



Republic of the Philippines
Province of Ifugao
Sangguniang Bayan
MUNICIPALITY OF LAMUT

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PRESENT: Atty. Adryan B. Chaguile, Municipal Vice Mayor and Presiding Chairman
Everda Desiree D. Dulinayan- Municipal Councilor & Member
Jerry J. Leal - Municipal Councilor & Member
Joseph G. In-uyay - Municipal Councilor & Member
Maria Victoria Grace G. Macadaeg - Municipal Councilor & Member
Pio K. Famorca, Jr., Municipal Councilor & Member
Napoleon C. Belingon, Municipal Councilor & Member
Reneboy D. Millano, Municipal Councilor & Member
Mark Anthony M. Indopia - Municipal Councilor & Member
Jake Louie B. Casumpang, SK Federation President & Member
ABSENT: Manuel B. Kalahi, Jr. - LMB Federation President - on Official Business

MUNICIPAL ORDINANCE NO. 2018-18-021

*Authors: SB Member Maria Victoria Grace G. Macadaeg
SB Member Joseph G. In-uyay
SB Member Napoleon C. Belingon*

THE REVISED CHILDREN'S CODE OF THE MUNICIPALITY OF LAMUT, IFUGAO

EXPLANATORY NOTE

It is declared state policy under the Philippine Constitution to recognize the vital role of children in nation building to promote their physical, moral, spiritual, intellectual and social well-being;

In consistent with this state policy, this municipality envisions the children of Lamut to be happy, loved and God-fearing, with sound mind and healthy body living in a child friendly environment, actively participating in nation building, empowered and intellectually at par with other peers and to be globally competitive;

The municipality of Lamut, Ifugao recognizes the vulnerability of children and the need for measures to protect their rights and to ensure the full development of their potentials; thus, this Code

BE IT ORDAINED by the **SANGGUNIANG BAYAN** of Lamut, Ifugao Province by the virtue of the powers vested in it by law, in session assembled that:

Article 1

TITLE, SCOPE, POLICIES, DEFINITION, STATE OBLIGATIONS

Section 1. Title. - This ordinance shall be known and cited as "The Revised Children's Code of the Municipality of Lamut."

Section. 2. Declaration of Policy and Principle. It is hereby declared to be the policy of the Municipality of Lamut that the rights of children to their survival, protection, participation and development must be given high priority; it will work for the respect for the role of the family in providing for children and will support the efforts of parents, other child care and development workers, NGOs and communities to nurture and care for children, from infancy including the earliest stages of childhood to adolescence.

It shall be the policy of the local government of Lamut to ensure that the programs aimed at the achievement of goals for the survival, protection, participation and

development of children must be given priority when resources are allocated. Every effort shall be made by the local government of Lamut to ensure that such programs are protected in times of economic austerity and structural adjustments.

It believes in a holistic protection and development of all children through a strong partnership between and among government agencies, NGOs and the private sector, serving with the highest degree of professionalism and competence in an atmosphere of unity, solidarity and teamwork.

Section 3. Scope of Application. This Code shall apply to all barangays in the Municipality.

Section 4. Purposes. - This Code is enacted with the following purposes:

- a) To ensure the protection of children against all forms of abuse and exploitation;
- b) To advocate for children's rights and promote their welfare and development;
- c) To ensure that children's rights are given priority attention both in government and civil society;
- d) To improve the quality of life of children in the Municipality of Lamut enabling them to fully develop their potentials and participate in community life and nation building.

Section 5. Best Interest of the Child. - All doubts in the implementation and interpretation of the provisions of this code, including its implementing rules and regulations, shall be resolved taking into consideration the best interest of the child.

Section 6. Participation of the Child. - All proceedings pertaining to children's concerns shall be conducted in a manner, which allows children to participate and to express themselves freely. Participation of children in program and policy formulation and implementation related with children's concerns shall be ensured by the concerned department/units/offices in the Municipality.

Section 7. Duties and Responsibilities of the State. - In accordance with Section 3 paragraph 2 of Article XV of the Philippine Constitution, it is the duty of the State to defend the right of children to assistance including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.

In accordance with the United Nations Convention on the Rights of the Child (UNCRC) to which the Philippines is a State Party, the State shall:

- a. Undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the UN CRC. With regard to economic, social and cultural rights, the State shall undertake such measures to the maximum extent of its available resources and, where needed, within the framework of international cooperation;
- b. Ensure to the maximum extent possible the survival, development, protection and participation rights of the child;
- c. Take all appropriate legislative, administrative, social and educational measures to protect children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent/s, legal guardian/s or any other person/s who has the care of the child;
- d. Assure to the child who is capable of forming his/her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with his/her age and maturity;

- e. Render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

Section 8. Definition of Terms- The following terms used in this Ordinance shall be defined as follows:

- a. **“Child”** refers to a person under the age of 18 years or those over but unable to fully take care of themselves to protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of physical and mental disability condition.
- b. **“Child abuse”** refers to the maltreatment, whether habitual or not, of the child which includes any of the following:
 - 1. Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;
 - 2. Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;
 - 3. Unreasonable deprivation of his/her basic needs for survival, such as but not limited to food, clothing, shelter and education; or
 - 4. Failure to immediately give medical treatment to an injured child resulting in serious impairment of his or her growth and development or in his or her permanent incapacity or death.
- c. **“Special concerns”** are circumstances which gravely threaten or endanger the survival and normal development of children including but not limited to the following:
 - 1. Being in a community where there is armed conflict or being affected by armed-conflict-related activities;
 - 2. Working under conditions hazardous to health, safety and morals which unduly interfere with their normal development or working without provision for their education;
 - 3. Living in or fending for themselves in the streets of the Municipality without the care of parents or a guardian or any adult supervision needed for their welfare;
 - 4. Living under conditions of extreme poverty or in an area which is underdeveloped and/or lacks or has inadequate access to basic services needed for a good quality of life;
 - 5. Being with family members or guardians having psychological problems grave enough for them to commit incest, siblings rape, acts of lasciviousness and other forms of physical and mental abuse;
 - 6. Being a victim of a human-made or natural disaster or calamity; or
 - 7. Being a victim of an illegal transnational organization or child trafficking
 - 8. Analogous circumstances which endanger the life, safety or normal development of children.
- d. **“Day care”** is the provision of substitute parental care and stimulating activities for the total development of children three to five (3-5) years old when their parents are unable to take care of them during part of the day because of work and some other situation.
- e. **“Day care center”** is a facility in the barangay where day care services are provided by an accredited child development worker particularly for children in the three-to-five (3-5)-year age bracket.
- f. **“Diversion”** refers to an alternative child-appropriate process of determining the responsibility and treatment of a child in conflict with the law (CICL) on the basis of his/her social, cultural, economic, psychological or educational background without resorting to formal proceedings.

- g. **“Diversion programs”** shall refer to programs that children in conflict with the law are required to undergo after they are found responsible for an offense, without resorting to formal court litigation.
- h. **“Child Development Worker”** an accredited teacher in the Day Care Center appointed by the Brgy. Captain.
- i. **“Community reintegration programs”** shall refer to the programs established for the purpose of rehabilitation and preparing the (CICL) child for reintegration into the community.
- j. **“Katarungang Pambarangay”** shall refer to Sec. 408-422 of the Local Government Code of 1991 which is commonly known as the Katarungang Pambarangay Law.
- k. **“Differently abled children,” “children with disabilities” or children with special needs”** are children with either physical or mental infirmities whether congenital or acquired after birth.
- l. **Anti-social related activities** are those acts against poverty, chastity and person which include but not limited to the following: petty crimes such as theft and vagrancy; using and pushing prohibited drugs, selling illegal or lewd reading materials; gambling of any form; rape and incest; any other circumstances as defined in existing laws; film showing of lewd films by videoke bars and other establishment; cursing;
- m. **Culturally Relevant Activities** refer to activities show-casing Filipino culture such as but not limited to the following: indigenous or ethnic folk dance, games, music and drama;
- n. **Pre-school Education** refers to the age from birth up to six years of age (0-6) and known to be the critical phase of the child’s psychomotor development. It is the phase when ninety percent (90%) of the human brain is developed. It is therefore the phase when activities for development stimulation for children must be provided through the Early Childhood Care and Development Program.
- o. **“Survival rights”** ensure the child’s inherent right to life and to the needs that are most basic to existence, the right to a name and nationality, the right to identity and those dealing with parental and governmental duties and obligations, adequate and decent standard of living, access to basic health care and medical services, social security, and rehabilitation if needed.
- p. **“Development rights”** refer to the rights of a child to education to develop her or his personality, talents and mental and physical abilities to the fullest extent. These also include participation in cultural activities, access to appropriate and relevant information, and opportunities for rest, play and leisure.
- q. **“Protection rights”** cover those rights protecting the child from all forms of abuses and discrimination such as protection from cruelty, torture, arbitrary separation from family, abuses in the justice and penal system, involvement in armed conflict, child labor, drug abuse, sexual abuse, and exploitation.
- r. **“Participation rights”** refer to the child’s rights to participate in matters that affect him or her most by providing all appropriate venues where he or she can express his or her opinions freely and to have these opinions taken into account, involvement in decision-making and a consultative process, freedom of association and peaceful assembly.
- s. **“Supplemental feeding”** a nutrition program for malnourished children committed to improve/restore the nutritional status of malnourished pre-schooler to normal level in the municipality.

t. **“Positive and Non-Violent Discipline”** an approach refers to a holistic, construction and pro-active parenting or teaching style that helps children develop appropriate short thinking and behavior in the short and long term.

u. Acronyms used in this Code:

- CICL - Children in Conflict with the Law
- CRC - Convention on the Rights of Children
- NGO - Non-Government Organization
- BCPC - Barangay Council for the Protection of Children
- MCPC - Municipal Council for the Protection of Children
- PCPC - Provincial Council for the Protection of Children
- JJWC - Juvenile Justice Welfare Council
- CWC - Council for the Welfare of Children
- CPC - Council for the Protection of Children
- MSWDO - Municipal Social Welfare and Development Office
- PSWDO - Provincial Social Welfare and Development

Article 2

RIGHTS AND OBLIGATIONS OF THE CHILD/PARENTS

Section 9. The Family - The family is the central unit responsible for the primary socialization of children which is important in the prevention of children’s rights violations. All efforts to preserve the integrity of the family shall be pursued by the Municipal Government of Lamut.

Section 10. Rights of the Child

- a. Every child shall be entitled to the rights herein set forth without distinction as to legitimacy, sex, social status, religion, political antecedents, and other factors.
- b. Every child shall possess the following rights which are classified into survival, development, protection and participation rights:
 1. 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, access to basic health care and medical services, social security, and rehabilitation.

The following are survival rights:

- 1.1 Every child has the right to be born well, endowed with the dignity and worth of a human being from the moment of his or her conception;
- 1.2 Every child has the right to a wholesome family life that will provide him or her with love, care, and understanding, guidance and counseling, and moral and material security. The dependent or abandoned child shall be provided with the nearest substitute of a home;
- 1.3 Every child has the right to a balanced diet, adequate clothing, sufficient shelter, proper medical attention, and all the basic physical requirements of a healthy and vigorous life.
2. Development Rights refer to the rights of a child to education to develop his/her personality, talents, and mental and physical abilities to the fullest extent. These also include participation in cultural activities, access to appropriate and relevant information, and opportunities for rest, play and leisure. The following are the development rights of the child:
 - 2.1 Every child has the right to a well-rounded development of her or his personality to the end that she or he may become a happy, useful, and active member of society specifically:
 - 2.1.1 The gifted child shall be given the opportunity and encouragement to develop her or his special talents;

- 2.1.2 The emotionally disturbed or socially maladjusted child shall be treated with sympathy and understanding, and shall be entitled to treatment and competent care;
- 2.1.3 The physically or mentally disabled child shall be given treatment, education and care required by her or his particular condition;
- 2.2 Every child has the right to be brought up in an atmosphere of morality and rectitude for the enrichment and the strengthening of her or his character;
- 2.3 Every child has the right to grow up as a free individual in an atmosphere of peace, understanding, tolerance, and universal sisterhood/brotherhood, and with the determination to contribute her or his share in the building of a better world;
- 2.4 Every child has the right to education. Primary education must be compulsory and higher education must be available and accessible to all on the basis of capacity by every appropriate means. The education of the child must be directed to:
 - 2.4.1 The development of the child's personality, talents and mental and physical abilities to the fullest extent;
 - 2.4.2 The preparation of the child for responsible adult life in a free society;
 - 2.4.3 The development of respect for the child's parents, her or his cultural identity, language and values, and the cultural background and values of others;
 - 2.4.4 The development of respect for the natural environment, its protection as well as its preservation.
- 2.5 Every child has the right to full opportunities for safe and wholesome recreation and activities, individual as well as social, for the wholesome use of her or his leisure hours;
- 2.6 Every child has the right to live in a community and a society that can offer her or him an environment free from pernicious influences and conducive to the promotion of her or his health and the cultivation of her or his desirable traits and attributes.
- 3. Participation rights refer to the child's rights to participate in matters that affect him/her most by providing all appropriate venues where he/she can express his/her opinions freely and to have these opinions taken into account, involvement in decision-making and a consultative process, freedom of association and peaceful assembly. The following are the participation rights of a child:
 - 3.1 Every child has the right to be provided the opportunity to be heard in any judicial and administrative proceedings affecting him or her, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law;
 - 3.2 Every child has the right to freedom of thought, conscience and religion, subject to appropriate parental guidance;
 - 3.3 Every child has the right to freedom of statement. This right shall include freedom to seek, receive and impart information and ideas of all kinds;
 - 3.4 Every child has the right to express his or her opinions freely and to have these opinions taken into account in any matter or procedure affecting him or her;
 - 3.5 Every child has a right to privacy and shall be protected against unlawful interference with such privacy, family, home or correspondence, and to unlawful attacks against his or her honor and reputation.

4. Protection rights cover those rights protecting the child from all forms of abuses and discrimination such as protection from cruelty, torture, arbitrary separation from family, abuses in the justice and penal system, involvement in armed conflict, child labor, drug abuse, sexual abuse and exploitation.

Section 11. Responsibilities of the Child. Every child, regardless of the circumstances of birth, sex, religion, social status, political antecedents and other factors shall:

- a. Strive to lead an upright and virtuous life in accordance with the teaching of his/her parents, elders and mentors, the tenets of his/her religion, and the bidding of a clean conscience;
- b. Love, respect and obey his or her parents, and cooperate with them in the strengthening of the family;
- c. Extend to his or her brothers and sisters love, thoughtfulness, and helpfulness, and endeavor with them to keep the family harmonious and united;
- d. Exert his or her utmost to develop his or her potentialities for service, particularly by undergoing a formal education suited to his or her abilities, in order that he or she may become an asset to himself or herself and to society.
- e. Respect not only his or her elders but also the customs and traditions of his or her people, the memory of his or her people's heroes, the duly constituted authorities, the laws of the country, and the principles and institutions of democracy;
- f. Actively participate in civic affairs and in the promotion of the general welfare, recognizing that it is the youth who will eventually be called upon to discharge the responsibility of leadership in shaping the nation's future; and
- g. Help in the observance of individual human rights, the strengthening of freedom everywhere, the fostering of cooperation among nations in the pursuit of their common aspiration for unity and prosperity, and the furtherance of world peace.

Section 12. Primary Rights of Parents. -- The family has the primary responsibility of nurturing and protecting children from conception to infancy to adolescence. Introduction of children to the culture, values and norms of their society shall begin in the family. The parents shall have the right to the company of their children and, in relation to all other persons or institutions dealing with children's development, the primary right and obligation to provide for their upbringing.

Section 13. Rights Under the Family Code. - Parents shall continue to exercise the rights mentioned in Articles 209 to 237 of the Family Code over the person and property of their children.

Section 14. Right to Discipline Children. - Parents have the right to discipline their children as may be necessary for the formation of their good character, this include positive and non-violent ways or discipline provided it does not fall under the prohibited acts mentioned in this Code. Parents may require from their children obedience to just and reasonable rules, suggestions and admonitions.

Section 15. General Duties of Parents. - Parents shall have the following general duties toward their children:

- a. To give them affection, companionship and understanding;
- b. To extend to them the benefits of moral guidance, self-discipline and religious instruction;
- c. To supervise their activities, including their recreation;
- d. To inculcate in them the value of industry, thrift and self-reliance;

- e. To stimulate their interest in civic affairs, teach them the duties of citizenship, and develop their commitment to their country;
- f. To advise them properly on any matter affecting their development and well-being;
- g. To always set a good example;
- h. To provide them with adequate support, as defined in Article 194 of the Family Code; and
- i. To administer their property, if any, according to their best interest, subject to the provisions of Article 225 to 227 of the Family code.
- j. To dispense protection rights to the child in accordance with PD 603.

Section 16. Separation of Children from Their Families. - Every effort shall be made to prevent the separation of children from their families. Whenever children are separated from their families owing to *force majeure* or in their own best interest, arrangements shall be made for appropriate alternative family care or institutional placement, due regard being paid to the desirability of continuity in children's upbringing in their own cultural milieu.

Extended families, relatives and community institutions shall be given support to help meet the special needs of orphaned, displaced and abandoned children. Efforts must be made to ensure that no child is treated as an outcast of society.

Article 3

PROGRAMS AND SERVICES ANCHORED ON CHILDREN'S RIGHTS

A. SURVIVAL RIGHTS OF CHILDREN

Section 17. Primary Health Care. - The Municipal government shall implement primary health care and nutrition programs for children carried through the Office of the Municipal Health Officer and the Office of the Municipal Social Welfare and Development. The municipal government shall coordinate with the Department of Health, the Provincial Health Office and other concerned agencies to make essential health services available to the child.

The Municipal Health Officer and the Office of the Municipal Social Welfare and Development shall work with the Barangay Nutrition Scholars and Barangay Health Workers to promote better primary health care in the barangays.

A monthly allowance of not less than Eight Hundred Pesos (P 800.00) shall be paid to every Barangay Nutrition Scholar and not less than Five Hundred Pesos (P 500.00) to every Barangay Health Worker of which fund shall be charged against Barangay Budget. Additional allowance shall be augmented by the Municipal Government and other sources if available.

Section 18 Enhancement of the Civil Registration System. The MCPC in the municipality, in coordination with the BCPC and the schools shall devise a mechanism to enhance the civil registration system in the Municipality. It shall devise a monitoring system and a birth registration system to be implemented by the Municipal Civil Registrar, to ensure that all children's births are registered.

Section 19 Basic Immunization. The municipal government in coordination with the Provincial Health Office and the Department of Health shall provide compulsory basic immunization to children below six (6) years old which include:

- a. Bacillus of Calmette and Guerin (BCG)
- b. Inoculation against diphtheria, tetanus, and pertussis
- c. Oral poliomyelitis immunization
- d. Protection against measles
- e. Immunization against rubella
- f. Immunization against Hepatitis-B

- g. Such other basic immunization services for infants and children below eight years of ages as determined by the Municipal Health Office and the Department of Health;

Section 20. Dental Health Program. The Municipal Government shall ensure that elementary school-age children shall be given free dental check-ups and services at the Municipal Health Office at least once every school year.

Section 21. New-born Screening. The Municipal Health Office shall have the responsibility to encourage all parents of newborn infants to subject their infants to new-born screening at least 48-72 hours after birth to include educating the parents on its importance and on how to go about it.

Section 22. Safe Motherhood Program. The municipality in coordination with the provincial government shall come up with Safe Motherhood Program which shall cater to the health of mother and the unborn child. The Municipal Health Workers as well as the Barangay Health Workers shall be trained on essential obstetric, home -based monitoring of mothers and infants and hygienic deliveries.

Section 23. Breastfeeding Program The municipal government shall ensure that all hospitals/clinics in the municipality adopt the policy which encourage, protect, and support the practice of breastfeeding.

All newborn infants shall be put to the breast of the mother immediately after birth and forthwith roomed-in within 30 minutes. All mothers are encouraged to exclusively breastfeed their infants up to 6 months and to continue breastfeeding with complementary foods up to two years or beyond.

There shall be a continuing information, education, and re-education drive on the practice of breastfeeding by the Municipal Health Office in coordination with the Barangay Health Workers with the assistance of other government agencies, professional and non-governmental organizations which can be done during pre-natal and post-natal visits and during functional literacy classes.

Section 24. Implementation of the Milk Code of the Philippines. To ensure the provision of safe and adequate nutrition for infants by the protection and promotion of breastfeeding, the municipality shall regulate the marketing of infant formula, follow-on formula, milk products, bottled complementary foods, feeding bottles and teats and other products that substitute or replace breast milk. The Municipal Health Office shall monitor the full implementation of the Milk Code of the Philippines.

Section 25. Nutrition Program for Malnourished Children. A nutrition program for malnourished children shall be institutionalized in the Municipality. The program is committed to improve/restore the nutritional status of malnourished pre-schooler to normal level in the municipality. The Municipal Health Office in coordination with the Office of the Municipal Social Welfare and Development Office shall monitor the nutrition feeding or the supplemental feeding program in all barangays. The Municipal Government shall especially allocate funds for the celebration of the nutrition month, Araw ng Sangkap Pinoy and other initiatives for the promotion of proper nutrition in the whole municipality.

Section 26. Municipal Nutrition Council - A Municipal Nutrition Council shall be institutionalized to implement and oversee the nutrition program of the Municipality specifically to assume the following functions:

- a. Prepare the Municipal Nutrition Action Plan and oversee the implementation of the same
- b. Coordinate the implementation and monitoring of nutrition activities
- c. Conduct periodic field visits and meetings with the Municipal Nutrition Councils to assess the progress of program implementation
- d. Serve as resource group to the Municipal Nutrition Action Program

A Municipal Nutrition Action Officer shall be *appointed* to serve as the lead person and secretariat of the Municipal Nutrition Council.

Section 27. Implementation of the Asin Law. The Municipal Government shall, in line with the provision of R.A. 8172, MO. 005-B,

- a. Ensure the strict implementation of R.A. 8172, otherwise known as “An Act Promoting Salt Iodization Nationwide” in all barangays and to ensure that all barangays shall pass ordinances prohibiting the sale of raw salt
- b. Allocate funds for the following:
 1. Establishment of bill boards regarding the use of iodized salt in public places;
 2. Conduct of information campaign during consultations and mothers’ classes,
 3. Continuously check on the use of iodized salt and regularly monitor food establishments on the use of iodized salt;
 4. Conduct teacher-child parent approach on the importance of iodized salt
 5. Conduct quiz bees and contests in schools and advocate to parents during PTA meetings;
 6. The Municipal Social Welfare and Development Office and the Municipal Health Office to conduct information drives to parents of day care children;
 7. The Municipal Agriculture Office to ensure inclusion of the ASIN LAW during farmers classes, quiz shows;
 8. Establishment of message corner of ASIN
 9. Encourage the participation of NGO and Civic Organizations to help in the production of IEC materials and join in the campaign on the use of iodized salt; ensure that the market administrator and the Sanitary Inspector comply that only iodized salt is delivered to and sold in the public market and incorporate key messages on the benefit of using iodized salt.

Sec. 28 Promoting a Friendly, Quality and Affordable Facility Based Delivery For all Pregnant Mothers Attended By Skilled Birth Attendants (Doctor, Nurse, Midwife) in the Municipality of Lamut (Mun. Ord. No. 2014-06)

- It is declared policy of the Municipal Government of Lamut to uphold and protect the lives of mother and child in its pursuit of sustainable human development that values human dignity and offers full protection to women and their unborn babies.

B. DEVELOPMENT RIGHTS OF CHILDREN

Section 29. Early Childhood Care and Development Program. The Municipality shall carry out the provisions of the Early Childhood Care and Development Act (RA 8980) and shall plan and initiate an Early Childhood Care and Development Program which refer to the full range of health, nutrition, early education, psycho-social and other services that provide for the holistic needs of children particularly referring to persons from conception to age six.

Section 30. Establishment of Day Care Center – Pursuant to Republic Act 6972 or the Barangay-Level Total Development and Protection of Children Act, the Municipality shall ensure that day care centers shall be set up in every barangay. Other private Day Care Center maintained by private individuals or corporation should secure business permit before operation and should meet standard set-up by the Dep-Ed and DSWD in establishing a Day Care Center. The number of such centers shall depend on the population level of the children and how depressed is the barangay.

Section 31. Funds for the Day Care Service. Funds for the establishment, maintenance and operation of the barangay day care centers shall be sourced out from the Annual Budget of the Barangay. The municipality shall provide financial assistance for the establishment of every barangay day care center in their respective locality subject to the availability of funds.

A monthly allowance of not less than P1,500 shall be paid to every day care worker in accredited day care centers of which fund shall be charged against any available funds of the barangay.

Augmentation funds for the monthly allowance of Child Development Workers shall come from various sources such as the Municipal Government and the Provincial Government of Ifugao, NGO's operation in the area, community, and from monthly contributions of the parents such amount of which will be based on their ability to pay and subsequently to be agreed upon.

The municipality shall continually coordinate with the Provincial Social Welfare and Development Office and the DSWD for a continuing technical assistance to the center. All day care centers will be assessed by the municipality and the province through the MSWDO and the PSWDO or can request for an accreditation assessment from another municipality through the Municipal Social Welfare and Development Office. The barangay council for the welfare of children shall ensure that all day care centers in the barangay will be accredited by the DSWD upon recommendation of the local government who made the assessment.

Support to preparatory schools/kindergarten in consonance with R.A. 9180, the municipal government ensures to support the organization of preparatory schools' kindergarten. Ages 5-6 years to all complete elementary schools to develop the child in all aspects (physical social, moral, spiritual and emotionally) so that he/she may be better prepared to adjust and cope with the situations within the context of his/her experiences.

Section 32 . Setting Up of Neighborhood Day Care in Specific Areas - In order to reach more children needing attention, a neighborhood day care for a network of homes where adults may take care of the children up to (6) six years of age of working parents during work hours, can be set up in areas where children do not have access to day care centers due to low population level. The Municipal Government and the barangays shall also develop, implement, and sustain Child Minding Centers, whenever needed, in work places such as schools, public markets, hospital and government offices where parents work during the day. The Child Minding Service caters to children 0-3 years old which shall be operated by trained care givers.

Funds for implementation and sustenance of the Child Minding Service Program shall be borne out from the contributions of parents augmented by the barangay where the center is located and the municipality depending upon the availability of funds.

Support to Alternative Learning System (ALS) ensure to support ALS which offers alternative learning opportunities for the out-of-school youth and adults especially those who are 15 years and above and unable to avail themselves of the educational services and programs of formal education, which the primary objective is to provide literacy programs to eradicate illiteracy.

Section 33. Other Child Friendly Facilities

The Municipal Government in partnership with Non-Government Organization and civic organizations shall established and maintain other child friendly facilities such as but not limited to libraries, museum, parks and playground. Barangays shall establish learning and reading centers, providing for facilities and literary materials.

C. PROTECTION RIGHTS OF CHILDREN

Section 34. Survey on Child Labor. The Municipal Government shall assist the Provincial Government in conducting a comprehensive survey on child labor in the Municipality. The survey shall be conducted and analyzed by the Provincial Planning and Development Officer assisted by the Municipal Planning and Development Officer. The result of the survey shall be the basis of planning programs and services for child labor in the municipality.

Support to Special Education Program (SPED) for the Differently Able Persons (DAP) Ensure to support SPED Programs which aims to develop the maximum potential of the child with special needs to enable him/her to become self-reliant and shall be geared towards providing him/her with the opportunities for a full and happy life.

Section 35. Employment of Children. In consonance with RA 7658, children below 15 years old are prohibited employment unless:

- a. The minimum requirements as stated in Section 12 of Republic Act No. 7160 shall be present; and
- b. The employer shall register the child to the Department of Labor and Employment to enjoy benefits and other special protection. Any person who shall violate this section shall suffer the penalty prescribed in Section 16 of RA 7610.

Section 36. Control of Employment of Children. It shall be unlawful to employ minors in the following circumstances: dispatcher, bartender, waitress/waiter, blacksmith, welder, toolmaker, machinist, plumber, flame cutter, and plater, spinner/ winders (threads/textile), handling of chemicals or pesticides like spraying, mixing, etc., and all other occupations requiring the lifting, carrying, handling, and moving of heavy loads. In other occupations other than those mentioned above, minors shall not be required to work for more than eight (8) regular working hours a day even with overtime pay.

Section 37. Rights of a Child in Conflict with the Law. – Pursuant to Republic Act No. 9344 otherwise know as the Juvenile Justice and Welfare Act of 2006, every child in conflict with the law shall have the following rights, including but not limited to:

- a. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment;
- b. The right not to be imposed a sentence of capital punishment or life imprisonment, without the possibility of release;
- c. The rights not to be deprived, unlawfully or arbitrarily, of his/her liberty, detention or imprisonment being a disposition of last resort, and which shall be for the shortest appropriate period of time;
- d. The right to be treated with humanity and respect for the inherent dignity of the person, and in a manner which takes into account the needs of a person of his/her age. In particular, a child deprived of liberty shall be separated from adult offenders. He/she shall be detained together with adult offenders. He/she shall be conveyed separately to or from the court. He/she shall await hearing of his/her own case in a separate holding area. A child in conflict with the law shall have the right to maintain contact with/his family through correspondence and visits, save in exceptional circumstances;
- e. The right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his/her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on such action or a speedy trial of not more than 30 days;
- f. The right to bail and recognizance, in appropriate cases;
- g. The right to testify as a witness in his/her own behalf under the rule on examination of a child witness;
- h. The right to have his/her privacy respected fully at all stages of the proceedings;
- i. The right to diversion if he/she is qualified and voluntarily avails of the same;

- j. The right to be imposed a judgment in proportion to the gravity of the offense where his/her best interest, the rights of the victim and the needs of society are all taken into consideration by the court, under the principle of restorative justice;
- k. The right to have restrictions on his/her personal liberty limited to the minimum, and where discretion is given by law to the judge to determine whether to impose fine or imprisonment, the imposition of fine being preferred as the more appropriate penalty;
- l. In general, the right to automatic suspension of sentence;
- m. The right to probation as an alternative to imprisonment, if qualified under the Probation Law;
- n. The right to be free from liability for perjury, concealment or misrepresentation; and
- o. The right not to be used for any personal interest while on detention with local authorities;
- p. The other rights as provided for under existing laws, rules and regulations

Section 38. Development of a Comprehensive Juvenile Intervention Program The MCPC is tasked to administer the juvenile justice and welfare in the municipality. A comprehensive juvenile intervention program covering at least a 3-year period shall be instituted by the municipality and in all barangays. The concerned LGU shall call all sectors particularly child-focused institutions, NGOs, people's organization, educational institutions and government agencies, involved in delinquency prevention to participate in the planning process and implementation of juvenile intervention programs. Such programs shall be implemented consistent with the national program formulated and designed by the Juvenile Justice Welfare Council (JJWC).

The Municipal Government shall:

- a. Implement the comprehensive juvenile intervention program in coordination with the various sectors, initiate annual program assessment and review in coordination with the PCPC, ensure submission of results of assessment through the MCPC and to the PCPC not later than March 15 of every year.
- b. Ensure that the comprehensive juvenile intervention program formulated integrates community-based programs which respond to the special needs, problems, interests and concerns of children and which offer appropriate counseling and guidance to them and their families. The program shall consist of three levels as provided for in RA 9344 which are:
 - 1. Primary intervention includes general measures to promote social justice and equal opportunity, which tackle perceived root causes of offending;
 - 2. Secondary intervention includes measures to assist children at risk; and
 - 3. Tertiary intervention includes measures to avoid unnecessary contact with the formal justice system and other measures to prevent re-offending.

Section 39. System of Diversion - A system of diversion is hereby established wherein CICL shall undergo diversion programs without undergoing court proceedings.

Section 40. Indigenous Modes of Diversion. - Indigenous modes of conflict resolution in harmony with international and national human rights and child's rights standards shall be resorted to and encouraged. The minor's and her/his family's active participation in efforts towards conflict resolution shall be optimized. The family shall be held answerable as well as exercise parental care and supervision over the person of the minor.

CICL shall be organized by the MCPC in coordination with their parents and the BCPC for easier implementation of diversion programs for them.

Section 41. Establishment of Separate Detention Cell for CICL. To be able to safeguard the physical and psycho-social conditions of detained children having pending criminal charges, the Municipal Government shall establish a detention home and if it is not possible, a separate detention cell for CICL in coordination with the Municipal Jail

Section 42. Establishment of Child and Youth Relations Section. The Lamut Police Station shall have a Child Youth Relations Section tasked to handle cases involving children. Likewise, the Municipal Social Welfare and Development Office shall create a Child-Youth Relations Section in their Office.

Section 43. Monitoring and Appropriate Assistance. A special team shall be created to monitor closely the cases involving children at risk and CICL. Appropriate and responsive prevention program shall be formulated and shall be integrated in the comprehensive juvenile intervention program.

Section 44. Appointment of Child and Youth Relations Officer and Police Procedures. The Lamut Police Station shall designate a Child and Youth Relation Officer tasked to handle cases involving children. Child-friendly police procedures shall be implemented as contained in the Police Handbook on the management of Cases of Children in Especially Difficult Circumstances. The MSWDO shall likewise designate a Child and Youth Relations Officer to do the same.

Section 45. Special Course for PNP Members. The continuing special course for members of the Philippine National Police shall be designed to handle effectively cases of children. All police officers shall take up the course especially those who are assigned as the Child and Youth Relation Officer. The course shall be designed in close coordination with the Municipal Council for the Welfare of Children and other Civic Organizations focused on Child and Youth Programs.

Section 46. Children in Situations of Armed Conflict - Children shall not be used/recruited by any individual or group of individuals in fighting for a cause whether pro or against the duly constituted authority or government. Children in situations of armed conflict shall be considered victims and shall be afforded full protection in accordance with the provisions of R.A 7610 or the Anti-Child Abuse Act.

Section 47. Respect for the International Covenants Relevant to Armed-Conflict. All barangays in the Municipality shall undertake to respect and to ensure respect for rules of international humanitarian law applicable to Philippine political armed-conflict which are relevant to the child. Specifically, the following policies shall be observed:

- a. Children shall not be the object of attack and shall be entitled to special respect. They shall be protected from any form of threat, assault, torture or other cruel, inhumane or degrading treatment;
- b. Children shall not be recruited to become members of the Armed Forces of the Philippines or its civilian units or other armed groups, nor be allowed to take part in the fighting, or used as guides, or couriers, or spies;
- c. Delivery of basic social services such as education, primary health and emergency relief services shall be kept unhampered;
- d. The safety and protection of those who provide services including those involved in fact-finding missions from both government and non-government institutions shall be ensured. They shall not be subjected to undue harassment in the performance of their work;
- e. Public infrastructure such as schools, hospitals, and rural health units shall not be utilized for military purposes such as command posts, barracks,

detachments, and supply depots; and all appropriate steps shall be taken to facilitate the reunion of families temporarily separated due to armed conflict.

Section 48. Evacuation of Children During Armed Conflict. All barangays in the Municipality shall give children top priority during evacuations as a result of armed conflict. Existing people's organizations shall be tapped to look after the safety and well-being of children during evacuation.

Section 49. Temporary Shelter. In places of temporary shelter, expectant and nursing mothers and children shall be given additional food in proportion to their physiological needs. Whenever feasible, children shall be given opportunities for physical exercise, sports and outdoor games in evacuation areas.

Section 50. Family Psycho-Social Program. The MSWDO shall design a comprehensive psycho-social program for both children and their families affected by armed conflict for implementation of the different barangays. In the implementation of the psycho-social program both the children and their families shall be involved.

Section 51. Rights of Children Arrested for Reasons Related to Armed Conflict. Any child who has been arrested for reasons related to armed conflict, either combatant, courier, guide or spy is entitled to the rights and treatment in accordance to RA 9344.

Section 52. Monitoring and Reporting of children in Situations of Armed Conflict. The Municipality affected by the armed conflict shall monitor the children and ensure that the Barangay affected by the armed conflict shall submit the names of children residing in said Barangay to the Municipal Social Welfare and Development Office within twenty-four (24) hours from the occurrence of the armed conflict.

Section 53. Rights of Children of Indigenous Peoples. In addition to the rights guaranteed to children under this Code and existing laws, children of indigenous peoples shall be entitled to protection, survival and development consistent with the customs and traditions of their respective communities.

The Municipal Council for the Welfare of Children in coordination with the local DepEd District Office shall develop and institute an alternative system of education for children of indigenous peoples which is culture-specific and relevant to their needs subject to the rules and regulations of the agency. The Division of Schools shall create a team of special educators to look into the appropriateness of curriculum for indigenous and children in and to design training for teachers assigned to their communities which is culture-specific and relevant to the needs and existing situation of their communities.

The delivery of basic social services in health and nutrition to children of indigenous cultural communities shall be given priority. Hospitals and other health institutions shall ensure that children of indigenous peoples are given equal attention. In the provisions of health and nutrition services to children of indigenous peoples, indigenous health practices shall be respected and recognized.

Children of indigenous peoples shall not be subjected to any form of discrimination.

Section 54. Program on Child Abuse, Exploitation and Discrimination. There shall be a comprehensive program for children in the municipality to be formulated by the Municipal Council for the Protection of Children in coordination with the Municipal Social Welfare and Development Office and the Municipal Council for the Protection of Children and private sectors involved in child-related activities within one (1) year from the effectivity of this ordinance, to protect children in all barangays against child prostitution and other sexual abuse; child trafficking; obscene publications and indecent shows and other acts of abuse; and circumstances which endanger child survival and normal development.

Section 55. Creation of Special Services for Children in Need of Special Protection. The Municipal Government shall create special programs for the protection of children who are victims of sexual abuse. It shall also endeavor to muster support of the private sector more particularly the Local Chapter of the Integrated Bar of the Philippines and the academe to provide legal and protective service to children who are in need of such services. It shall establish a communication system or a hotline for the round-the-clock assistance to abused children.

Section 56. Institutionalization of Foster Homes for Children. The Municipal Government, in its effort to establish a community-based strategy for the protection of children, shall endeavor to institutionalize the foster homes with the technical assistance/supervision from the Department of Social Welfare and Development and ensure issuance of accreditation of foster families by said Office (DSWD).

Section 57. Curfew Hours For Minors in the Municipality of Lamut, Province of Ifugao (Mun. Ord. No. 07, S. 1997)

- It is a policy of the Municipal Government of Lamut to exert every effort to promote the welfare of minors and enhance their opportunities for a useful and happy life.

Sec 58. Prohibiting the Sale of rugby and other solvents - It shall be unlawful for any hardware stores or other establishments to sell rugby or solvent to minors.

Sec 59. Prohibited acts relative to tobacco products - The following are prohibited:

- 59.1 For any retailer to sell or distribute tobacco products to any minor
- 59.2 For any person to purchase cigarettes or tobacco products from a minor
- 59.3 For any minor to sell or buy cigarettes or any tobacco products
- 59.4 For any minor to smoke cigarettes or any tobacco products

Section 60. Penalty for Sec 57 - Any violation of Section 57 shall be penalized in accordance with the provisions of Republic Act 9211, the Tobacco Regulation Act of 2003. For minors, they shall be dealt with in accordance with Republic Act No. 9344.

Section 61. Prohibiting the drinking and/or sale of liquor to minors - The drinking and/or selling of any kind of liquor or intoxicating drink to minor is strictly prohibited. Likewise prohibited is the act of instructing, ordering and sending to an errand a minor to buy or acquire liquor.

Section 62. Prohibition of minors in bars, beerhouses and other adult entertainment venues

- The entry of minors in bars, beerhouses and other venues providing mature entertainment and/or catering to adults is prohibited
- The owner or operator of these establishments and accompanying parents/guardians/adults shall be liable for violation of this provision

Section 63. Prohibition of Minors in Amusement Centers such as computer shops, Billiard/Pool Halls and other similar games and establishments within the Municipality of Lamut, Ifugao Province and Providing Penalties For Violations Thereof (Mun. Ord 2002-02)

- This ordinance shall govern the regulation of the operation of amusement center such as video machines, billiard/pool halls, computer play stations and other similar games and establishments within the municipality of Lamut

Section 64. Mandatory Posting of Notice and Information Regarding Child Protection on Establishments whose operation of business is prejudicial to the development and welfare of Minors (Mun. Ord. 2007-02)

- It is mandatory for concerned owners/managers/operators of business establishments to post notices and information about child protection at their establishments

Section 65. Strictly Requiring any Person, Vendor/Peddler, Business Establishment and household within the municipality of Lamut, Ifugao serving all forms of Skewed Foods to cut and/or remove the sharp portion of the skewer before selling and serving and Prescribing Penalties For Violations Thereof (Mun. Ord No. 2014-23)

- This ordinance aims to prevent constituents, garbage collectors and children from the harm of skewer

Section 66. Prohibiting The Purchase, Sale, Display As Well As Distribution Of Pellet Toy Guns Particularly Those That Are Exact Replica Of Real Guns Including Plastic Toy Guns(Not Replica) With Pellet As Projectiles And Providing Penalties Thereof (Mun Ordinance 2009-06)

-In the interest of public safety, general welfare and well-being especially on children there is a need to ban the purchase, sale display and distribution of such toys

Section 67. Regulating The Sale Distribution And Use Of Firecrackers And Other Pyrotechnic Devices and Providing Penalties Thereof (Mun. Ord. 2009-004)

- To protect the health and safety, order and security especially of minors, it is necessary to regulate and control the sale, distribution and use of firecrackers and pyrotechnic devices

Section 68. Prohibiting The Sale Of All Forms Of Junk Foods And Carbonated Drinks To School Children In All School Premises Including A Perimeter Radius of 50 Meters From School Compound Of all Schools In The Municipality Of Lamut, Ifugao and Providing Penalties And Funds Thereof

-It is the policy of the Municipal Government of Lamut, Ifugao to protect and promote the health of the school children especially in their formative years and thereby preventing them from the effect of diseases borne from eating junk foods and carbonated drinks

Section 69. Intensification Of the Distribution, Retailing And The Use Of Iodized Salt In The Municipality of Lamut, Ifugao Imposing Penalties For Violation Thereof (Mun. Ord 2016-03)

- It is the policy of the Local Government of Lamut, Ifugao to comply with state policy to protect and promote the health of the people, to maintain an effective food regulatory system and to provide the entire population with proper nutrition.

Section 70. Establishing An Animal Bite Treatment Center Under The Municipal Health Office In the Municipality Of Lamut, Province of Ifugao And Providing Funds Thereof (Mun. Ord 2018-005)

- The establishment of Animal Bite Center aimed to reduce public's risk and death caused by rabies and discourage the traditional practice of treating animal bites.

Section 71. An Ordinance Organizing the Lamut Rabies Control Coordinating Committee and Establishing A Municipal Dog Pound to Ensure the Prevention and Eradication of Rabies, Appropriating the Necessary Funds Therefor And For Other Purposes (Mun. Ord No. 2009-008)

- There is a need to strictly enforce the regulations regarding the maintenance of dogs and other companion animals, especially for those dogs roaming in the streets, not only for public areas clean and sanitary but for public safety.

D. PARTICIPATION RIGHTS OF CHILDREN

Section 72. Participation of Children in Decision Making Process. Each child has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting him. It shall be the responsibility of the municipal government, the family, community and all institutions/agencies, to provide opportunities for children to express his or her views, obtain information, make ideas or information known, regardless of tribe, religion, age, and sex.

Section 73. Installation of Mechanism for Participation in Policy and Program Formulation in the Local Government. It is important to consult and provide venue for the expression of children's views relevant to policies of the municipal government.

All SK Chairmen in the municipality, spearheaded by the SK Municipal Federation President, in coordination with the MSWDO shall convene children ages seven to twelve (7-12) years old and the thirteen to eighteen (13-18) years old in a once a year basis, specifically during the children's month. This will be a venue for children to express their views on matters affecting them.

Section 74. Federation of Children's Organization. The SK officials, spearheaded by the Municipal Federation President and officials shall organize children's or youth organizations in each of their respective barangays in the municipality and federate them in coordination with the MSWDO and the DepEd and other concerned agencies. The MCPC shall monitor the functionality of children's organizations in the barangays.

Article 4 SPECIAL CONCERNS

Section 75. Prohibited Acts. In addition to all acts defined and penalized under Republic Act 7610 on Child Abuse and Exploitation, Republic Act 7658 on Child Labor and other pertinent laws, the following acts shall likewise be punishable:

- a. **Illegal Recruitment** - Any person who recruits other persons for work shall be required to register with and secure a permit from the Office of the Barangay Captain in the place of recruitment with an undertaking not to recruit children.
There is a presumption of illegal trafficking when a person is found together with two or more minors not his/her relatives at the bus or jeepney station/terminal for the purpose of transporting the minors to another place without permit from the Barangay Captain.
- b. **Peonage of Children** - Offering a child or the services of a child as payment for a debt or in exchange of a favor, such as but not limited to:
 1. Working in agricultural industries like rice, corn, banana, tree plantations, tilapia farms
 2. Working as house helpers or storekeepers.
- c. **Children as Sexual Commodities** - Pimping, engaging in sexual activities with children defined under this Code whether commercial or with mutual consent. Sexual exploitation of children by any person, foreigner or otherwise, shall at all times be prohibited. Consorting with children not related by affinity or consanguinity, with public display of lascivious conduct shall be considered prima facie evidence of sexual exploitation.
- d. **Admission into movie houses and similar establishment showing pornographic or x-rated films.**
- e. **Admission into cockpits, karaoke or KTV bars, sauna baths and other places intended only for adult patronage.**

- f. Entry, selling and distribution of pornographic materials - The MCPC and the Lamut PNP and other law enforcers shall strictly monitor and prevent the entry of such pornographic materials in the Municipality.
- g. Pushing/enticing minors to Live-in Arrangements - It shall be unlawful for parents/guardians to entice, encourage and/or push their children/wards to live together with any person as husband and wife in exchange for money or any other consideration.

Article 5 CHILD - FRIENDLY COMMITMENTS

Section 76. Institutionalization of the Annual Search for Child Friendly Barangay - There shall be an annual search for child -friendly Barangay. The MCPC shall spearhead the search for child -friendly barangays making use of existing guidelines developed by the National Government and the Council may formulate additional guidelines and criteria that are necessary in the conduct of the said search. Funds shall be allocated in the General Fund in the amount of Fifty Thousand Pesos (PhP50,000) for this purpose.

Section 77. Monitoring of Requirements or Standards for Survival Rights of Children - The MCWC in coordination with the PCWC shall conduct periodic monitoring on the survival rights of children especially along maternal and child health on the following areas:

- a. All children are registered at birth, all infants are exclusively breastfed up to 6 months
- b. All children 0-1 are weighed monthly and quarterly for children over 1 year
- c. All children are well nourished
- d. All children are given one dose of Vitamin A starting 6-11 months and 1-5 years old are given Vitamin A capsules twice a year
- e. All births are attended by trained personnel
- f. All pregnant women get at least 4 complete pre-natal check-ups
- g. All mothers are fully immunized against tetanus
- h. All pregnant or lactating mothers get Vitamin A and iron supplements
- i. All pregnant women at risk get emergency obstetrical care
- j. All pregnancies are spaced at least 3 year apart.

Section 78. Monitoring of Requirements or Standards on the Development Rights of Children - The MCWC in coordination with the PCWC shall conduct periodic monitoring on the development rights of children especially along education in the following areas:

- a. All 3-5 years old children attend early children education program
- b. All children 6-15 years old complete a basic education through regular or alternate delivery modes
- c. All children graduating in elementary school attain mastery level of nationally defined competencies.

Section 79. Monitoring of Requirements or Standards on the Protection Rights of Children - The MCWC in coordination with the PCWC shall conduct periodic monitoring on the protection rights of children especially along children at risk and safe homes in the following areas:

- a. All illiterate parents or caregivers are enrolled in functional literacy program

- b. All children are removed from hazardous or exploitation labor, prostitution and pornography
- c. All children in conflict with the law are separated from adult offenders
- d. All cases of physical; and sexual abuse and violence are eliminated in the home and community
- e. All families have safe drinking water
- f. All families use only iodized salt
- g. All families use sanitary latrine
- h. All fathers and mothers share in the care and rearing of children.

Section 80. Monitoring of Requirements or Standards on the Participation Rights of Children - The MCWC in coordination with the PCWC shall conduct periodic monitoring on the participation rights of children especially in the following area:

- a. The views of children 12-17 are sought and duly considered in local government decisions that affect them.

Article 6

ESTABLISHMENT OF LOCAL COUNCILS FOR THE PROTECTION OF CHILDREN

Section 81. Establishing and Strengthening the Municipal Council for the Protection of Children (MCPC), Barangay Council for the Protection of Children (BCPC) and Appropriating Funds for said Purpose. All levels of local government in the Municipality shall have Local Councils for the Protection of Children (LCPC):

- a. Municipal Council for the Protection of Children (MCPC)
- b. Barangay Council for the Protection of Children (BCPC)

The MCPC shall be established /strengthened within one year from the effectivity of this Ordinance. Membership of the MCPC shall be chosen from among the different departments, including representative from the youth sector, as well as representative from government and private agencies concerned with the welfare of children. The council shall create sub-committees which it may deem appropriate and necessary whose chairmanship shall be held by the regular mandated members of the council for the purpose of furthering its functions.

In barangays where above stated councils are not yet established, the concerned LGU shall immediately establish said council upon effectivity of this Ordinance. The Municipal Mayor and the Punong Barangays are hereby mandated to spearhead the creation and strengthening of the said councils with the support of the Department of Interior and Local Government (DILG) and other concerned government and non-government agencies in the Municipality.

One percent (1%) of the internal revenue allotment of the Municipality and each of the barangays shall be allocated for the strengthening and implementation of the programs of the MCPC and the BCPC, disbursement of which will be made by the Municipality and each of the barangays.

Section 82. Membership. Pursuant to DILG Memorandum Circular No. 2002-121, the MCPC in the municipality and the BCPC in the barangays shall be composed of:

- a. Municipal Council for the Protection of Children (MCPC)

Chairperson - Municipal Mayor

- Members - Sangguniang Bayan Member
- Chairperson, Committee on Health or Social Services
- DILG Municipal Field Officer
- Municipal Social Welfare and Development Officer
- District Supervisor of DepEd
- PESO
- Municipal Planning and Development Officer
- Municipal Accountant
- Municipal Budget Officer
- Municipal Health Officer
- Municipal Assessor
- Municipal Nutrition Action Officer
- PNP -Chief of Police
- Municipal Treasurer
- Municipal LIGA ng mga Barangay President
- Municipal SK Federation President
- Parent-Teachers Association (PTA) President
- Child Representative
 - President of the Federation of Children’s Organization
- Three (3) representatives from Civil Society Groups
 - 1 Religious Sector
 - 1 Business Sector
 - 1 Cooperatives

b. Barangay Council for the Protection of Children (BCPC)

- Chairperson -Punong Barangay
- Members -Barangay Kagawad, Chairman, Committee on Health or Social Services
- Barangay Nutrition Scholar
- Barangay Day Care Worker
- Midwife assigned in the barangay
- Barangay Health Worker
- DepEd Principal/Head Teacher/Teacher-in-charge
- Chief Tanod
- SK Chairperson
- President of the Children’s Organization
- PTA President or his/her representative
- Farmer’s Organization President
- Women’s Organization President

Section 83. Secretariat Support. The secretariat support shall be lodged with the Municipal Social Welfare and Development Office and the Office of the Municipal Planning and Development Coordinator and shall be responsible for the documentation of proceedings and meetings, preparation of reports and other necessary documents needed by the committee.

Section 84. Incidental Expenses for Council Members. The Municipal Government shall provide funds for incidental expenses of council members in relation to their respective functions. Such expenses allowed include but not limited to traveling expenses during monitoring, expenditures during meetings, trainings or seminars relative thereto. These incidental expenses are in consonance with pertinent guidelines issued by the Commission on Audit and /or the Government Accounting and Auditing Manual.

Section 85. Duties/Functions of the MCPC/BCPC- The duties and functions of the councils shall be the following:

- a. Promote the best interest of children, update data on the situation of children
- b. Prepare annual action plan for the welfare of children, involving the participation of children who are elected by the federation of children’s

organizations and ensure integration of programs of programs for children in the Local Development Plan

- c. Coordinate with and assist in coming up with comprehensive programs for children and be the primary body to oversee the implementation of such programs.
- d. The MCPC shall monitor the implementation of the Municipal Plan for Children and the Child-Friendly ordinances enacted and ensure the proper implementation of this ordinance and monitor closely the compliance with laws and ordinances on children by the different barangays; recognize barangays with outstanding performance on Child-Friendly indicators
- e. Advocate for the passage of child friendly ordinances at all levels; advocate for the increased support and resource allocation for the children's program and projects, source out funds for the child-friendly projects/program; implement child-friendly ordinances and advocate the same
- f. Prepare a progress report on the status of children in the municipality/barangay; install a local information system on children's condition using the set of standards like the Minimum Basic Needs Information System, consolidating information; submit quarterly status report on the plan implementation to Provincial Council for the Welfare of Children;
- g. Promptly address issues and concerns affecting children and youth; prioritize support to barangays with the most problem on children
- h. Prepare contingency measures to protect children and their families in crisis situations brought about by natural and man-made calamities.
- i. Duties and Functions Based on RA 9344:
 1. Serve as the primary agency to coordinate with and assist the barangay concerned for the adoption of the Comprehensive Juvenile Intervention Program and to oversee its proper implementation;
 2. Coordinate with and assist the barangays in calling on all sectors concerned, particularly the child-focused institutions, NGOs/people's organizations, educational institutions and government agencies involved in delinquency prevention to participate in the planning process and implementation of juvenile intervention programs
 3. Coordinate with other agencies and barangays in the annual review and assessment of the comprehensive juvenile intervention programs.
 4. Coordinate with and assist the SK in the formulation and implementation of juvenile intervention and diversion programs in the community.
 5. Provide coordination linkages with other agencies and institutions in the planning, monitoring and evaluation of juvenile intervention and diversion programs in the community.
 6. Assist the Punong Barangay in conducting diversion proceedings in cases provided under Section 23(a) of the Act and Rule 43.b below.
 7. Assist the Municipal Social Welfare and Development Officer (LSWDO) in the development of the appropriate diversion programs as provided under Section 23(b) of the Act;
 8. Institute together with schools, youth organizations and other concerned agencies the community-based programs on juvenile justice and welfare initiated by LGUs;
 9. Conduct capacity building programs to enhance knowledge and skills in handling children's program;
 10. Establish and maintain a database on children in the local government. Specially, for the purpose of this Act, the MCPC shall maintain a database of children in conflict with the law, which shall include the children who

undergo intervention, and rehabilitation programs and after-care support services;

11. Document best practices on juvenile intervention and prevention;
12. Advocate and recommend local legislations promoting child survival, protection, participation and development, especially on the quality of television shows and media prints and coverage, which are detrimental to children, and with appropriate funding support;
13. Conduct an inventory of all NGOs/POs serving children in conflict with the law and mobilize them as resources for the effective implementation of the Act;
14. Review existing policies of units providing services to children in conflict with the law, determine the barriers to access to these services, and take the necessary action to improve access to these services.
15. In addition to its functions under Presidential Decree No. 603, or the “The Child and Youth Welfare Code” [“P.D. 603”] and Republic Act No. 8980, or the “ECCD Act,” each BCPC shall perform the following functions consistent with the objectives of the Act on juvenile intervention and delinquency prevention:
 - 15.1 Encourage the proper performance of the duties of parents, and provide learning opportunities on the adequate rearing of children and on positive parent-child relationship;
 - 15.2 Assist parents, whenever necessary in securing expert guidance counseling from the proper governmental or private agency;
 - 15.3 In addition, in coordination with concerned agencies, it shall hold classes and seminars on the proper rearing of children. It shall distribute to parents available literature and other information on child guidance. The Council shall assist parents, with behavioral problems whenever necessary, in securing expert guidance counseling from the proper governmental or private welfare agency;
 - 15.4 Coordinate the activities of organizations devoted to the welfare of children in the coordination with the Sangguniang Kabataan and secure their cooperation;
 - 15.5 Protect and assist children at risk; and
 - 15.6 Take steps to prevent juvenile delinquency and assist parents of children with behavioral problems so that they can get expert advise.

Section 86. Responsibility of BCPC Members. Members of the BCPC shall have the following additional responsibilities:

- a. To take custody of the child in conflict with the law who is found to be fifteen (15) years of age or below if the parents, guardians or nearest relatives of the child cannot be located, or if they refuse to take custody as provided in Section 20 of the Act and Rule 31.b below.
- b. To be present in the initial investigation of the child in conflict with the law in the absence of the child’s parents, guardian, or nearest relative, and the LSWDO as provided in Section 22 of the Act and Rule 23.b below. The presence of the member of the BCPC, or in the alternative, the representative of an NGO or a faith-based group, may be required in the initial investigation to ensure that the rights of the child are protected during that stage.

Article 7

ROLES OF DIFFERENT SECTORS

Section 87. Role of the Municipal Mayor. Promulgate code, ordinances and resolutions for the welfare of children, recommend measures to the municipal council aimed at the improvement of the social or economic conditions of the children, ensure annual appropriation for the Municipal Investment Plan for Children, and ensure implementation of the plan for children, come up with Municipal Comprehensive Programs for children and allocate appropriate budgets for their implementation.

Section 88. Role of the Municipal Planning and Development Office- Coordinate the formulation of the long-term, medium-term and annual socio-economic development plans and policies that support and protect the interest of children, coordinate the formulation of long-term and medium-term and annual public investment programs incorporating programs and projects for children.

Section 89. Role of the Municipal Development Council - Formulate long-term, medium-term and annual socio-economic development plans and policies that support and protect the interest of children, formulate the long-term, medium-term and annual public investment programs and incorporation programs and projects for children

Section 90. Role of the Sangguniang Bayan- Pass a local code for children to support programs committed for children, progressively increase budgetary allocations to support programs for children.

Section 91. Role of the Municipal Health Office—Formulate and implement policies, plans, programs and projects to promote the health and welfare of children, conduct health information campaigns and update health data through surveillance and reporting system, coordinate with other government agencies and non-government organizations involved in the promotion and delivery of health services, ensure that the basic standards for Sentrong Sigla are complied with.

Ensure that all barangays have updated data on newborn, malnourished and sick children, have updated data on pregnant and lactating mothers, monitor the health and nutrition situation, prepare a report on the health and nutritional status of the children in coordination with the Municipal Health Office.

Section 92. Role of the Municipal Health Board - Ensure that budgetary proposals on health that directly affect women and children are given priority support, support moves by the Municipal Health Office to maintain the Sentrong Sigla seal.

Section 93. Role of the Municipal School Board - Ensure that teachers and school personnel in the area are trained on child-friendly pedagogy of active and cooperative learning, ensure classroom ratio of one teacher to 40 students with adequate desks and textbooks for all students, ensure that the local schools have adequate annual supplementary budget for operation and maintenance of public schools, including the basic facilities (i.e. clean toilet, water facility), coordinate with local parents-teachers organization to determine the needs of students, prepare a progress report on cohort survival and achievement tests among graduating elementary and high school students , ensure that the health requirements of children in school are provided.

Section 94. Role of the Municipal Social Welfare and Development Office - Formulate and implement policies, plans, programs and services for the welfare of children and their families, coordinate with other government agencies as well as non-government in the implementation of programs and services for the welfare of children, facilitate hiring and training of new Day Care Workers (DCW), Build the capacity of Day Care Workers, Parent Effectiveness Service Volunteers and Child Development Workers, Monitor and evaluate the implementation of social welfare services in the municipalities, advocate with government and non-government organization leaders for the implementation of programs and services for children, provide appropriate assistance to disadvantaged children and their families, immediately assist children and families affected by disasters.

Section 95. Role of the Municipal Mayor's Office - Establish a municipal information center or a municipal MIS in coordination with the other departments in the municipal government, ensure training of information sentinels on child-friendly commitments, ensure adequate materials that cater to children, access and disseminate updated data on women and children.

Section 96. Role of the Municipal Circuit Trial Court - Source out appropriate information materials for children, facilitate a sustained effort of advocating child rights, expedite resolution of cases involving children, ensure sensitivity to children's needs. (per RA 9344)

Section 97. Role of Churches and Religious Groups - Promote the religious and moral upbringing of the child, advocate for the rights of the child, promote values formation, network with other organizations supporting programs for children and organizing groups for the welfare of children.

Section 98. Role of Philippine National Police - Train and commit to be child-sensitive in handling children offenders and those who had been abused, sustain friendly Women and Children's Desks in the municipality and commit to strictly implement all laws relative to children's welfare and protection.

Section 99. Role of Non-Government Organizations/People's Organizations - Assist in monitoring the situation of children in the municipality, initiate activities that build the self-esteem and promote participation of children and youth in the different barangays, initiate activities to uplift the condition of children for barangays needing priority attention, offer talents, expertise technical services and resources in order to assist the municipality in its development initiatives for children, participate in the local development planning process.

Section 100. Role of the Media - Ensure continuous advocacy on child rights, observe responsible reporting on children's issues, protect child victims from media exposure, shall be aware of their extensive social role and responsibility, as well as their influence in communications relating to children, should use their power to protect the rights of children by relaying consistent messages through a balanced approach, give special attention to effective anti-drug awareness campaigns and delinquency prevention.

Section 101. Role of Department of Education District Office and Elementary and Secondary Schools - Ensure that all children have access to schools and quality education, promote the Child-Friendly School System, train teachers and school personnel on Child-Friendly pedagogy of active and cooperative learning, work together with parents, community organizations and agencies concerned with the activities of children and youth, incorporate into their subjects more competencies on the rights and responsibilities of children, subject to guidelines set by the Department of Education and the Commission on Higher Education (CHED).

Section 102. Role of the Department of Interior and Local Government Field Personnel Assigned in the Municipality - Ensure implementation of Memo Circulars issued for the purpose of achieving Child-Friendly Movement, encourage the organization of the MCPC and the BCPC and monitor their functionality.

Section 103. Role of the Technical Education and Skills Development Authority- Provide necessary technical and vocation skills training appropriate for children below 18 years old.

Section 104. Role of Municipal Civil Registrars Office - Advocate the timely registration of births, update registration through special measures such as the annual Birth Registration Week and campaigns in hard-to-reach areas and implement plans and programs for the enhancement of the civil registration system in the municipality prepared by the MCPC.

Section 105. Role of the Sangguniang Kabataan. The Sangguniang Kabataan (SK) shall, in addition to its powers and functions, actively involve itself in the formulation and implementation of prevention and protection programs in the LGU and together with the MSWDO and DepEd shall organize children's organizations in all barangays and federate them.

Article 8 GENERAL PROVISIONS

Section 106. Child Friendly buildings- The Municipal Building Official shall ensure the inclusion of child friendly facilities in all proposed buildings in the municipality. No

building permits will be approved unless the requirements for child-friendly facility are met.

Section 107. Child- and Family-Friendly Hospitals/ Clinics/Health Centers - All hospitals/clinics/health centers in the municipality shall set up child-friendly units to include rooming-in facilities and pediatric-appropriate mechanisms and gadgets. They shall also not deny husbands/parents inside the delivery room during delivery of their wives/partners. The MCPC shall establish a committee tasked to monitor and ensure the compliance.

Section 108. Child- Friendly Indigenous Practices. All barangays shall promote child-friendly indigenous activities. A cultural program appropriate for different age groups shall be designed. Indigenous games shall be encouraged in various athletics and sports programs of the municipality.

The Municipal Government shall support the documentation of indigenous child-friendly practices that may be conducted by concerned agencies. The result of the documentation shall be taken as subjects for advocacy among the communities in the Municipality.

Section 109. Child-Friendly Schools - The MCPC shall conduct an annual search for child-friendly schools in the Municipality based on the criteria developed by the national government.

Section 110. Local Children's Literature - In support of the thrust for the socio-cultural development of children, the municipality shall invest in the promotion and production of local literature for children and other relevant educational materials taking into account the culture of the people in the community.

Section 111. November as Children's Month. - In keeping with the mandate of Presidential Proclamation No. 10661 signed on May 26, 2015, declaring the month of November as National Children's Month pursuant to the observant of the National Children's Month, all concerned agencies including Local Government Units are encouraged to participate in the conduct of children's activities. The MCPC shall monitor conduct of the activities and to submit a report.

Section 112. Parenting Orientation Courses. -The MCPC in coordination with other agencies concerned should come up with parenting orientation courses for marriage license applicants and parents/guardians during the school year a child is enrolled in either a public or private day care center in the Municipality. Parent Orientation Courses shall be integrated in the Values Formation subjects of all high schools in the Municipality subject to DepEd rules and regulations.

Article 9 FINAL PROVISIONS

Section 113. Rules and Regulations. Unless otherwise provided in this Ordinance, the MCPC shall promulgate rules and regulations for the effective implementation of this Ordinance. Such rules and regulations shall take effect upon their publication in two (2) local newspapers of general circulation.

Section 114. General Penalty

a. Any person who violates any provision of this Ordinance or any rule or regulation promulgated in accordance thereof shall be punished by a fine not exceeding Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment not exceeding six (6) months, or both at the discretion of the court unless a higher penalty is provided for in the Revised Penal Code or special laws.

b. Violations of ordinances herein incorporated into this Code shall be penalized under the specific ordinances cited.

c. Minors who act in conflict with any of the provisions of this Code/Ordinance shall be subjected to the provisions of Republic Act 9344. The Municipality shall develop and implement the Comprehensive Juvenile Intervention Program. Diversions shall be conducted/undertaken when feasible and applicable.

Section 115. Appropriations. For purposes of the initial implementation of this Ordinance, an amount of not less than FIFTY THOUSAND PESOS (P50,000.00) shall be appropriated under the 20% Development Fund of the current fiscal year. The amount to be appropriated for the succeeding years shall be determined by the MCPC depending on their proposed plans and programs such amount of which will be sourced from the 20% Development Fund. Additional funding may be sourced out from the national government or other funding agencies.

Section 116. Applicability Clause. All other matters not specifically provided in this Code shall be governed by the provisions of existing and applicable laws and ordinances.

Section 117. Separability Clause. If for any reasons, any part or provision of this Code shall be invalid or unconstitutional, other parts or provisions hereto are not affected, thereof shall continue in full force and effect.

Section 118. Repealing Clause. All ordinances, executive orders, resolutions and other Local Memorandum or Rules inconsistent with the provisions of this Code are hereby repealed or modified accordingly.

Section 119. Effectivity Clause. This Code shall take effect after its publication in at least two (2) local newspaper of general circulation or any other form of publication such as posting in conspicuous places all over the Municipality.

ENACTED this 20th day of November 2018 by the Sangguniang Bayan, Lamut, Ifugao.

(sgd)EVERDA DESIREE D. DULINAYAN
Municipal Councilor

(sgd) JERRY J. LEAL
Municipal Councilor

(sgd) JOSEPH G. IN-UYAY
Municipal Councilor

(sgd)MARIA VICTORIA GRACE G. MACADAEG
Municipal Councilor

(sgd) PIO K. FAMORCA, JR.
Municipal Councilor

(sgd)NAPOLEON C. BELINGON
Municipal Councilor

(sgd) RENEBOY D. MILLANO
Municipal Councilor

(sgd)MARK ANTHONY M. INDOPIA
Municipal Councilor

(sgd)JAKE LOUIE B. CASUMPANG
SK Federation President

CERTIFIED CORRECT:

ATTESTED:

(sgd) LOURDES T. MANGACCAT
Secretary to the Sanggunian

(sgd)ATTY. ADRYAN B. CHAGUILE
Municipal Vice Mayor and Presiding Officer

APPROVED:

(sgd) Atty. MARIANO B. BUYAGAWAN, JR.
Municipal Mayor