

SEVENTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session)

17 MAY 29 P 4:28

SENATE

RECEIVED BY:

Committee Report No. 115

Prepared and submitted jointly by the Committees on Women, Children, Family Relations and Gender Equality; Youth; and Finance on MAY 29 2017

Re: Senate Bill No. 1477

Recommending its approval in substitution of Senate Bill Nos. 1136, 1170, 1189 and 1348.

Sponsor: Senator Risa Hontiveros

MR. PRESIDENT:

The Committees on Women, Children, Family Relations and Gender Equality; Youth; and Finance, to which were referred:

Senate Bill 1136, introduced by Senator Grace Poe, entitled:

**“AN ACT
PROHIBITING ALL FORMS OF CORPORAL AND HUMILIATING OR
DEGRADING PUNISHMENT OF CHILDREN AND PROMOTING
POSITIVE DISCIPLINE OF CHILDREN”**

Senate Bill No. 1170, introduced by Senator Maria Lourdes Nancy S. Binay, entitled:

**“AN ACT
PROHIBITING ALL FORMS OF CORPORAL PUNISHMENT AND ALL
OTHER FORMS OF HUMILIATING OR DEGRADING PUNISHMENT OF
CHILDREN AND PROMOTING POSITIVE AND NON-VIOLENT
DISCIPLINE OF CHILDREN, APPROPRIATING FUNDS THEREFOR,
AND FOR OTHER PURPOSES”**

Senate Bill No. 1189, introduced by Senator Risa Hontiveros, entitled:

**“AN ACT
PROMOTING POSITIVE AND NON-VIOLENT DISCIPLINE OF CHILDREN,
PROHIBITING ALL FORMS OF CORPORAL PUNISHMENT, HUMILIATING
AND DEGRADING TREATMENT, APPROPRIATING FUNDS THEREFOR, AND
FOR OTHER PURPOSES”**

and Senate Bill No. 1348, introduced by Senator Leila M. De Lima, entitled:

**"AN ACT
TO PROMOTE POSITIVE, NON-VIOLENT DISCIPLINE OF CHILDREN
PROHIBITING ALL FORMS OF CORPORAL PUNISHMENT,
HUMILIATING AND DEGRADING TREATMENT, PROVIDING PENALTY
THEREFOR, APPROPRIATING FUNDS AND FOR OTHER
PURPOSES"**

have considered the same and have the honor to report back to the Senate, with the recommendation that the attached bill, Senate Bill No. 1477, prepared by the Committees, entitled:

**"AN ACT
PROMOTING POSITIVE AND NON-VIOLENT DISCIPLINE OF CHILDREN,
PROHIBITING ALL FORMS OF CORPORAL PUNISHMENT, HUMILIATING
AND DEGRADING TREATMENT, APPROPRIATING FUNDS THEREFOR,
AND FOR OTHER PURPOSES"**

be approved in substitution of Senate Bill Nos. 1136, 1170, 1189 and 1348, with Senators Poe, Binay, Hontiveros and De Lima as authors thereof.

Respectfully Submitted:

Chairpersons:


JOEL VILLANUEVA
Youth;
Member, Finance


RISA HONTIVEROS
Women, Children, Family
Relations and Gender Equality
Member, Finance


LOREN B. LEGARDA
Finance;
Member, Women, Children, Family Relations and Gender Equality

Vice-Chairpersons:

Bam Aquino will interpolate

PAOLO BENIGNO "BAM" AQUINO IV

Youth; Finance;
Member, Women, Children, Family
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Finance;
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Members:

Grace Poe
GRACE POE

Women, Children, Family Relations
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Francis Escudero
FRANCIS G. ESCUDERO

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Joseph Victor G. Ejercito
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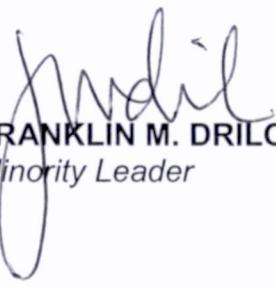


FRANCIS "KIKO" PANGILINAN
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FRANKLIN M. DRILON
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Majority Leader



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Senate President Pro-Tempore

HON. AQUILINO "KOKO" PIMENTEL III
Senate President

SEVENTEENTH CONGRESS OF THE)
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Senate Bill No. 1477

RECEIVED BY

(In substitution of Senate Bill Nos. 1136, 1170, 1189 and 1348)

Prepared and submitted jointly by the Committees on Women, Children, Family Relations and Gender Equality; Youth; and Finance, with Senators Poe, Binay, Hontiveros and De Lima as authors thereof

AN ACT

PROMOTING POSITIVE AND NON-VIOLENT DISCIPLINE OF CHILDREN, PROHIBITING ALL FORMS OF CORPORAL PUNISHMENT, HUMILIATING AND DEGRADING TREATMENT, APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Republic of the Philippines in Congress assembled:

1 **SECTION 1.** *Short Title.* – This Act shall be known as the “Positive Discipline of
2 *Children Act of 2017*”.

3 **SEC. 2. Declaration of Policy.** – In upholding Article XV, Section 3 of the Philippine
4 Constitution, the State recognizes the vital role of children and youth in nation building and
5 shall promote and protect their physical, moral, spiritual, intellectual, and social wellbeing.
6 Pursuant thereto, no child shall be subjected to torture or other cruel, inhuman or degrading
7 treatment or punishment. Such treatment or punishment violates the rights of the child, their
8 human dignity and physical integrity. As such, the State shall:

- 9 (a) Recognize and uphold the right of children as human beings, individuals, and
10 members of a family and community, to equal protection of the law;
11 (b) Promote positive and non-violent discipline of children at home, in school, in
12 institutions, in alternative care systems, in workplaces and in all other settings by
13 encouraging behavior change in adults and rejecting social norms that accept corporal

1 punishment; and establish the necessary structures and mechanisms and mobilize
2 resources to make this possible;

3 (c) Defend the right of children to assistance, including proper care and nutrition,
4 and special protection from all forms of neglect, abuse, cruelty, exploitation and other
5 conditions prejudicial to their development;

6 (d) Protect the best interests of the child through measures that will ensure the
7 observance of international standards of child protection, especially those expressed
8 in international conventions and treaties to which the Philippines is a party to,
9 particularly the UN Convention on the Rights of a Child;

10 (e) Respect the responsibilities, rights and duties of parents, guardians or other
11 persons legally responsible for the child, including those exercising special or
12 substitute parental authority, to provide, in a manner consistent with the evolving
13 capacities of the child, appropriate direction and guidance in the exercise of the
14 child's rights;

15 (f) Assist parents in the fulfilment of their parental obligations including protecting
16 their children from all forms of violence, particularly corporal punishment in the
17 home;

18 (g) Ensure that school discipline is administered in a manner consistent with the
19 child's human dignity;

20 (h) Promote principles of restorative justice in cases involving parents/guardians and
21 other adults caring for children; and

22 (i) Protect the child from all forms of physical or mental violence, injury from abuse,
23 neglect or negligent treatment, maltreatment or exploitation, including sexual abuse,
24 while in the custody of parents, guardians or any other person under whose care the
25 child is entrusted. Such protective measures shall include effective procedures for the
26 establishment of social programs to provide necessary support for the child and for
27 those who care for the child, as well as for other forms of prevention and for

1 identification, reporting, referral, investigation, treatment and follow-up of instances
2 of child maltreatment, and, as appropriate, for legal or judicial action.

3 **SEC. 3. *Definition of Terms.*** – As used in this Act:

4 (a) *Child* - refers to a person who is below eighteen (18) years of age, or one over 18
5 but is unable to fully take care of one's self or protect one's self from abuse, neglect,
6 cruelty, exploitation or discrimination because of a physical or mental disability or
7 condition;

8 (b) *Corporal punishment* - refers to an act or acts which involve physical force and
9 humiliating or degrading acts imposed upon a child as punishment for an alleged or
10 actual offense inflicted by an adult or by another child, who has been given or has
11 assumed authority or responsibility for punishment or discipline. It includes physical,
12 humiliating or degrading forms of punishment, such as:

13 (1) blows, including beating, kicking, slapping, lashing on any part of a child's
14 body, with or without the use of an instrument such as cane, broom, stick,
15 whip or belt;

16 (2) pulling hair, shaking, twisting joints, cutting or piercing skin, dragging or
17 throwing a child;

18 (3) forcing a child, through the use of power, authority or threats, to perform
19 physically painful or damaging acts, such as squatting; standing or sitting in a
20 contorted position; holding a weight or weights for an extended period;
21 kneeling on stones, salt or pebbles;

22 (4) refusal to provide the child's physical needs;

23 (5) use of or exposure to substances that can cause discomfort or threaten the
24 child's health including fire, ice, water, smoke, pepper, alcohol, or dangerous
25 chemicals such as bleach or insecticides, excrement, or urine;

26 (6) tying up a child;

27 (7) imprisoning a child;

- (8) verbal abuse, or assaults including intimidation or threat of bodily harm, swearing or cursing, ridiculing or denigrating the child;
- (9) making a child look or feel foolish in front of one's peers or the public such as shaving his or her hair; and
- (10) other analogous acts.

(c) *Foster parents* - refer to persons duly licensed by the Department of Social Welfare and Development (DSWD) to provide planned, temporary, or substitute parental care to children;

(d) *Guardians* - refer to legal guardians and other persons, including relatives, with physical custody of the child;

(e) *Institutions* - refer to residential and nonresidential child-caring agencies, including youth homes, youth rehabilitation centers, drop-in centers, temporary shelters and orphanages; and churches or religious centers, including places of worship and parish centers;

(f) *Parents* - refer to biological parents, stepparents, adoptive parents, and the common-law spouse or partner of the parent;

(g) Persons legally responsible for the child, including those exercising special or substitute parental authority - refer to those provided for under Executive Order 209 otherwise known as the Family Code of the Philippines as amended, namely, the parents. In case of death, absence or unsuitability of the parents, the following shall exercise substitute parental authority in this order: (1) surviving grandparent; (2) the oldest brother or sister, over twenty-one years of age; and (3) the child's actual custodian, over twenty one years old.

In case of foundlings, abandoned, neglected, or abused children, parental authority are entrusted to heads of children's homes, orphanages and similar institutions duly accredited by the proper government agency.

1 School administrators and teachers, or the individual, entity or institution
2 engaged in child care shall have parental authority and responsibility of the minor
3 child while under their supervision, instruction and custody.

4 (h) *Positive and non-violent discipline* - refers to a holistic, constructive and pro-active
5 approach to parenting or teaching that helps children develop appropriate thinking
6 and behavior in the short and long terms by providing tools that build self-discipline
7 and emotional control, and to build a good relationship with the child by
8 understanding the child's needs and capabilities at various ages and the behavior that
9 is usual for a child at each stage of development. This is achieved by providing
10 children a warm and caring environment and assisting them in understanding and
11 abiding by rules, and in the process build their competence and confidence, foster
12 healthy relationships, equip them with life-long skills, and teach respect for human
13 rights. Positive discipline is based on the principles of children's rights, child
14 development and effective teaching.

15 (i) *Service providers* - refer to persons who, whether in public or private settings,
16 provide services to children. These include social workers, center administrators and
17 personnel, interns, parent-teacher association officers, house parents, health care
18 providers, day care workers, volunteers, security guards in schools and centers, guards
19 in a youth detention home, law enforcement officers, *barangay* officials and *tanods*, and
20 jail officers.

21 (j) *School teacher, personnel, and officers* - refer to persons exercising authority over
22 students, including administrators, student teachers, guidance counselors, prefects of
23 discipline, instructors, school personnel, scout masters, and Citizen's Advancement
24 Training (CAT) and Citizen's Military Training (CMT) or Reserved Officers Training
25 Corps (ROTC) commandants, tactical officers and student officers.

26 (k) *Yayas, house helpers and caregivers* - refer to domestic workers who have direct contact
27 with the child.

1 (l) “*Forensic Interview*” - refers to the multi-disciplinary process of information
2 gathering from the child, which takes into consideration age, culture, experience,
3 gender, and other personal attributes.

4 **SEC. 4. *Promotion of Positive and Non-Violent Discipline*** – The DSWD shall, in
5 consultation with the Council for the Welfare of Children (CWC), Department of the
6 Interior and Local Government (DILG), Department of Education (DepEd), Commission
7 on (CHED), Technical Education and Skills Development Authority (TESDA), Department
8 of Health (DOH), Department of Justice (DOJ), and Department of Labor and
9 Employment (DOLE), formulate a comprehensive program that shall be implemented to
10 promote positive and non-violent discipline instead of corporal punishment of children. This
11 program will include prevention, response and reintegration interventions including
12 programs for offenders and violators of this Act. A continuing information dissemination
13 campaign shall be conducted nationwide on how to practice positive discipline.

The positive and non-violent ways of disciplining children shall include:

- 14 (a) Acting as a positive role model to children and assuming the role of a mentor or
15 guide rather than someone who owns and controls children;
- 16 (b) Using difficult or challenging situations with children as an opportunity to teach
17 values and skills including how to manage stress, communicate respectfully, handle
18 conflict without hitting, consider other people’s feelings, and achieve goals without
19 physically or emotionally harming others;
- 20 (c) Providing warmth to children such as showing that they are still loved even when
21 they made a mistake, spending time with them, comforting them when they are hurt
22 or afraid, listening to them, looking at the situation from their point of view,
23 encouraging and motivating them when they are facing difficult or challenging
24 situations, and recognizing their efforts and successes;
- 25 (d) Providing structure such as setting and explaining rules and hearing their point of
26 view, setting clear guidelines for behavior, preparing children for difficult situations

1 by telling them what to expect and how they can cope, helping them find ways to fix
2 their mistakes, teaching them about the effects of their actions on other people, and
3 giving them the information they need to make good decisions;

4 (e) Controlling anger and managing stress, and avoiding threats of hitting, taking away
5 love, scaring them with monsters or other things that children are fearful of, as a way
6 to control or correct children's behavior;

7 (f) Considering the children's capacity, interests and need for support according to
8 their stages of development;

9 (g) Taking a problem-solving approach by ensuring that these processes are observed:

10 (1) it leads to achievement of long-term goals for the child;

11 (2) the child is assured of the adult's love, respect and support;

12 (3) child and adult both reflect on the causes and consequences of the
13 problem, and discuss and agree on possible solutions; and

14 (4) the solutions identified address the root cause of the problems and are
15 appropriate to the child's level of understanding and development;

16 (h) Other similar ways of promoting positive and non-violent discipline approach.

17 **SEC. 5. *Prohibition of Corporal Punishment.*** – Corporal punishment of children as
18 defined in Sec. 3 (b) is hereby prohibited in homes, schools, institutions, alternative care
19 systems, workplaces, the juvenile welfare system, places of religious worship, and in all other
20 settings.

21 Parents, *yayas*, house helpers and caregivers, foster parents, guardians, relatives who
22 have custody of the child, or other persons legally responsible for the child, including those
23 exercising special or substitute parental authority, school teachers, personnel, and officers of
24 both public and private academic and vocational institutions, employers and supervisors,
25 service providers, priests, nuns, pastors and other members of religious congregations or
26 churches, or any other person under whose care the child has been entrusted to and who

1 inflicts corporal punishment on the child, or causes another to inflict corporal punishment
2 on the child, shall be liable in accordance with existing penal laws and this Act.

3 **SEC. 6. *Penalties.*** The penalties under existing penal laws shall be imposed in the
4 maximum period, except where a higher penalty is provided for under Act No. 3815, as
5 amended, otherwise known as the Revised Penal Code, under Republic Act No. 7610,
6 otherwise known as Special Protection of Children Against Abuse, Exploitation and
7 Discrimination Act, or under Republic Act No. 9262, otherwise known as the Anti-Violence
8 Against Women and their Children Act.

9 If the act is not penalized under the abovementioned laws, the penalty shall be *arresto*
10 *mayor* in its maximum period.

11 If the act committed (physical and non-physical) constitutes a crime under the Revised
12 Penal Code, the penalty provided therein shall be imposed in its maximum period, and shall
13 be applicable to parents who committed the offense. Otherwise, the following citation
14 system shall apply:

15 (a) First infraction – A written citation by the Barangay Chairperson or his/her
16 representative indicating that the parent/guardian or any adult should desist, stop,
17 refrain from using corporal punishment, and a mediation and reconciliation meeting
18 should be conducted;

19 (b) Second infraction – A written citation referencing the first citation with
20 mandatory counselling and positive discipline seminar; and

21 (c) Third infraction – The Barangay Council for the Protection of Children (BCPC),
22 through the barangay Chair shall initiate and file the necessary complaint against the
23 parent/guardian or any adult for violating Section 5 before law enforcement
24 authorities, and a mediation and reconciliation meeting should again be conducted.

25 If the offender or accused is a parent, the prosecution and other protective temporary
26 legal remedies should only proceed when they are regarded both as necessary to protect the
27 child from significant harm and as being in the best interest of the affected child.

1 Penalties for teachers and other school personnel who commit corporal punishment
2 shall be subject to administrative sanctions as provided for in the DepEd Administrative
3 Order 40, s. 2012, or the Child Protection Policy.

4 **SEC. 7. *Interventions.*** If the penalty imposed is higher than *arresto mayor*, the
5 offender/violator shall also: (1) undergo seminars on positive discipline, anger management
6 and children's rights; (2) undergo counselling or therapy; and (3) be directed to avail of other
7 rehabilitative services if necessary.

8 If the penalty imposable for the act is only *arresto menor* or *arresto mayor*, the prosecutor
9 may, instead of filing the case, refer the accused to the local Social Welfare and Development
10 Office (SWDO) for assessment and intervention such as seminars and counselling on
11 children's rights and positive and non-violent discipline of children, anger management, and
12 referrals to other rehabilitative services: *Provided*, That, the offender has not been previously
13 charged under this Act.

14 All offenders shall be referred to the local SWDO for assessment and interventions
15 such as counselling, seminars on children's rights and positive discipline, anger management,
16 and referrals for psychological or rehabilitative services. The offenders shall also be referred
17 to the Barangay Justice system for mediation, reconciliation, circles of support, and positive
18 discipline support groups. If the offender has been previously charged under this Act, he or
19 she shall be referred to the local SWDO for further assessment and interventions.

20 All children who have experienced corporal or humiliating punishment shall be
21 referred to the local SWDO for intervention such as counselling, psychosocial support,
22 orientations on children's rights and available services for children, shelter if needed; and
23 referral for medical treatment or legal aid. The SWDO shall refer children victims to the
24 Women and Children Protection Units (WCPUs) in all local government units (LGU) and
25 DOH hospitals for proper medical evaluation, management of injuries and other medical
26 conditions. This will include the psychosocial evaluation of both child and the offender
27 which shall be conducted in coordination of the SWDO.

1 **SEC. 8. Suspension of Parental Authority.** If the offender is a person exercising parental
2 authority but is not a parent, and has been previously charged under this Act, the court may
3 suspend parental authority in accordance with the *Family Code of the Philippines*, as amended.

4 **SEC. 9. Interventions for a Parent who is an Offender.** If the offender is a parent of the
5 child, the prosecutor shall refer the parent to the local SWDO for assessment and
6 intervention such as seminars and counselling on children's rights and positive and non-
7 violent discipline of children, anger management, and referral to other providers of
8 rehabilitative services.

9 **SEC. 10. Other Remedies.** – The remedies available to the victim under Republic Act
10 No. 7610 and Republic Act No. 9262 shall be available to the child where applicable:

- 11 (a) Protective Custody;
- 12 (b) Protection Orders;
- 13 (c) Support;
- 14 (d) Confidentiality; and
- 15 (e) Special Court Proceedings.

16 **SEC. 11. Reporting** – All instances of corporal punishment of children brought to the
17 attention of the *barangay* or the police, or a healthcare provider, shall be reported to the local
18 SWDO within eight (8) hours from the time of the complaint, without prejudice to the
19 continuation of the investigation or the filing of the appropriate criminal case. Failure to
20 report within the prescribed period shall be a ground for administrative action against the
21 *barangay* official or police officer, or healthcare provider. *Provided*, That any person who is
22 found to have reported a case of corporal punishment that is proven baseless or malicious
23 shall be criminally, civilly, or administratively liable.

24 **SEC. 12. Persons Intervening Exempt from Liability.** – In every case of corporal
25 punishment, any person who, acting in good faith, responds or intervenes without using
26 violence or restraint greater than necessary to ensure the safety of the victim, shall not be
27 criminally, civilly or administratively liable.

1 **SEC. 13. Who May File a Complaint.** – Complaints on acts of corporal punishment

2 against a child may be filed by the following:

3 (a) Offended party assisted by an adult;

4 (b) Parent or guardian;

5 (c) Ascendant or collateral relative within the third degree of consanguinity or affinity;

6 (d) Officer, social worker or representative of a licensed child-caring institution;

7 (e) Officer or social worker of the DSWD or the local SWDO;

8 (f) Police officer;

9 (g) The National Bureau of Investigation;

10 (h) *Barangay* official;

11 (i) Teacher, non-governmental organization (NGO) worker, health provider, day care
12 worker; or

13 (j) At least two (2) concerned persons from the place where the act occurred who
14 have personal knowledge of the act.

15 **SEC. 14. Legal Assistance in Filing Complaints.** – The persons filing a complaint may

16 seek the assistance of officers of the Barangay VAW Desks, Regional Offices or Sub-offices
17 of the Commission on Human Rights (CHR), Philippine National Police (PNP) Women and
18 Children Protection Center, and DOJ offices in various cities and provinces.

19 **SEC. 15. Philippine Model for Forensic Interview.** – The Council for the Welfare of

20 Children shall lead in the development of the Philippine Model of Forensic Interview to be
21 used in corporal punishment cases and other types of abuse against children.

22 The development of the Module on Forensic Interview shall be undertaken with a

23 Committee to be convened by CWC, which shall include the CHR, DOJ, DSWD, DILG,
24 and the National Youth Commission (NYC). CWC may include not more than three (3)
25 other members from government or non-government organizations.

26 **SEC. 16. Jurisdiction.** – The Regional Trial Court (RTC) designated as a Family Court

27 shall have original and exclusive jurisdiction over cases of corporal punishment of children.

1 In the absence of such court in the place where the offense was committed, the case shall be
2 filed with the RTC in the place where the crime or any of its elements was committed at the
3 option of the complainant.

4 **SEC. 17. *Confidentiality.*** – All records pertaining to cases of corporal punishment of
5 children, including those in the *barangay*, the police, school, or public or private healthcare
6 facility shall be kept confidential and the right to privacy of the victim shall be respected.

7 Whoever publishes or causes to be published, in any format, the name, address,
8 telephone number, school or any identifying information of a victim or immediate family
9 member of the victim, without consent, shall be penalized with a fine of not more than two
10 hundred thousand pesos (P 200,000.00).

11 **SEC. 18. *Duties and Responsibilities of Government Agencies.*** - To achieve the policy and
12 objectives of this Act, the duties and responsibilities of the implementing agencies are as
13 follows:

14 (a) The DSWD, in coordination with the DepEd, other relevant government
15 agencies, the private sector, including academic institutions, NGOs, and parents-
16 teachers-community associations shall formulate a comprehensive program to
17 promote the positive and non-violent discipline of children and the prevention of the
18 use of corporal punishment on children. The program shall include capacity building
19 of service providers, parenting education on positive and non-violent discipline of
20 children, child-friendly reporting mechanisms, child protection services and support,
21 and documentation, data management and monitoring systems.

22 (b) The DSWD shall integrate positive and non-violent discipline of children in the
23 training of officials and staff of child-caring institutions. It shall ensure that officials
24 and staff of institutions do not use corporal punishment on any child under their
25 custody. It shall also ensure that appropriate action is taken against erring officials
26 and staff of the institutions.

(c) The DSWD shall integrate positive discipline in the capacity building activities for the local SWDO to enable them to provide counselling and appropriate intervention program for both offended child and offender.

(d) All local SWDOs shall adopt and implement programs and services to promote the positive discipline of children and the prevention of the use of corporal punishment on children. They shall also provide assistance to victims of corporal punishment and their families. It shall, together with the DSWD and the LGUs, ensure the delivery of intervention programs such as seminars and counselling for offenders.

(e) The local SWDO shall immediately conduct an assessment of every reported instance of corporal punishment on a child, and determine the appropriate interventions, considering the best interest of the child at all times. The assessment shall be completed within three (3) calendar days, without prejudice to the conduct of a more comprehensive case study report. The interventions may include psychosocial interventions for the child and the family; protective custody by the social worker; temporary placement for the child; medical and legal services; counselling and seminars on children's rights, positive and non-violent discipline of children and anger management; and referrals to other rehabilitative services for the perpetrator. The assessment shall be conducted and interventions shall be provided by the local SWDO whether or not a criminal case is filed.

(f) The CWC shall disseminate all relevant information on this Act among concerned government agencies and entities. It shall monitor the enforcement of this Act and the implementation of all programs and services provided for under this Act. It shall also mobilize the different inter-agency mechanisms within its national and local structures to support the implementation of programs and services.

(g) The DepEd shall integrate positive and non-violent discipline of children in the training of school officials, teachers and personnel. It shall ensure that school

1 officials, teachers and personnel do not use corporal punishment on any pupil or
2 student. It shall also ensure that appropriate administrative action is taken against
3 erring school officials, teachers and personnel.

4 The DepEd shall also integrate discussions on corporal punishment and
5 positive discipline in the curriculum of students to make children aware of their
6 rights. It shall likewise strengthen its Values Education in the K-12 curriculum to
7 instill obedience, courtesy and open communication to help foster parent-child
8 relationships.

9 (h) The CHED and the TESDA shall integrate positive and non-violent discipline of
10 children in the curricula of education, psychology, social work, and other disciplines
11 related to child work. They shall also ensure that appropriate administrative action is
12 taken against erring school officials, teachers and personnel.

13 By integrating positive and non-violent discipline in the curricula, the academe
14 and its educators, including psychologists, shall facilitate methods to assess and
15 influence behavior that affects interpersonal relationships, transform destructive
16 demeanor, practices and stereotypes to detect violent and aggressive behavior of
17 students towards their peers, and later on, to their own children.

18 (i) The DILG shall mandate the LGUs to strengthen and support local structures
19 involved in the protection of children. It shall, together with the DSWD and the
20 SWDO, encourage parents and individuals who are not married but exercise parental
21 authority to participate in trainings or seminars on positive discipline, counselling,
22 and human rights of children and ensure the delivery of intervention programs for
23 offenders.

24 (j) The LGUs shall mobilize, strengthen and support local structures, such as the
25 Local Councils for the Protection of Children (LCPC), local special bodies, *Lupong*
26 *Tagapamayapa*, and children's welfare and protection organizations in facilitating the
27 reporting and prevention of, and response to, instances of corporal punishment, and

1 promotion of positive discipline in their respective localities. It shall, together with
2 the DSWD and the local SWDO, ensure the delivery of intervention programs such
3 as seminars and counselling for offenders.

4 (k) LCPC shall support programs that promote the positive and non-violent
5 discipline of children, prevent the use of corporal punishment on children, and
6 coordinate with the local SWDO in responding to such cases.

7 (l) The DOLE shall make the attendance of employers to positive discipline trainings
8 as a prerequisite for the issuance of employment permits for children.

9 (m) The DOH shall integrate early child development interventions in the various
10 health and nutrition programs and services with emphasis on family-child interaction
11 during well-and-sick child visits. It shall also provide technical assistance to LGUs,
12 through the DOH Regional Offices, to enhance the capabilities of local health offices
13 in the implementation of early child development interventions, including the
14 promotion of age-appropriate parent-infant/parent-child interactions to foster
15 understanding of the infant's/child's behavior and needs.

16 (n) The PNP shall promote positive discipline and non-violent ways of treating and
17 handling children during arrest and while in detention. It shall ensure that officials
18 and staff do not use corporal punishment and humiliating and degrading punishment
19 on any child under their custody. It shall integrate into their training curriculum the
20 training of all police officers on child-friendly and child-sensitive procedures in
21 handling children, and coordinate closely with government and private organizations
22 for effective investigation of cases.

23 (o) The CWC, CHR and DILG shall formulate standards and indicators to jointly
24 undertake an annual audit to determine the child-safety worthiness of the LGU. The
25 grant of recognition entitled, "Safe Community for Children," shall be awarded to
26 LGUs that have met all these standards and indicators. The assessment shall be

1 conducted in conjunction with the regular assessment to determine the awardees of
2 the Seal of Good Governance.

3 (p) The *Sangguniang Kabataan* (SK) shall include in its programs the prevention of
4 corporal punishment on children.

5 (q) The DSWD shall seek assistance from other relevant government agencies such as
6 the DOJ, CHR, Philippine Information Agency (PIA), and the National Commission
7 on Indigenous Peoples (NCIP) to perform specific duties for the implementation of
8 this Act.

9 **SEC. 19. *Appropriations.*** – The amount necessary for the initial implementation of this
10 Act shall be charged against the current appropriations of the DSWD, the DepEd, the
11 TESDA, and the CHED. Thereafter, the amount needed for the continued implementation
12 of this Act shall be included in the annual *General Appropriations Act*. For LGUs, the
13 implementation of the programs may be charged against the internal revenue allotment and
14 other internally generated funds of the LGU concerned.

15 **SEC 20. *Periodic Review.*** – The DSWD with the DepEd, the TESDA, the CHED, the
16 DILG, the DOJ, the DOH, and other relevant government agencies, LGUs, and civil society
17 organizations (CSOs) shall, after three (3) years upon effectivity of this Act, and every five
18 (5) years thereafter, conduct a periodic review and evaluate the implementation of this Act
19 and submit its report and recommendations to the Senate Committee on Women, Children,
20 Family Relations and Gender Equality and the House of Representatives' Committee on
21 Welfare of Children.

22 **SEC. 21. *Implementing Rules and Regulations.*** – The DSWD, in consultation with the
23 CWC, DepEd, CHED, TESDA, DILG, DOJ, DOH, other relevant government agencies,
24 LGUs, NGOs, and at least two (2) child focused organizations, shall promulgate the
25 Implementing Rules and Regulations (IRR) of this Act within six (6) months from its
26 approval. It shall likewise ensure that techniques in, and examples of practicing positive
27 discipline shall be extensively enumerated, described, and explained in the IRR.

1 **SEC. 22.** *Suppletory Application.* – For purposes of this Act, the Revised Penal Code, as
2 amended, the Child and Youth Welfare Code, as amended, and other applicable laws shall
3 have suppletory application.

4 **SEC. 23.** *Separability Clause.* – If any section or provision of this Act is held
5 unconstitutional or invalid, the other sections or provisions shall not be affected.

6 **SEC. 24.** *Repealing Clause.* – All laws, presidential decrees, executive orders and rules
7 and regulations or parts thereof inconsistent with the provisions of this Act are hereby
8 repealed or modified accordingly.

9 **SEC. 25.** *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
10 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,