



Republic of the Philippines
Province of Laguna
MUNICIPALITY OF LOS BAÑOS
Special Science and Nature City
OFFICE OF THE SANGGUNIANG BAYAN
Municipal Hall, National Highway, Brgy. Timugan,
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EXCERPTS FROM THE MINUTES OF THE NINETEENTH (19TH) REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON DECEMBER 6, 2019 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.

Present : Vice Mayor Antonio L. Kalaw, Presiding Officer
S.B. Member Josephine S. Evangelista
S.B. Member Miko C. Pelegrina
S.B. Member Janos S. Lapiz
S.B. Member Geronimo A. Ciceron
S.B. Member Marlo PJ A. Alipon
S.B. Member Mike Dexter A. Concio
S.B. Member Mark Lester B. Dizon
S.B. Member Cris Dayril B. Bagnes
S.B. Member Arlene P. delos Santos, Liga President
S.B. Member Jozlyn N. Manansala, SK Fed. President
Secretary Dona T. Alborida
Ms. Jellyn S. De Una, LLSA II

Absent : None

Visitor(s) : None

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SANGGUNIANG PANLALAWIGAN
(APASAYAHAN BL.) 3435 2020
ETSA - April 30, 2020

ORDINANCE NO. 2019-1927

THE REVISED COMPREHENSIVE CHILDREN'S WELFARE CODE OF LOS BAÑOS.

Author : Councilor Miko C. Pelegrina

WHEREAS, the Local Government of Los Baños, Laguna believes that it is the responsibility of the government to harness the potentials of the child and youth and prepare them for their eventual roles in community development;

WHEREAS, it is incumbent upon the Local Government to protect the rights and privileges of the child and youth to ensure a better future for them;

WHEREAS, it adheres with the mandate of the Philippine Constitution that recognizes the sanctity of family life, protects and strengthens the family as a basic autonomous social institution;

WHEREAS, it adopts the State's recognition of the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being, inculcate nationalism in the youth and encourage their involvement in public and civic affairs;

NOW THEREFORE, on motion of Councilor Miko C. Pelegrina, duly seconded by Councilwoman Josephine Sumangil-Evangelista and approved by the Councilors present;

BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA IN SESSION ASSEMBLED, THAT:

CHAPTER I

GENERAL PROVISIONS

ARTICLE 1

TITLE AND COVERAGE

SECTION 1. **TITLE** - This ordinance shall be known as the "THE REVISED COMPREHENSIVE CHILDREN'S WELFARE CODE OF LOS BAÑOS".

SECTION 2. **COVERAGE** - This Code shall govern all objects situated within the territorial jurisdiction of Los Baños, specifically enumerated in its provisions, and all persons, entities or agencies involved in activities or related fields which are made subject of regulation by the provisions embodied in this Code.

ARTICLE 2

DECLARATION OF POLICY AND LEGAL BASIS

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SECTION 3. **DECLARATION OF POLICY** - It is hereby declared to be the policy of the Local Government of Los Baños to be fully committed in the promotion of interests and development of children and the protection of their rights and privileges.

Towards this end, the Local Government acknowledges that:

- (a) The child and youth have vital roles to play in the society. Hence, their physical, spiritual, intellectual, moral, and social well-being should be fully developed and protected;
- (b) The child and youth have equal rights to survival, development, protection and participation; and
- (c) All institutions, government or private, non-government organizations, civil society organizations and the church should work hand-in-hand in advancing the interests and welfare of the child and youth.

SECTION 4. **LEGAL BASIS** - This Code shall be governed by the provisions of the following acts of the State:

- (a) Presidential Decree No. 603, as amended – The Child and Youth Welfare Code;
- (b) Republic Act No. 8044 – Youth in Nation-Building Act;
- (c) Republic Act No. 6972 – Barangay Level Total Development and Protection of Children Act;
- (d) Republic Act No. 7160 – The Local Government Code;
- (e) Civil Code of the Philippines (Article 359 – 360) – Establishment of Councils for the Protection of Children;

- (f) Executive Order No. 209 – Family Code of the Philippines, as amended;
- (g) Republic Act No. 10354 – The Responsible Parenthood and Reproductive Health Act of 2012;
- (h) Republic Act No. 9288 – Newborn Screening Act of 2004;
- (i) Executive Order No. 51 – The Milk Code of the Philippines;
- (j) Republic Act No. 7600 – The Rooming-In and Breastfeeding Act of 1992;
- (k) Republic Act No. 8976 – Food Fortification Law of the Philippines;
- (l) Republic Act No. 8172 – An Act Promoting the Salt Iodization Nationwide;
- (m) Republic Act No. 7624 – An Act Integrating Drug Prevention and Control in the Intermediate and Secondary Curricula;
- (n) Republic Act No. 9262 – Anti-Violence Against Women and Their Children Act of 2004;
- (o) Republic Act No. 7610 – The Special Protection of Children Against Abuse, Exploitation and Discrimination Act;
- (p) Republic Act No. 9442 – Magna Carta for Disabled Persons and for Other Purposes;
- (q) Batas Pambansa Blg. 344 - An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments, and Public Utilities to Install Facilities and other Devices;
- (r) Presidential Decree No. 442 – Labor Code of the Philippines, as amended;
- (s) Republic Act No. 7658 (as amended by Republic Act No. 9231) – An Act Prohibiting Employment of Children below Fifteen (15) Years of Age in Public and Private Undertakings;
- (t) Republic Act No. 9208 – Anti-Trafficking Act of 2003;
- (u) Republic Act No. 9775 – Anti-Child Pornography Act of 2009;
- (v) Republic Act No. 10627 – Anti-Bullying Act of 2013;
- (w) Republic Act No. 8049 – Anti-Hazing Law of 1995;
- (x) Republic Act No. 9344 – Juvenile Justice and Welfare Act of 2006, as amended;
- (y) Republic Act No. 7438 – An Act Defining Certain Rights of Person Arrested, Detained or Under Custodial Investigation as well as the Duties of the Arresting, Detaining and Investigating Officers, and Providing Penalties for Violations Thereof;
- (z) Republic Act No. 8493 – An Act To Ensure a Speedy Trial of All Criminal Cases Before the Sandiganbayan, Regional Trial Court, Metropolitan Trial Court, Municipal Trial Court, and Municipal Circuit Trial Court, Appropriating Funds Therefor, and for Other Purposes;
- (aa) Republic Act No. 9211 – Tobacco Regulation Act of 2003;
- (bb) Republic Act No. 10821 – An Act Mandating the Provision of Emergency Relief and Protection for Children Before, During and After Disasters and other Emergency situations;
- (cc) Republic Act 6972 – An Act Establishing a Day Care Center in Every Barangay, Instituting therein a Total Development and Protection of Children Program, Appropriating Funds Therefore, and For Other Purposes;
- (dd) DepEd Order No.40, s.2012 – DepEd Child Protection Policy.
- (ee) Republic Act 9710 – An Act Providing for the Magna Carta of Women;

- (ff) Republic Act 10679 – An act Promoting Entrepreneurship and Financial Education among Filipino Youth.

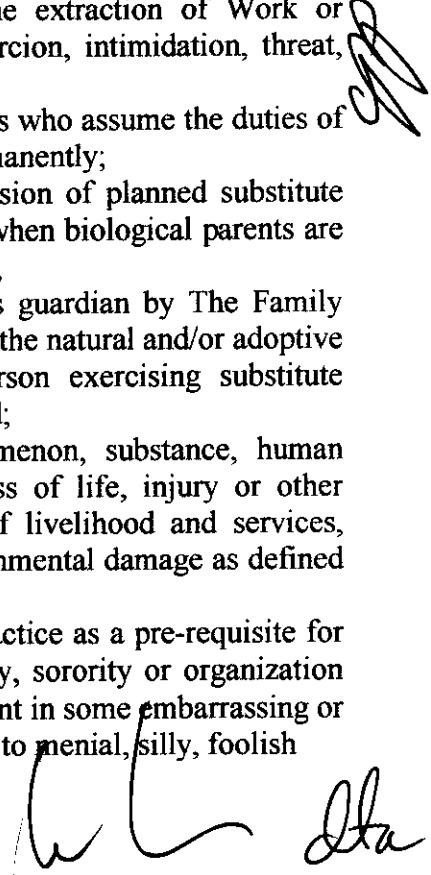
ARTICLE 3

DEFINITION OF TERMS

SECTION 5. **DEFINITION OF TERMS** - Words and phrases used in this Code shall be understood in the sense indicated hereunder:

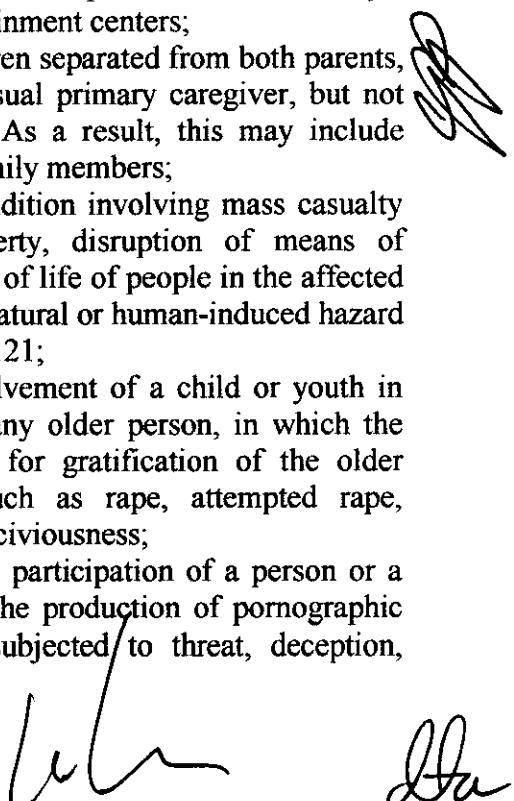
- (a) "Adoption" refers to the socio-legal process that enables a child, who cannot be reared by his/her biological parents, to acquire legal status and benefit from new relationship with a permanent family;
- (b) "Adult" refers to an individual who is above eighteen (18) years of age or have reached the majority age;
- (c) "Bullying" refers to any severe or repeated use by one or more students of a written, verbal or electronic expression, or a physical act or gesture, or any combination thereof, directed at another student that has the effect of actually causing or placing the latter in reasonable fear of physical or emotional harm or damage to his property, creating a hostile environment at school for the other student, infringing on the rights of other student at school, or materially and substantially disrupting the education process or the orderly operation of a school;
- (d) "Child" refers to an individual who is below eighteen (18) years of age or one who is over but is unable to fully take care of or protect himself by reason of his physical or mental disability or condition;
- (e) "Child Abuse" refers to an act that degrades or demeans the inherent worth and dignity of a child as a human being
- (f) "Child Friendly Spaces" refers to spaces where communities create nurturing environments for children to engage in free and structured play, recreation, leisure and learning activities. The child-friendly space may provide health, nutrition and psychological support, and their services or activities which will restore their normal functioning;
- (g) "Child Neglect" refers to the act of deliberately depriving the basic needs of a child;
- (h) "Child Labor and Exploitation" refers to an act of employing, permitting or allowing children below fifteen (15) years of age to suffer to work in any public or private establishment, where they are not directly under the responsibility of their parents or guardians, that is likely to be hazardous to the child, or that interferes with the child's education, or that is harmful to the child's health or physical, mental, spiritual, moral or social development;
- (i) "Child in Conflict with the Law" refers to a child alleged as, accused of, or recognized as having committed an act or omission defined and punished as a crime or offense under the laws, including violations of traffic laws, rules and regulations, and ordinances of local government units;
- (j) "Child in Need of Special Protection" refers to a child, who for shorter or longer periods in his/her life, is exposed to intense, multiple risks to his/her physical and mental health;
- (k) "Civil Registry Documents" refers to all certificates, application forms and certified true copies of legal instruments and court decrees concerning the acts and events affecting the civil status of persons

- which are presented before the Civil Registrar and are recorded in the Civil Registry;
- (l) "Cigar/Cigarette" refers to a cylindrical roll of tobacco products cured for smoking;
 - (m) "Commercial Sexual Exploitation of a Child" refers to engaging in any act of child prostitution, child pornography or trafficking of children for sexual purposes;
 - (n) "Computer Games" refers to all forms of games generated through the use of electronic multimedia and similar implements;
 - (o) "Council" refers to the Local Council for the Protection of Children;
 - (p) "Custodian" refers to the parent, guardian or other person legally responsible for the care and custody of a child or minor youth;
 - (q) "Differently-abled Children" refers to children with long term physical, mental, intellectual and sensory impairment;
 - (r) "Disasters" as defined in Republic Act No. 10121, refer to a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impact, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of the combination of: the exposure to a hazard; the conditions of vulnerability that are present; and insufficient capacity or measures to reduce or cope with the potential negative consequences. Disaster impacts may include loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption, and environmental degradation;
 - (s) "Drug Dependent" refers to a person who is addicted to prohibited and regulated drugs;
 - (t) "Family tracing and Reunification" refers to the process where disaster response teams reunite families separated by natural and human catastrophes by bringing together the child and family or previous care-provider for the purposes of establishing or re-establishing long-term care;
 - (u) "Forced Labor or Slavery" refers to the extraction of Work or services from a person by means of coercion, intimidation, threat, including deprivation of freedom;
 - (v) "Foster Family" refers to substitute parents who assume the duties of the biological parents, temporarily or permanently;
 - (w) "Foster Family Care" refers to the provision of planned substitute parental care by a licensed foster family when biological parents are unable to care temporarily or permanently;
 - (x) "Guardian" refers to a person defined as guardian by The Family Code of the Philippines, live-in partner of the natural and/or adoptive father and/or mother of a child, a person exercising substitute parental authority and custody over a child;
 - (y) "Hazard" refers to a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other human impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage as defined in Republic Act No. 10121;
 - (z) "Hazing" refers to an initiation rite or practice as a pre-requisite for admission into membership in a fraternity, sorority or organization by placing the recruit, neophyte or applicant in some embarrassing or humiliating situations such as forcing him to menial, silly, foolish



- (aa) and other similar activities or otherwise subjecting him to physical or psychological suffering or injury;
- (bb) "Liquor" refers to any alcoholic beverage or drink which causes intoxication or drunkenness;
- (cc) "Local Government/LGU" refers to the Local Government of Los Baños;
- (dd) "Newborn Screening" refers to a medical procedure where a newborn child undergoes tests to spare him/her from heritable conditions that can lead to mental retardation, serious health complications and death, if undetected and untreated;
- (ee) "Orphans and Orphaned Children" refers to children who do not have a family and relatives who can assure responsibility for their care;
- (ff) "Out-of-School-Youth" (OSY) refers to minors who are currently not enrolled in any educational institution;
- (gg) "Parent" refers to the natural and/or adoptive father and/or mother of a child;
- (hh) "Person-in-charge" refers to the president/manager in case of a company, corporation or association; the owner/proprietor/operator in case of single proprietorship; or the administrator in case of government property, office or building;
- (ii) "Physical Abuse or Maltreatment" refers to the infraction of any intentional and irrational physical injury;
- (jj) "Pornography" refers to any representation through publication, exhibition, cinematography, indecent shows, information technology or by whatever means, of a person in real or simulated explicit sexual activities or any representation of the sexual parts of a person primarily for sexual purposes;
- (kk) "Prostitution" refers to any act, transaction, scheme or design involving the use of a person by another, for sexual intercourse or lascivious conduct in exchange for money, profit or other considerations;
- (ll) "Public Place" refers to any place which is generally open to and used by the public, either publicly or privately owned, including but not limited to public buildings, market, terminals, parks and plazas, national, provincial or municipal streets and alleys, amusement centers such as entertainment centers;
- (mm) "Separated Children" refer to children separated from both parents, or from their previous legal or usual primary caregiver, but not necessarily from other relatives. As a result, this may include children accompanied by other family members;
- (nn) "State of calamity" refers to a condition involving mass casualty and/or major damages to property, disruption of means of livelihoods, roads and normal way of life of people in the affected areas as a result of occurrence of natural or human-induced hazard as defined in Republic Act No. 10121;
- (oo) "Sexual Abuse" refers to the involvement of a child or youth in sexual activity with an adult or any older person, in which the child is used as sexual object for gratification of the older person's needs or desire such as rape, attempted rape, statutory rape, incest or acts of lasciviousness;
- (pp) "Sexual Exploitation" refers to the participation of a person or a child or youth in prostitution or the production of pornographic materials as a result of being subjected to threat, deception,

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- (qq) coercion, abduction, force, abuse of authority, fraud or abuse of victim's vulnerability
- (rr) "Students" refer to all those enrolled in learning institutions and recognized as bona fide students of a particular school;
- (ss) "Trafficking in Persons" refers to the recruitment, transportation, transfer or harboring or receipt of persons, including children and youth, with or without the victim's consent, by means of threat, coercion, abduction, fraud, deception, abuse of power or position, taking advantage of the vulnerability of the person, or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation;
- (tt) "Transitional shelter" refers to structures temporarily constructed by the government intended for families affected by a disaster while awaiting transfer to permanent shelters;
- (uu) "Unaccompanied Children" refer to children who have been separated from both parents and other relatives, and who are not being cared for by an adult who, by law or custom, is responsible;
- (vv) "Volatile Substance" refers to any stuff used as thinner, solvent, adhesive which may contain substances that affect the mind when inhaled; and
- (ww) "Youth" refers to persons whose ages range from fifteen (15) to thirty (30) years old.

ARTICLE 4

RULES OF INTERPRETATION AND CONSTRUCTION

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| SECTION | 6. | If the provisions of the different articles are in conflict with or contravene each other, the provision of each article shall prevail as to all specific matters and questions involved therein. |
| SECTION | 7. | The provisions of this Code, which are substantially the same as the previous or existing ordinances particularly when dealing with the same subject matter, shall be construed as "restatement" and not as "new enactments" except for the amended, corrected or deleted words, phrases and paragraphs. |
| SECTION | 8. | Any amendment to this Code maybe introduced and shall be compiled in such a way as to bear the corresponding article and section to which such ordinance pertains. Such new provision shall be integrated into the corresponding article or section whenever a new printing or reproduction of this Code is undertaken upon authorization of the Sangguniang Bayan. |
| SECTION | 9. | Any provision of this Code which maybe ambiguous or vague shall be reasonably construed in a manner that gives effect to the purpose for which this Code or the specific article has been enacted. |

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Article 5

GENERAL OBJECTIVES

SECTION 10. **GENERAL OBJECTIVES** - To establish milestone for monitoring and evaluation of the progress towards creating conditions that help children and their family develop full potential, the following general objectives shall be the basic foundation in order to establish a comprehensive system for children, youth and family welfare and development:

(a) Child Health:

- (1) All children are registered at birth;
- (2) All infants are exclusively breastfed up to 6 months;
- (3) All children are fully immunized against Tuberculosis, Diphtheria/Pertussis/Tetanus, Polio, Hepatitis B, HiB, and Measles before reaching one year-old;
- (4) All children 0-2 years old are weighed monthly and mothers counseled on health, nutrition and psychosocial care;
- (5) All children are well-nourished;
- (6) All children 1-5 years old are given Vitamin A capsules and are dewormed; and
- (7) All children shall undergo newborn screening.

(a) Maternal Health:

- (1) All fetuses are protected from intentional/illegal abortion;
- (2) All births are attended by trained personnel;
- (3) All pregnant women are provided with at least four pre-natal checkups;
- (4) All mothers are immunized against Tetanus;
- (5) All pregnant or lactating women are sufficient in Vitamin A and are not anemic;
- (6) All pregnant women who are at risk are given appropriate emergency obstetric care;
- (7) All pregnancies are spaced at least two years apart;
- (8) All pregnant mothers are attended by trained health professionals at health facilities; and
- (9) All new mothers are given post-natal care.

(b) Education:

- (1) All children 3-5 years old attend early education programs;
- (2) All children 6-18 years old are in school and completed high school;
- (3) All out-of-school-children are identified and reinstated, or are provided alternative education; and
- (4) All illiterate parents and caregivers/guardians are enrolled in functional literacy programs such as, but not limited to, "Balik-Paaralan" and "Out-of-School-Adults" programs.

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(c) Special Protection:

- (1) Abused, exploited and children victims of hard and/or hazardous labor, prostitution and pornography should be rescued by a social worker or his/her representative; and
- (2) All cases of physical and sexual abuse and violence are eliminated in the home and community.

(d) Amenities for the Welfare of Children:

- (1) Safe drinking water;
- (2) Sanitary latrines;
- (3) Child care placement centers; and
- (4) Playgrounds.

(e) Child Participation:

- (1) Children of all ages are allowed by their families to choose/participate in any legitimate religious, socio-cultural and community development activities.

The Local Government of Los Baños shall establish programs and projects and appropriate sufficient resources in relation hereof. It may accept donations, grants, financial assistance or any means of support as allowed under existing laws, from national or international government or non-government institutions and/or private sectors to ensure the efficacy of implementing this Code with the end that the survival and development of the child is achieved.

CHAPTER II

RIGHTS OF A CHILD

SECTION 11. The Local Government of Los Baños shall endeavor to protect the rights of a child as herein set forth regardless of legitimacy, sex, social status, religion, political affiliation and other factors.

- (a) Survival Rights
- (b) Developmental Rights
- (c) Participation Rights
- (d) Protection Rights

ARTICLE 6

SURVIVAL RIGHTS

SECTION 12. **RIGHT TO LIFE** - Every child has the inherent right to life. The Local Government shall ensure the maximum extent possible to endow a child with dignity and worth of a human being from the time of his/her conception and protect his/her right to be born well.

SECTION 13. **RIGHT TO ADEQUATE STANDARD OF LIVING** - Every child has the right to a standard of living adequate for his/her physical, intellectual, spiritual, moral and social development. Towards this end, the child shall be provided with balanced diet, adequate clothing, sufficient shelter,

proper medical attention and all the basic physical requirements to a healthy and vigorous life.

SECTION 14. **RIGHT TO HEALTH** - Every child has the right to the highest standard of health and medical care possible.

SECTION 15. **RIGHT TO PARENTAL CARE AND SUPPORT** - Every child has the right to a wholesome family life that will provide him/her with love, care and understanding, guidance and counseling, and moral and material security. The Local Government shall ensure that the child is well cared of and supported by his/her parents, unless deemed incompatible with the child's best interest.

An orphaned or abandoned child shall be provided with the nearest substitute for a home.

SECTION 16. **RIGHT TO A NAME, NATIONALITY AND IDENTITY** - Every child has the right to be registered immediately at birth and shall have the right from birth to a name, to acquire a nationality and as far as possible, to know his/her parents and be cared for by them. The child also has the right to preserve his/her identity, including nationality, name and family relations.

ARTICLE 7

DEVELOPMENTAL RIGHTS

SECTION 17. **RIGHT TO INFORMATION** - Every child has the right to appropriate information on matters of interest to him/her, especially, those aimed at the promotion of his/her social, spiritual and moral well-being and physical and mental health.

SECTION 18. **RIGHT TO LEISURE, RECREATIONAL AND CULTURAL ACTIVITIES** - Every child has the right to rest and leisure, to engage in play and in safe and wholesome recreational activities appropriate to his/her age and to participate freely in cultural life and arts.

SECTION 19. **RIGHT TO EDUCATION** - Every child has the right to education. This right shall include the right to avail of Early Childhood Care and Development (ECCD) programs, primary, secondary and tertiary education, appropriate to the evolving capabilities of the child.

- (a) The gifted child shall be given opportunity and encouragement to develop his/her special talents and skills.
- (b) The emotionally disturbed or socially maladjusted child shall be treated with sympathy and understanding and shall be entitled to treatment and competent care.
- (c) The physically or mentally handicapped child shall be given the treatment, education and care required by his/her particular condition.

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ARTICLE 8

PARTICIPATION RIGHTS

- SECTION 20. **RIGHT TO OPINION** - Every child, who is capable of forming his/her views, has the right to express those views freely in all matters affecting him/her.

Such views shall be heard and given due consideration in accordance with the age and maturity of the child and in the formulation of plans and programs for his/her welfare.

- SECTION 21. **RIGHT TO FREEDOM OF EXPRESSION** - Every child has the right to express his/her views and ideas, obtain all kinds of information, not otherwise pornographic, libelous or subversive, either orally, in writing or in print, in the form of visual arts, or any other form of media of the child's choice.

- SECTION 22. **RIGHT TO FREEDOM OF THOUGHT** - Conscience and Religion. Every child has the right to freedom of thought, conscience and religion, subject to appropriate guidance by the parents and/or guardians.

- SECTION 23. **RIGHT TO ENJOY AND PRACTICE HIS/HER OWN CULTURE, RELIGION AND LANGUAGE** - Every child from minority communities or indigenous people has the right to exercise and enjoy his/her own culture, profess and practice his/her own religion and to speak or write in his/her own language.

The child shall exercise the right within the boundaries of respect and courtesy to other cultures, religions and languages. Likewise, such right shall be exercised within the bounds of national security, public order, public health and morals.

- SECTION 24. **RIGHT TO FREEDOM OF ASSOCIATION** - Every child has the right to meet other persons, and to organize, form or join associations and to freedom of assembly. Such right shall be exercised within the bounds of national security, public order, public health and morals.

- SECTION 25. **RIGHT TO PRIVACY** - Every child shall have the right to protection from interference of his/her privacy, family, home and correspondence, unless otherwise the safety and security of the child, the family and the community is threatened.

ARTICLE 9

PROTECTION RIGHTS

- SECTION 26. **RIGHT TO PROTECTION AGAINST PHYSICAL ABUSE** - Every child has the right to protection against physical, mental, psychological or emotional abuse, violence, injury or maltreatment.

- SECTION 27. **RIGHT TO PROTECTION AGAINST SEXUAL ABUSE** - Every child has the right to protection against rape, incest, sexual harassment, acts of lasciviousness, seduction, abduction and other forms of sexual abuse and violence.

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- SECTION 28. **RIGHT TO PROTECTION AGAINST NEGLECT AND ABANDONMENT** - Every child has the right to quality care by his/her parents/guardians and to be protected against their neglect, negligent treatment and abandonment.
- SECTION 29. **RIGHT TO BE PROTECTED FROM ILLEGAL DRUGS, CIGAR, CIGARETTE, LIQUOR, INTOXICATING BEVERAGES AND OTHER ADDICTIVE SUBSTANCES** - Every child has the right to be protected from the use of, and exposure to, narcotic and psychotropic drugs, cigar, cigarette, liquor, intoxicating beverages, volatile substances and from being involved in their production or distribution.
- SECTION 30. **RIGHT TO PERIODIC REVIEW OF TREATMENT IF PLACED UNDER PROTECTIVE CUSTODY** - Every child has the right to be protected from any type of harm or harsh treatment. The government has the mandate to closely monitor and review the treatment of the child under the care of his/her custodian.
- SECTION 31. **RIGHT TO SPECIAL PROTECTION OF A DIFFERENTLY-ABLED CHILD** - Differently-abled child has the right to special care, education and training to help him/her enjoy a full and decent life in dignity and to achieve the greatest degree of self-reliance and social integration possible.
- SECTION 32. **RIGHT OF CHILD IN CONFLICT WITH THE LAW (CICL)** - Every child, who comes in conflict with the law, shall be entitled to the following rights:
- (a) To be treated with dignity and in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental reasons of others;
 - (b) To be presumed innocent until proven guilty according to law;
 - (c) To have the free assistance of an interpreter if the child cannot understand or speak the language used; and
 - (d) To be informed of his/her rights under the United Nations Convention on the Rights of the Child (UNCRC) and other international instruments in relation to CICL, R.A. 7438, R.A. 8493, P.D. 603 and the Rules and Regulations on the Apprehension, Investigation, Prosecution and Rehabilitation of Youth Offenders.
- SECTION 33. **RIGHT TO BE PROTECTED FROM WORK EXPLOITATION** - Every Child shall have the right to be protected from economic exploitation and from performing any work that is likely to be hazardous or interfere with the child's health or physical, mental, spiritual, moral or social development in relation to R.A. 7658, as amended by R.A. 9231.
- SECTION 34. **RIGHT TO BE PROTECTED AGAINST ALL FORMS OF COMMERCIAL SEXUAL EXPLOITATION** - Every child shall have the right to be protected from child prostitution, child pornography, child sex tourism and other forms of commercial sexual exploitation, as provided for under R.A. 9208 and R.A. 7610.

- SECTION 35. **RIGHT TO BE PROTECTED AGAINST BULLYING** - Every child shall have the right to be protected from bullying, as provided for under R.A. 10627.
- SECTION 36. **RIGHT TO BE PROTECTED AGAINST HAZING** - Every child shall have the right to be protected from hazing, as provided for under R.A. 8049.
- SECTION 37. **RIGHT TO BE PROTECTED FROM OTHER FORMS OF EXPLOITATION** - Every child shall have the right to be free and to be protected from all other forms of exploitation prejudicial to any aspects of the child's welfare.

CHAPTER III

COMMUNITY-BASED SUPPORT SYSTEM

ARTICLE 10

ROLES AND FUNCTIONS OF THE FAMILY, INSTITUTIONS AND THE COMMUNITY

- SECTION 38. **THE FAMILY** - The Local Government of Los Baños recognizes the family as the central unit responsible for most of the child's early education and development including the molding of character, physical, emotional and spiritual progress and the realization of the child's existence as dignified human being with the recognition of his/her inherent rights. Introduction of the child to the culture, values and norms of the society shall begin in the family.

The family has the primary responsibility of nurturing and protecting the child from infancy to adolescence. Article 15, Section 1 of the Philippine Constitution states that, "The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development".

Government and the social efforts to preserve the integrity of the family, including extended family shall be pursued. The family is a basic social institution which public policy cherishes and protects (Title VII, Chapter 1, Article 216 of the Civil Code of the Philippines).

- SECTION 39. **PRIMARY RIGHTS OF PARENTS** - The parents shall have the right to the company of their children and, in relation to all other persons or institutions dealing with the children's development, the primary right and obligation to provide for their upbringing.
- (a) Rights under the Civil Code. Parents shall continue to exercise the rights mentioned in Articles 316 to 326 of the Civil Code over the person and property of the child.
- (b) Right to Discipline Child. Parents shall have the right to discipline the child as may be necessary for the formation of his/her good character, and may therefore require from him/her obedience to just and reasonable rules, suggestions and admonitions.

SECTION 40. **GENERAL DUTIES OF PARENTS** - Parents shall have the following general duties toward their children:

- (a) To give them affection, companionship and understanding;
- (b) To extend to them the benefits of moral guidance, self-discipline and religious instruction;
- (c) To supervise their activities, including their recreation;
- (d) To inculcate in them the value of industry, thrift and self-reliance;
- (e) To stimulate their interest in civic affairs, teach them the duties of citizenship, and develop their commitment to the country;
- (f) To advise them properly on any matter affecting their development and well-being;
- (g) To always set a good example;
- (h) To provide them with adequate support, as defined in Article 290 of the Civil Code; and
- (i) To administer their property, if any, according to their best interests, subject to the provisions of Article 320 of the Civil Code.

SECTION 41. **FAMILY AFFAIRS** - Whenever proper, parents shall allow the child to participate in the discussion of family affairs, especially in matters that particularly concern him/her. In cases involving his/her discipline, the child shall be given a chance to present his/her side.

- (a) Winning Child's Confidence. Parents shall endeavor to win the child's confidence and to encourage him/her to conduct with them on his/her activities and problems.
- (b) Child Living Away from Home. If by reason of his/her studies or for other causes, a child does not live with his/her parents, the latter shall communicate with him/her regularly and visit him/her as often as possible. The parents shall see to it that the child lives in a safe and wholesome place and under responsible adult care and supervision.
- (c) Special Talents. Parents shall endeavor to discover the child's talents or aptitudes, if any, and to encourage and develop them.
- (d) If the child is especially gifted, the parents shall report this fact to the Philippine Center for Gifted Education or to other agencies concerned so that official assistance or recognition may be extended to him/her.
- (e) Reading Habit. The reading habit should be cultivated in the home. Parents shall, whenever possible, provide the child with good and wholesome reading materials, taking into consideration his/her age and emotional development. They shall guard against the introduction in the home of pornographic and other unwholesome publications.
- (f) Association with Other Children. Parents shall encourage the child to associate with other children of his/her own age with whom he/she can develop common interests of useful and salutary nature. It shall be their duty to know the child's friends and their activities and to prevent him/her from falling into bad company. The child should not be allowed to stay out late at night to the detriment of his/her health, studies or morals.
- (g) Community Activities. Parents shall give the child every opportunity to form or join social, cultural, educational, recreational, civic or religious organizations or movements and other useful community activities.
- (h) Social Gatherings. When a party or gathering is held, the parents or a responsible person should be present to supervise the same.

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- (i) Vices. Parents shall take special care to prevent the child from becoming addicted to intoxicating drinks, narcotic drugs, smoking, gambling, and other vices or harmful practices.
- (j) Choice of career. The child shall have the right to choose his/her own career. Parents may advise him/her on this matter but should not impose on him/her their own choice.
- (k) Marriage. Subject to the provisions of the Civil Code, the child shall have the prerogative of choosing his/her future spouse. Parents should not force or unduly influence him/her to marry a person he/she has not freely chosen.

SECTION 42. **LIABILITIES OF PARENTS** - Parents and guardians are responsible for the damage caused by the child under their parental authority in accordance with the Civil Code. There is criminal liability for any parent who does the following acts:

- (a) Conceals or abandons the child with intent to make such child lose his/her civil status;
- (b) Abandons the child under such circumstances as to deprive him/her of the love, care and protection he/she needs;
- (c) Sells or abandons the child to another person for valuable consideration;
- (d) Neglects the child by not giving him/her the education which the family's station in life and financial conditions permit;
- (e) Causes, abates, or permits the truancy of the child from the school where he/she is enrolled. "Truancy" as here used means absence without cause for more than twenty school days, not necessarily consecutive. It shall be the duty of the teacher in charge to report to the parents the absences of the child the moment these exceed five school days;
- (f) Improperly exploits the child by using him/her, directly or indirectly, such as for purposes of begging and other acts which are inimical to his/her interest and welfare;
- (g) Inflicts cruel and unusual punishment upon the child or deliberately subjects him/her to indignations and other excessive chastisement that embarrasses or humiliates him/her.
- (h) Causes or encourages the child to lead an immoral or dissolute life;
- (i) Permits the child to possess, handle or carry a deadly weapon, regardless of its ownership; and,
- (j) Allows or requires the child to drive without a license or with a license which the parent knows to have been illegally procured. If the motor vehicle driven by the child belongs to the parent, it shall be presumed that the parent permitted or ordered the child to drive.

SECTION 43. **DUTIES OF THE COMMUNITY** - To ensure the full enjoyment of the right of every child to live in a society that offers or guarantee him/her safety, health, good moral environment and facilities for his/her wholesome growth and development, it shall be the duty of the community to:

- (a) Bring about a healthy environment necessary to the normal growth of children and the enhancement of their physical, mental and spiritual well-being;
- (b) Help institutions of learning, whether public or private, achieve the fundamental objectives of education;

- (c) Organize or encourage movements and activities, for the furtherance of the interests of children;
- (d) Promote the establishment and maintenance of adequately equipped playgrounds, parks, and other recreational facilities;
- (e) Support parent education programs by encouraging its members to attend and actively participate therein;
- (f) Assist the State in combating and curtailing juvenile delinquency and in rehabilitating wayward children;
- (g) Aid in carrying out special projects for the betterment of children in remote areas or belonging to cultural minorities or those who are out of school;
- (h) Cooperate with private and public child welfare agencies in providing care, training and protection to destitute, abandoned, neglected, abused, handicapped and disturbed children; and
- (i) Report, in writing or verbally to the Department of Social Welfare and Development (DSWD), police or other law enforcement agency in accordance with R. A. 7610, the facts or circumstances that give rise to a belief that a child has suffered from any form of abuse.

SECTION 44. RESPONSIBILITY OF SCHOOLS AND OTHER EDUCATIONAL INSTITUTIONS - In addition to the role of all educational institutions to impart knowledge and skills to their students, they shall likewise institute programs and services that will include proper values formation.

- (a) Educational institutions, from the primary to the tertiary level, shall provide creative, innovative and appropriate recreational, cultural and artistic activities to develop the child's full potentials and talents. They shall incorporate into their curriculum a subject on the rights and responsibilities of children, subject to guidelines set by the Department of Education (DepEd) and the Commission on Higher Education (CHED).
- (b) All educational institutions shall maintain quality education and use child-friendly methods in teaching the child.
- (c) All educational institutions shall ensure the safety of children within and outside school premises during school hours and authorized school activities. This shall include discouraging the students from patronizing non-nutritional food products sold within and outside school premises during school hours and from joining or participating in gang-style group activities.
- (d) All educational institutions shall give their full support to student body organizations. The school administration shall conduct periodic consultations with students regarding matters affecting their students. The student representatives shall be elected by the student body to sit in Parent-Teacher Councils (PTC) and other recommendatory and decision-making bodies in the school. Parents – Teachers Association shall aid the local authorities and school officials in the enforcement of juvenile delinquency control measures, and in the implementation of programs and activities to promote child welfare.
- (e) Public and private educational institutions shall not discriminate against differently-abled children in enrolment and admission. As much as possible, they shall provide special classes for differently-abled children.
- (f) Educational institutions shall work together with parents, community organizations and agencies concerned with the activities of children.

SECTION 45. **ROLE OF CHURCHES** - All churches and religious orders, congregations or groups may, conformably to law, establish programs for the purpose of educating children in accordance with the tenets of their religion, to inculcate in the children a strong spiritual foundation, fear of the Lord, consciousness on moral standards they have to follow, love and service for others.

Parents shall admonish their children to heed the teachings of their Church and to perform their religious duties. Whenever possible, parents shall accompany their children to the regular devotions of their Church and other religious ceremonies. This will foster strong family ties and harmony.

SECTION 46. **ROLE OF PEOPLE'S ORGANIZATIONS, NON-GOVERNMENT ORGANIZATIONS, AND CIVIL SOCIETY ORGANIZATIONS** - People's Organizations, Non-Government Organizations and Civil Society Organizations shall work for the common good of the people around them, particularly in helping children and protecting them in the enjoyment of their rights, and their own lives as well.

SECTION 47. **ROLE OF WOMEN** - Women in their various roles play a critical role in the well-being of children. Efforts for the enhancement of women's status and their roles in the development must begin with female children. The enhancement of the status of women and their equal access to education, training, credit, reproductive health, and other extension services constitutes a valuable contribution to nation's social and economic development.

To achieve and to prepare women for their various roles, equal opportunity shall be provided for the female children for them to benefit from the health, nutrition, education and other basic services for their full growth.

SECTION 48. **ROLE OF JUDICIAL INSTITUTIONS** - In the administration of justice, courts, prosecutors and other actors shall ensure that the rights of children are protected and promoted at all times. They shall conduct programs and activities geared towards enhancing children's rights.

SECTION 49. **ROLE OF MASS MEDIA** - The mass media shall be aware of their extensive social role and responsibility as well as their influence in communications relating to children. They should use their power to protect the rights of children by relaying constant messages through various mediums of communication such as Print, Radio, Television and Internet through a balanced approach. Media shall refrain from showing any form of violent and pornographic materials. They shall endeavour to show wholesome and educational materials during prime time viewing. Special attention should be given to effective anti-drug awareness campaigns and delinquency prevention.

SECTION 50. **ROLE OF THE PRIVATE SECTOR** - The private business sector shall adhere to the following:

- (a) The private business sector, particularly those who have direct contact with the child, have a corporate social responsibility to all children.

The conduct of their business should consider the best interest of the child;

- (b) The private business sector is encouraged to become involved and to support programs, projects and services for children, especially those provided in this Code;
- (c) Bookstores, libraries, internet cafés and other sources of information shall ensure that children have access to information appropriate to their evolving capacities. Obscene, pornographic and violent materials shall not be made accessible to children;
- (d) Restaurants, KTV bars, nightclubs, hotels, motels and other business establishments in entertainment, tourism and travel industry, and gambling centers including cockpits, which provide access to adult entertainment, shall ensure that the child is not allowed within their premises. It shall be the responsibility of the owners of bars, karaoke joints to require proof of age before employment in night clubs, bars, karaoke, etc. Owners/managers/operators of these establishments shall post a visible and legible notice disallowing minors from entering the premises;
- (e) It shall be the responsibility of owner/operator/manager of business establishments to verify the age of the person seeking employment. All employers shall not engage a child in work that endangers health, safety and normal development;
- (f) Shopping malls/centers, boutiques, novelty stores, video arcades and other gaming centers shall monitor the presence of school-aged children during school hours in their premises. The presence of these children shall be reported to the schools to which these children belong. In cases where these children are not enrolled in schools, the parents and/or guardians shall be informed;
- (g) It shall be the responsibility of internet café owners/operators to regulate the exposure of children to pornography and violence in the internet; and
- (h) Private business sector shall provide summer job trainings for new high school graduates with intentions to pursue college. This program shall allow the students an insight on the value of earning money; learn the value of work necessary for their future.

SECTION 51. ROLE OF THE SANGGUNIANG KABATAAN - The Sangguniang Kabataan (SK) as established under the Local Government Code shall, in addition to its powers and functions, actively involve itself in the formulation and implementation of prevention and protection programs in the community. It shall coordinate with the local councils for the welfare of children for this purpose. The SK shall allocate sufficient appropriations of its budget to prevention programs for the youth. Livelihood programs and technical education for out-of-school, impoverished and children who were displaced because of armed-conflict should also be initiated.

SECTION 52. RESPONSIBILITY OF PRIVATE AND PUBLIC DOCTORS, MIDWIVES AND OTHER MEDICAL PRACTITIONERS AND HEALTH CARE PROVIDERS - It shall be the responsibility of all doctors, midwives and other health care providers to educate parents on proper care and nutrition of the child. They shall also exercise due diligence in ensuring the safe delivery of the child. The physician, nurse or midwife in attendance at birth or the parents of the newborn shall have the

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duty to register the birth of the newborn child in accordance with the Civil Registry Law.

- SECTION 53. **RESPONSIBILITY OF POLICE AND MEDICAL OFFICERS** - All cases of child abuse (medical and police records, etc.) shall be treated with utmost confidentiality so as to protect the identity of the child.
- SECTION 54. **RESPONSIBILITY OF THE CUSTODIAN/CENTER WHERE CHILD IS PLACED** - The custodian of the child or the center where the child is placed for purposes of care, protection or treatment shall regularly review the condition of the child and report the same to the Local Social Welfare and Development Office (LSWDO).

Article 11

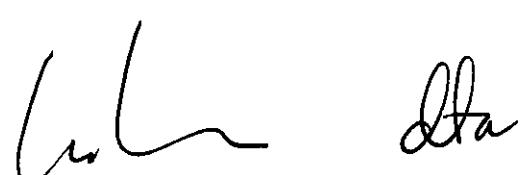
SUPPORT SERVICES AND FACILITIES

- SECTION 55. **COMMUNITY-BASED SUPPORT SERVICES** -The Local Government of Los Baños shall, through the Council, undertake the following support services for children and their families:
- (a) Recognize the sanctity of marriage and in strengthening the family bonds and in the process, promote programs on responsible parenting and marriage counselling;
 - (b) Provide medical and legal assistance, and counselling to abuse children and their families;
 - (c) Provide moral and spiritual recovery programs, skills training and livelihood development programs and house care services for rehabilitation of children victims and their families;
 - (d) Conduct information and awareness campaigns on violence against women, children, anti-trafficking and other similar concerns to strengthen the enforcement of laws; *off*
 - (e) Include the Special Program for Employment of Students (SPES) in the Annual Appropriations Ordinance of the LGU;
 - (f) Encourage the Local Civil Registrar to facilitate the free registration on birth and death of indigent children;
 - (g) Institutionalize the observance and celebration of Linggo ng Kabataan to protect the interests of the youth and prepare them for their roles as future leaders of the community;

- SECTION 56. **HEALTH AND FAMILY PLANNING CENTERS** - There shall be established a Health and Family Planning Center in every barangay or a cluster of barangays as the case may be, within the territorial and political jurisdiction of Los Baños, Laguna. The same shall have adequate number of Barangay Health Workers (BHW) tasked to perform health-related activities with compensation commensurate to the task assigned.

The Local Health Office (LHO), through Health and Family Centers, shall implement and sustain the primary health care program for every child and ensure that measures to support the program on health under the framework of primary health and preventive care of the Local Government of Los Baños have been appropriately implemented, which shall include, but not limited to the following:

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- (a) The sustainability of maternal and child care service program which shall cater to the health of the mother who affects the child in the womb with the end view of a healthy mother and baby;
- (b) The protection of pregnant women particularly those at risk get emergency obstetric care, having at least four pre-natal check-ups, immunization against tetanus and an effective program that all pregnancies are spaced at least two years apart;
- (c) The promotion of breast feeding for infant and full implementation of the Milk Code (EO 51, 1986) of the Philippines hence, all lactating mothers are required to practice exclusive breastfeeding for the first six (6) months unless her physical or medical condition prevents her to do so;
- (d) The completion of the immunization series of children and youth for prevention of tuberculosis, diphtheria, pertussis, tetanus, measles, poliomyelitis and such other diseases for which vaccines have been developed for administration;
- (e) The weighing of all children 0-2 years old and identified below normal (Low/Very Low) are weighed monthly and counseling of parents on health, nutrition and psycho-social care;
- (f) The nutrition program that shall establish and sustain growth monitoring of children at home and in school and ensures healthy foods for every family with an aim that all children are nourished;
- (g) The administration of Vitamin A capsules and deworming tablets twice a year to all children 1-5 years old;
- (h) The provision of developmental assessment for children 3yrs old and below at risk for developmental delay;
- (i) The establishment of hospital's indigent fund for the purpose of ensuring the availment of indigent-child patient needing the professional services of private doctors/specialist to cure his/her ailment;
- (j) The eradication of disease and malnutrition within the framework of primary health care, through the application of readily available technology and through the provision of adequate nutritious foods and clean drinking water, taking into consideration the dangers and risk of environmental pollution; and
- (k) The provision of food commodities for supplementary feeding and multi-vitamins supplementation for identified underweight free school and school children.

The Local Health Office (LHO) shall be the lead agency to implement this Section and shall hereinafter provide for appropriate policy, rules and regulations or recommendations, subject to the approval of the Local Sanggunian, for effective delivery of health services to all children in Los Baños.

SECTION 57. **CHILD-FRIENDLY HOSPITALS/CLINICS/HEALTH CENTERS IN LOS BAÑOS** - All hospitals/clinics/health centers within Los Baños shall set-up child-friendly units with sufficient facilities to ensure the care and safety of child-patient and compliance of the same to the directives of the Department of Health (DOH).

SECTION 58. **SATELLITE CLINICS AND MATERNAL OBSTETRICS CENTER**
- The Local Government of Los Baños thru the LHO shall establish satellite clinics in identified barangays or cluster of barangays. The same must be strategically located, taking into consideration the accessibility to

the public. To give priority to the basic needs of pregnant women, a Maternal Obstetrics Center shall be integrated in every satellite clinic.

SECTION 59. ESTABLISHMENT OF LACTATION STATIONS - It is hereby mandated that all health and non-health facilities, establishments or institutions such as malls, supermarkets and schools shall establish lactation stations as per Ordinance No. 2013-1219.

The lactation stations shall be adequately provided with the necessary equipment and facilities, such as: lavatory for hand-washing, unless there is an easily-accessible lavatory nearby; refrigeration or appropriate cooling facilities for storing expressed breast milk; electrical outlets for breast pumps; a small table; and comfortable seats. The lactation station shall not be located in the rest room.

Any health and non-health facility, establishment or institution satisfying the requirements of relative to a proper lactation station may apply with the Local Health Office for a "working mother-baby friendly" certification. The LHO shall promulgate guidelines to determine eligibility for such certification, which shall include an annual inspection to confirm the continued compliance with its standards.

SECTION 60. SAFE DRINKING WATER - The Local Government of Los Baños shall ensure safe water supply for children and strengthen its program related to providing potable drinking water and encourage private participation for water system development, thereby ensuring that all households within the town have access to safe drinking water.

SECTION 61. SANITARY TOILET/COMFORT ROOMS - All households shall be required to put-up sanitary toilet or latrines. The Local Government shall construct public toilets and comfort rooms which shall be located at strategic places.

SECTION 62. ESTABLISHMENT OF DAY CARE CENTERS AND ORGANIZATIONS OF FEDERATION OF DAY CARE WORKERS OF LOS BANOS (FDWLD) - There shall be, in every Barangay of Los Baños, such number of Day Care Centers depending on the population level of the children and how depressed the barangay is, as determined by the Local Social Welfare and Development Office (LSWDO), with corresponding Day Care Workers, sufficient in number and duly compensated.

To set-up a pool of trained day care professionals, all day care workers shall form an organization to be known as the Federation of Day Care Workers of Los Baños (FDCWLB) within six-months from effectivity of this Code. The LSWDO shall facilitate the organization of the same.

SECTION 63. BARANGAY-LEVEL RECREATIONAL AND CULTURAL FACILITIES AND PROGRAMS - All barangays shall be required to establish children's park, recreational program and facilities for children, taking into consideration the revival of indigenous games reflective of the cultural diversity in Los Baños. The Liga ng mga Barangay shall facilitate the implementation of this Section.

SECTION 64. **LOCAL CHILDREN'S LITERATURE AND ESTABLISHMENT OF A LIBRARY** - In support to the socio-cultural development in its locality, the Local Government of Los Baños shall establish a Library and invest in the production of local literature for children or other relevant materials.

SECTION 65. **CHILD AND YOUTH CRISIS INTERVENTION CENTER (CYCIC)**
-The Local Government of Los Baños, in its effort to establish a community-based strategy for the protection of children, the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty and exploitation, and other conditions prejudicial to their development and to protect the best interest of the child through measures that will ensure the observance of international standards of child protection, shall endeavour to institutionalize a Child and Youth Crisis Intervention Center (CYCIC) with the technical assistance and supervision of the LSWDO. Within one (1) year from the effectivity of this Code, the same must be established and operational. The LSWDO shall be the lead Local Government Office that will implement this Section.

ARTICLE 12

IMPLEMENTING MECHANISM

SECTION 66. **IMPLEMENTING MECHANISM** - There shall be established an implementing mechanism for the survival and development, protection, security and participation of children in Los Baños. The implementing mechanism and structures shall be the Local Council for the Protection of Children (LCPC), and Barangay Council for the Protection of Children (BCPC).

SECTION 67. **THE LOCAL COUNCIL FOR THE PROTECTION OF CHILDREDN (LCPC)** - There shall be an organized Local Council for the Protection of Children to plan and implement program and services for children at the local level.

SECTION 68. **COMPOSITION OF THE LCPC** - The members of LCPC shall include the following:

- (a) Local Chief Executive/Mayor;
- (b) Chairman, Local Sanggunian Committee on Youth Development;
- (c) Chairman, Local Sanggunian Committee on Women, Children and Family;
- (d) Local Planning and Development Coordinator;
- (e) Local Civil Registrar;
- (f) Local Social Welfare and Development Officer;
- (g) Local Health Officer;
- (h) Local Agriculturist;
- (i) DepEd District Supervisor;
- (j) DOJ Provincial/Local Prosecutor;
- (k) Local Government Operations Officer, Department of Interior and Local Government (DILG);
- (l) Municipal Budget Officer;
- (m)Local Nutrition Officer;
- (n) Public Employment Service Office (PESO) officer;
- (o) Gender and Development (GAD) office;

- (p) Barangay Health Workers (Autism Society Philippines, Laguna Chapter);
- (q) Philippine National Police, Chief of Police;
- (r) Liga ng Mga Barangay President; and
- (s) Three (3) NGO Representatives (Private Sector and Peoples Organization).

SECTION 69. **FUNCTION OF THE LCPC** - The following shall be the functions of LCPC:

- (a) Formulate Plan of Action for Children; incorporating projects and programs needing assistance by the Barangay; and ensure its integration into the Local Development Plan;
- (b) Monitor and evaluate the implementation of the Local and Barangay Plan of Action for Children;
- (c) Promptly address issues and concerns affecting children and youth;
- (d) Advocate for the passage of relevant child and youth protection ordinance;
- (e) Advocate for the increased support and resource allocation for children's programs and projects;
- (f) Provide technical assistance to the community-based frontline workers through conduct of capability building and human resource development activities; and
- (g) Prepare contingency measures to protect children and their families for children's situations brought about by natural and man-made calamities.

SECTION 70. **LCPC SECRETARIAT FUNCTION** - The secretariat support shall be lodged with the LSWDO who shall be responsible for the documentation of proceedings of meetings and preparation of reports and other necessary document by the council.

SECTION 71. **BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN (BCPC)** - There shall be created BCPC in every barangay in Los Baños. The Punong Barangay of the respective barangay are hereby mandated to spearhead the creation and strengthening of said Council with the support of the Local Government Operations Officer (DILG) and other concerned Government and Non-Government Agencies.

SECTION 72. **COMPOSITION OF BCPC** - The membership of the BCPC's shall be taken from responsible members of the community including a representative of the youth, as well as representatives of government and private agencies concerned with the welfare of children and youth whose area of assignment includes the particular barangay and shall be on purely voluntary basis.

SECTION 73. **FUNCTION OF BCPC** - The following are the powers and functions of BCPCs:

- (a) Foster education of every child in the Barangay;
- (b) Encourage the proper performance of duties of parents and provide learning opportunities on the adequate learning of children and on positive parent-children relationship;
- (c) Protect and assist abandoned, maltreated and abused children and monitor cases filed against child abuser and report the same;

- (d) Protect working children from abuse and exploitation;
- (e) Take steps to prevent juvenile delinquency and assist parents and children with behavioral problems so that they can get expert advice;
- (f) Promote the opening and maintenance of playgrounds and Day Care Centers and other services that are necessary for children and youth welfare;
- (g) Promote wholesome activities/entertainment in the community;
- (h) Assist parents whenever necessary in securing expert guidance counseling from private agencies;
- (i) Advocate for the passage of Barangay Plan of Action for Children which addresses the needs of Children in the community and ensure its integration into the Barangay Development Plan and implementation by the barangay;
- (j) Submit quarterly barangay accomplishment reports of the implementation of the plan to the LCPC; and
- (k) Arrest any individual who is actually committing, about to commit or has committed an offense against the person of the minor.

CHAPTER IV

CHILD AND YOUTH DEVELOPMENT PROGRAM

ARTICLE 13

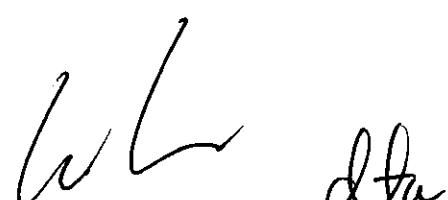
CHILDREN'S ASSOCIATION

- SECTION 74. **THE MUNICIPAL AND BARANGAY CHILDREN'S ASSOCIATION** -The Municipal Government of Los Baños shall support and spearhead the organizing process of the Barangay Children's Association Federation, The Municipal Children's Association, in support to strengthening children's participation in the municipality.
- SECTION 75. **BCPC AND MCPC REPRECESENTATION** - The elected Presidents in every Barangay shall be the designated Children's Representative in their respective barangay's Barangay Council for the Protection of Children (BCPC). The Federation President shall be the designated Children's Representative in the Municipal Council for the Protection of Children (MCPC).

This course shall become an integral part of the existing Family Planning Seminar or Reproductive Health Course. The LSWDO and the LHO shall synchronize the family planning seminar with this provision.

First time parents shall also be encouraged to participate or attend a Responsible Parenting Course as a follow-up course before issuance of a Certificate of Live Birth by the Office of the Local Civil Registrar without prejudice to the early registration birth requirement under existing law.

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ARTICLE 14

COMPULSORY PRE-NATAL CHECK-UP FOR PREGNANT OR EXPECTANT WOMEN & MOTHERS

- SECTION 76. **COVERAGE** - Pre-natal check-up shall be compulsory for pregnant/expectant mothers for the duration of their pregnancy at the Local Health Center or in any barangay health center.
- SECTION 77. **RESPONSIBILITY OF PREGNANT OR EXPECTANT MOTHERS** - A pregnant/ expectant mother shall be required to undergo pre-natal check-up for the duration of her pregnancy at the Local Health Center or in any barangay health center nearest her residence.
- SECTION 78. **RESPONSIBILITY OF THE LOCAL HEALTH OFFICE** - The Local Health Office shall provide free basic pre-natal check-up to pregnant/expectant mothers, subject to the rules and regulations that may be promulgated by the said office, schedules, procedures and available resources to carry out the purposes of this Code.
- SECTION 79. **RESPONSIBILITY OF THE LOCAL SOCIAL WELFARE AND DEVELOPMENT OFFICE (LSWDO), LOCAL CIVIL REGISTRAR (LCR) AND LOCAL PUBLIC INFORMATION OFFICE (LPIO)** - The Local Social Welfare and Development Office (LSWDO), the Office of the Local Civil Registrar (LCR) and the Local Public Information Office (LPIO) shall be responsible for informing couples who are applying for marriage, particularly the women, of this Code.

ARTICLE 15

NO HOUSE DELIVERY

- SECTION 80. The Local Government of Los Baños, through the LHO, hereby discourages pregnant or expectant mothers and women to deliver their infants at home, even under the assistance/guidance of a midwife to avoid health risks for the mother and the infant.
- SECTION 81. Midwives under the LHO are hereby cautioned to avoid assisting in house deliveries, except during emergency cases, but must encourage pregnant women and mothers to submit to the medical care of an obstetrician-gynaecologist in a hospital setting during delivery.

ARTICLE 16

EARLY CHILDHOOD CARE AND DEVELOPMENT PROGRAM

- SECTION 82. **EARLY CHILDHOOD CARE AND DEVELOPMENT PROGRAM** - The Local Government of Los Baños shall initiate an Early Childhood Care and Development Program to ensure to the maximum extent possible the survival and development of the child, which shall include but not limited to the following programs:
- (a) The care of 0-2 years old children in 24-hour basis;
 - (b) The attendance of all children 3-5 years old to early education programs;

- (c) The assurance that all children 6-12 years old are studying in school;
- (d) The assurance that all children 13-18 years old attend and finish high school;
- (e) The assurance that all school-children pass the National Achievement Test;
- (f) The identification of out-of-school children for the purpose of establishing back-to-school program or alternative education, their engagement in income producing projects/jobs and become productive citizens; and
- (g) Child minding/caring services program.

ARTICLE 17

ESSENTIAL NEWBORN CARE

- SECTION 83. **ESSENTIAL NEWBORN CARE (ENC) PROTOCOL** - The ENC Protocol is a step-by-step guide for health workers and medical practitioners issued by the Department of Health (DOH) for implementation under Administrative Order 2009-0025. It is a simple cost-effective newborn care intervention that can improve neonatal as well as maternal care and an evidence-based intervention that:
- (a) Emphasizes a core sequence of actions, performed methodically
 - (b) Is organized so that essential time-bound interventions are not interrupted; and
 - (c) Fills a gap for a package of bundled interventions in a guideline format.
- SECTION 84. **STEP-BY-STEP INTEVENTIONS** - Listed below are the four (4) simple, time-bounded steps under the ENC Protocol:
- (a) Immediate drying;
 - (b) Uninterrupted skin-to-skin contact;
 - (c) Proper cord clamping and cutting; and
 - (d) Non-separation of the newborn from the mother for early breastfeeding initiation and roaming in.
- SECTION 85. **IMMEDIATE DRYING** - By using a clean, dry cloth, thoroughly dry the baby, wiping the face, eyes, head, front and back, arms and legs. Immediate drying or delayed washing of the newborn provides protection against hypothermia, infection and encourages the natural crawling reflex.
- SECTION 86. **UNINTERRUPTED SKIN-TO-SKIN CONTACT** - Aside from the warmth and immediate bonding between mother and child, it has been found that uninterrupted skin-to-skin contact between mother and newborn starting from birth for at least six hours stimulates the mucosa-associated lymphoid tissue system and protects the newborn from hypoglycemia.
- SECTION 87. **PROPER CORD CLAMPING AND CUTTING** - Waiting for up to three minutes or until the pulsations stop is found to reduce the chances of anemia and fewer intraventricular hemorrhages in full term and pre-term babies. Evidence also shows that delaying cord clamping has no significant impact on the mother.

SECTION 88. **NON-SEPARATION OF THE NEWBORN FROM THE MOTHER FOR EARLY BREASFEEDING INITIATION AND ROOMING-IN -** The earlier the baby breastfeeds, the lesser the risk of death. Keeping the baby latched on to the mother will not only benefit the baby but will also prevent doing unnecessary procedures like putting the newborn on a cold surface for examination, administering glucose water or formula and foot printing and washing – the World Health Organization's (WHO) standard is to delay washing up to 6 hours.

On the other hand, necessary actions such as eye care, vitamin K administration must be timed. Eye care must be done after the infant has located the mother's breast.

SECTION 89. **UNANG YAKAP CAMPAIGN -** The Local Health Office (LHO) shall actively campaign for the promotion of the ENC Protocol by enjoining other government agencies, other public and private healthcare providers and all health practitioners involved in maternal and newborn care to observe and ensure the quality provision of time-bound interventions of newborn care. The LHO together with the LPIO shall also be responsible for the information dissemination of this campaign to all Los Baños residents most especially to expectant women/ mothers and their partners.

ARTICLE 18

COMPREHENSIVE NEWBORN SCREENING (Ordinance No. 2010-952)

SECTION 90. The Local Government of Los Baños hereby adopts the Comprehensive Newborn Screening System implemented by the Department of Health in accordance with Republic Act No.9288, otherwise known as the "Newborn Screening Act of 2004". 

SECTION 91. The Local Government, through the LHO, shall ensure that all newborn infants are offered the opportunity to undergo newborn screening and thus be spared from heritable conditions that can lead to mental retardation, serious health complications and death, if undetected and untreated.

SECTION 92. **DECLARATION OF NEWBORN SCREENING WEEK -** In support to the provisions of Republic Act No. 9288, the Local Government of Los Baños hereby declares the first week of October every year as "Newborn Screening Week".

ARTICLE 19

PROMOTION OF BREASTFEEDING

SECTION 93. Pursuant to Executive Order No. 51 dated October 10, 1986 or "The Milk Code of the Philippines" and Republic Act No. 7600 or "The Rooming-In and Breastfeeding Act of 1992", the Local Government of Los Baños, through the LHO, shall protect and promote breast feeding of newborn infants and shall create an environment where basic physical, emotional and psychological needs of mothers and infants are fulfilled through the practice of rooming-in and breastfeeding.

- SECTION 94. Health personnel under the LHO shall inform pregnant women and mothers on the importance of mother's milk, its benefits to the infant and superiority over breastmilk substitute, and the advantages of breastfeeding their infants.
- SECTION 95. No financial or material inducement shall be made by manufacturers, distributors or suppliers of breastmilk substitute to promote their products to health workers or their families, nor shall these be accepted by the health workers or members of their families.
- SECTION 96. Bottle feeding shall be allowed only when the mother has been informed by the attending health personnel of the advantages of breastfeeding and the proper techniques of infant formula feeding and the mother has opted in writing to adopt infant formula feeding for her infant.
- SECTION 97. **ESTABLISHMENT OF THE LOS BANOS HUMAN MILK BANK (LBHMB)** - The Local Government of Los Baños, through the Local Health Office (LHO) shall establish a Human Milk Bank which shall be known as the "Los Baños Human Milk Bank" or LBHMB for the support of women and children in need of breastmilk. The LBHMB shall collect, process, and store breastmilk for vulnerable babies such as, but not limited to: pre-term or premature; malnourished; infants in neonatal intensive care units; motherless infants; and infants with seriously ill mothers or mothers incapable of breastfeeding.

ARTICLE 20

REGISTRATION OF LIVE BIRTHS

- SECTION 98. **MANDATORY REGISTRATION OF LIVE BIRTHS** - The child's parents or their duly authorized representative shall cause the registration of child's birth whether legitimate or illegitimate before the LCR within thirty (30) days from birth. In recognition of the effort of prompt registration, no cost shall be charged if the same is made within five (5) working days from birth of the child. Late registration shall be governed by existing rules and regulations.
- SECTION 99. **REGISTRATION OF FOUNDLING CHILD** - The LSWDO shall cause the registration of foundling child within thirty (30) days upon actual custody before the LCR free of charge. Provided, that the LSWDO shall prepare a social case study report prior to registration.

For this purpose, foundling child refers to deserted or abandoned infant or child; a child committed to DSWD/LSWD or duly licensed institution with unknown facts of birth and parentage.

ARTICLE 21

COMPULSORY BASIC IMMUNIZATION PROGRAM

- SECTION 100. **COVERAGE** - Basic immunization against certain diseases shall be compulsory for infants before reaching one (1) year old.

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SECTION 101. **SCOPE** - Basic immunization shall include:

- (a) BCG Vaccination against tuberculosis;
- (b) Inoculation against diphtheria, tetanus and pertussis;
- (c) Oral poliomyelitis immunization;
- (d) Protection against measles; and
- (e) Immunization against rubella

Other basic immunization services for infants and children below eight (8) years of age may also be recommended by the Council.

SECTION 102. **RESPONSIBILITY OF THE LOCAL HEALTH OFFICE (LHO)** - The LHO shall provide free basic immunization services to infants and children below eight (8) years of age, subject to the rules and regulations promulgated by the Council.

SECTION 103. **RESPONSIBILITY OF PARENTS, GUARDIANS, OR PERSON HAVING CUSTODY OF THE INFANT OR CHILD** - It shall be the duty of the parents, guardian, or person having custody of the infant or child to see to it that such infant or child is presented for basic immunization services at such place and time as specified by the LHO.

SECTION 104. **RESPONSIBILITY OF THE HEAD OF SCHOOL OR INSTITUTION** - The head of an institution where infants or children are educated, treated, cared for, or committed by law for preventive or rehabilitative services shall provide basic immunization services. Provided, that arrangements may be made by the said institution with the LHO for free immunization services.

SECTION 105. **IMMUNIZATION OF SCHOOL ENTRANTS** - It shall be the duty of all schools, public and private, to ensure that all school entrants of pre-school and primary schools has received basic immunization, subject to rules and regulations promulgated by the Council.

ARTICLE 22

DENTAL CARE

SECTION 106. **DENTAL CARE** - To reduce the prevalence of dental carries, the LHO, in coordination of other government and non-government institutions, private sectors, shall conduct dental mission/programs regularly with an aim of zero-cavity for the children of Los Baños.

ARTICLE 23

FOOD FORTIFICATION PROGRAM

SECTION 107. **PROMOTION OF IODEIZED SALT** - The Local Government of Los Baños shall continue promoting the use of Iodized Salt through the implementation of Republic Act No. 8172, otherwise known as "An Act Promoting the Salt Iodization Nationwide".

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- SECTION 108. **PROMOTION OF IRON FORTIFIED RICE** - The Local Government of Los Baños shall continue to make available to the consuming public iron fortified – rice to combat iron deficiency, particularly among school aged – children in compliance to Republic Act No. 8976 or the “Food Fortification Law of the Philippines”.
- SECTION 109. **“GARANTISADONG PAMBATA” PROGRAM** - The Local Government of Los Baños, in coordination with the Department of Health (DOH) and in partnership with Non-Government Organizations (NGOs), shall continue implementing the “Garantisadong Pembata” Program by providing adequate funds for the purpose.

ARTICLE 24

DAY CARE PROGRAM

- SECTION 110. Day Care Service (3-4 Years Old). Pursuant to Republic Act No. 6972 or “The Barangay Level Total Development and Protection of Children Act”, there is hereby established a day care center in every barangay within Los Baños. Children below five (5) years old may be admitted to the day care center with the consent of the parents or guardian, where basic education and primary health care services shall be provided to them.
- SECTION 111. **SUPPORT SERVICES** - The Local Government of Los Baños, through the Council in coordination with the LHO and the LSWDO, shall provide the following support services to day care children and their families:
- (a) Medical and dental check-up;
 - (b) Eye screening;
 - (c) Ear/hearing check-up;
 - (d) Orientation on proper hand washing and tooth brushing;
 - (e) Provision of free toothbrush and toothpaste;
 - (f) Supplemental feeding; and
 - (g) Parent effectiveness service to day care parents.
- SECTION 112. The LSWDO shall formulate the criteria for the selection, qualifications, capability development through seminars/trainings and accreditation of barangay day care workers and the standards for the implementation of the total development and protection of children program.
- SECTION 113. The Local Government of Los Baños, through the LHO and LSWDO, shall take appropriate measures to combat disease and malnutrition within the framework of primary health care through the application of readily available technology and through provision of adequate nutritious food and clean drinking water. In line with this advocacy, the concerned local offices shall initiate supplemental feeding programs for malnourished children through the day care centers.

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ARTICLE 25

SCHOLARSHIP PROGRAM (Ordinance No. 2013-1248, as amended)

- SECTION 114. **SCHOLARSHIP PROGRAM** - The Local Government of Los Baños shall continue implementing the Scholarship Program as prescribed in Ordinance No. 2013-1248 and its amendments. Utmost priority shall be granted to the poorest of the poor, most talented deserving graduates and students in public elementary, secondary and tertiary schools. The scholarship grants shall be proportionally shared among the town's fourteen (14) barangays based on their total population.
- SECTION 115. **AUTOMATIC GRANTS TO TOP THREE GRADUATES OF PUBLIC ELEMENTARY AND SECONDARY SCHOOLS** - Graduates of public elementary and secondary schools awarded the highest degree of honors from valedictorian, salutatorian to first (1st) honorable mention are automatically covered by the scholarship program and are allowed to enroll in any public or private secondary and tertiary schools within Los Baños.
- SECTION 116. **SPECIAL COLLEGE EDUCATION GRANT FOR INDIGENT STUDENTS WITH AVERAGE INTELLIGENCE, SONS/DAUGHTERS OF BARANGAY TANODS AND SPORTS AWARDS RECIPIENTS** - This distinct program is consistent with the commitment of the LGU to spread and share the benefits of education with less fortunate families in their pursuit of giving their children the opportunity to finish secondary level and/or four (4) year college degree and thus improve their lot.

ARTICLE 26

SPECIAL EDUCATION, ALTERNATIVE LEARNING, SKILLS AND DEVELOPMENT PROGRAM

- SECTION 117. **SPECIAL EDUCATION AND ALTERNATIVE LEARNING PROGRAM** - The Local Government of Los Baños shall provide and assist public schools as much as possible to set-up a Special Education Centers to cater the educational and learning needs of differently-abled children within its jurisdiction. Funds in support for this program shall be regularly appropriated under the Special Education Fund (SEF).
- SECTION 118. **SKILLS AND TALENT DEVELOPMENT PROGRAM** - Local Government of Los Baños, through appropriate Government Offices and Programs shall establish a program for children with special skills and talents such as, sports, arts, music, dancing and other extra ordinary skills and talents.

ARTICLE 27

ANTI-DRUG ABUSE PROGRAM

- SECTION 119. **STRICT IMPLEMENTATION OF R.A. 7624** - To educate the children of Los Baños on the consequences of drug abuse and in line with the efforts of the national government to inform its constituents of the ill

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effects of drug abuse, drug addiction, or drug dependency and the protection of the children against the same, all public and private intermediate and secondary educational institutions in Los Baños are hereby directed to integrate subjects in drug prevention and control in their respective curriculum as provided by Republic Act No. 7624 better known as, "An Act Integrating Drug Prevention and Control in the Intermediate and Secondary Curricula".

The Department of Education (DepEd) Los Baños District shall be the lead agency to implement this Section and shall conduct appropriate measures for purposes of compliance by concerned educational institutions to this provision.

ARTICLE 28

YOUTH ENTREPRENEURSHIP

- SECTION 120. **INCOME GENERATING PROJECTS AT HOME AND SCHOOL -** To create opportunities for livelihood and economic upliftment for families, income generating projects both at home and school shall have the support of the Local Government of Los Baños. The latter shall continuously extend financial and technical assistance to those projects with the end view that the child and youth are benefited.

ARTICLE 29

DIFFERENTLY-ABLED CHILDREN

- SECTION 121. **CONSIDERATION FOR DIFFERENTLY-ABLED CHILDREN -** The Local Government of Los Baños shall establish comprehensive programs for the differently-abled children, which should be child-focused and specific. Its paramount consideration is the achievement of a more systematic coordination of services such as health nutrition and education for children with special needs.

Chapter 8, Section 32 of RA 9442, otherwise known as the "Magna Carta for Disabled Persons and for Other Purposes" shall be strictly implemented and the penalty provided thereof shall be imposed to any person having found guilty by competent court for violation of this Section.

- SECTION 122. **STRICT IMPLEMENTATION OF BP 344 -** The Local Government of Los Baños shall ensure the strict implementation of Batas Pambansa Bilang 344, otherwise known as, "An Act to Enhance the Mobility of Disabled Persons by Requiring Certain Buildings, Institutions, Establishments, and Public Utilities to Install Facilities and other Devices". The penalty provided in Section 4 of BP 344 shall be imposed to any person found to have violated this section after due proceeding by the court of competent jurisdiction.

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- SECTION 123. **SURVEY AND ACTIVE PROGRAM FOR SPECIALLY-ABLED CHILDREN** - The Local Government of Los Baños shall make a periodic comprehensive survey on the specially-abled children in its locality, which is child-focused and specific. It aims to achieve a more systematic coordination of health services, nutrition, and education for children with special needs.
- SECTION 124. **INVESTMENT IN EDUCATORS AND HEALTH PROFESSIONAL TRAINING PROGRAM FOR CHILDREN WITH SPECIAL NEEDS**
- Training program for educators and health professionals handling specially-abled children with special needs shall form part of the priority programs of the Local Government.
- SECTION 125. **SUPPORT SERVICES AND PROGRAMS** - The Local Government, through the LHO and LSWDO and in partnership with NGOs, shall:
- (a) Provide assistive devices such as, but not limited to wheelchairs, crutches, canes, hearing aids, walkers and special seats to differently-abled children;
 - (b) Endeavor to provide regular physical therapy for children with Cerebral Palsy, Down Syndrome, and Hydrocephalus, educational or financial assistance for school children with physical deformities (speech impaired, clubfoot, blind, hearing impaired, epilepsy and polio) and mental disabilities;
 - (c) Refer concerned children to appropriate medical practitioners for possible operation of hernia and cleft/lip palate; and
 - (d) Initiate Early Detection and Disability Prevention Seminar among Day Care Parents, shall conduct eye screening, ear/hearing care among Day Care Children.

ARTICLE 30

CHILDREN IN CONFLICT WITH LAW

- SECTION 126. **STRICT IMPLEMENTATION OF R.A. 9344** - The Local Government of Los Baños shall ensure the strict implementation of Republic Act No. 9344, otherwise known as the "Juvenile Justice and Welfare Act of 2006".
- SECTION 127. **RIGHTS OF CHILDREN IN CONFLICT WITH THE LAW** - Pursuant to Republic Act 9344, every child in conflict with the law shall have the following rights, including but not limited to:
- (a) The right not to be subjected to torture or other cruel or inhuman treatment or punishment;
 - (b) The right not to be deprived unlawfully or arbitrarily, of his/her liberty; detention or imprisonment being a disposition of last resort, and shall be for the shortest appropriate period of time;
 - (c) The right not to be imposed a sentence of capital punishment or life imprisonment, without the possibility of release;
 - (d) The right to be treated humanely and with respect for the inherent dignity of the person, and in a manner in which takes into account the

with adult offenders. He/she shall be conveyed separately to or from court. He/She shall await hearing of his/her own in a separate holding area. A child in conflict with the law shall have the right to maintain contact with his/her family through correspondence and visits save in exceptional circumstances;

- (e) The right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his/her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on such action;
- (f) The right to bail and recognizance, in appropriate cases;
- (g) The right to testify as witness in his/her own behalf under the rule on examination of child witness;
- (h) The right to have his/her privacy respected fully at all stages of the proceedings;
- (i) The right to diversion if he/she is qualified and voluntarily avails of the same;
- (j) The right to be imposed a judgment in proportion to the gravity of the offense where his/her interests, the rights of the victim and the needs of society are all taken into consideration by the court, under the principle of restorative justice;
- (k) The right to have restriction on his/her personal liberty limited to the minimum, and where the discretion is given by law to the judge to determine whether to impose fine or imprisonment, the imposition of fine being preferred as the more appropriate penalty;
- (l) In general, the right to automatic suspension of sentence;
- (m) The right to probation as an alternative to imprisonment if qualified under the probation law.
- (n) The right to be free from liability for perjury, concealment or misrepresentation; and,
- (o) Other rights as provided for under existing laws, rules and regulations.

SECTION 128. **MINIMUM AGE OF CRIMINAL RESPONSIBILITY** - A child fifteen (15) years of age or under at the time of the commission of the offense shall be exempted from criminal liability. However, he/she shall be subjected to an appropriate intervention program for self-reformation.

A child above fifteen (15) years of age but below eighteen (18) years of age shall likewise be exempt from criminal liability and be subjected to an intervention program, unless he/she had acted with discernment, in which case, such child shall be subjected to the appropriate proceedings in accordance with the provisions of RA 9344.

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

SECTION 129. **DIVERSION PROGRAM** - Children in conflict with the law may undergo child-appropriate process or measures of serving responsibility for an alleged offense without undergoing formal court litigation.

SECTION 130. **REHABILITATION AND REINTEGRATION** - The objective of rehabilitation and reintegration of children in conflict with the law is to provide them with interventions, approaches and strategies that will enable them to improve their social functioning with the end goal of reintegration to their families and as productive member of the communities.

- (a) No child shall be received in any rehabilitation or training facility without a valid order issued by the court. The details of this order shall be recorded in a register exclusive for children in conflict with the law. No child shall be admitted in any facility where there is no such register.
- (b) It is mandatory that children should be separated from adults in any training or rehabilitation facility unless they are members of the same family. Under no circumstances shall a child in conflict with the law be placed in the same confinement as adults.
- (c) The rehabilitation, training or confinement area of children in conflict with the law shall provide a home environment where they can be provided with quality counselling and treatment.
- (d) Female children in conflict with the law placed in institution shall be given special attention as to their personal needs and problems. They shall be handled by female doctors, correction officers and social workers, and shall be accommodated separately from male children in conflict with the law.
- (e) No personnel of rehabilitation and training facilities shall handle children in conflict with the law without having undergone gender sensitivity training.
- (f) Children in conflict with the law whose sentences are suspended may, upon order of the court, undergo any or a combination of disposition measures best suited to the rehabilitation and welfare of the child as provided in the Supreme Court Rule on Juveniles in Conflict with the Law.
- (g) If the community-based rehabilitation is availed by a child in conflict with the law, he/she shall be released to parents, guardians, relative or any other responsible person in the community. Under the supervision and guidance of the LSWDO and in coordination with his/her parents or guardians, the child in conflict with the law shall participate in any community-based programs which shall include, but not limited to:
 - g.1. Competency and life skills development;
 - g.2. Socio-cultural and recreational activities;
 - g.3. Community volunteer projects;
 - g.4. Leadership Training;
 - g.5. Social Service;
 - g.6. Home life Service;
 - g.7 Health Services;
 - g.8 Spiritual Enrichment; or
 - g.9. Community and family welfare services

- (h) The youth rehabilitation center shall provide a 24-hour group care, treatment and rehabilitation services under the guidance of a competent and trained staff where residents are cared for under a structured therapeutic environment with the end view of reintegrating them in their families and communities as socially functioning individuals.

SECTION 131. **LIABILITY OF PARENTS OR GUARDIANS OR ANY PERSON IN THE COMMISSION OF DELINQUENT ACTS BY THEIR CHILDREN OR WARDS** - A person whether the parent or guardian of the child or not, who knowingly or willfully, aids, causes, abets or connives with the commission by a child of a delinquency, or does any act producing, promoting, or contributing to a child's being or becoming a

juvenile delinquent, shall be punished by a fine not exceeding five hundred (500) pesos or to imprisonment for a period not exceeding two years, or both such fine and imprisonment, at the discretion of the court.

SECTION 132. **CIVIL LIABILITY OF YOUTH OFFENDERS** - The civil liability for acts committed by a civilized youth in conflict with the law shall devolve upon the offender's father and, in case of his death or incapacity, upon the mother, or in case of her death or incapacity, upon the guardian. Civil liability may also be voluntarily assumed by a relative or family friend of the youthful offender.

The final release of a child because of good conduct shall not obliterate his/her civil liability for damages. Such release shall be without prejudice to the right for a writ of execution for the recovery of civil damages.

SECTION 133. **REPORT ON CONDUCT OF CHILD** - The LSWDO or its representative or duly licensed agency or individual under whose care the civilized youth in conflict with the law has been committed shall submit to the court every four months or oftener as may be required in special cases, a written report on the conduct of said youthful offender as well as the intellectual, physical, moral, social and emotional progress made by him/her.

SECTION 134. **DISMISSAL OF THE CASE** - if it is shown to the satisfaction of the court that the civilized youth in conflict with the law whose sentence has been suspended, has behaved properly and has shown his capability to be a useful member of the community, even before reaching the age of majority, upon recommendation of the Department of Social Welfare & Development (DSWD), it shall dismiss the case and order his/her final discharge.

ARTICLE 31

CHILDREN IN NEED OF SPECIAL PROTECTION

SECTION 135. **COVERAGE** - This Article shall cover the following:

- (a) Abused minors;
- (b) Street children; and
- (c) Drug dependents

SECTION 136. **CHILD PROSTITUTION AND OTHER SEXUAL ABUSE** - Children, whether male or female, who for money, profit or any other consideration or due to coercion or influence of an adult, syndicate or group, indulge in sexual intercourse or lascivious conduct, are deemed to be children exploited in prostitution and other sexual abuse.

There is an attempt to commit child prostitution in the following situations:

- (a) When any person, not being a relative of a child, is found alone with the said child inside the room or cubicle of a house, an inn, hotel, motel, pension house, apartelle or other similar establishments, vessel, vehicle or any other hidden or secluded area under circumstances

which would lead a reasonable person to believe that the child is about to be exploited in prostitution and other sexual abuse; and

- (b) When a person is receiving services from a child in a sauna parlor or bath, massage clinic, health club and other similar establishments.

SECTION 137 OTHER ACTS OF ABUSE - The following acts shall be deemed acts of neglect, abuse, cruelty or exploitation prejudicial to child's development:

- (a) Hiring, employing, using, persuading or coercing a child to perform in obscene exhibitions and indecent shows, whether live or in video, or model in obscene publications or pornographic materials or to sell or distribute the said materials;
- (b) Keeping or having in a person's (not related to the child within the fourth degree of consanguinity or affinity or any bond recognized by law, local custom and tradition) accompany a minor, twelve (12) years or under or who is ten (10) years or more his junior in any public or private place, hotel, motel, beer joint, discotheque, cabaret, pension house, sauna or massage parlor, beach and/or other tourist resort or similar places; and
- (c) Inducing, delivering or offering a minor to anyone not related to the child as provided for under par. b hereof;
- (d) Using, coercing, forcing or intimidating a minor to:
- d.1. Beg or use begging as a means of living;
d.2. Act as conduit or middleman in drug trafficking or pushing; or
d.3. Conduct any illegal activities.

SECTION 138. SUPPORT SERVICES AND PROGRAMS - The Local Government, through the LHO and LSWDO, shall implement measures that would ensure the protection and rehabilitation to prepare the abused child for full integration into the mainstream of society.

ARTICLE 32

CHILDREN IN SITUATIONS OF ARMED CONFLICT

SECTION 139. CHILDREN AS ZONES OF PEACE - Children are hereby declared as Zones of Peace. It shall be the responsibility of the Local Government and all other sectors concerned to resolve armed conflicts in order to promote the goal of children as zones of peace. To attain this objective, the following policies shall be observed:

- (a) Children shall not be the object of attack and shall be entitled to special respect. They shall be protected from any form of threat, assault, torture or other cruel, inhumane or degrading treatment;
- (b) Children shall not be recruited to become members of the Armed Forces of the Philippines of its civilian units or other armed groups, nor be allowed to take part in the fighting, or used as guides, couriers, or spies;
- (c) Delivery of basic social services such as education, primary health and emergency relief services shall be kept unhampered;
- (d) The safety and protection of those who provide services including those involved in fact-finding missions from both government and

non-government institutions shall be ensured. They shall not be subjected to undue harassment in the performance of their work;

(e) Public infrastructure such as schools, hospitals and rural health units shall not be utilized for military purposes such as command posts, barracks, detachments, and supply depots; and,

(f) All appropriate steps shall be taken to facilitate the reunion of families temporarily separated due to armed conflict.

SECTION 140. EVACUATION OF CHILDREN DURING ARMED CONFLICT - Children shall be given priority during evacuation as a result of armed conflict. Existing community organizations shall be tapped to look after the safety and well-being of children during evacuation operations. Measures shall be taken to ensure that children evacuated are accompanied by persons responsible for their safety and well-being.

SECTION 141. FAMILY LIFE AND TEMPORARY SHELTER - Whenever possible, members of the same family shall be housed in the same premises and given separate accommodation from other evacuees and provided with facilities to lead a normal family life. In places of temporary shelter, expectant and nursing mothers and children shall be given additional food in proportion to their physiological needs. Whenever feasible, children shall be given opportunities for physical exercise, sports and outdoor games.

SECTION 142. RIGHTS OF CHILDREN ARRESTED FOR REASONS RELATED TO ARMED CONFLICT - Any child who has been arrested for reasons related to armed conflict, either as combatant, courier, guide or spy is entitled to the following rights:

- (a) Separate detention from adults except where families are accommodated as family units;
- (b) Immediate free legal assistance;
- (c) Immediate notice of such arrest to the parents or guardians of the child; and,
- (d) Release of the child on recognizance within twenty-four (24) hours to the DSWD or any responsible member of the community as determined by the court.

If after hearing the evidence in the proper proceedings the court should find that the aforesaid child committed the acts charged against him/her, the court shall determine the imposable penalty, including any civil liability chargeable against him/her.

However, instead of pronouncing judgment of conviction, the court shall suspend all further proceedings and shall commit such child to the custody or care of the DSWD or to any training institution operated by the Government, or duly-licensed agencies or any other responsible person, until he/she has reached eighteen (18) years of age or, for a shorter period as the court may deem proper, after considering the reports and recommendations of the DSWD or the agency or responsible individual under whose care he has been committed.

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The aforesaid child shall be subject to visitation and supervision by a representative of the DSWD or any duly licensed agency or such other officer as the court may designate subject to such conditions as it may prescribe.

The aforesaid child whose sentence is suspended can appeal from the order of the court in the same manner as appeals in criminal cases.

SECTION 143 MONITORING AND REPORTING OF CHILDREN IN SITUATIONS OF ARMED CONFLICT. The Punong Barangay of the barangay(s) affected by the armed conflict shall submit the names of children residing in said barangay to the Local Social Welfare and Development Officer within twenty-four (24) hours from the occurrence of the armed conflict.

ARTICLE 33

OBSERVANCE OF LINGGO NG KABATAAN

SECTION 144. The Linggo ng Kabataan shall be observed and celebrated in Los Baños during the last week of November or first week of December, whichever is convenient and acceptable to school officials, every year.

SECTION 145. In compliance with Book III, Title I, Chapter 10 of RA 7160, there shall be youth officials who shall occupy the following offices/positions:

- (a) Mayor;
- (b) Vice-Mayor;
- (c) Ten (10) Local Sanggunian Members (Councilors);
- (d) Department Heads such as:
 - 1. Secretary to the Sanggunian;
 - 2. Human Resource and Management Officer;
 - 3. Treasurer;
 - 4. Accountant;
 - 5. Budget Officer;
 - 6. Assessor;
 - 7. Local Civil Registrar;
 - 8. Local Social Welfare & Development Officer;
 - 9. Local Planning & Development Coordinator;
 - 10. Engineer;
 - 11. Local Health Officer;
 - 12. Agriculturist;
 - 13. PNP Chief; and
 - 14. Fire Chief

SECTION 146. The youth officials, who shall serve for a period of one (1) week, must be nominated by their respective school head based on the following qualifications:

- (a) Must have a general average grade of 88%;
- (b) Must have strong leadership capabilities;
- (c) Must be currently enrolled in any secondary school within Los Baños;
- (d) Must be a Los Baños resident;
- (e) Must be of good moral character;
- (f) Must be part of the Top 5 performing Students; and

(g) The out of school youth must be nominated by the Barangay Sanggunian.

- SECTION 147. Every public, private secondary schools and senior high schools in Los Baños shall have five (5) nominees for the program. Nomination forms shall be forwarded by the Office of the Secretary to the Sanggunian, and shall likewise be responsible in collating all accomplished forms together with the documentary requirements.
- SECTION 148. The student-nominee shall submit a certified photocopy of his/her latest report card and a certification of Good Moral Character from the School Head and the Punong Barangay of his/her place of residence.
- SECTION 149. The student-nominee shall meet one week before the start of the program to elect among themselves the counterpart of the elective and appointive officials and agency heads.
- SECTION 150. The student-nominee to the particular office shall immediately report to the respective office and shall be required to acquaint himself/herself to the nature of the office for one day prior to assumption of office.
- SECTION 151. All youth officials shall be under the direct supervision and guidance of their counterparts. All communication made by and for the office shall be relayed by the youth official to the regular office head prior to implementation.
- SECTION 152. A three-man committee shall be created to monitor the proper implementation of the program. It shall be composed of the following:
- (a) Ex-Officio Local Sanggunian Member/President, Sangguniang Kabataan Federation of Los Baños/ Chairman, Local Sangguniang Committee on Youth & Sports Development;
- (b) Chairman, Local Sanggunian Committee on Education; and
- (c) Chairman, Local Sanggunian Committee on Rules.
- SECTION 153. All youth officials shall report for work from 8:00 am to 5:00 pm, but shall be required to reflect their official time in and out in the Daily Time Record to be prepared by the Human Resource and Development Office.
- SECTION 154. At the end of the term, the youth officials shall submit an official report regarding their transactions for the whole week and shall recommend measures that may improve the services in their particular office.
- SECTION 155. All youth officials shall receive a Plaque of Appreciation from the Local Government of Los Baños and honoraria to be determined by the Local Chief Executive. All participating schools shall likewise receive Plaques of Appreciation.

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CHAPTER V

REGULATORY MEASURES

ARTICLE 34

IMPLEMENTATION OF THE PROVISIONS OF RA 9208 (Anti-Trafficking in Persons Act of 2003)

SECTION 156. The Local Government of Los Baños shall undertake the following programs, projects and activities:

- (a) Implement the mandatory services enumerated in Section 2.3 of RA 9208;
- (b) Develop and disseminate information materials on anti-trafficking;
- (c) Train LGU personnel involved in programs against trafficking in persons;
- (d) Establish a system of referral, monitoring and reporting of trafficking cases using the prescribed standard reporting format;
- (e) Conduct inspection, in coordination with proper authorities, of houses, buildings or establishment suspected of being used for trafficking activities; and
- (f) Institute a reward scheme for those who have provided any information that leads to the suppression or prevention of trafficking and apprehension of offenders.

SECTION 157. CREATION OF THE LOCAL COMMITTEE ON ANTI-TRAFFICKING - There shall be a Local Committee on Anti-Trafficking, with the Local Chief Executive as the Chairperson, the Chairperson of the Local Sanggunian Committee on Women and Family as the Vice-Chairperson and the following members, some whom are local counterparts of the national government agency – members of the Inter-Agency Council Against Trafficking (IACAT) enumerated in Section 20 of RA 9208:

- (a) Presiding Judge, Municipal/City Trial Court;
- (b) Local Social Welfare and Development Officer;
- (c) Public Employment Service Officer;
- (d) Chief of Police, Los Baños Philippine National Police (PNP);
- (e) Local Government Operations Officer, Department of Interior and Local Government (DILG);
- (f) District Supervisor, Department of Education;
- (g) Representative of at least two (2) accredited NGOs/POs; and
- (h) At least two (2) Barangay Human Rights Action Officer (BHRAO)

SECTION 158. FUNCTIONS OF THE LOCAL COMMITTEE ON ANTI-TRAFFICKING - The Committee shall have the following functions:

- (a) Coordinate local government programs, projects and activities relative to campaign against trafficking;
- (b) Propose and recommend policies and regulations on anti-trafficking to the Sangguniang Bayan;
- (c) Monitor and review policies, programs, projects and activities on anti-trafficking;

- (d) Coordinate with local offices of the national agencies in relation to their respective responsibilities pursuant of Section 16 of RA 9208; and
- (e) Perform other related duties and responsibilities.

ARTICLE 35

CURFEW HOURS FOR MINORS (Ordinance No. 2011-1074)

- SECTION 159. **IMPOSITION** - There is hereby imposed curfew hour from 10:00 pm to 4:00 am against minor within the territorial jurisdiction of Los Baños.
- SECTION 160. **SCOPE AND COVERAGE** - This imposition shall apply to all people below eighteen (18) years of age, whether resident or non-resident of Los Baños.
- SECTION 161. **EXCEPTIONS** - The preceding section shall not be applicable in the following circumstances:
- (a) When the minor is accompanied by his parent or guardian;
 - (b) Legally employed as certified by the employer or the Department of Labor and Employment (DOLE) and duly noted by the Punong Barangay of his place of residence;
 - (c) Inside a motor vehicle, this is in transit;
 - (d) During emergency errands for the family;
 - (e) When the minor is five (5) meters away from his residence or immediately outside therefrom;
 - (f) When the minor is attending an official educational, religious or community organized activity or those sponsored by accredited non-government organizations;
 - (g) When for justifiable reasons, minor was not able to reach his/her residence within the prescribed curfew hour; and
 - (h) Elected SK Officials performing emergency and related official functions.
- SECTION 162. The Local Chief Executive is hereby granted the authority to suspend the curfew regulations on the following occasions:
- (a) Christmas: December 24 – 25;
 - (b) New Year: December 31 – January 1;
 - (c) Holy Week: Holy Wednesday – Easter Sunday;
 - (d) Town Fiesta: December 7 – 8;
 - (e) All Saint's Day: November 1; and
 - (f) Other special occasion and/or local festivities
- SECTION 163. Authority is likewise granted to the Punong Barangay to suspend the implementation of this ordinance during the celebration of Barangay Fiesta and/or special occasions in the barangay where permit is required.
- SECTION 164. All civilized youth in conflict with the law rendering community service as called for by this ordinance shall be under supervision of PNP Los Baños and Municipal Social Welfare and Development Office.

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SECTION 165. All Punong Barangays, Barangay Kagawads and Barangay Tanods/Police are empowered to strictly implement this ordinance in their respective barangays.

ARTICLE 36

REGULATING THE USE, SALE, DISTRIBUTION AND ADVERTISEMENT OF CIGARETTES AND OTHER TOBACCO PRODUCTS (Ordinance No. 2011-1074)

SECTION 166. **PROHIBITED ACTS** - The following acts are declared unlawful and prohibited by this Ordinance:

- (a) Selling or distributing tobacco products, e-cigarettes and vape in a school, public playground or other facility frequented by minors, or within 100 meters from any point in the perimeter of these places;
- (b) Smoking minors;
- (c) Selling or distributing tobacco products, e-cigarettes and vape to minors;
- (d) Purchasing tobacco products, e-cigarettes and vape from minors; and
- (e) Using E-cigarettes and vape in public places such as schools, institutions or other facility frequented by minors, or within 100 meters from any point in the perimeter of these places.

SECTION 167. **DUTIES AND OBLIGATIONS OF PERSONS-IN CHARGE** - The following are the duties and obligations of persons-in-charge of schools, public playgrounds or other facilities frequented by minors and point-of-sale establishments:

- (a) For persons-in-charge of schools, public playgrounds or other facilities frequented by minors, shall post the following statement in a clear and conspicuous manner:

SELLING OF CIGARETTES OR OTHER TOBACCO PRODUCTS NOT ALLOWED WITHIN 50 METERS FROM (SCHOOL/ETC.) PERIMETER

- (b) For persons-in-charge of point-of-sale establishments, shall post the following statement in a clear and conspicuous manner:

SALE/DISTRIBUTION OF TOBACCO PRODUCTS TO MINORS IS UNLAWFUL

SECTION 168. **PERSONS LIABLE** - The following persons shall be liable under this Ordinance:

- (a) Any person who commits any of the prohibited acts stated in Section 166 hereof; and
- (b) Persons-in-charge who knowingly allow, abet, or tolerate the prohibited acts enumerated in Section 166, or who otherwise fail to fulfil the duties and obligations enumerated in Section 167 hereof.

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ARTICLE 37

PROHIBITING STORES AND STOREOWNERS AND OTHER BUSINESS ESTABLISHMENTS FROM SELLING LIQUORS TO MINORS

- SECTION** 169. It shall be unlawful for all stores and storeowners and other business establishments operating within the territorial jurisdiction of Los Baños to sell liquors to minors.

SECTION 170. Storeowners shall be required to post a warning sign in their places of business which shall read as follows:

***SALE/DISTRIBUTION OF LIQUOR
TO MINORS IS UNLAWFUL***

Failure to post the warning sign shall be a ground for the cancellation of business permit.

- SECTION** 171. Only individuals of majority age shall be allowed to buy liquors from stores operating within Los Baños. Parents are therefore discouraged from ordering their children to buy liquors for them.

SECTION 172. Storeowners and other people working in the aforementioned business establishments shall require a valid identification card to a suspected minor before selling liquors.

SECTION 173. All police personnel, barangay tanods and school officials are hereby authorized to apprehend violators of any provision of this article. All apprehended violators shall be turned over to the local police unit for proper documentation and handling.

ARTICLE 38

**PROHIBITING THE OWNER OR OPERATOR OF VIDEO GAMES AND COMPUTER
TAPES, DISC AND SIMILAR SOFTWARES AND EQUIPMENT TO ACCEPT
CHILDREN BELOW FIFTEEN (15) YEARS OLD TO PLAY DURING SCHOOL
HOURS FROM 7:00 AM TO 5:00 PM
(Ordinance No.2002-113)**

- SECTION 174.** No licensed owner or operator of video game and computer tapes, disc and similar softwares and equipment (used for games and amusement which may require the active participation of the viewer) shall allow and accept children below eighteen (18) years old to play during school hours from 7:00 am to 5:00 pm within the territorial jurisdiction of Los Baños, except Saturdays, Sundays and Holidays.

ARTICLE 39

**AGE REQUIREMENT FOR DRIVERS OF TRICYCLE-FOR-HIRE
(Ordinance No. 2011-1082)**

- SECTION 175.** Drivers of motorized tricycles shall be from eighteen (18) years old up. Operators shall employ only drivers of legal age duly licensed by the LTO (Land Transportation Office) for tricycles. Drivers of tricycle-for-hire units caught to be a "minor" shall be the liability of the owner/operator.

ARTICLE 40

AGE REQUIREMENT FOR DRIVERS OF PEDICAB-FOR-HIRE (Ordinance No. 2012-1161)

- SECTION 176. Drivers of pedicab-for-hire (padyak) shall be from eighteen (18) years old up. Drivers of pedicab-for-hire units caught to be a "minor" shall be the liability of the owner/operator.

ARTICLE 41

AGE REQUIREMENT FOR DRIVERS OF TROLLEY-FOR-HIRE

- SECTION 177. Drivers of trolley-for-hire shall be from eighteen (18) years old up. Drivers of trolley-for-hire units caught to be a "minor" shall be the liability of the owner/operator.

ARTICLE 42

BAN OF CHILDREN IN BENEFIT DANCES AND SIMILAR ACTIVITIES

- SECTION 178. Children are banned to participate during benefit dances and other similar activities such as foam parties, bikini open's discos and other similar performances. Any person caught promoting such act shall be punished after due processing by the court of justice having jurisdiction thereof.
- SECTION 179. Their participation in culturally relevant activities shall be promoted, provided the child is under responsible adult supervision.
- SECTION 180. School-based activities that are not exploitative of children are not included in this provision.

ARTICLE 43

NO ADMITTANCE OF CHILDREN IN BARS, CLUBS OR SIMILAR ESTABLISHMENT

- SECTION 181. No children shall be admitted in any bar, club or any similar establishments which sell liquors. However, children between 13-17 years may be allowed entry to said establishments if accompanied by their parents, adult relatives and other responsible others.
- SECTION 182. Proof of ages shall be required from the parents or guardians before children aged 13 but below 18 may be allowed entrance.
- SECTION 183. There shall be a Task Force created in the municipality which shall be mandated to conduct periodic monitoring at least twice a year of bars, clubs and other similar establishments for the purpose of ensuring compliance of this provision. A report shall be submitted by the secretariat of the said Task Force to the Municipal Council for the Protection of children (MCPC)

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ARTICLE 44

CONTROL ON MINOR'S ENTRY TO HOTELS, MOTELS AND LODGING HOUSES

- SECTION 184. Minors are prohibited to check-in in hotels, motels and lodging houses within the municipality except when accompanied by parent/guardian who is obliged to show proof of filial relationship between the latter and the through presentation of IDs, document or other available means establishing filial relationship.

ARTICLE 45

PROHIBITION OF EARLY, FORCED AND ARRANGED UNION

- SECTION 185. Informal or customary union or live-in arrangement between an adult and a child or between two children is prohibited. Existing penal sanctions be imposed on adults involved in these unions.

CHAPTER VI

FINAL PROVISIONS

ARTICLE 46

PENAL PROVISIONS

- SECTION 186. All violations relative to the rights of children and the youth shall be penalized in accordance with the penal provisions of RA 9208 (Anti-Trafficking Act of 2003), RA 7658 (Act Prohibiting Employment of Children Below Fifteen Years of Age in Public and Private Undertakings), RA 7610 (Special Protection of Children Against Abuse, Exploitation and Discrimination Act) and PD No. 603 (Child and Youth Welfare Code).

- SECTION 187. Violators of the provisions of Article 35 imposing curfew hours on minors shall be meted with the following penalties:

- (a) FIRST OFFENSE – admonition and warning;
- (b) SECOND OFFENSE – summon parents and reprimand with fine of Five Hundred Pesos (P500.00) or two (2) hours of community service;
- (c) THIRD OFFENSE – referral of minors and parents to LSWDO for appropriate counselling with fine of One Thousand Pesos (P1,000.00) or four (4) hours of community service with stern warning; and
- (d) FOURTH and SUCCEEDING OFFENSES – commitment to LSWDO for custody and rehabilitation under which the concerned minor may be released from custody at the sound discretion of the office.

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SECTION 188. Stores, storeowners and other business establishments selling cigarettes or other tobacco products to minors, as provided for under Article 36, Section 166 (a) and (c), shall be meted with the following penalties:

- (a) FIRST OFFENSE – a fine of One Thousand Pesos (P1,000.00);
- (b) SECOND OFFENSE – a fine of One Thousand Five Hundred Pesos (P1,500.00); and
- (c) THIRD and SUBSEQUENT OFFENSES – a fine of Two Thousand Pesos (P2, 000.00), or imprisonment for a period of not exceeding six (6) months, or both at the discretion of the court; or revocation of business license or permit if the violator is a business entity or establishment.

SECTION 189. Minors who shall be found violating Article 36, Section 166 (b) shall be meted with the following penalties:

- (a) FIRST OFFENSE – Warning;
- (b) SECOND OFFENSE – Counseling and two (2) hours of community service; and
- (c) THIRD OFFENSE – Counseling and four (4) hours of community service.

SECTION 190. Persons who shall be found violating Article 36, Section 166 (d) shall be meted with the following penalties:

- (a) FIRST OFFENSES – a fine of One Thousand Pesos (P1,000.00);
 - (b) SECOND OFFENSE – a fine of One Thousand Five Hundred Pesos (P1,500.00); and
 - (c) THIRD and SUBSEQUENT OFFENSES – a fine of Two Thousand Pesos (P2, 000.00), or imprisonment for a period of not exceeding six (6) months, or both at the discretion of the court.
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SECTION 191. Persons-in-charge who fail to fulfil the duties and obligations enumerated under Article 36, Section 167 (a) and (b) shall be meted with the following penalties:

- (a) FIRST OFFENSE – a fine of One Thousand Pesos (P1,000.00);
- (b) SECOND OFFENSE – a fine of One Thousand Five Hundred Pesos (P1,500.00); and
- (c) THIRD and SUBSEQUENT OFFENSES – a fine of Two Thousand Pesos (P2, 000.00), or imprisonment for a period of not exceeding six (6) months, or both at the discretion of the court; or revocation of business license or permit if the violator is a business entity or establishment.

SECOND 192. Stores, storeowners and other business establishments selling liquors to minors, as provided for under Article 37, Section 169, shall be meted with the following penalties:

- (a) FIRST OFFENSE – a fine of One Thousand Pesos (P1,000.00);
- (b) SECOND OFFENSE – a fine of One Thousand Five Hundred Pesos (P1,500.00); and
- (c) THIRD and SUBSEQUENT OFFENSES – a fine of Two Thousand Pesos (P2, 000.00), or imprisonment for a period of not exceeding six (6) months, or both at the discretion of the court; or revocation of

business license or permit if the violator is a business entity or establishment.

- SECTION 193. Stores, storeowners and other business establishments who fail to post the warning sign, as provided for under Article 37, Section 170, shall be meted with the following penalties:
- (a) First Offense – a fine of One Thousand Pesos (P1,000.00);
 - (b) Second Offense – a fine of One Thousand Five Hundred Pesos (P1,500.00); and
 - (c) Third and Subsequent Offenses – a fine of Two Thousand Pesos (P2,000.00), or imprisonment for a period of not exceeding six (6) months, or both at the discretion of the court; or revocation of business license or permit if the violator is a business entity or establishment.
- SECTION 194. Persons who will be caught violating Article 38, Section 174 shall be meted with the following penalties.
- (a) First Offense – a fine of Three Hundred Pesos (P300.00);
 - (b) Second Offense – a fine of Five Hundred Pesos (P500.00);
 - (c) Third Offense – a fine of Seven Hundred Pesos (P700.00); and
 - (d) Fourth Offense - a fine of Two Thousand Five Hundred Pesos (P2,500.00).
- SECTION 195. Owners/Operators of tricycle-for-hire whose driver is caught to be below eighteen (18) years old shall be meted with a fine of One Hundred Fifty Pesos (P150.00). 
- SECTION 196. Owners/Operators of pedicab-for-hire (padyak) whose driver is caught to be below eighteen (18) years old shall be meted with a fine of One Hundred Fifty Pesos (P150.00). 
- SECTION 197. Owners/Operators of trolley-for-hire whose driver is caught to be below eighteen (18) years old shall be meted with a fine of One Hundred Fifty Pesos (P150.00).

ARTICLE 47

FINAL PROVISIONS

- SECTION 198. **REPEALING CLAUSE** - All ordinances, rules and regulations or parts not consistent with any provision of this ordinance are hereby repealed, amended or modified accordingly.
- SECTION 199. **SEPARABILITY CLAUSE** - If, for any reasons, any part or provision of this ordinance shall be declared unconstitutional or invalid by the court, or suspended or revoked by competent authorities, other parts or the provisions thereof which are not affected thereby shall continue to be full force and effect.

*INALI TIBAY
BANGGUNIANG PROV. ALAWIGAN
TARASUYAHAN PL. NO. 347 S. 2020
NETSA April 30, 2020



49.00 Ordinance No. 2019-1927 12/06/19

SECTION 200. **EFFECTIVITY** - This ordinance shall take effect upon compliance with the posting/publication requirements of the Local Government Code.

ENACTED : NOVEMBER 29, 2019.

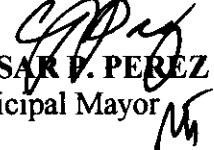
I HEREBY CERTIFY to the correctness of the above-quoted Ordinance.

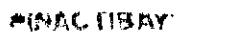

DONA T. ALBORTIDA
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:


HON. ANTONIO L. KALAW
Vice Mayor/Acting Presiding Officer

APPROVED:


HON. CAESAR V. PEREZ
Municipal Mayor



PINAC LIBAY
SANGGUNIANG PANLALAWIGAN
KAPASITAWAN PL. 317 S. 2020
RETSA April 30, 2020