

REPUBLIKA NG PILIPINAS  
SANGGUNIANG PANLUNGSOD  
LUNGSOD NG ORMOC

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
FOURTEENTH SANGGUNIANG PANLUNGSOD NG ORMOC HELD  
AT THE SANGGUNIANG PANLUNGSOD SESSION HALL,  
ORMOC CITY HALL BUILDING  
ON OCTOBER 27, 2016



PRESENT:

- |                                       |  |
|---------------------------------------|--|
| Leo Carmelo L. Locsin, Jr.            | Vice Mayor & Presiding Officer                   |
| Vincent L. Rama,                      | SP Member, Asst. Majority Floor Leader           |
| Tomas R. Serafica,                    | SP Member  |
| Benjamin S. Pongos, Jr.,              | SP Member  |
| Eusebio Gerardo S. Penserga,          | SP Member  |
| Gregorio G. Yrastorza III             | SP Member  |
| Nolito M. Quilang                     | SP Member  |
| John Eulalio Nepomuceno O. Aparis II, | SP Member  |
|                                       | Minority Floor Leader                            |
| Lea Doris C. Villar                   | SP Member, Asst. Minority Floor Leader           |
| Mariano Y. Corro,                     | Ex-Officio SP Member                             |
|                                       | Chapter President, Liga ng mga Barangay ng Ormoc |

ON OFFICIAL BUSINESS:

- |                         |   |
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| Rolando M. Villasencio, | (OIC - City Mayor),<br>SP Member, Majority Floor Leader |
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ON LEAVE:

- |                    |  |
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| Mario M. Rodriguez | SP Member, Presiding Officer "Pro-Tempore" |
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PREFATORY STATEMENT

WHEREAS, the City of Ormoc acknowledges the commitment of the Government of the Republic of the Philippines expresses in the latter's ratification of the United Nations Convention on the Rights of the Child and in pursuit of said commitment the City of Ormoc shall exert efforts to ensure that every child in its jurisdiction will enjoy the rights under the Convention;

WHEREAS, to recall, the 12th Sangguniang Panlungsod ng Ormoc enacted Ordinance No. 165 series of 2010 otherwise known as "The Child Welfare Code of Ormoc City", which declared as a policy that the City Government shall give priority to the rights of children for survival, protection, participation and development of their potentials;

WHEREAS, the said Code was enacted to respond to the mandate of Republic Act 7160 otherwise known as the "Local Government Code of 1991", where the Sangguniang Panlungsod, under Section 458(a)(5)(xiv) thereof, is empowered to provide care for abandoned minors, children in conflict with the law, abused children and other needy and disadvantaged persons, particularly children and the youth below eighteen years old;

WHEREAS, since the enactment of Ordinance No. 165 in 2010, there subsequently exist recent legislative enactments by Congress related to the welfare of the children making it imperative for this 14th Sanggunian to incorporate into the present Child and Welfare Code several substantial and significant supplemental provisions not only to meet the needs of the current and ever-changing situation of children, but also to bolster the protection and to safeguard further the rights of the children;



WHEREAS, since the enactment of Ordinance No. 165 in 2010, the situation of the children has substantially changed with increasing incidence of children facing many challenges such as physical, psychological and sexual abuses which incidence increased from 109 in 2012 to 156 in 2015 (CSWDO Report) and the increasing incidence of children experiencing risky behaviors and increasing incidence of children committing crimes and offenses are compelling for the City of Ormoc to revisit the existing Child Code to make it more responsive to the prevailing circumstances among children;

WHEREAS, it is the goal of the City of Ormoc to institutionalize the support mechanisms in order to truly become a child friendly local Government pursuant to the criteria set forth in DILG Memorandum Circular 2014-80.

WHEREFORE, foregoing premises considered, on motion of SP Member Nolito M. Quilang, Vice-Chairman, Committee on Social Welfare, Senior Citizens, Women & Family, severally seconded by SP Members Vincent L. Rama, Tomas R. Serafica, Benjamin S. Pongos, Jr., Gregorio G. Yrastorza III, Lea Doris C. Villar, John Eulalio Nepomuceno O. Aparis II and Mariano Y. Corro;

RESOLVED, to enact:

**ORDINANCE NO. 013**

**AN ORDINANCE REVISING ORDINANCE NO. 165 SERIES OF 2010, ENTITLED: AN ORDINANCE PROVIDING FOR CHILD SURVIVAL DEVELOPMENT, PROTECTION, SECURITY AND PARTICIPATION AND ESTABLISHING A COMPREHENSIVE CHILDREN SUPPORT SYSTEM IN ORMOC CITY AND FOR OTHER PURPOSES OTHERWISE KNOWN AS "THE CHILD WELFARE CODE OF ORMOC CITY".**

BE IT ORDAINED by the 14th Sangguniang Panlungsod ng Ormoc in session duly assembled that:

**ARTICLE I**

**TITLE POLICY, PRINCIPLES AND DEFINITION OF TERMS**

**SECTION 1. TITLE.** This Ordinance shall be known as "The Revised Ormoc City Child Welfare Code of 2016".

**SECTION 2. DECLARATION OF POLICY AND PRINCIPLES.**

- a. The City of Ormoc recognizes its role in promoting and protecting children's right, thus complements the implementation of the United Nations Convention on the Rights of the Child (CRC) in 1990: which binds national and local governments to synchronize development plans and operations with the child as the local beneficiary: Child Friendly Movement with its twenty (20) goals and the four (4) Gifts for children.
- b. Ormoc City also recognizes the vital role of children and youth in nation building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being. It is, therefore, the policy of the local government unit of Ormoc City to:
  - i. Give primary concern with corresponding intervention to the rights of children for protection, survival, development and participation;
  - ii. Respect and support the role of the family in sufficiently providing for their children; and



- iii. Support the efforts of child care and development workers that nurture and care for children from conception to adolescence.

It shall further be the policy of the City of Ormoc that allocation of resources for the achievement of goals for the protection, survival, development and participation of children is assured at all times. It is, therefore, imperative that said programs be among the priorities in terms of planning, budgeting and expenditures in times of humanitarian crises, economic austerity and structural adjustments.

**SECTION 3. DEFINITION OF TERMS.** The following shall be construed to mean:

- a. Anti-Social Related Activities – are those acts against property, chastity and person which include but not limited to the following:
  - i. Petty crimes such as snatching, shoplifting, misrepresentation;
  - ii. Using and pushing prohibited drugs, selling illegal or lewd reading materials;
  - iii. Pimping for young or old prostitutes, doing or participating in obscene show;
  - iv. Gambling of any form;
  - v. Rape and incest;
  - vi. Unjust and inhuman manner of eviction and demolition; and
  - vii. Any other circumstances as defined in the existing laws; (R.A. 7610)
- b. Barangay Council for the Protection of Children – is the body established in the barangay of the local government units pursuant to the DILG Memorandum Circular No. 2002-21 which subsumes the ECCD Coordinating Committee. The expanded membership, responsibilities and additional functions shall be provided in the Implementing Rules and Regulations hereinafter promulgated.
- 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 another student at school; or materially and substantially disrupting the education process or the orderly operation of a school. (Anti-bullying Act or RA No. 10627)

Some forms of bullying are:

- (1) Cyber-bullying – or any bullying done through the use of technology or any electronic means. The term shall also include any conduct resulting to harassment, intimidation, through the use of other forms of technology, such as, but not limited to texting, email, instant messaging, chatting, internet, social media, online games, or other forms or formats as defined in DEPED Order No. 40 s 2012;
- (2) Social bullying – refers to any deliberate, repetitive and aggressive social behavior intended to hurt others or to belittle another individual or group;
- (3) Gender-based bullying – refers to any act that humiliates or excludes a person on the basis of perceived or actual sexual orientation and gender identity. (DepEd Order No. 55 s 2013).



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- d. Children – refer to persons below eighteen (18) years of age or those over but are under the custody of their parents or guardians to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of physical or mental disability or condition. (Sec. 3, R.A. 7610)
- e. Children's Assembly – refers to a company of children and/or group of children's organizations gathered together to advance their welfare.
- f. Child in Conflict with the Law – refers to a child who is alleged as accused of/or adjudged as, having committed an offense under Philippine Laws. (R.A. 9344, "Juvenile Justice & Welfare Act")
- g. Child Exploitation – refers to the use of children for someone else's advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child, which are detrimental to the child's physical and mental health, education, moral, social and emotional development. These include situations of manipulation, misuse, abuse, victimization, oppression or ill-treatment.
- h. Child Friendly Space – refers to safe spaces for children to play and learn. This will also help to prevent and respond to incidents that threaten children's safety, such as natural disasters, conflicts or violence. These efforts provide safe spaces for children by rehabilitating/refurbishing learning spaces during emergency.
- i. Child Friendly City – the city is child friendly when it is able to assure that all children possess the rights to survival, development, protection, and participation and that their needs are realized.
- j. Child Labor – working under conditions hazardous to life, safety and morals which unduly interfere with their normal development or working without provision for their education
- k. Child Protection Unit – refers to one-stop building or unit where children that are victims of abuse are assisted and provided with immediate medical assistance and paralegal services. This is composed of multi-disciplinary team – Social Worker, WCPD Officer, Legal Officer and City Health Officer.
- l. CHO – City Health Office
- m. Code of Conduct on the Care and Protection of Children – refers to detailed policies and procedures of an organization or entity covering a code of behavior for all staff, reporting of abuses, confidentiality, recruiting and selecting staff, managing and supervising staff, circulating information " staff and participants, handling of misconduct or abuse by staff, protection of those who report abuses and complaints and comments procedures. It shall also include a statement of policy expressing the organization's commitment to provide a safe environment for any child and young people with whom it interacts and an undertaking to apply that policy throughout the organization.



- n. Community-based Juvenile Intervention Programs – refers to the programs provided in a community setting developed for purposes of intervention for reintegration into his/her family and/or community. It may take the form of an individualized treatment program which may include counseling, skills training, education, and other activities that will enhance his/her psychological, emotional and psycho-social well- being.
- o. Comprehensive Program on Violence Against Children – refers to the coordinated programs, services and facilities to protect children against:
  - 1. Child prostitution and other sexual abuse;
  - 2. Child trafficking;
  - 3. Obscene publications and indecent shows;
  - 4. Other acts of abuse; and
  - 5. Circumstances that threaten or endanger the survival and normal growth and development of children or as prescribed in the UN Convention on the Rights of the Child.
- p. Corporal punishment – refers to punishment or penalty for an offense or imagined offense, and or acts carried out for the purpose of discipline, training or control, inflicted by an adult or by another child, who has been given or has assumed authority or responsibility for punishment or discipline.

Physical punishment includes acts such as but not limited to:

- 1. Blows to any part of a child's body, such as beating; kicking; hitting; slapping; lashing; with or without the use of an instrument such as a cane, shoes, broom, stick, whip or belt
- 2. Pinching; pulling ears or hair; shaking; twisting joints; cutting and shaving hair, cutting or piercing skin; carrying, dragging or throwing a child;
- 3. Forcing a child, through the use of power, authority or threats, to perform physically painful or damaging acts, such as holding a weight or weights for an extended period; kneeling on stones, salt or pebbles; squatting; standing or sitting in a contorted position;
- 4. Deliberate neglect of a child's physical needs, where this is intended as punishment
- 5. Use of extreme substances, such as burning or freezing materials, water, smoke, pepper, alcohol, excrement or urine;
- 6. Confinement, including being shut in a confined space or material, tied up or forced to remain in one place for an extended period of time; or
- 7. Any other physical act perpetrated on a child's body, for the purpose of punishment or discipline, intended to cause some degree of pain or discomfort, however light humiliating and degrading punishment includes such acts but not limited to:
  - i. Any threat of physical punishment;
  - ii. Verbal assaults, threats, or intimidation;



- iii. Verbal abuse, yelling, swearing, name-calling, ridiculing or denigrating;
  - iv. Child made to look or feel foolish in front of one's peers or the public;
  - v. Other acts or words which belittle, humiliate, blame, ignore, or isolate the child; and
  - vi. Use of hazardous tasks as punishment or for the purpose of discipline, including those that are beyond a child's strength or bring him or her into contact with dangerous or unhygienic substances; such tasks include sweeping or digging in the hot sun or rain; using bleach or insecticides; unprotected cleaning of toilets
- q. Child Care and Development Workers – refers to individuals or institutions such as government agencies and civil society organizations working for child welfare.
  - r. Child Welfare Section – refers to a newly-created section under the City Social Welfare and Development Office, which shall be responsible for the implementation of this ordinance.
  - s. CPO – City Population Office
  - t. CSWDO – City Social Welfare and Development Office
  - u. Culturally Relevant Activities – refer to activities depicting the Filipino culture and tradition such as but not limited to the following cultural/folk dances, historical dramas and others.
  - v. DEPED – Department of Education
  - w. Development Rights – pertains to the access of a child to educational opportunities, access to relevant information, play, leisure, cultural activities and the right to freedom of thought, conscience and religion.
  - x. Differently Abled Children – are children who are suffering from physical or mental defects impairing their body or any part of it to perform normal functions like ordinary children.
  - y. Disadvantaged Children – are those children who belongs to poor family and or under poverty threshold, and those who are physically impaired.
  - z. Discrimination Against Children – refers to any distinction, exclusion, restriction or preference which is based on any ground such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.
  - aa. Diversion Program – a program which the child in conflict with the law is required to undergo after he/she is found responsible for an offense without resulting to formal court proceedings
  - bb. Exploitative Benefit Dance- refers to a dance promoted in the locality wherein children identified as benefit dancers are offered to dance with any partner upon payment or promise of payment of a certain amount.
  - dd. Gangs – a group of individuals who usually meet regularly, and do things together in the performance of an illegal, violent or hostile activities.



- ee. Juvenile Justice – refers for the legal procedures applied to children in conflict with law starting from the initial contact of the child up to the integration of the child to family and community.
- ff. Juvenile Justice System – refers to all proceedings starting from the initial contact including diversion proceedings, court proceedings after the filing of the proper information and until disposition of the case involving children in conflict with the law.
- gg. LCPC – refers to the Local Council for the Protection of Children. It is established in the city pursuant to the Department of Interior and Local Government (DILG) Memorandum Circular No. 2002-21 which subsumes the ECCD Coordinating Committee, the expanded membership and additional functions of which shall be provided in the implementing Rules and Regulations hereinafter promulgated.
- hh. Loitering – Roaming around/dawdling or participating in any commercial and in gaming establishment such as but not limited to malls, video arcades, internet cafes, billiard pool halls and other forms of recreation, amusement centers and movie houses/cinemas from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon during school days.
- ii. OCCWC – Ormoc City Council for the Welfare of Children
- jj. Participation Rights – includes the child's right to be heard, freedom to express oneself in matters affecting his/her life as part of preparation for becoming a responsible adult; freedom of association; right to privacy; and right to age-appropriate and culturally sensitive information, all in accordance to the child's evolving capacity.
- hh. PNP – Philippine National Police
- kk. Pre-school Children – refers to the age from birth up to five years of age (0-5) which is known to be the critical phase of the child's psychomotor development. It is the phase when ninety percent (90%) of the human brain is developed. It is therefore the phase when activities for development stimulation for children must be provided, hence, the need for early childhood care and development program. (R.A. 8980, "The Early Childhood Care & Dev't. Act")
- ll. Positive Discipline – refers to a way of thinking and a holistic, constructive, pro-active approach to parenting or teaching that helps children develop appropriate thinking and behavior in the short and long term and fosters self-discipline. It is based on the principles' of children's rights and child development on the respect for the child's dignity and physical integrity, and the principles of effective teaching.
- mm. Protection Rights – covers those which guard children against all forms of child abuse, exploitation, neglect and discrimination and against circumstances prejudicial to the interests of the child.
- nn. Rescue Team – is an interagency team established in the LGU under the auspices of the LCPC/BCPC for cases involving children.



- oo. Survival Rights – ensure the child’s inherent right to life and to the needs that are most basic to existence, the rights to a name and to a nationality, the right to identify and those dealing with parental and governmental duties and obligations, adequate and decent standard of living to basic health care and medical services, as well as, social security.

**ARTICLE II**  
**LOCAL COUNCIL FOR THE WELFARE OF CHILDREN**

**SECTION 4.** CREATION OF ORMOC CITY COUNCIL FOR THE WELFARE OF CHILDREN. There shall be the Ormoc City Council for the Welfare of Children (OCCWC) as policy recommending, program planning, project monitoring and coordinating body for all programs and activities for children within the jurisdiction of Ormoc City. The OCCWC shall be the consultative assembly of Ormoc City for its periodic planning and programming, assessment and evaluation. It shall act as a regulatory body for operations of all existing programs and projects designed for children.

- 4.1 MEMBERSHIP OF THE ORMOC CITY COUNCIL FOR THE WELFARE OF CHILDREN. The OCCWC shall be composed of but not limited of the following:

- Chairman: City Mayor
- Vice-Chairman: Chairperson, SP Committee on Social Services
- Members:
  - Chairman, SP Committee on Youth and Sports
  - Chairman, SP Committee on Education
  - City Director, DILG
  - Head of Office, DOLE-Ormoc City Field Office
  - City Planning and Development Coordinator
  - City Social Welfare and Development Officer
  - City Schools Division Superintendent
  - City Budget Officer
  - City Health Officer
  - City Population Officer
  - City Disaster Risk Reduction and Management Officer
  - City Director Ormoc City Police Office
  - City Prosecutor
  - City Engineer
  - Liga ng Barangay President
  - City Civil Registrar
  - Three (3) child representatives
  - Three (3) representatives from civil society organizations or private sector

The representatives from the civil society or private sector and the three child representatives shall be appointed by the City Mayor for a term of three (3) years co-terminus with the term of the City mayor; and

As much as practicable, the members shall attend personally the meetings of the Council. Should a representative be designated, he/she shall be the next-in-rank.



4.2 FUNCTIONS OF THE ORMOC CITY COUNCIL FOR THE WELFARE OF CHILDREN. The following shall be the functions of the OCCWC:

1. Formulate city plan of action for children; incorporating projects and programs needing assistance by the barangays; and ensure its integration into the city development plan;
2. Monitor and evaluate the implementation of the city and barangay action plans for children;
3. Submit quarterly status report on the plan implementation to the Regional Child Welfare Council through the City Planning and Development Office;
4. Promptly address and resolve issues and concerns affecting children.
5. Advocate for the passage of other relevant child protective laws and ordinances;
6. Advocate for the increased support and resource allocation for children's programs and projects;
7. Provide technical assistance to the community-based front-line workers through conduct of capability building and human resource development activities;
8. Prepare contingency measures to protect children and their families in crisis situations brought about by natural and human-induced calamities;
9. Develop measures and support system to strengthen the operationalization of the BCPC; and
10. Supervise and oversee the proper implementation of this Ordinance and other national laws relevant to the children's welfare.

4.3 CREATION OF COMMITTEES BY OCCWC. The OCCWC shall create Committees which it may deem appropriate and necessary whose chairmanship shall be held by the regular mandated members of the Council for the purpose of furthering its functions.

4.4 SECRETARIAL SUPPORT. The secretariat support shall be lodged in the CSWDO and shall be responsible for the documentation of proceedings and meetings, preparation of reports and other necessary documents needed by the Council or any of its committees.

**SECTION 5.** CREATION OF BARANGAY COUNCIL FOR PROTECTION OF CHILDREN. There shall be the Barangay Council for Protection of Children (BCPC) as policy recommending, program planning, project monitoring and coordinating body for all programs and activities for children within the a barangay. The BCPC shall be the consultative assembly for its periodic planning and programming, assessment and evaluation. It shall act as a regulatory body for operations of all existing programs and projects designed for children in a barangay in Ormoc City. The composition, tasks and functions and other matters on the BCPC shall be formulated by the OCCWC that will then communicate with the barangays for the creation of such body. The barangay secretary shall perform the secretariat functions of the BCPC.

**SECTION 6.** SUSTAINED FUNCTIONALITY OF THE CITY BARANGAY COUNCILS FOR THE PROTECTION OF CHILDREN. To ensure a sustained functionality of the Barangay Local Councils for the Protection of Children (BCPCs), the Annual Search for Child Friendly barangay shall be enhanced and institutionalized as the main strategy for the efficient and effective monitoring and evaluation of the functionality of the BCPCs. The guidelines for the search shall be formulated by the OCCWC.



**SECTION 7.** MANDATORY CAPABILITY BUILDING FOR MEMBERS OF THE LOCAL COUNCILS FOR THE PROTECTION OF CHILDREN. To ensure efficiency and effectiveness, all members of the BCPCs shall undergo formal child protection and welfare trainings.

**ARTICLE III**  
**SURVIVAL AND DEVELOPMENT ON RIGHTS OF CHILDREN**

**SECTION 8.** ESTABLISHMENT OF DAY CARE CENTERS AND CHILD MINDING PROGRAM. The City Government thru the CSWDO shall ensure to the maximum extent possible the survival and development of the child. The Early Childhood Care and Development Program 0-6 years old coupled with Parents Effectiveness Service Program as developed and implemented by CSWDO and DSWD shall include among others the following:

8.1 DAY CARE SERVICE PROGRAM. The City Government shall develop, implement, and sustain its Day Care Service Program which is population and community based. The day care centers which shall serve 3 to 4 years old children shall be set-up in every barangay pursuant to R.A. No. 6972 or the Barangay-Level Total Development and Protection of Children Act. The Manual on Day Care Service Program developed for the City of Ormoc shall form part of the rules and regulation and implementing guidelines of the day Care Service Program of the City Government.

The program shall include the following:

- a) Care for children of working parents during the day or office hours.
- b) Day care centers shall be nurtured to evolve into child minding centers, therefore, the local government must ensure availability of updated learning materials, hand-outs, modules, toys, etc. in the day care centers;
- c) The barangays shall also ensure that day care worker is qualified to ensure quality teaching and provide reasonable honorarium to motivate them;
- d) Each barangay shall pursue as much as possible that each daycare worker shall handle and take care only thirty (30) children at a time;
- e) Provide capability-building on enhancing the skills of day care workers and provide an incentives and rewards systems to them;
- f) The local government, through the OCCWC and CSWDO, shall monitor the day care centers and ensure the compliance to the Early Years and Early Childhood Care and Development Acts, ensure proper coordination among relevant agencies especially DEPED and provide for a venue to discuss issues and concerns that may arise in the course of the implementation.

8.2 CHILD MINDING SERVICE PROGRAM. The City Government shall develop, implement, and sustain a Child Minding Service Program for the care of 2 to 3 years old children of working parents during the day where young children are without adequate and competent adult supervision. Provided, that the child minding service program need not take care of the children in particular place but shall develop network of homes where adults may take care of the children with adequate supervision of a Social Worker of the CSWDO.



The CSWDO shall furnish such training and adult supervision until the children's care meets adequate standards whereby the children under their care will develop normally healthy, happy and loved children, even in the absence of their parents during working hours. The CSWDO, in coordination with institutions dealing with under four years-old children, shall develop a manual for this service to augment the manual developed for the day Care Service Program.

The program under this provision shall be subject to additional guidelines that will be approved by the OCCWC for better implementation.

**SECTION 9. ACCESS OF CHILDREN TO SCHOOL AND COMMUNITY WATER, SANITATION AND HYGIENE (WaSH) FACILITIES.** The local government shall ensure that the schools and barangays maintain the WaSH facilities in their respective localities to include safe water sources, safe drinking water, hand-washing and toilet facilities. It shall further ensure that City Health Office (CHO) and the Rural Sanitary Inspector (RSI) conducts regular monitoring to communities and schools. Barangay Councils must conduct a regular inspection also and submit status reports as the need arise.

**SECTION 10. CELEBRATION OF CHILDREN'S MONTH.** Pursuant to RA 10661 or the National Children's Month Act of 2014, the month of November of every year is hereby declared as the City Children's Month in Ormoc City. The CSWDO, as the lead agency, together with other local government offices, departments, bureaus, schools, private organizations and children representatives shall spearhead programs and activities that will ensure the full participation of children. The highlights of the month-long celebrations shall include the State of the Children Report by the Local Chief Executive, Children's Festivals, Laro ng Lahi, and other similar activities.

The OCCWC shall guide and assist the CSWDO in ensuring the success of the month long celebration. As lead agency, it is the duty of the CSWDO to present the plan for the month long celebration to the OCCWC and secure approval and support of the latter to the preparations and activities.

**SECTION 11. MOTHER AND CHILD CARE.** The City Government of Ormoc through the CHO shall provide technical assistance, updates, and augmentation support in line with the implementation of programs and services anchored to the survival and development rights of the child as follows;

A. Maternal and Child Health Care and Nutrition Program & Health and Nutrition Related Activities – The City Government of Ormoc shall strengthen the implementation of primary health care and nutrition program that cater to the health of the mother in her pre-natal period to ensure the delivery of a healthy baby, and to the child throughout the early childhood years. This shall include the provision of technical assistance and augmentation support to the following programs.

a.1 WOMEN'S HEALTH AND SAFE MOTHERHOOD PROGRAM – The program shall ensure fetal development and maternal well-being from pregnancy, delivery, to post-partum period. Thus, the City includes programs that would improve access to health facilities with basic emergency obstetric case. The following activities are undertaken to ensure fetal and maternal welfare;



- Conduct of quality pre-natal care and post-partum care
- Provision of Tetanus toxoid immunization
- Family Planning Services
- Promotion of Exclusive Breastfeeding for six months and complimentary feeding for 6 months onward
- Maternal and Neonatal Death Review
- Dental Health
- Promote establishment of birthing facilities where deliveries are handled by trained health personnel
- Discourage handling of deliveries by hilots.

a.2 CHILD HEALTH AND NUTRITION PROGRAM – The program shall provide for services to ensure children’s full growth and development. This includes the following activities to with: Expanded Program on Immunization, Environmental Sanitation, Infant & Young Child Feeding, Nutritional Guidelines for Filipinos, Child’s growth monitoring and deworming, and new born screening.

a.3 UNDER NUTRITION AND MICRONUTRIENTS DEFICIENCY PROGRAM – The program shall be undertaken to ensure that women and children are protected from under nutrition and consequences of micronutrient deficiency such as Vitamin A Deficiency Disorder, Iron Deficiency Anemia and Iodine Deficiency Disorder. Thus, the city supports the implementation of R.A. 8976 otherwise known as the Philippine food Fortification Act of 2000. Moreover, to address under nutrition, supplemental feeding for 90-120 days are given to undernourished pre-schoolers. In support to the initiatives to ensure decrease in the incidence of micronutrient deficiency, the conduct of Garantisadong Pambata every April and October of every year shall be continued.

a.4 FEMALE FUNCTIONAL LITERACY AND ENHANCED CHILD GROWTH – The program shall improve the health caring and seeking behavior among families of the poor, vulnerable, and hard to reach population. This also aims to empower women by improving literacy among them as mothers and caregivers with the conduct of Pabasa na Nutrisyon.

a.5 ESTABLISHMENT OF BREASTFEEDING/LACTATION CORNER/ STATIONS IN THE WORKPLACE AND PUBLIC PLACES. It is hereby mandated that all government agencies, all private establishments/institutions and public places shall establish lactation station or corner. Lactation station shall be accessible to the breastfeeding women. The lactation station shall be cleaned, well-ventilated, comfortable, and free from contaminants and hazardous substances, and shall ensure privacy for the women to express their milk and/or in appropriate cases, breastfeed the child. In no case, however, shall the lactation station be located in the toilet.

In addition, establishments or institutions shall take strict measures to prevent any direct or indirect promotion, marketing, and/or sales of infant formula and/or breastmilk substitutes within the lactation stations, or in any events or circumstances which may be conducive to the same and which would affect exclusive breastfeeding up to six months.



- a.6. LACTATION PERIODS – Nursing employees are entitled to break intervals in addition to the regular time-off for meals to breastfeed or express milk. The employee shall notify their immediate supervisor before leaving their station. These intervals which include the time it takes an employee to get to and from the workplace lactation station shall be counted as compensable hours worked. The DOLE may adjust the same but in no case shall the intervals be less than 40 minutes for every 8 hours working period. Duration and frequency of breaks maybe agreed upon by employees and employers with the minimum before 40 minutes. Usually, there could be 2-3 breast milk expressions lasting to 15-30 minutes each within a workday.

**SECTION 12. ADOLESCENT-FRIENDLY SEXUAL AND REPRODUCTIVE HEALTH PROGRAM.** The CPO in coordination with the CHO and CSWDO and other concerned government offices, shall establish an adolescent-friendly sexual and reproductive health program involving access to information and services related to prevention of early pregnancies, sexually-transmitted diseases and infections, and HIV/AIDS, and with services for teenage mothers, pregnant girls as well as promotion of sexual health and rights in compliance to the provisions of RA 10354 also known as the Reproductive Health Law.

The city government shall endeavor to establish teen centers preferably in areas near the big high schools in the city to cater to the information and education needs of the children and youth on the risk behaviors and provide counselling services for the teen agers in need. The City government, through its CPO, in coordination with relevant national agencies such as DEPED and NGOs shall take the lead in planning and implementing the programs to be in place in the teen centers.

**SECTION 13. FAMILY WELFARE SUPPORT SYSTEM.** The City Government through the CSWDO, CHO, CPO in coordination with DepEd and non-government organization (NGO's) shall implement and sustain a Family and Community Welfare Support System for children. To further ensure the implementation of this Section, OCCWC shall take appropriate measures to support the program on family and community under a family and community welfare and development framework.

There shall be established a Comprehensive Family and Community Welfare and Development Program which shall include course and services on reproductive health, child health and child rearing practices, parent effectiveness, pre-marriage and marriage counseling, responsible parenthood, among others, in the context of Filipino psychology. This shall also include courses and services in community volunteer resource development, and social welfare structure development, among others. The following programs shall form part of this Comprehensive Family and Community Welfare Program which this government shall zealously support:

- 13.1 CHILD WELFARE PROGRAM. The City Government shall establish and support a Comprehensive Child Welfare and Development Program which shall include among others the services such as street and community-based services for street children, Community-based programs for Children in Conflict with Law (CICL) and services for children in especially difficult circumstances.
- 13.2 WOMEN WELFARE PROGRAM. The City Government shall recognize the role of women in the formation of the society as well as the child, hence, it shall establish and support a Women Welfare and Development Program which shall include among others courses and services such as self-enhancement skills development, maternal and child care, skills training for employment and livelihood support.



**SECTION 14. INSTITUTIONALIZATION OF FOSTER HOMES FOR CHILDREN.** The City Government, in its effort to establish a community-based strategy for the protection of children, shall endeavor to institutionalize the foster homes for the children with the technical assistance and supervision of the DSWD-Field Office. The OCCWC shall promulgate the implementing rules and regulations of this section

**SECTION 15. CHILDREN FRIENDLY BUILDINGS.** In the approval of the proposed building plans which are open to the general public in Ormoc City, the Office of the City Engineer, shall ensure the inclusion of child-friendly safeguards/facilities to avoid any child accidents. The proposed building plans must observe the hereunder specifications:

1. Railings/Balusters in staircase must be placed in a manner that their distance from each other would not exceed six (6) inches to avoid children from falling through.
2. In case of buildings having more than one storey, railings/balusters acting as horizontal or vertical barriers must be likewise spaced in a manner that their distance from each other must not exceed six (6) inches and said railings or balusters must have height of not less than five (5) feet.
3. Lavatories exclusively for children's use must be installed to accommodate the personal necessities of children entering said buildings.

**SECTION 16. SURVEY AND ACTIVE PROGRAM FOR CHILDREN WITH DISABILITIES.** The City Government shall make a periodic comprehensive survey and situational analysis on the children with disabilities in the city. The CSWDO together with the DEPED and CHO shall spearhead the conduct of this situational analysis on children with disabilities in the city. The result of this situational analysis shall be the basis of the planning by the City Council for the Welfare of children and other concerned agencies, for programs and projects for these children.

CSWDO shall coordinate with other relevant government agencies in monitoring local drugstores and eye on non-compliance to the 20% discount for children with disabilities.

**SECTION 17. TRAINING PROGRAM FOR EDUCATORS AND HEALTH PROFESSIONALS HANDLING CHILDREN WITH DISABILITIES-** Training program for educators and health professionals handling children with disabilities shall form part of the priority programs of the City Government of Ormoc, and expenses thereof shall be charged to the regular fund of the implementing office or department.

**SECTION 18. SUPPORT TO SPECIAL EDUCATION (SPED) PROGRAM.** The City Government shall support the Special Education Program which is presently implemented by the partment of Education by providing regular financial assistance thereto. The City Government with the assistance of DepEd shall ensure that the Special Education Center shall be set-up in public schools whenever and wherever necessary to enable the children with disabilities to enroll if possible within their respective barangays. The City Government shall regularly provide funds for the SPED program to be taken from the Special Education Fund (SEF).

The City Government shall closely coordinate with DEPED to ensure that every elementary and secondary school shall have a trained teacher to handle the children with special needs. When practicable, the City Government shall work with DEPED in establishing a center in each district center in the city for the education needs of the children with special needs or engage civil society groups in the establishment and maintenance of the said centers.



**SECTION 19. PROVISION OF SUPPORT SYSTEM TO THE PRE-SCHOOL EDUCATION PROGRAM FOR EARLY CHILDHOOD CARE AND DEVELOPMENT.** The City Government through the OCCWC shall provide for a support system to the pre-school education program for early childhood care and development by having an alternative curriculum which is developmentally appropriate and culturally relevant to poor/depressed communities; encouragement of accreditation; materials; technical assistance such enrichment training for facilitators; and financial aid and monitoring activities for community based Early Childhood Care and Development Program (ECCD) as an alternative approach for the continuing basic problem of disadvantaged children.

**SECTION 20. BARANGAY LEVEL RECREATIONAL FACILITIES AND PROGRAM.** A Barangay-level program for the revival of indigenous games shall be implemented. The Barangay Council shall as far as practicable exert efforts to allocate space for recreation and provide recreational facilities appropriate for children. This regular cultural program shall be spearheaded by the respective barangay councils under the leadership of the Barangay Chairman and the Committee on Youth and Sports. The existing community structures in the barangay shall be tapped to support this program. The Sangguian Kabataan (SK) shall ensure that substantial portion of the 10% allocation for youth programs shall be devoted to implement recreational programs and other programs in this code.

The space and recreational facilities shall be included in the assessment criteria for child friendly barangays referred to under Section 6 of this ordinance.

**SECTION 21. LOCAL CHILDREN'S LITERATURE.** In support to the social-cultural development of children of Ormoc City, the City Government shall invest in the production of local literature for children and other relevant materials. The barangay governments shall also be encouraged to invest in such project.

**SECTION 22. INTEGRATION OF THE RIGHTS OF CHILDREN IN THE SCHOOL CURRICULUM.** As part of the advocacy, information and education campaign of the government on the survival and development, protection and security, and participation rights of children, the rights of children to be included as part of the school curriculum of the schools in Ormoc City, both public and private schools at all levels is hereby encouraged.

The Schools shall encourage the active participation and leadership of students as mandated in accordance to DepEd Order 49, series of 2011 (Mandated Programs, Projects, and Activities of the Supreme Student Government) in community activities that lays the groundwork for good governance, volunteerism, unity and cooperation. The schools shall provide the students various venues where they can improve their leadership knowledge, skills and attitudes.

Organizations, groups and other non-government institutions that will involve students shall observe proper protocol and are accountable for the students' safety and security. Consent forms from both the students and their parents or guardians must be secured. Schools shall issue letter allowing students to join activities which will contribute to their development.



**SECTION 23. AGE APPROPRIATE REPRODUCTIVE HEALTH EDUCATION-** The City Government of Ormoc shall endeavor to implement Section 14 of RA 10354 (Responsible Parenthood and Reproductive Health Act of 2012) that aims to provide age- and development-appropriate reproductive health education to adolescents which shall be taught by adequately trained teachers informal and non formal educational system and integrated in relevant subjects such as, but not limited to, values formation; knowledge and skills in self-protection against discrimination; sexual abuse and violence against women and children and other forms of gender based violence and teen pregnancy; physical, social and emotional changes in adolescents; women's rights and children's rights; responsible teenage behavior; gender and development; and responsible parenthood. The OCCWC shall coordinate with DEPED on how schools in the city can pursue the implementation of this provision.

**SECTION 24. TRAINING FOR TEACHERS ON RIGHTS OF CHILDREN.** Teachers, especially those in the kindergarten, elementary, and high school are encouraged to undertake continuous training on the rights of the child and sensitivity to children in need of special protection to be able to help them. The training shall be spearheaded by the Ormoc City Council for the Welfare of Children and the Department of Education in coordination with the City Social Welfare and Development Office and other child-focused NGO's.

**ARTICLE IV  
PROTECTION ON THE RIGHTS OF CHILDREN**

**SECTION 25. PROGRAM ON CHILD ABUSE EXPLOITATION AND DISCRIMINATION.** There shall be comprehensive program to be formulated by the OCCWC in coordination with other government agencies, the private sector of NGO's concerned to protect children against worst form of children labor; child trafficking; obscene publication and indecent shows and other acts of abuse; and circumstances which endanger child survival and normal development.

The program shall cover the strict implementation of the provisions of PD 603, otherwise known as "The Child Welfare Code and R.A. 7610 as amended, otherwise known as "An Act providing for stronger deterrence and special protection against child abuse, exploitation and discrimination, providing penalties for its violation, and for other purposes," and all other laws affording protection against child exploitation.

**SECTION 26. PROHIBITION OF CORPORAL PUNISHMENT.** The use of corporal punishment which includes emotional, degrading and humiliating punishment on children shall be prohibited in home, early childhood development facilities and day care centers and facilities, community centers, sports teams and centers, government units and in other places where there are children.

Parents, nannies, house helpers and caregivers, foster parents, guardians, relatives who have custody of the child, or other persons legally responsible for the child, including those exercising special or substitute parental authority, school teachers, personnel, and officers of both public and private academic and vocational institutions, employers and supervisors or churches, or any other person under whose care the child has been entrusted to and who inflicts corporal punishment on the child shall be liable in accordance with existing penal laws.

Violators of this provision shall be penalized with an imprisonment not to exceed one (1) year at the discretion of the court and/or fine of not to exceed Two Thousand Five Hundred pesos (2,500.00).



**SECTION 27. PROMOTION OF POSITIVE DISCIPLINE.** The OCCWC shall develop a comprehensive program to promote positive discipline in lieu of corporal punishment of children. A continuing information dissemination campaign and capacity building shall be conducted in schools, communities and city wide relative to its techniques and benefits among parents, teachers and other caregivers.

**SECTION 28. SANCTIONS FOR ESTABLISHMENTS OR ENTERPRISES, WHICH PROMOTE, FACILITATE OR CONDUCT ACTIVITIES CONSTITUTING CHILD PROSTITUTIONS AND OTHER SEXUAL ABUSE, CHILD TRAFFICKING, OBSCENE PUBLICATIONS AND INDECENT SHOWS.** All establishments or enterprises caught promoting or facilitating child prostitution and sexual abuse, child trafficking, obscene publications and indecent shows, and other acts of abuse shall be immediately closed and be fined an amount of Five Thousand Pesos (P 5,000) with their authority or license to operate permanently cancelled, without prejudice to the owner, manager and other personnel thereof for being persecuted under the provisions of R.A. 7610, R.A. 9208 (Anti-Trafficking in Persons Act of 2003) and R.A. 9231 (Law on Elimination of Worst forms of Child Labor).

Any person who, in the commission of a crime, makes use, takes advantage of, or profits from the use of children, including any person who abuses his/her authority over the child or who, with abuse of confidence, takes advantage of the vulnerabilities of the child and shall induce, threaten or instigate the commission of the crime, shall be punished by a fine of not less than Twenty thousand pesos (P20,000.00) but not more than Fifty thousand pesos (P50,000.00) or suffer imprisonment of not less than eight years but not more than 10 years, or both such fine and imprisonment at the discretion of the court, unless a higher penalty is provided for in the Revised Penal Code or special laws.

**SECTION 29. ESTABLISHMENTS TO POST NOTICES AND INFORMATION AT ENTRY OR FRONT DESKS REGARDING CHILD PROTECTION.** All hotels, sauna bath, inns, motels, night clubs and other establishments of similar services shall be required to post notices and information about child protection to serve as deterrent to committing child trafficking, prostitution and other sexual abuse. The notices and information to be posted shall be developed by the OCCWC. To ensure the compliance by the concerned establishments to this section of this Ordinance, the office of the City Mayor through the City Permits and Licensing Office shall require these establishments to post such information or notices before their respective license shall be reviewed and/or approved.

Removal and/or defacing of the notices and information at entry or front desks regarding child protection as stated in Section 29 of this ordinance shall be subject to penalty provided for in the preceding number.

**SECTION 30. CREATION OF SPECIAL SERVICES FOR CHILDREN IN NEED OF SPECIAL PROTECTION AND LEGAL SERVICES.** The City Government through the CSWDO shall create special programs for the protection of children who are victims of incest and rape cases. It shall also endeavor to muster the support of the private sector more particularly the local chapter of the Integrated Bar of the Philippines and the academe to provide legal and protective services to the children who are in need of such services.



**SECTION 31. MONITORING CRIMINAL CHARGES FILED AGAINST CHILDREN AND APPROPRIATE ASSISTANCE.** Application for suspension of sentences of children charged with criminal offenses in connection with or related to any anti-social activities as defined herein shall be done by the CSWDO. The CSWDO is tasked to monitor closely the cases involving children in court to adequately enforce the suspension of sentences. Appropriate and responsive rehabilitation program shall be afforded to them under the care of the CSWDO pursuant to PD 603 (Child and Youth Welfare Code), R.A. 7610, and R.A. 9344 otherwise known as the "Juvenile Justice and Welfare Act of 2006". The framework of assistance shall be designed by the OCCWC in close coordination with the NGO's and other groups having special interests of children's rehabilitation.

**SECTION 32. ESTABLISHMENT OF CHILDREN RELATIONS SECTION FOR THE PURPOSE OF STRENGTHENING THE PILLARS OF THE JUSTICE SYSTEM.** Each Police Station in Ormoc City shall have a Women and Children Protection Desk tasked to handle cases involving children as part of the Inter-Agency Council on Violence Against Women and Their Children stated in Sec. 39 of R.A. 9262. Child-friendly police procedures shall be implemented as contained in the Police Handbook on the Management of Cases of Children in Especially Difficult Circumstances. The PNP and its unit/officers, shall be provided a copy of the said handbook.

**SECTION 33. TRAINING FOR WOMEN AND CHILDREN PROTECTION DESK (WCPD) OFFICER.** PNP personnel assigned in the Women and Children Protection Desk (WCPD) should undergo a WCPD specialized course provided by the PNP in handling effectively cases of children in accordance to R.A. 9262 Sec. 42 (Anti-Violence Against Women and Their Children Act of 2004). They shall provide inputs on handling cases of children during Police Information Continuing Education (PICE) conducted during police formation in every police station.

**SECTION 34. ESTABLISHMENT OF A REHABILITATION CENTER AND PROVISION OF SUPPORT FACILITIES.** There shall be established a Rehabilitation Center for Children in conflict with the Law in the City of Ormoc. Said Center shall be equipped with necessary facilities for conducive dwelling. The Rehabilitation Center shall develop home life services, psycho-social interventions and other services that will make the center conducive to life and rehabilitation. The center shall also cater to children of abused women.

**SECTION 35. CHILDREN AND FAMILY PSYCHOSOCIAL PROGRAM-** The CSWDO in coordination with other government and non-government agencies shall design a comprehensive psycho--social program for both children and their families especially those affected by violence against women and children as defined in R.A. 9262.

**SECTION 36. PROTECTION OF CHILDREN FROM MEDIA'S EXPLOITATION-** The LGU of Ormoc City shall endeavor to protect children from all types and forms of exploitative and inappropriate content in media and to ensure that the same shall not exploit children and instead promote their best interest. Shows or programs that are shown publicly and in school premises must not contain obscene and indecent themes as mandated by, the United Nations Convention on the Rights of the Child, Presidential Decree 603, Republic Act 7610, Republic Act 9344 as amended by Republic Act 10630.

**SECTION 37. BAN OF EXPLOITATIVE DANCE.** Activities with coercion that includes "exploitative dance" as defined in the ordinance is strictly prohibited.



Ord. No. 013

A child shall not be allowed to wear sexy that is, provocative and revealing attires or outfits as may be further defined by the OCCWC during gatherings, meetings, shows or any public appearances, and the like. Any program or show that allows children to wear sexy outfits shall be treated as indecent shows and the organizer of the said activity shall be subject to a penalty.

Any person or organizer caught promoting such "exploitative dance" or allows children to wear sexy outfits shall be punished by an imprisonment not exceeding on (1) year and fined with Two Thousand Five Hundred Pesos (P 2,500.00) after due proceeding by the court of justice having jurisdiction thereof.

**SECTION 38. CURFEW ON MINORS.** For the protection of children, they shall be prohibited from loitering around or sleeping in public places from 10 o'clock in the evening until 4 o'clock in the morning of the following day. This provision shall not be imposed during Christmas vacation and other festivities, celebration, or instances, which shall be determined and defined by the OCCWC. In these cases, the presence of children in public places are allowed or encouraged.

Children caught violating this provision shall be immediately turned over to the custody of the City Social Welfare and Development Office and shall be released only after having attended with their respective parents or guardians to a two (2) hours seminar on parent effectiveness and four (4) hours community service.

**SECTION 39. REGULATING AMBULANT VENDORS OF UNHEALTHY FOODS IN SCHOOL VICINITIES FOR SANITATION PURPOSES AND ESTABLISHING MONITORING SYSTEM.** The City Government shall protect the school children from unhealthy food. The sale of junk food to children shall be banned in school premises and those stores within the vicinity of the schools.

The CHO shall provide a list of junk foods to all schools (public or private) both in elementary and secondary level and to stores within the vicinity of the schools. In furtherance of this mandate, all vendors within the vicinity of all school campuses within the city shall be subjected to safety and sanitation standards. (Section 4.5, DEPED Order No. 8 s 2007)

The City Schools Division shall conduct inspection to school canteens to strictly implement rules and guidelines in adherence to this code and other regulations.

All schools (public or private) both in elementary and secondary level and to stores within the vicinity of the schools caught selling junk foods to school children shall be fined not exceeding Five Thousand Pesos (P 5,000.00).

The sale of carbonated drinks, sugar-based synthetic or artificially flavored juices, junk food and any food product that maybe detrimental to the child's health and that do not bear the sangkap pinoy seal and/or did not pass BFAD approval is prohibited. (DEPED Order No. 8 s 2007)

**SECTION 40. BAN ON THE SALE OF ALCOHOL AND CIGARETTES TO CHILDREN.** The sale of alcohol and cigarettes to children shall be banned in Ormoc City and barangays shall ensure that all vendors within their respective jurisdiction have complied with all legal requirements including compliance to safety and sanitation standards. Establishments near the school shall also be banned from selling these kind of goods.

The following penalties shall be imposed to violators who sell alcohol or cigarettes to children:



a. Any Filipino citizen or foreigner or any business entity (wholesaler, manufacturer, retailer, or outlet of tobacco and/or alcoholic products) that violates this ordinance shall be punished by:

- i. For the FIRST OFFENSE – a fine of five hundred (Php 500.00) pesos but not more than one thousand pesos (Php 1,000.00) or imprisonment of five (5) to ten (10) days at the discretion of the court and one (1) month suspension and closure of business operations.
- ii. For the SECOND OFFENSE - a fine of one thousand (Php 1,000.00) pesos but not more than two thousand pesos (Php 2,000.00) or imprisonment of not less than eleven (11) but not more than thirty (30) days at the discretion of the court and three (3) months suspension and closure of business operations.
- iii. For the THIRD OFFENSE - a fine of two thousand (Php 2,000.00) pesos but not more than five thousand pesos (Php 5,000.00) or imprisonment of not less than thirty (30) but not more than sixty (60) days at the discretion of the court and permanent closure of business operations.

Any violation of this section if committed by a corporation, partnership, association or similar entity, the President or Manager thereof shall be liable for the offense.

b. Persons who are caught giving/transferring tobacco and/or alcoholic products to minors shall be punished by a fine of two hundred (Php 200.00) pesos but not more than five hundred (Php 500.00) pesos;

c. Parent/s that violate/s this provision shall be punished by:

- i. For the FIRST OFFENSE – a fine of two hundred (Php 200.00) pesos but not more than five hundred (Php 500.00) pesos and/or undergo anti-smoking and/or anti-liquor seminar under the City Social Welfare and Development Office (CSWDO) in coordination with the City Health Office (CHO)
- ii. For the SECOND OFFENSE – a fine of five hundred (Php 500.00) pesos but not more than one thousand (Php 1,000.00) pesos and/or community service of eight (8) hours
- iii. For THIRD & SUCCEEDING OFFENSES - a fine of one thousand (Php 1,000.00) pesos but not more than two thousand (Php 2,000.00) pesos and/or community service of sixteen (16) hours

**SECTION 41. BAN ON PROHIBITED DRUGS.** All barangays of Ormoc City shall exert utmost effort towards the realization of the goals and objectives of the Republic Act 9165 otherwise known as the 'Comprehensive Dangerous Drugs Act of 2002'. The Article IV of the said act recognizes the role of the family for the education and awareness of the members of the family on the ill effects of dangerous drugs and close monitoring of family members who may be susceptible to drug abuse. The OCCWC shall come up with possible activities that can guide student councils and campus organizations in all levels for their drug education programs and activities aimed for the prevention of and deterrence in the use of dangerous drugs, and referral for treatment and rehabilitation of students for drug dependence.



The OCCWC can collaborate with DEPED in accordance with DO 12, s. 2009 - Strengthening the National Drug Education Program (NDEP) in order to strengthen its implementation in schools by coming up with education modules for instructional activities and sessions on drug abuse prevention and control in the elementary, secondary and tertiary curricula of all public and private schools, whether general, technical, vocational or agro-industrial as well as in non-formal, informal.

The CSWDO shall coordinate with CPO to ensure that the teen centers shall also cater awareness and prevention programs about drug abuse to out-of-school youth and street children.

All persons committing acts in connection to the sale, distribution, manufacturing, production, possession, and use of drugs especially in influencing, selling, and involving children in the acts aforementioned shall be punishable in accordance with:

- a. R.A. 9165 otherwise known as "Comprehensive Dangerous Drugs Act of 2002."

For drug pushers who use minors as runners, couriers and messengers, or in any other capacity directly connected to the dangerous drugs and/or controlled precursors and essential chemical trade, the maximum penalty shall be imposed in every case. In case of minors under fifteen (15) years of age at the time of the commission of any offense penalized under R.A. 9165, Article 192 of P.D. 603 shall apply without prejudice to the application of the provisions of Section 66 of R.A. 9165.

- b. R.A. 9344 otherwise known as the "Juvenile Justice and Welfare Act of 2006" Children in conflict with the law shall undergo diversion programs without undergoing court proceedings subject to the conditions herein provided:

i. Where the imposable penalty for the crime committed is not more than 6 years imprisonment, the law enforcement officer or Punong Barangay with the assistance of the local social welfare and development officer or other member of the LCPC shall conduct mediation, family conferencing and conciliation and, where appropriate, adopt indigenous modes of conflict resolution in accordance with the best interest of the child with a view to accomplishing the objectives or restorative justice and the formulation of a diversion program. The child and his/her family shall be present in these activities.

ii. In victimless crimes where the imposable penalty is not more than 6 years imprisonment, the local social welfare and development officer shall meet with the child and his/her parents or guardians for the development of the appropriate diversion and rehabilitation program, in coordination with the BCPC;

iii. Where the imposable penalty for the crime committed exceeds 6 years imprisonment, diversion measures may be resorted to only by the court.

**SECTION 42. REGULATION ON CHILDREN'S EXPOSURE TO COMMERCIAL ELECTRONIC PORNOGRAPHY.** All internet cafes and other similar establishments shall keep their facilities transparent and/or open to view to deter customers especially children from accessing pornographic sites.

The OCCWC may create a task force to conduct regular monitoring of internet cafés or kiosks within the city in order to prevent violation of the above cited paragraph. (RA 9775 or Anti Child Pornography Act of 2009).



Pursuant to the provisions under R.A. 9775 otherwise known as the "Anti Child Pornography Act of 2009." All persons who:

- a. Possess any form of child pornography with the intent to sell, distribute, publish, or broadcast: Provided. That possession of three (3) or more articles of child pornography of the same form shall be prima facie evidence of the intent to sell, distribute, publish or broadcast shall suffer the penalty of reclusion temporal in its minimum period and a fine of not less than Five hundred thousand pesos (Php500,000.00) but not more than Seven hundred thousand pesos (Php700,000.00);
- b. Panders any form of child pornography shall suffer the penalty of prison mayor in its maximum period and a fine of not less than Three hundred Thousand Pesos (Php300,000.00), but not more than Five Hundred Thousand Pesos (Php500,000.00).

Operators who maintain enclosed and/or non-transparent cubicles or rooms shall be subjected to possible cancellation of business permits fine of not to exceed Five Thousand Pesos (5,000.00) at the discretion of the court.

HELP DESK- A round-the-clock reporting and monitoring base against children abuse shall be established and anchored by the PNP protection desks. Said hotline shall act as the 24-hour vanguard of children in all crimes and abuse committed against them by any person. Upon receiving information regarding any crime committed against children, the PNP shall monitor every progress with an end view of the apprehension and prosecution of the criminal.

The CSWDO in coordination with other relevant agencies shall endeavor to institutionalize the help desk to prevent trafficking of children. The CSWDO shall assign a staff to man the help desk and shall establish coordination with agencies and other entities with operations at the port of Ormoc City to prevent the crime of trafficking.

**SECTION 43. PROHIBITING STUDENTS OR SCHOOL CHILDREN FROM ENTERING IN PUBLIC PLACES OUTSIDE THEIR SCHOOL GROUNDS/CAMPUSES DURING SCHOOL HOURS.** To ensure that students or school children are in school attending classes, they are prohibited from loitering in public places outside their school ground/campuses during school hours. While owners/manager/operators of entertainment establishments such as but not limited to video arcades, internet cafés, billiard pools halls and other forms of recreation that allows students/school children to enter their establishment during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon, establishments mentioned above shall post conspicuously reminders regarding the prohibition and non-allowance of students and children during class hours.

Owners/manager/operators of entertainment establishments such as but not limited to video arcades, internet cafés, billiard pools halls and other forms of recreation that allows students/school children to enter their establishment during school days from 7:00 o'clock in the morning to 5 o'clock in the afternoon shall be subjected to a fine of Five Thousand Pesos (P5,000.00) for every student caught. School children found loitering in public places during school hours shall be sanctioned to attend a behavior improvement seminar and community service for four (4) hours. This is pursuant to Section 16; 447 (a) (iii), 4 (iv) of R.A. 7160.



**SECTION 44. PROHIBITION TO JOIN SPURIOUS ORGANIZATIONS.** Minors are prohibited from joining fraternities or associations or groups which are not duly recognized, authorized, or approved by educational institutions, religious organizations and civic organizations, as the case maybe as theses are branded as fake, illicit or spurious organization for purposes of this code.

Pursuant to RA 8049 or the 'Act Regulating Hazing and other Form of Initiation Rites in Fraternities, Sororities, and Organizations and Providing Penalties Therefore of 1995', no hazing or initiation rites in any form or manner by a fraternity, sorority or organization shall be allowed without prior written notice to the school authorities or head of organization seven (7) days before the conduct of initiation. The written notice shall indicate the period of the initiation activities which shall serve not to exceed three (3) days, shall include the names of those subjected to such activities, and shall further contain an undertaking that no physical violence be employed by anybody during such initiation rites.

MINORS are strictly prohibited from joining gangs which is defined herein as a group of individuals, who usually meet regularly and do things together in the performance of an illegal, violent or hostile activities. Minors caught joining gangs and fake, illicit, and spurious organizations referred to in paragraph (a) hereof shall undergo diversion programs as provided for in Republic Act No. 9344, otherwise known as the "Juvenile Justice and Welfare Act of 2006" and subject to supplemental guidelines that may be adopted by the OCCWC.

Recruiting of minors to the fake or illicit or spurious organizations is punishable under the penalty of imprisonment of not more than one (1) year or fine of not more than One Thousand Pesos (P 1,000.00) or both at the discretion of the court. Other forms of violations shall be penalized under the penal provisions of RA 8049 (Anti-Hazing Law).

**SECTION 45. REGISTRATION OF CHILD AT BIRTH.** A child has the right to a name, nationality, and all the rights inherent to a citizen. Civil registration is a basic framework in establishing the fundamental right and duty to report any fact concerning the civil status of every citizen, the parents shall cause the early birth registration of the child with the Office of the Local Civil Registrar. To promote an effective and efficient timely registration of births and other vital events, the city shall implement the Barangay Civil Registration System (BCRS) as a strategy to facilitate civil registration at the community level where the Barangay Officials assist the City Civil Registrar in civil registration activities. It is a systematic process of reporting and monitoring vital events particularly birth, marriages and death pursuant to Republic Act No. 3753 or the Civil Registry Law.

**SECTION 46. PROHIBITION AGAINST WORST FORMS OF CHILD LABOR.** No child shall be engaged in the worst forms of child labor. The phrase "worst forms of child labor" shall refer to any of the following as stated in RA 9231:

1. All forms of slavery, as defined under the RA 9208 or the 'Anti-trafficking in Persons Act of 2003', or practices similar to slavery such as sale and trafficking of children as defined in RA 7610, debt bondage and serfdom and forced or compulsory labor, including recruitment of children for sue in armed conflict or
2. The use, procuring, offering or exposing of a child for prostitution, for the production of pornography or for pornographic performances, or
3. The use, procuring or offering of a child for illegal or illicit activities, including the production and trafficking of dangerous drugs and violate substances prohibited under existing laws; or



4. Work which, by its nature or the circumstances in which it is carried out, is hazardous or likely to be harmful to the health, safety or morals of children, such that it:
  - a. Debases, degrades or demeans the intrinsic worth and dignity of a child as a human being; or
  - b. Exposes the child to physical, emotional or sexual abuse, or is found to be highly stressful psychologically or may prejudice morals; or
  - c. Is performed underground, underwater or at dangerous heights; or
  - d. Involves the use of dangerous machinery, equipment and tools such as power-driven or explosive power actuated tools; or
  - e. Exposes the child to physical danger such as, but not limited to the dangerous feats of balancing, physical strength of condition, or which requires the manual transport of heavy loads; or
  - f. Is performed in an unhealthy environment exposing the child to hazardous working conditions, elements, substances, co-agents or processes involving ionizing, radiation, fire, flammable substances, noxious components and the like, or to extreme temperatures, noise levels, or vibrations; or
  - g. Is performed under particularly difficult conditions; or
  - h. Exposes the child to biological agents such as bacteria, fungi, viruses, protozoans, nematodes, and other parasites; or
  - i. Involves the manufacture or handling of explosives and other pyrotechnic products.

All forms of slavery, or practices similar to slavery such as sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, and also including all acts mentioned in Section 44, Article III of this Code shall be penalized by imprisonment of six (6) months and one (1) day to six (6) years or a fine of not less than Fifty Thousand Pesos (P50,000.00) but not more than Three Hundred Thousand Pesos (P300,000.00) as defined and in accordance to R.A. 9208 or the "Anti-trafficking in Persons Act of 2003" and R.A. 7610 otherwise known as the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act."

#### A. EMPLOYMENT OF CHILDREN

- 1) For employment of children as domestic helpers ages 17 years and younger the employers shall first secure before engaging such child a work permit from DOLE that shall ensure observance of the welfare of the child.

Children found working in violation of the above provisions shall be rescued and provided with the appropriate interventions. The OCCWC shall come up with appropriate trainings for members of the Local Police, Members of the Citizens Armed Forces, and the Barangay Police to properly respond to the aid of offended children under worst kinds of child labor.

- #### B. PROHIBITION ON THE EMPLOYMENT OF CHILDREN IN CERTAIN ADVERTISEMENTS
- No person or corporation shall employ a child as a model or endorser, in whatever form for any commercial or advertisement promoting alcoholic beverages, intoxicating drinks, tobacco, and its by-product, junk foods and any products or advertisements that promote violence.



**SECTION 47. COMPREHENSIVE EMERGENCY PROGRAM DURING EMERGENCY.** As stipulated in the Republic Act 10821 also known as the Children's Emergency Relief and Protection Act of 2016, the city government of Ormoc must ensure the protection of children's particular needs before, during and after crisis. The program should be gender and child sensitive and have the following:

- a. Establishment of Evacuation Centers – Local Government Unit of Ormoc City shall establish and identify safe locations as evacuation centers for children and families.
- b. Establishment of Transitional Shelters for Orphaned, Separated, and Unaccompanied Children – The Local Government Unit of Ormoc City shall establish an option for transitional shelters, prioritizing vulnerable and marginalized groups including orphaned, separated, and unaccompanied children and pregnant and lactating mothers. New transitional shelters shall be designed with the following considerations: gender-specific emergency latrines. Bathing cubicles, and hand washing facilities specifically designed for children. It shall provide mother and child-friendly spaces where children can take part in child activities. It shall also have provisions for maternal and newborn and infant care and rooms to protect and feed. Provide personal care and ensure the right to privacy. Existing transitional shelters shall be modified to the extent possible to comply with the abovementioned considerations.
- c. Assurance for Immediate Delivery of Basic Necessities and Services. - The Program shall facilitate and ensure the immediate delivery of basic necessities and services specifically required by the affected children in different stages of development such as access to basic health services. Food, water, nutrition, medicines, clothing, sanitary and hygiene kits, and other emergency needs such as blankets, mosquito nets, cooking ware and fuel, and flashlights. The Program shall give priority to the specific health and nutrition needs of pregnant women, lactating mothers, newborn babies, children under five years old and children with special needs and protection.
- d. Stronger Measures to Ensure the Safety and Security of Affected Children - The OCCWC shall come up with measures and protocols to monitor and ensure the safety and the security of the affected children including and not limited to children with disability and with special needs and protection in time of calamities and also ensure protection of children against all forms of violence, abuse and exploitation.

The LGU of Ormoc City shall prioritize the establishment and functionality of the barangay violence against women and children (VAWC) desks. The VAWC desk shall serve as one of the key reporting and referral mechanism for cases of violence, abuse, and exploitation of children in the barangay during all phases of emergency response and recovery.

Children shall be given priority during evacuation as a result of a disaster or other emergency situation. Existing CSOs In the community 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.



- e. Delivery of Health, Medical, and Nutrition Services - Under the Program of the CHO, in coordination with the CSWDO, and the different departments/units, and CSOs in the community, shall provide the health, medical, and nutritional needs of children in the areas declared under the state of calamity, including psychosocial interventions for children in different stages of development.
- f. Plan of Action for Prompt Resumption of Educational Services for Children -The Department of Education (DepEd) in coordination with the CSWDO, DILG shall ensure the prompt resumption of educational services for all children, including early childhood care and development for children aged below five (5).
- g. Establishment of Child Friendly Spaces. - The local government unit of Ormoc City shall set up Child Friendly Spaces in every barangay declared under the state of calamity, as needed, based on the guidelines to be promulgated by OCCWC. In addition, the local government shall coordinate with lead agencies and CSOs to effectively respond to the needs of the children In the area. Child Friendly Spaces shall be made available throughout a crisis, from emergencies to recovery.

In case the concerned barangay cannot immediately respond due to the huge impact of disaster, the CSWDO, together with the concerned government agencies and in coordination with CSOs and other stakeholders, as well as nearby LGUs, shall provide the necessary child care services and social protection of affected children.

- h. Promotion of Children's Right. - The Program shall include activities and processes that will promote and uphold the rights of children by:
  - i. Providing child-centered training for all responders;
  - ii. Ensuring that children are provided with adequate access to age appropriate Information on their roles and responsibilities and those of government agencies before during, and after disasters and other emergency situations;
  - iii. Providing for an effective mechanism for training and meaningful participation of children in community disaster risk reduction program; and
  - iv. Consulting with the affected children on their needs and priorities for post-disaster relief and recovery.
- i. Services for orphaned, unaccompanied, or separated Children. The OCCWC shall develop a minimum set of standards and guidelines for the Family Tracing Reunification System of unaccompanied and separated children.  
Orphaned children, and unaccompanied or separated children whose families or relatives cannot be found or assessed to be incapable of providing proper care and protection shall be placed In a licensed or accredited residential care facility or with a foster family In accordance with Article 140 of the Child and Youth Welfare Code, or a community-based center. A registered social worker shall provide the needed case management and intervention.



- j. System of Restoring Civil Registry Documents. - To ensure that vital information pertaining to the personal circumstances of a child are adequately protected and available at all times, the City Civil Registrar shall develop a system for the restoration and reconstruction of civil registry documents that have been destroyed or declared lost or missing during a disaster or calamity.

The Civil Registrar shall submit a report on the number of restored or reconstructed documents to appropriate government agencies for effective monitoring and reporting' and to ensure the continued access of the affected children to social services and facilitate the reunification of separated children with their families. It shall likewise develop a system for the registration of children born during a national or local state of calamity.

- k. Training of Emergency Responders on Child Protection. The CDRRMC shall promote and conduct a child-responsive training program for all responders in the calamity area such as community and barangay leaders, community members, school personnel and other rescuers. The training program shall include the following:

- i. Proper procedures and measures to assess the situation, safeguard and protect the affected children during and after emergencies and disasters; and
- ii. Appropriate training on psycho-social Interventions for children in different stages of development who are victims of calamities.
- iii. Each member agency shall include or mainstream child protection in the emergency response training to service providers.

- l. Data Gathering, Monitoring, and Reporting. - The OCCWC shall come up with a report taken from agencies mandated under RA 10821 to monitor and report on the implementation of services under the Program and submit the same to Sangguniang Panlungsod annually. The report shall include a specific section on pregnant women and children under five years of age as a strategy for ensuring to address the post-disaster nutrition needs of children under age five and pregnant women are both understood and met.

In the aftermath of a national or local state of calamity, the collection and reporting of data for the Disaster Risk Reduction Management Information System at all levels, as provided for in Republic Act No. 10121 shall be disaggregated by age, gender, ethnicity and special needs. Such collected data shall be utilized to understand and respond better to the needs of children affected by disasters and calamities.

Within five (5) days from the declaration of a national state of calamity or as soon as practicable, the CSWDO and the Barangay Affairs Unit shall jointly submit written documentation and report on their surveillance and monitoring activities to the Sangguniang Panlungsod.

- m. Appropriations to the Comprehensive Emergency Program - The implementation of the programs under RA 10821 shall be charged against the City Disaster Risk Reduction and Management Fund (CDRRMF).

**SECTION 48. ADOPTION OF A CODE OF CONDUCT ON THE CARE AND PROTECTION OF CHILDREN.** All government offices and institutions; and organizations and entities that are mandated, recognized, or licensed by the government operating within Ormoc shall adopt the Code of Conduct on the Care and Protection of Children.



**SECTION 49. PREVENTION AND INTERVENTION PROGRAMS ON BULLYING.**

All public and private schools shall adopt bullying prevention programs. Said programs shall be applicable to all students regardless of risk or vulnerability to bullying and these shall be comprehensive, multi-faceted and shall involve all education stakeholders and personnel. The programs may include, among others:

- (a) Creating positive climate and environment conducive to the attainment of learning objectives, the development of healthy relationships and understanding of and respect for individual differences;
- (b) Periodic assessment and monitoring of the nature, extent, and perceptions of bullying behaviors and attitudes of students;
- (c) Conduct of activities for students, school personnel and service providers on how to recognize and respond to bullying.
- (d) Coordination with various offices and councils especially OCCWC and BCPC and other stakeholders.
- (e) Discussion forums on anti-bullying act and school policies during PTA meetings and seminars and also during leadership trainings of school organizations and councils.

There shall be intervention programs to promote continuity of comprehensive anti-bullying policies and involves series of activities designed to address issues influencing the student to commit bullying, factors that make a student a target of bullying and effects of bullying. These programs may include counseling, life skills training, education and other activities that will enhance psychological, emotional, and psycho-social well-being of both the victim and the bully.

The OCCWC shall work with DEPED in ensuring that each school shall create a School Protection Committee to be composed of relevant barangay officials, representative from teachers, parents and student body organization. The DEPED may request funding from the Local School Board for the capacity-building programs on child protection referral mechanisms.

Sanctions for violations on anti-bullying provisions under Section 50 of this Code shall be in accordance with RA 10627 and its implementing rules and shall be as follows:

- (a) All public and private schools shall include in the school's child protection or anti-bullying policy a range of disciplinary administrative actions that may be taken against perpetrator or bullying or retaliation;
- (b) Bullying incidents or retaliation shall be treated according to their nature, gravity or severity. The school head may impose reasonable disciplinary measures on the bully or offending student that is proportionate to the act committed;
- (c) Written reprimand, community service, suspension, exclusion or expulsion, in accordance with existing rules and regulations of the school or of the Department for public schools, may be imposed, if the circumstances warrant the imposition of such penalty, provided that the requirements of due process are complied with;
- (d) In addition to the disciplinary sanction, the bully shall also be required to undergo an intervention program which shall be administered or supervised by the school's child protection committee.
- (e) Erring private schools shall suffer the penalty of suspension of their permits to operate;

If the bullying incident or retaliation resulted in serious physical injuries or death, the case shall be dealt with in accordance with provisions of RA 9344 or the "Juvenile Justice and Welfare Act" as amended.



**ARTICLE V  
PARTICIPATION RIGHTS OF CHILDREN**

**SECTION 50.** PARTICIPATION OF CHILDREN IN DECISION MAKING PROCESS. The interest and welfare of children in the family, school, community or other organizations or institutions shall be heard. Every child has the right to express his opinion freely in so far as such opinion is not contrary to law, morals, good customs, public safety and public policy, and to have that opinion to be taken into account in all matters affecting the rights of the child. It shall be the responsibility of the parents, guardians and concerned agencies of government to provide opportunities for children to express their views, organize among themselves, obtain information, make ideas or information known regardless of sex and religious belief.

**SECTION 51.** CONVENTION OF MINORS FOR PURPOSES OF CONSULTATION. It is important to consult and provide venue for expression of children's views in the City Government's policies. Consistent herewith, it is necessary that representatives from 6 to 11 years old and 12 to 17 years are convened once a year, specifically during the children's month to be heard collectively of their clamor and needs. Every NGO concerned with these groups of children shall be instrumental in the process of the preparation and evaluation of the convention responsive to the mandates of RA 8044 or the "Youth in Nation-Building Act of 1995" and United Nations Convention on the Rights of the Child (UNCRC).

The convention shall be held every November during the celebration of the annual children's month pursuant to RA 10661 of the "National Children's Month Act of 2014". Activities will be participated in by children representatives from all barangays, local organizations, schools and other related groups. The said convention shall be attended also by all elementary and high school student council presidents and leaders of all other children organizations. This assembly will serve as a venue to discuss their issues and concerns and to have a collective voice on issues affecting them.

The City Mayor shall constitute a special committee to handle the screening of the said representatives ensuring that the major sectors are represented, namely: In-school children, out-of school children, working children, muslim children, LGBT, faith-based organizations and special children or those children with disabilities. The said special committee shall also plan and spearhead preparatory activities for the children's month and the holding of the children's convention. The said committee shall develop and implement a set of objective criteria and process in the selection of participating organizations and representatives to ensure that the process is inclusive.

The special committee shall also spearhead the preparation for the awards for the child-friendly barangays as well as best practices of the barangays on child protection and responding to violence against women and children.

The special committee shall coordinate with OCCWC and engage their participation in the activities during the children's month.





**SECTION 52. PARTICIPATION OF CHILDREN IN SOCIAL NETWORKING AND MEDIA.** As a member of a family, school, community or any other organization or institution, every child has a right to be heard. Each child, regardless of age, sex, religion and tribe has the right to express his or her opinion freely. The Local Government Unit of Ormoc City shall provide opportunities for children to express their ideas through different forms of media such as print, radio broadcasting and theatre arts and shall link the children to the existing media facilities in the locality. Funding support, should there be a need, must be allocated. The OCCWC shall come up with activities and protocols on this mandate.

**SECTION 53. RIGHT OF CHILDREN TO INFORMATION.** As one of the fundamental rights of the children stated in UN Convention of the Rights of the Child, programs affecting and benefiting children should be widely disseminated as possible to include schools and communities and other platforms where children have access to information. Awareness raising and information drive on the provisions of this code shall be intensified through the use of mainstream and social media; and other awareness-raising activities in coordination with the barangays, schools, NGOs and people's organizations to usher in the integration of the same in the plans, programs and activities of all stakeholders in the City of Ormoc.

**SECTION 54. PARTICIPATION OF CHILDREN IN COMMUNITY AFFAIRS AND SOCIO- CIVIC ACTIVITIES.** The City of Ormoc shall promote the formation of child-led organizations and strengthen existing organizations in each barangay and support children's initiatives that will serve as venues to share common interests, express their talents, develop their capacities, and actively participate in child-friendly undertakings.

Also, there shall be camps for children to be held during summer months of every year which will involve capability building activities, skills enhancement trainings and other relevant development activities. The OCCWC shall come up with guidelines and lead implementors in the conduct of needs assessment to identify common and prevalent needs of the children.

**SECTION 55. INSTALLATION OF MECHANISM FOR PARTICIPATION OF CHILDREN IN POLICY AND PROGRAM FORMULATION IN THE LOCAL GOVERNMENT.** The Local Government of Ormoc City shall give utmost importance and concern to consultation with children and to providing a venue for the expression of their views relevant to the formulation of government policies and programs. It shall recognize children's representations in OCCWC, BCPC, CDRRMC, BDRRMC, being the primary stakeholders and participants.

The City government shall institutionalize the participation of the youth in Climate Change Adaptation and Disaster Risk Reduction and Management Related Activities by conducting the following:

1. Engage the youth sector as member of the Local Disaster Risk Reduction and Management Council, as one group representing the civil society organizations;
2. Integrate and allocate support for youth-oriented disaster activities in Local Disaster Risk Reduction and Management Plan and
3. Replicate the concept of WEmboree.

The City Development Council shall conduct regular consultation with children in formulating barangay/City plans that will be integrated in the City Development Plan.



As far as practicable and when allowed by law, the City Mayor shall appoint children and youth representatives in the special local bodies. The Annual Children's Month celebrations and other related activities shall also ensure the participation of children in the planning and implementation stages.

**SECTION 56. PARTICIPATION OF CHILDREN IN THE LOCAL BUDGETING PROCESSES.** It is the responsibility of the City Planning Department to inform the children's organizations of the legal framework of their participation in the local budgeting processes. City Planning Office shall take lead in involving the children in annual budget workshops. Representatives of the children's organizations shall be given opportunity to present and discuss their plans. The local agencies must ensure that the proposed activities will have full and equal access to funds and any kind of resources.

#### **ARTICLE VI PENAL PROVISIONS**

**SECTION 57. PENALTIES AND SANCTIONS.** Violations of any provision of this Code shall be penalized and sanctioned in accordance with the provisions of existing applicable laws, rules and regulations. Where specific penalties and/or sanctions are provided in this Code, the same shall be applied without prejudice to the imposition of other penalties as may be provided in other laws.

If specific provisions violated by parents and guardians do not prescribe any penalty, any parent or guardian violating said provisions or found to be negligent in the performance of their duties to children shall be punished as follows:

- a. For the first offense: counseling or parent education and community service of 4-hours.
- b. For the second and subsequent offense: the filing by the LCPC or the CSWDO of the appropriate charges to child abuse under Republic Act No. 7610 and for Petition for Involuntary Commitment pursuant to Presidential Decree No. 603, or other criminal or civil cases under applicable laws.

No penalty shall be imposed on children for said violations, and they shall instead be brought to their residence or to any barangay official at the barangay hall to be released to a custody of their parents/guardians or appropriate authorities.

**SECTION 58.** The local chief executives of non-compliant PC/MIBCPCs may be subjected to sanctions such as administrative liability based on existing laws, rules and regulations of the Republic of the Philippines.

#### **ARTICLE VII FINAL PROVISIONS**

**SECTION 59. IMPLEMENTING RULES AND REGULATIONS.** The City Council for the Welfare of Children shall formulate and issue the appropriate rules and regulations when necessary for some provisions to be implemented. Otherwise, provisions that are specific shall already be given under in accordance with Article VIII of this code.

**SECTION 60. REVIEW.** This ordinance shall be reviewed five years after the enactment to ensure responsiveness to the current trends in the delivery of services for children and the evolving needs of children.



**SECTION 61. APPROPRIATIONS.** The amount to carry-out the provision of this ordinance is hereby authorized and appropriated in the city annual budget.

A. CHILDREN'S FUND. All levels of local government in Ormoc City shall establish a Children's Fund to support the implementation of this Code. A minimum of one percent (1%) of the Internal Revenue Allotment (IRA) of all levels of local government shall be set aside for this purpose. This is in accordance with the Memorandum Circular 2012-120. The local Chief Executives at all levels may allocate additional funds for children as the local finances warrant.

**SECTION 62. SEPARABILITY CLAUSE.** If any provision of this Code is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in full force and effect.

**SECTION 63. INFORMATION DISSEMINATION.** The OCCWC shall prepare an information dissemination plan for effective education of the general public of this code. The CSWDO is hereby directed to cause the printing and distribution of this code.

**SECTION 64. REPEALING CLAUSE.** All ordinances, executive orders or any issuances inconsistent with the provision of this ordinance are hereby repealed or modified accordingly.

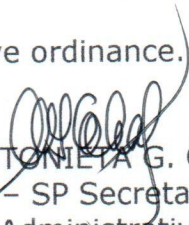
**SECTION 65. EFFECTIVITY CLAUSE.** This ordinance takes effect ten (10) days after its publication in a newspaper of general circulation within Ormoc City and are posted in three (3) conspicuous places within the city for 3 consecutive weeks.

ENACTED, October 27, 2016.

RESOLVED, FURTHER, to furnish copies of this ordinance one each to the City Mayor Richard I. Gomez; the City Administrator's Office; the City Legal Office; the City Budget Office; the City Treasurer's Office; the City Accounting Office; the City Social Welfare & Development Office; the City Police Director; the City Prosecutor's Office; the Regional Trial Court, Branch 35; the Regional Trial Court, Branch 12; the OIC-City Director, DILG; The Department of Education Office; the City Health Office; the CDRRMO Office, the City Planning & Development Office; and other offices concerned, -all in Ormoc City;

CARRIED UNANIMOUSLY.

I HEREBY CERTIFY to the correctness of the above ordinance.

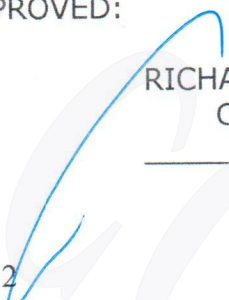
  
MARIA ANTONIETA G. CO HAT  
(OIC - SP Secretary)  
Supervising Administrative Office

ATTESTED:



LEO CARMELO L. LOCSIN, JR.  
Vice Mayor & Presiding Officer

APPROVED:

  
RICHARD I. GOMEZ  
City Mayor  
11-4-16  
\_\_\_\_\_  
(Date)