office shall spearhead the conduct of this situational analysis. It shall be the basis of the Child Welfare Councils in planning for children.

Section 12. DOCUMENTATION AND ADOPTION OF INDIGENOUS CHILD-FRIENDLY PRACTICES. The Municipal Government shall document indigenous child-friendly practices in the different barangays in the municipality. The product of the documentation shall be lodged with the Municipal Planning and Development Office. The result of the documentation shall be taken as subjects for advocacy within the community.

Section 13. INSTITUTIONALIZATION OF THE ANNUAL SEARCH FOR CHILD-FRIENDLY BARANGAYS. There shall be an annual search for child-friendly barangays. 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 and other appropriate criteria for the annual search. The Barangay Council for the Protection of Children (BCPC) shall replicate this on their level for child-friendly barangays.

Section 14. FAMILY AND COMMUNITY WELFARE SUPPORT SYSTEM. The Municipal Government with the Provincial 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.

14.1. CHILD AND YOUTH WELFARE PROGRAM. The Municipal Government with the help of the Provincial Office shall strengthen and support a Comprehensive Child and Youth Welfare Development Program which shall include the services 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, illegitimate and 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 with adequate support and administer his properties, if any.

14.2. WOMEN WELFARE PROGRAM. The Municipal government with the Provincial 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 15. 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 Sagada with the assistance from the Provincial government of Mountain Province, hence funds which are due to be sourced from the 20% Local Development Fund (LDF) shall be provided thereof.

Section 16. SUPPORT TO SPECIAL EDUCATION PROGRAM (SPED). The Municipal Government with the Provincial Government shall support the Special Education Program which is presently implemented by the Department of Education by providing regular assistance thereto. The Municipal Government in coordination with the Provincial Government and the Department of Education 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 and the

Provincial Government shall regularly provide funds for the Special Education Program (SPED) to be taken from the Special Education Fund (SEF).

Section 17. PROVISION OF SUPPORT SYSTEM TO THE PRE-SCHOOL EDUCATION PROGRAM FOR EARLY CHILDHOOD CARE AND DEVELOPMENT INITIATED BY THE PEOPLE'S AND NON-GOVERNMENT ORGANIZATIONS. The Municipal Government in coordination with the Provincial 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 Childhood Care and Development (ECCD) Program as an alternative approach for the continuing basic problem of poor children.

Section 18. 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 institutionalized in the Municipality. It shall be the responsibility of the Council on Culture and Arts of the 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 the municipal and barangay fiestas and to be participated in 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 Captains 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.

Each barangay shall endeavor to provide recreational facilities in their areas. Funds for such facilities shall be sourced from the Local Development Fund (20%).

Section 19. LOCAL CHILDREN'S LITERATURE. In support to the socio-cultural development of children in the Municipality, the Provincial 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 Municipal Literature Center 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 20. PARENTING ORIENTATION COURSES. Marriage License applicants shall be required to participate to a parenting Orientation Course 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, and the Municipal Social Welfare and Development Office.

Section 21. INCLUSION OF THE CONVENTION ON THE RIGHTS OF CHILDREN IN THE SCHOOL CURRICULUM. As a 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 the Municipality.

Section 22. TRAINING FOR TEACHERS ON RIGHTS OF CHILDREN. Teachers, especially those in kindergarten, elementary and high school 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 with the Provincial Council for the Welfare of Children and the Department of Education.

Section 23. SUPPORT TO EDUCATIONAL SERVICES. The municipal government in coordination with the Provincial Government shall support educational services at all levels aside from services provided by the Special Educational Fund.

ARTICLE III PROTECTION RIGHTS OF CHILDREN

Section 24. PROGRAM ON CHILD ABUSE, EXPLOITATION AND DISCRIMINATION. There shall be comprehensive program to be formulated by the Municipal Council for the Welfare of Children 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 indecent 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 25. PROTECTION, REHABILITATION, SELF-DEVELOPMENT AND SELF-RELIANCE OF DIFFERENTLY-ABLED PERSONS AND THEIR INTEGRATION INTO THE MAINSTREAM OF SOCIETY AND FOR OTHER PURPOSES. The Municipal Council for the Welfare of Children 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 26. SPECIAL PROTECTION OF CHILDREN BELOW 15 YEARS OF AGE.
"AN ACT PROHIBITING THE EMPLOYMENT OF CHILDREN BELOW 15 YEARS OF AGE IN PUBLIC AND PRIVATE UNDERTAKING."

No children below 15 years of age shall be employed except:

- a) When a child works directly under the sole responsibility of his parents or legal guardian provided only members of the family are employed.
- b) Where a child's employment or participation in public entertainment is essential.

The Department of Labor and Employment (DOLE) shall promulgate Rules and Regulations to implement this Act and shall conduct advocacy meetings to the Local Government Units regarding the same.

The Local Government Unit as a fulfillment of the Act shall enact relevant ordinances and resolutions to support and strengthen the existing rules and regulations.

26.1. SURVEY AND ACTIVE PROGRAM FOR CHILDREN IN LABOR.

The Municipal Government with the Provincial Government shall make a comprehensive survey on child labor in the municipality. The Office of the Municipal Planning and Development Coordinator with the Office of the Municipal Agriculture and the Office of the Municipal Social Welfare and Development 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 for the intervention of the Department of Labor and Employment.

Section 27. SANCTIONS FOR ESTABLISHMENTS OR ENTERPRISES WHICH PROMOTE, FACILITATE OR CONDUCT ACTIVITIES CONSTITUTING CHILD PROSTITUTION AND OTHER SEXUAL ABUSE, CHILD TRAFFICKING, OBSCENE PUBLICATIONS, INDECENT SHOWS AND INTERNET PORNOGRAPHY. All establishment or enterprises caught promoting or facilitating child prostitution and sexual abuse, child trafficking, obscene publications, indecent shows, internet pornography and other acts of abuse shall be immediately closed and fined an amount of five thousand pesos (P5,000.00) with their authority or license to operate permanently canceled, without prejudice to the owner, manager and other personnel thereof for being prosecuted under R.A. 7610, as amended, otherwise known as *“An Act Providing for Stronger Deterrence and Special Protection Against Child Abuse, Exploitation and Discrimination, Providing Penalties for its Violation, and Other Purposes.”*

Section 28. CHILD-FRIENDLY BUILDINGS. In the approval of the proposed buildings in the municipality, 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 balusters must have a height of not less than five (5) feet.
3. Lavatories, urinals, etc, exclusively for children’s use must be included in the proposed plans of commercial buildings to accommodate the personal necessities of children entering the said buildings.

Section 29. ESTABLISHMENTS TO POST NOTICES AND INFORMATION AT ENTRY OR FRONT DESKS REGARDING CHILD PROTECTION. All hotels, sauna baths, inns, motels, nightclubs 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 Municipal Council for the Welfare of Children with the technical assistance of the Municipal Social Welfare and Development Office. To ensure the compliance by the concerned establishments to this ordinance, the Mayor's Office through the Treasury Office shall require these establishments to post such information or notices before their respective permits/license shall be renewed and/or approved.

Section 30. ESTABLISHMENT OF CHILD AND YOUTH RELATIONS SECTION FOR THE PURPOSE OF STRENGTHENING THE PILLARS OF JUSTICE SYSTEM. The Municipal Police Station in the municipality shall have a Women and Children Concerns Desk (WCCD) 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.

30.1. 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.

30.2. MONITORING CRIMINAL CHARGES FILED AGAINST CHILDREN AND APPROPRIATE ASSISTANCE. The social worker of the DSWD and/or LGU 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 protection laws for children. The framework of assistance shall be designed by the Municipal Council for the Welfare of children in close coordination with the NGO's and other groups having special interests on children's rehabilitation.

30.3. 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 support to the prosecutors or counsels handling their cases to ensure the speedy disposition and preferential settlement thereof.

30.4. SPECIAL COURSE FOR PNP MEMBERS. Continuing special courses 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 Women and Children Concerns Desk (WCCD) and other WCCDs 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.

The Municipal government in coordination with the Provincial Government shall provide financial assistance for this concern.

30.5 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 seasons shall subject such offender(s) to a maximum penalty provided by law for the offense committed.

Section 31. INSTITUTIONALIZATION OF FOSTER CARE PROGRAM FOR CHILDREN WHO NEED SPECIAL PROTECTION. The Municipal Government, in its effort to establish a community-based strategy for the protection of children, shall endeavor to institutionalize the foster care of children with the technical assistance and supervision of the Department of Social Welfare and Development.

Section 32. ESTABLISHMENT OF SUPPORT CENTERS

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

32.2. ESTABLISHMENT OF A SEPARATE DETENTION CELL FOR CHILDREN, YOUTHFUL 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 within the Municipality a separate detention cell exclusively for children, youth offenders and women.

32.3 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.

Section 33. CHILDREN AND FAMILY PSYCHO-SOCIAL PROGRAM. The Municipal Social Welfare and Development Office in coordination with the Provincial Social Welfare Office and other government and non-government agencies shall design a comprehensive psycho-social program for all children in need of special protection and their families.

Section 34. 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 PLACE FROM 8 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 turned over to the custody of the Municipal Social Welfare and Development Office 1st hour the following day 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.

The Philippine National Police shall spearhead the implementation of this section.

ARTICLE IV PARTICIPATION RIGHTS OF CHILDREN

Section 35. 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, share ideas or information known regardless of tribe, sex or religious belief.

Each family shall encourage their 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 venue where children can participate freely in meetings and that their views shall be heard and considered.

Section 36. 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 one day of October of each year as a Municipal Children's Day and October of each year as Children's Month. In coordination with the Provincial Government, it shall also recognize the 2nd Sunday of December every year as Children's Broadcasting Day.

Every barangay 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 MECHANISMS

The Municipal Government shall establish mechanisms for the implementation and monitoring of this code. It shall strengthen the existing Municipal Council for the protection of children.

Section 37. COMMUNITY SUPPORT SYSTEM. There shall be established a comprehensive community support system for the survival and development, protection, security and participation of children in the

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

Section 38. THE MUNICIPAL COUNCIL FOR THE WELFARE OF CHILDREN, ITS COMPOSITION, MEMBERS AND FUNCTIONS. There shall be created a Municipal Council for the welfare of children in the municipality. The municipal mayor will spearhead the creation and strengthening of the said council with the support of the Department of the Interior and Local Government (DILG) and other concerned government and non-government agencies in the area.

38.1. COMPOSITION OF THE MUNICIPAL COUNCIL FOR THE WELFARE OF CHILDREN. The membership of the Municipal Council for the Welfare of Children (MCWC's) shall be composed of the following:

1. Municipal Mayor – Chairman
2. Sangguniang Co-Chairman on Social Services-Vice-Chairman
3. Mun. Social Welfare and Development Officer-Secretariat

MEMBERS:

1. Municipal Planning and Development Coordinator
2. Municipal Health Officer
3. Municipal Agriculturist
4. Municipal Social Welfare Officer
5. School Principal and/or District Supervisor
6. Municipal Prosecutor
7. Three (3) Non-Gov't. Organizations Representatives/ People's Organization Representatives (aside from the NGO's represented in the MDC)
8. Municipal Federation of SK Presidents
9. A member of the Local Finance Committee
10. Municipal Local Government Operations Officer (MLGOO)
11. Philippine National Police

38.2. POWERS, FUNCTIONS OF THE MUNICIPAL COUNCIL FOR THE WELFARE OF CHILDREN

1. Formulate municipal plan of action for children
2. Submit quarterly status reports on the plan implementation to the Provincial Council for the Welfare of Children
3. Recommend child-friendly ordinances and advocate the same

4. Propose for the allocation of funds for the child-friendly projects/programs
5. Monitor the implementation of the Municipal Plan for Children and the Child-Friendly Ordinances enacted
6. Provide technical assistance to the Barangay Council for the Protection of Children (BCPC)

38.3. **SECRETARIAT SUPPORT.** The Secretariat support shall be lodged with the Municipal Social Welfare and Development Office and shall be responsible for the documentation of proceedings and meetings, preparation of reports and other necessary documents needed by the committee.

38.4 **HONORARIA FOR COUNCIL MEMBERS AND SECRETARIAT.** 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 based upon and in consonance with pertinent guidelines issued by the Commission on Audit and/or the Government Accounting and Auditing Manual.

Section 39. THE BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN, ITS COMPOSITION, MEMBERS AND FUNCTIONS.

There shall be created a Barangay Council for the Protection of Children (BCPC) in every barangay in the Municipality of Sagada. 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, Municipal Social Welfare and Development Office, and other concerned government and non-government agencies in the area.

39.1. 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 purely on voluntary basis.

39.2. 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 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 the 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 like.
10. Work for the passage by the barangay sanggunian of child-friendly ordinances.
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.

30.3. 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 31. PROVISION OF FUNDS FOR CHILDREN'S WELFARE AS ONE OF THE BASIS OF THE SANGGUNIANG BAYAN'S REVIEW OF BARANGAY BUDGETS. To ensure that barangays shall give priority to the welfare of children in their respective areas, 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.

ARTICLE VI FINAL PROVISIONS

- Section 32. FUNDING.** For effective and efficient implementation of this code, the Municipal Government shall regularly appropriate 5% of its annual budget which is exclusive of the appropriation intended for the Municipal Health Office and the Special Education Fund and without limitation to any additional supplemental budget.
- Section 33. SEPARABILITY CLAUSE.** If for any reasons, any part or provision of this Code shall be invalid or unconstitutional, other parts or provisions hereof not affected shall continue to be in full force and effect.
- Section 34. REPEALING CLAUSE.** All ordinances, Executive Orders, resolutions and other Local Memoranda or Rules inconsistent with the provisions of this code are hereby repealed or modified accordingly.
- Section 35. EFFECTIVITY CLAUSE.** This code shall take effect after its publication in at least two (2) local newspapers of general circulation.