



Republic of the Philippines
Province of South Cotabato
City of Koronadal
OFFICE OF THE SANGGUNIANG PANLUNGSOD
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EXCERPT FROM THE JOURNAL OF PROCEEDINGS OF THE REGULAR SESSION OF THE SANGGUNIANG PANLUNGSOD OF THE CITY OF KORONADAL, PROVINCE OF SOUTH COTABATO HELD ON MARCH 9, 2021 AT THE SANGGUNIANG PANLUNGSOD SESSION HALL

Present:

Hon. Peter B. Miguel	City Vice-Mayor/Presiding Officer
Hon. Edwin G. Abris	SP Member
Hon. Maylene May S. Bascon-De Guzman	SP Member
Hon. Handel Dee R. Cadellino-Cubilo	SP Member
Hon. Bernardo B. Hinay	SP Member
Hon. James M. Lagasca	SP Member
Hon. Prechie Louella B. Ogoy	SP Member
Hon. Annabelle G. Pingoy	SP Member
Hon. Gregorio O. Presga	LnB Federation President/SP Member
Hon. Clarisse Mae T. Sorongon	SK Fed. President/SP Member

Absent:

Hon. Jose Henry D. Aguirre	(On leave)	SP Member
Hon. Francis Ross S. Dideles	(On leave)	SP Member
Hon. Marie Antonina I. Hurtado	(On leave)	SP Member
Hon. Antonio S. Abing	(OB-Koronadal)	IP Mandatory Rep/SP Member

Principal Author
Annabelle G. Pingoy

Co-authors

Hon. Marie Antonina I. Hurtado, Hon. Handel Dee R. Cadellino-Cubilo, Hon. Francis Ross S. Dideles, Hon. Edwin G. Abris, Hon. James M. Lagasca and Hon. Prechie Louella B. Ogoy

EXPLANATORY NOTE

The conversion of Municipality of Koronadal as a City and later designated as Regional Center of Region 12, created a dramatic increase in population. With the increase in economic activity and opportunity, many migrants decided to settle in the city which resulted to increase in social problems involving children.

The City of Koronadal recognizes that children are important assets of the society and should be given a decent quality life, and it is possible to exercise their rights that will enable them to develop their full potentials. In keeping with its duties and commitment to uphold the rights and well-being of children, the City Government of Koronadal deems it necessary to adopt measures and address these needs.

The first Ordinance on Children and Family Support System in Koronadal was enacted in 1998 and amended in 2012. However, the said Ordinance is insufficient to address prevailing issues involving children. Taking into account the rapid advances in technology, which has substantially changed family and society's lifestyle that directly affects the well-being of the children, the government has developed strategies and enhanced its programs and projects to keep abreast with the demands of the time in promoting children's welfare. Anent to that, a new Ordinance is deemed essential.

This Ordinance cites Article II Section 13 of the 1987 Philippine Constitution, Article XV Section 2 of the same constitution, Republic Act (R.A.) No.9262, otherwise known as the "Anti-Violence Against Women and Their Children Act of 2004", R.A. No.7610, otherwise known as the "Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act", R.A 10666 otherwise known as "Children's Safety on Motorcycle Act of 2015", "R.A. 7160 otherwise known as Local Government Code of 1991, South Cotabato Comprehensive Children and Family Support System, as amended, otherwise known as the "2015 South Cotabato Children's Welfare Code " and the United Nations Convention on the Rights of the Child (UNCRC) as its legal bases.

Ordinance No. 4
Series of 2021

AN ORDINANCE ON THE COMPREHENSIVE CHILDREN'S WELFARE CODE OF THE CITY OF KORONADAL, PROVIDING PENALTIES AND FOR OTHER PURPOSES

Be it enacted by the Sangguniang Panlungsod of the City of Koronadal, Province of South Cotabato, in session assembled, that:

ARTICLE I
TITLE, POLICY, PRINCIPLES, AND DEFINITION OF TERMS

Section 1. TITLE. This Ordinance shall be known as "**City of Koronadal Children's Welfare Code of 2021**".

Section 2. DECLARATION OF POLICY. It is hereby declared a policy of the City Government of Koronadal that the rights of children to their protection, survival, participation and development must be given high priority; it will work for the respect to the role of the family in providing for the 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 up to adolescence.

It shall be also the policy of the City Government of Koronadal 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 City Government to ensure that such programs are protected in times of economic austerity and structural adjustments.

Section 3. DEFINITION OF TERMS. The terms as used in this Ordinance shall mean as follow:

- a. **Child/Children** refers to person/s below eighteen (18) years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition;
- b. **Survival Rights** deal with the provision for adequate living standard and access to basic health and nutrition services and social security;
- c. **Development Rights** pertain 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;
- d. **Protection Rights** cover those which guard children against all forms of child abuse, exploitation and discrimination in the major areas where a child is considered in extremely difficult circumstances. To ensure this right, a Bahay Pag-Asa was established and managed by the City Social Welfare and Development Office;
- e. **Bahay Pag-Asa** is a 24-hour child caring institution established, funded and managed by the local government unit providing short-term residential care for children in conflict with the law who are above 15 but below 18 years of age who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction. It is a facility that also provides intensive intervention to Children in Conflict with the Law (CICL) who have committed serious offense or have committed serious offense for the second time but are not criminally liable as they are 15 years old and below;
- f. **Child Protection Policy** is an articulation of the commitment of the organization or agency on the promotion and fulfillment of the right of the child to protection as enshrined in the United Nations Convention on the Rights of the Child (UNCRC). It aims to safeguard the child from all forms of abuse, violence and exploitations that maybe perpetuated by adults or persons in authority. It expresses the agency's shared values, principles and beliefs;

- g. **Participation Rights** include the child's freedom to express oneself in matters affecting his/her life as part of preparation for responsible parenthood and to freedom of association;
- h. **Child Abuse** refers to the maltreatment of the child whether habitual or not, which includes any of the following:
- i. Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;
 - ii. Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;
 - iii. Unreasonable deprivation of his/her basic needs of survival such as food and shelter; or
 - iv. Failure to immediately give medical treatment to an injured child resulting in serious impairment of his/her growth and development or permanent incapacity or death.
- i. **Circumstances which gravely threaten or endanger the survival and normal development of children** include, but are not limited to the following:
- i. Working under conditions hazardous to life, safety and morals which unduly interfere with their normal development or working without provision for their education;
 - ii. Living in or fending for themselves in the streets of urban and rural areas without the care of parents or guardian or any adult supervision needed for their welfare;
 - iii. Being a member of an indigenous cultural community and/or living under conditions on extreme poverty or in an area which is underdeveloped and/or lack or has inadequate access to basic services needed for a good quality of life;
 - iv. Being with family members or guardians having psychological problems grave enough for them to commit incest, sibling rape, lascivious acts and other forms of physical and mental abuse;
 - v. Being a victim of man-made or natural disasters or calamity.
 - vi. Being a victim of an illegal transnational union or child trafficking; and
 - vii. Circumstances analogous to those above stated which endanger the life, safety or normal development of children.
- j. **Comprehensive Children's Support System Against Child Abuse Exploitation and Discrimination** refers to the coordinated program of services and facilities to protect children against:
- i. Child prostitution and other sexual abuse;
 - ii. Child trafficking
 - iii. Obscene publications and indecent shows;
 - iv. Other acts of abuse; and
 - v. Circumstances which threaten or endanger the survival and normal development of children or as prescribed in the by the UN Convention on the Rights of the Child (UNCRC).
- k. **Comprehensive Support System for the Development of Children** also refers to the coordinated program of services and facilities outlined in Sec. 3 of RA 6972 and as prescribed by the UN Convention on the Rights of the Child;
- l. **Koronadal Special Office for Children's Concerns** refers to the office which shall be created by the local government responsible for the implementation of this Ordinance;
- m. **Junk Foods** are foodstuffs which are processed with artificial flavors, coloring and preservatives which have been found to contain carcinogenic elements harmful for the body or those said beyond their expiry period;
- n. **Anti-Social Behavior-related Activities** are those committed 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 and old prostitutes and sexual perversions, doing or participating in obscene shows;
 - iv. Gambling of any form;
 - v. Rape and incest; and
 - vi. Any other circumstances as defined in the existing laws.

- o. **Child at Risk** refers to a child who is vulnerable to and at a risk of committing criminal offenses because of personal, family and social circumstances, such as, but not limited to the following as defined in R.A. 7610:
- i. Being used by any person through sexual, physical, psychological, mental, economic or any other means and the parents or guardian refuse, are unwilling, or unable to provide protection for the child;
 - ii. Being exploited including sexually or economically;
 - iii. Being abandoned or neglected, and after diligent search and inquiry, the parent or guardian cannot be found;
 - iv. Coming from a dysfunctional or broken family or without a parent or guardian;
 - v. Being out of school;
 - vi. Being a street child;
 - vii. Being a member of a gang;
 - viii. Living in a community with a high level of criminality or drug abuse; and
 - ix. Living in situations of armed conflict.

p. **Child Care and Development Workers** refers to individuals or institutions such as government agencies and civil society organizations working for child welfare;

q. **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;

There are two main forms of child exploitation that are recognized:

- i. **Sexual exploitation** – refers to the abuse of a position of vulnerability, differential power, or trust for sexual purposes; this includes profiting monetarily, socially, or politically from the exploitation of another for sexual gratification; and
- ii. **Economic exploitation of a child** – refers to the use of the child in work or other activities for the benefit of others. This includes, but is not limited to child labor.

r. **Child-Friendly Space** refers to safe spaces for children to play and learn. Also, this helps to prevent and respond to incidents that threaten children's safety, such as natural disasters, conflicts or violence;

s. **Child in Conflict with the Law (CICL)** refers to a child who is alleged as, accused of, or adjudged as having committed an offense under Philippine laws;

t. **Children's Assembly** refers to a company of children gathered together to advance their welfare;

u. **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 to staff and participants, handling of misconduct or abuse by staff, protection of those who report abuses and complaints and comment 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 other activities that will enhance his/her psychological, emotional and psycho-social well-being;

v. **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;



- w. **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:

- i. Blow of any part of a child's body, such as beating; kicking; hitting; slapping; lashing; with or without the use of an instrument such as cane, shoes, broom, stick, whip or belt;
- ii. Pinching; pulling ears or hair; shaking; twisting joints; cutting and shaving hair; cutting or piercing skin; carrying, dragging or throwing a child;
- iii. Forcing a child through the use of power, authority or threat, 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;
- iv. Deliberate neglect of a child's physical needs intended as punishment
- v. Use of external substances, such as burning or freezing materials, water, smoke, pepper, alcohol, excrement or urine;
- vi. 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
- vii. 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 it may be.

Humiliating and degrading punishment includes acts such as, 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 or toilets.

- x. **Discrimination Against Children** 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;
- y. **Interventions** refers to a series of activities designed to address issues and problems that caused the clients to commit or repeat an offense;
- z. **Intensive Juvenile Intervention and Support Center** refers to a special program or unit within the Bahay Pag-Asa or any child caring facility of the DSWD or licensed and accredited NGO's to address the needs of the CICL for intensive intervention programs and services;
- aa. **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.
- bb. **Violence Against Children** refers to all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse that children experience "in all settings and in transit between settings, namely, in the home, school, community, workplace, justice system, institutions and cyberspace. It also involves the intentional use of physical force or power, no matter how light, threatened or actual, against a child, by an individual or group that either results in or has a high likelihood of resulting in actual or potential harm to the child's health, survival, development or dignity. Violence against children includes corporal punishment, as well as emotional and humiliating or degrading forms of punishment; sexual abuse, trafficking and sale of children, child pornography and child prostitution, exploitation; torture and inhuman or degrading treatment or punishment, bullying, harmful traditional practices such as child marriages, and violence in media and information and Communication Technology (ICT);

- cc. **BCPC** refers to Barangay Council for the Protection of Children;
- dd. **CCPC** refers to City Council for the Protection of Children;
- ee. **Public place** means all places, fixed or mobile, that are accessible or open to the public or places for collective use, regardless of ownership or right to access, including but not limited to schools, workplaces, government facilities, establishment that provide food and drinks, accommodation, merchandise, professional services, entertainment or other services. It also includes outdoor spaces where facilities are available for the public or where a crowd of people would gather, such as, but not limited to, playgrounds, sports or ground centers, church grounds, health and hospital compounds, transportation terminals, market, parks, resorts, walkways/sideways, entrance ways, waiting areas, and the like. (As defined in EO 26 s. 2017 Providing for the Establishment of Smoke-Free Environment in Public Places); and
- ff. **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.

ARTICLE II RIGHTS AND OBLIGATIONS OF THE CHILD

Section 4. RIGHTS OF THE CHILD. 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, and shall possess the following rights which are classified into survival, development, protection and participation rights:

A. Survival rights:

- a. 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;
- b. Every child has the right to a wholesome family life that will provide him or her with love, care and understanding, guidance and counselling, as well as moral and material security. The dependent or abandoned child shall be provided with the nearest substitute of a home; and
- c. Every child has the right to balanced diet, adequate clothing, sufficient shelter, proper medical attention, and all the basic physical requirements of a healthy and vigorous life.

B. Development Rights:

- a. 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:
 - i. The gifted child shall be given the opportunity and encouragement to develop her or his special talents;
 - ii. The emotionally disturbed or socially maladjusted child shall be treated with sympathy and understanding, and shall be entitled to treatment and competent care; and
 - iii. The physically or mentally disabled child shall be given treatment, education and care required by her or his particular condition.
- b. 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;
- c. 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;

- d. 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 shall be directed to:
 - i. The development of the child's personality, talents, mental and physical abilities to the fullest extent;
 - ii. The preparation of the child for responsible adult life in a free society;
 - iii. 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; and
 - iv. The development of respect for the natural environment.
- e. 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; and
- f. 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.

C. 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;

D. Participation rights:

- a. Every child has the right to be provided the opportunity to be heard in any judicial and administrative proceeding affecting him or her, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of law;
- b. Every child has the right to freedom of thought, conscience and religion, subject to appropriate parental guidance;
- c. Every child has the right to freedom of statement. This right shall include freedom to seek, receive and impart information and ideas of all kind;
- d. 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; and
- e. Every child has the right to privacy and shall be protected against unlawful interference, and from unlawful attacks against his or her honor and reputation.

Section 5. 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 tenets of his or her religion, the teaching of his or her elders and mentors, and the bidding of clean conscience;
- b. Love, respect and obey his or her parents, and cooperate with them in strengthening of the family;
- c. Extend to his or her brothers and sisters love, thoughtfulness, and endeavor with them to keep the family harmonious and united;
- d. Exert effort to develop his or her outmost 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 the society;
- e. Respect not only his or her elders but also the custom and traditions of his or her people, the history of his or her people 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.

**ARTICLE III
PROTECTION OF THE RIGHTS OF CHILDREN**

Section 6. MEASURES TO PREVENT AND ADDRESS VIOLENCE AGAINST CHILDREN

- a. **Comprehensive Program on Child Abuse, Exploitation and Discrimination.** There shall be a comprehensive program to be formulated by the City Social Welfare and Development Office (CSWDO) and the City Council for the welfare of children in coordination with the Special Office for Children's Concerns from other government agencies, and the private sector concerned within one year from the effectivity of this Ordinance, to protect children 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.
- b. **Comprehensive Program on Violence Against Children** refers to prevention, treatment, rehabilitation and reintegration intervention services and strategies based on research, data base management, planning, programming, implementation, monitoring and evaluation. This shall also include accessible, child-sensitive and universal health and social services, including reporting and referral systems, pre-hospital and emergency care, legal assistance to children, and where appropriate, their families when violence is detected or disclosed.

The program shall also include the setting up and maintenance of data collection and information systems in order to identify vulnerable subgroups, inform policy and programming at all levels, and track progress towards the goal of preventing violence against children and maintain data on children without parental care and children in the criminal justice system. Data should be disaggregated by sex, age, urban/rural household and family characteristics, education, disability and ethnicity.

- c. **Partnership with child caring facilities that cater to victims of violence against children and promote alternative family care program.** The City Government of Koronadal may enter into partnership agreement with child caring facilities that cater to victims of violence against children under a temporary placement program and further promote alternative family care program such as foster care, legal guardianship and legal adoption in coordination with the Department of Social Welfare and Development Office (DSWDO).
- d. **Promotion of Positive Discipline.** The CSWDO 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 and community's province-wide relative to its techniques and benefits. Positive teaching discipline is about finding long-term solutions that develop children's own self-discipline; clearly communicating expectations, rules and limits; building a mutually respectful relationship with the child; teaching the child life-long skills and values; increasing the child's confidence and competence; and teaching courtesy, non-violence, empathy, self-respect, human rights and respect for others.

Section 7. PROHIBITION AGAINST ALL FORMS OF VIOLENCE AGAINST CHILDREN.

- a. **Prohibition of Corporal Punishment.** The use of corporal punishment, which includes emotional, degrading and humiliating punishment on children and as defined as Sec. 3 (w) shall be prohibited in the home, early childhood development facilities and day care centers, schools and other educational institutions, child caring centers, religious institutions, health care centers and facilities, community centers, sports teams and centers, government units and in other places where there are children.
- b. **Prohibition of activities constituting child prostitution and other forms of sexual exploitation, child trafficking and child pornography.** Children whether male or female, who for money, profit or any other consideration or due to the coercion or influence of any adult, syndicate or groups, indulge in sexual intercourse or lascivious conduct, are deemed to be children exploited in prostitution and other sexual abuse.



Any individual establishment, enterprise, facilities, events and other related activities caught promoting or facilitating child prostitution and sexual exploitation, child trafficking, obscene publications and indecent shows, and other acts of child abuse shall be closed immediately.

Indecent shows include events, programs, contests, and other activities that require children to wear bikinis, swim wear and other skimpy outfits, or such activities where the child is used as sexual object for gratification of other person's needs or desires, except for actual athletic competitions, dance sports and ballet performances.

A signage with words: "Closed Pursuant to City Ordinance No. 4, Series of 2021" shall be conspicuously displayed outside the establishments or enterprises by the City Juvenile Task Force for such period as the special office shall determine.

- c. **Child Trafficking.** Any person who shall engage in trading and dealing with children including, but not limited, to the act of buying and selling of a child for money, or for any other consideration, or barter, shall suffer the penalty as prescribed in Article IV of R.A. No. 7610.
- d. **Control on Children's Exposure to Commercial Video Games.** Commercial establishments catering rental of electronic video games, billiard and pool games to children (except college students) during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon, and beyond 10:00 o'clock in the evening, shall be subjected to suspension of business permit for fifteen (15) days during the first offense and, one (1) month suspension of the same for the second offense.
Confiscation of all video units, billiard and pool games paraphernalia of said establishment and cancellation of business permit shall constitute the penalty for the third offense.
- e. **Ban of Children in Exploitative Benefit Dances and Other Similar Activities.** Children are banned from participation in exploitative benefit dances and other similar activities. This may include, but are not limited to, foam parties, bikini opens, discos and similar performances. Any person/s or organizer/s who violate/s this provision shall be fined (See Penal Provisions), with their authority or license to operate cancelled. Government officials violating this provision shall be subject to administrative sanctions of suspension, without prejudice to the filing of civil and criminal cases.
- f. **Regulation on children's exposure to commercial video games, network games, internet pornography, computer games, billiards, pool games, cinemas and the like.** Commercial establishments are prohibited from renting out electronic video games, network games, computer games, billiards, pool games, cinemas and the like to children on school days during their prescribed school hours, and to other children below eighteen (18) years of age, from 7:00 o'clock in the morning to 4:00 o'clock in the afternoon. Internet pornography shall be prohibited among children at all times and in all places in City of Koronadal.
- g. **Ban on Pornographic Websites.** It shall be unlawful to operate, maintain and/or access lewd or pornographic websites in the city.
In this regard, operators of internet cafes, administrators of public and private schools and proprietors of establishments that use a computer system with access to the internet shall see to it that any and all lewd or pornographic websites are blocked in the system and are not accessible to anyone, particularly the children.
- h. **Prohibition of children in parks, plazas, and malls and during class hours from 7:00AM-4:00PM.** School children are prohibited from loitering at the above-mentioned public places during class hours except if they are accompanied by their parents or guardians or if and when their presence around public places is for an official school-related activity.

- i. **Curfew on Children.** Children shall be prohibited from loitering around the public places from ten o'clock (10:00) in the evening until four o'clock (4:00) in the morning of the following day unless they are in the company of their parents or guardians. Children caught violating this provision shall be brought to their residence or to any barangay official at the barangay hall to be released to the custody of their parents. The CSWDO in coordination with the CCPC, BCOC, shall provide intervention programs such as counseling, attendance in group activities for children, and for the parents or guardians, attendance in parenting education seminars.
- j. **Ban in the sale of alcohol and cigarettes to children.** The sale of alcohol and cigarettes to children shall be banned in the City of Koronadal. City and Barangay Governments shall ensure that all vendors within their respective jurisdiction have complied with all legal requirements, including compliance to safety and sanitation standards.
- k. **Ban on Prohibited Drugs.** All local government units in the City of Koronadal shall exert utmost efforts towards the realization of the goals and objectives of R.A. Act 9165 otherwise known as the Comprehensive Dangerous Drugs Act of 2002 and R.A. 7624 or An Act Integrating Prevention and Control in the Intermediate and Secondary Curricula as well as in the Non-Formal, Informal and Indigenous Learning Systems and other purposes.
- l. **Ban on the sale of junk foods to children in school premises.** The sale of junk foods to children shall be banned in all school premises within the City of Koronadal. This is in accordance with DepEd Order No. 13 series of 2017. The CSWDO, in coordination with the City Health Office, shall provide a list of junk foods considered as part of the ban. The City and Barangay Governments shall ensure that all vendors within their respective jurisdiction have complied with all legal requirements, including compliance to safety and sanitation standards. The business permit of any vendor who violates this provision shall be cancelled. Principals/administrators of erring schools shall be penalized. (See Penal Provisions)
- m. **Prohibition of children on board 2-wheeled motorcycle on public roads** (R.A. 10666 or Children's Safety on Motorcycles Act of 2015). It shall be unlawful for any person to drive a two (2)-wheeled motorcycle with a child on board on public roads where there is heavy volume of vehicles, there is a high density of fast-moving vehicles or where a speed limit of more than 60/kph is imposed, unless:
 - i. The child passenger can comfortably reach his/her feet on the standard foot peg of the motorcycle;
 - ii. The child's arms can reach around and grasp the waist of the motorcycle rider; and
 - iii. The child is wearing a standard protective helmet referred to under R.A. 10054, otherwise known the "Motorcycle Helmet Act of 2009."

Corresponding penalties on violators shall be imposed. (See Penal Provisions)

Section 8. 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 R.A. 9231:

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

- d. 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:
 - i. Debases, degrades or demeans the intrinsic worth and dignity of a child as a human being; or
 - ii. Exposes the child to physical, emotional or sexual abuse, or is found to be highly stressful psychologically or may prejudice morals; or
 - iii. Is performed underground, underwater or at dangerous heights; or
 - iv. Involves the use of dangerous machinery, equipment and tools such as power-driven or explosive power-actuated tools; or
 - v. Exposes the child to physical danger such as, but not limited to the dangerous feats of balancing, physical strength or contortion, or which requires the manual transport of heavy loads; or
 - vi. 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
 - vii. Is performed under particularly difficult conditions; or
 - viii. Exposes the child to biological agents such as bacteria, fungi, viruses, protozoans, nematodes and other parasites; or
 - ix. Involves the manufacture or handling of explosives and other pyrotechnic products.

Section 9. CHILDREN INVOLVED IN ANTI-SOCIAL BEHAVIOR-RELATED ACTIVITIES. Children who are involved in anti-social behavior-related activities shall be registered in a rehabilitation program that shall assist the children rebuild themselves and reintegrate in the mainstream of society.

A. Monitoring of Suspended Cases of Children and Appropriate Assistance. Application for suspension of sentences of children involved in anti-social activities shall be done by the Special Office for Children's Concerns. A special team from Bahay Pag-Asa shall monitor closely the case involving children in court to adequately enforce the suspension of sentences. Appropriation and responsive rehabilitation program shall be afforded to them under the care of the Special Office for Children's Concerns. The framework of assistance shall be designed by the Special Office for Children's Concerns in close coordination with the NGOs and professionals with special interests on rehabilitation.

B. Appointment of Child and Youth Relations Officer and Police Procedures. The Koronadal Police Station shall have 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. Each PNP element shall be provided with a copy of the said handbook.

C. Special Course for PNP Members. A special course for members of the Philippine National Police shall be designed to handle effectively the children involved who exhibit anti-social behavior-related activities. All police officers shall take up the course especially those who are interested to be assigned with the Child and Youth Relations Section (CYRO).

The course shall be designed and provided by the Koronadal Special Office for Children's Concerns in close coordination with the PNP Child Protection Team per police manual and, NGOs and professional organizations focused on child and youth programs.

D. Police Brutality. Any brutality committed against children by police authorities shall be subjected to penalty under this Ordinance as determined by the local People's Law Enforcement Board (PLEB) without prejudice to provisions of the Revised Penal Code.

Section 10. COMMUNITY-BASED JUVENILE INTERVENTION PROGRAMS. Community-based juvenile intervention programs shall be instituted in the City of Koronadal from the barangay to the provincial level through their local council for the protection of children. The different local government units shall set aside an amount necessary to implement their respective juvenile intervention programs in their annual budget. The budget shall be taken from the one (1) percent of their respective Internal Revenue Allotment (IRA) for LCPC programs pursuant to R.A. 9344 or the Juvenile Justice and Welfare Act of 2006 as amended by RA 10630. LGUs shall provide community-based services which respond to the special needs, problems, interests and concerns of children and which offer appropriate counseling and guidance to them and their families.

These programs shall consist of three levels:

- a. Primary intervention includes general measures to promote social justice and equal opportunity, which tackle perceived root causes of offenses;
- b. Secondary intervention includes measures to assist children at risk; and
- c. Tertiary intervention includes measures to avoid unnecessary contact with the formal justice system and other measures to prevent recurrence of offenses.

Section 11. CREATION OF INDIGENOUS PEOPLE'S COUNCIL. A council for indigenous communities in Koronadal shall be created to facilitate training, decision-making, implementation, and evaluation of all government programs affecting children of indigenous people. Non-governmental Organizations (NGOs) focused on those communities shall also be recognized, respected and represented to council.

ARTICLE IV SURVIVAL AND DEVELOPMENT RIGHTS OF CHILDREN

Section 12. UNDER-EIGHT PROGRAM FRAMEWORK. Local government units in the City of Koronadal shall ensure, to the maximum extent possible, the survival and development of the child through integrated, holistic and sustainable programs for children from 0 to 8 years old with appropriate early childhood care and development. The program shall include the following:

- a. Monitoring of registration of births;
- b. Completion of the immunization series for the prevention of tuberculosis, diphtheria, pertussis, hepatitis B, hemophilus influenza, type B tetanus, measles, polio myelitis, and such other diseases for which vaccines have been developed for administration to children before reaching one (1) year old, additional doses of measles, mumps and rubella (MMR) during the ages of twelve (12) to fifteen (15) months;
- c. Micro nutrient supplementation like Vitamin A for children 6-59 months and for postpartum women, Iron supplementation for pregnant and lactating mothers and Iodine supplementation for all families; fortified food intake of older infants and young children for them to receive adequate amounts of micronutrients.
- d. Monitoring and promotion of growth and development of the child through the promotion of exclusive breastfeeding for six months and introduction of complementary food from the 7th month onwards;
- e. Care for children of working parents during the day and, where feasible, care for children up to six (6) years of age when parents are working at night; Provided, that the day care center need not take care of the children in a particular place, but shall develop a Supervised Neighborhood Play (SNP) where adults may take care of the children up to six (6) years of age of working parents during work hours. Day Care Centers and SNP shall be nurtured to evolve into child-minding centers. The Barangays shall also ensure that day care workers are qualified to ensure quality teaching and provide substantial honorarium to motivate them. For this purpose, the CWS with the other local councils for the protection of children (LCPC) shall monitor day care centers, provide capability-building on enhancing the skills of day care workers and provide an incentives and rewards system to them, ensure the compliance of all local government units to the Early Years and Early Childhood Care and Development Acts, ensure proper coordination of the LGUs, DSWD and DepEd on these matters, and provide for a venue to discuss issues and concerns that may arise;

- f. Parenting Enhancement Course such as, but not limited to, Parent Effectiveness Service (PES) designed at providing and expanding the knowledge and skills of parents and caregivers on parenting to be able to respond to parental duties and responsibilities on the areas of early childhood development, behavior management of younger and older children, husband-wife relationships, prevention of child abuse, healthcare and other challenges of parenting. It assists parents and parent substitutes to develop and strengthen their knowledge and skills so that they can assume a major educational role in their child's growth and development;
- g. Spiritual nurturing for children and parents by faith-based groups;
- h. Materials and network of surrogate parents-teachers involved in the SNP who will provide intellectual and mental stimulation to the children, as well as supervised wholesome recreation, with a balanced program of supervised play, mental stimulation activities, and group activities with peers;
- i. A sanctuary, which is a center for abused, neglected or exploited children, to take in children in urgent need of protection due to a situation that endanger the child or has exposed the child to cruelty and abuse; Provided, that the center, with the help and support of the barangay officials and their barangay-level support system, may call upon law enforcement agencies when the child needs to be rescued from an unbearable situation, whether at home or any other place;
- j. A Reproductive Health Care Center for pregnant mothers for prenatal and neonatal care and, in the proper case, for delivery of the infant under conditions which will remove or minimize risks to mother and child; Provided, that high-risk mothers shall be referred to the proper tertiary or secondary care service personnel, and children who are at risk from any condition or illness will be given proper and special care; Provided further, that barangay health workers are trained to recognize high risk pregnancies that must be referred to competent obstetrical and pediatric medical care for mother and child who are at risk;
- k. A barangay level network of support, monitoring and assistance from among the responsible adults of the barangay, for the total development and protection of children; and
- l. Unstructured, combined with structured, learning exercises for children under the early childhood education instituted in the children centers or day care centers that respects the participation rights of the children.

Section 13. ADOLESCENT-FRIENDLY SEXUAL AND REPRODUCTIVE HEALTH PROGRAM. The CSWDO, in coordination with the City Population Office shall formulate 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.

Section 14. CHILD-FRIENDLY HEALTH FACILITIES IN THE CITY OF KORONADAL. All hospitals, lying-in clinics, birthing homes and other health facilities in city should be child-friendly. Hospitals shall have children's wards that have child-friendly personnel include rooming-in and breastfeeding facilities, pediatric-appropriate mechanisms and gadgets. Hospitals shall also establish their Child Protection Units, which shall serve as a one-stop shop center for victims of violence against children and provide health, medico-legal, legal and psycho-social services.

Section 15. CHILD-FRIENDLY SPACES IN ALL ESTABLISHMENTS IN THE CITY OF KORONADAL. All establishments that are accessible to children in the City of Koronadal shall endeavor to maintain child friendly environment where they can explore, play, and learn.

Section 16. ESTABLISHMENT OF LACTATION STATIONS. All establishments or institutions in the City of Koronadal shall establish lactation stations consistent with the provisions of R.A. 10028 which declares that breastfeeding has distinct advantages which benefit the infant and the mother, including the hospital and the country that adopt its practice. It is the first preventive health measure that can be given to the child at birth. It also enhances mother-infant relationship. Furthermore, the practice of breastfeeding could save the country valuable foreign exchange that may otherwise be used for milk importation.



Section 17.

- A. Early Childhood Care and Development Program.** The City Government of Koronadal shall initiate for the care of 0-4 years old children through the Early Childhood Care and Development Program and that supervision of 0-4 years old is a daily 8-hour program, if needed, shall be initiated in every Day Care Center.
- B. Population-Based Day-Care Center Set Up.** The day care centers shall be set up in every barangay. Number of such centers shall depend on the population level of the children and how depressed the barangay is as determined by the Special Office for Children's Concerns in Coordination with the CSWDO. Parents Program shall form part of this early childhood education.
- C. Promotion of Primary Health Care Program.** The Barangay Health Centers shall implement the primary health program.

To further ensure the implementation of Section 17. C of this Ordinance, the City Government of Koronadal in particular shall take appropriate measures:

- a. To combat disease and malnutrition within the framework of primary health care through inter alia the application of readily available technology and through the provision of adequate nutritious foods and clean drinking water taking into consideration the dangers and risk of environmental pollution;
- b. To establish a comprehensive Parents Orientation Development Program which include courses on reproductive health, child health and child rearing practices in the context of the Filipino psychology;
- c. To monitor the full implementation of the Milk Code of the Philippines and advocate for the prosecution of milk firms which violate the code; and
- d. To conduct massive information and education on breastfeeding. Utilizing existing references materials for effective breastfeeding education programs.

Section 18. COMPREHENSIVE TRAINING COURSE ON CHILD HEALTH. All health practitioners dealing with child health in government, NGO or private institutions shall be required to complete a Comprehensive Training Course on Child Health. No one shall practice his or her health profession without the updated Certificate of Completion of this training course which shall be designed by the Task Force on Child Health or as prescribed in the implementing rules and regulations of this ordinance.

Violation of this provision shall constitute a ground for cancellation of license to practice profession.

Section 19. COMPREHENSIVE SURVEY ON CHILDREN. Under the leadership of the City Government, all local barangay units in the City of Koronadal shall come up with a comprehensive survey on children in their respective localities, establishing a database on children's situations including health, nutrition, education and covers children with special needs, Muslims and indigenous peoples' children. The database shall be updated annually. The information derived from this shall be utilized to formulate the local development plan for children, design a more systematic coordination of programs and services for children, and presented during the annual State of the Children Report by the City Mayor. Its existence should be included in the criteria for the evaluation of the selection for child-friendly municipality or city and barangay and the "Dangal Sa Barangay". The initial survey shall be conducted within one (1) year from the effectivity of this Code.

Section 20. SURVEY AND ACTIVE PROGRAM FOR DIFFERENTLY-ABLED CHILDREN. The local government of Koronadal shall make a periodic comprehensive survey on the differently-abled children in the city which should be child-focused and specific. It is basic to achieve a more systematic coordination of services. (health nutrition and education) for children with special needs.

Section 21. INVESTMENTS IN EDUCATORS AND HEALTH PROFESSIONAL TRAINING PROGRAM ON SPECIAL PROGRAM FOR CHILDREN WITH SPECIAL NEEDS AND ASSISTANCE TO THEIR FAMILIES. Training programs for educators and health professionals handling children with special needs shall be one of the priorities of the City Government of Koronadal, including the establishments of center for children with special needs. All barangay governments shall provide assistance for families of children with special needs. Services to children with special needs who are victims of abuse (VAC) including assistive devices and facilities such as sign language interpreter; Braille and the like should also be ensured.

Section 22. SPECIALIZED TEAM OF EDUCATORS FOR CHILDREN OF MUSLIM AND INDIGENOUS PEOPLE. In addition to rights guaranteed to Muslim and indigenous people's children under its rules and other existing laws, the Department of Education's Schools Division of the City of Koronadal, in coordination with the Indigenous Political Structure (IPS) and Provincial Federation of Muslim Leaders, shall create a team of special educators to look into the appropriateness of the curricula for Muslim and indigenous people's children in the city of Koronadal, and to design training modules for teachers assigned to their communities, which are culture specific and relevant to the needs and existing conditions of the particular communities.

Section 23. BARANGAY-LEVEL RECREATION AND CULTURAL FACILITIES AND PROGRAM. A Barangay-level program for the revival of indigenous games reflective of the cultural diversity in Koronadal shall be established. The local government of Koronadal shall designate space for recreation and provide recreational facilities appropriate for each children's age-group and gender shall be designed with due respect to cultural diversity.

Section 24. LOCAL CHILDREN'S LITERATURE AND CHILDREN'S LIBRARY. In support to the socio-cultural development of children in the City of Koronadal, the local government unit of the City of Koronadal shall invest in the collection and production of local literature for children and other relevant materials.

All local government units in the City of Koronadal shall put up a children's library in their respective localities and its existence should be included in the criteria for the evaluation of the selection for child-friendly barangay and the "Dangal Sa Barangay".

Section 25. PARENTING ORIENTATION COURSES. Marriage License applicants shall be required to participate to a Parenting Orientation Course among other requirements prior to the issuance of marriage license by the Civil Registrar. This course becomes an integral part of existing Family Planning Seminar or Reproductive Health Course. The Special Office for Children's Concerns in close coordination with the City Health office (CHO) and the Civil Registry Office shall update the family planning seminar in recognition of this Ordinance.

Parent-applicants for birth certificate of their child shall also be required to participate to a Parenting Orientation Course II, as follow-up to the first course before issuance of Certificate of Live Birth by the Civil Registrar without prejudice to the early registration of birth requirement under existing law.

Module for those courses shall be designed by the Special Office for Children's Concerns and City Social Welfare and Development Office (CSWDO) and in close coordination with NGO Child focused programs.

Section 26. CELEBRATION OF CITY CHILDREN'S MONTH. The month of November of every year is hereby declared as City Children's Month in Koronadal. The CSWDO shall propose 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 the like.



ARTICLE V PARTICIPATION RIGHTS OF CHILDREN

Section 27. PARTICIPATION OF CHILDREN IN DECISION-MAKING PROCESSES. The children in the family, school, community, or other organization or institution shall be heard. Each child regardless of sex, age and tribe has the right to express his or her opinion freely and have that opinion taken into account in any matter or procedure affecting the child. It shall be the responsibility of the adults 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 28. 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 views relevant to the City Government Policies. It is therefore proper that seven to twelve (7-12) years old and the thirteen to eighteen (13-18) years old are convened through their representatives in a yearly basis, specifically during the children's month, every November. NGOs concerned with these groups of children shall be part of the process in both preparation and evaluation of the convention. Retailed implementing rules and guidelines shall be drafted by the Sangguniang Kabataan Secretaries in coordination with the Special Office for Children's Concerns.

Section 29. RIGHT OF CHILDREN TO INFORMATION. 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 City of Koronadal.

Section 30. PARTICIPATION OF CHILDREN IN COMMUNITY AFFAIRS AND SOCIO-CIVIC ACTIVITIES. The City of Koronadal shall promote the formation of child-led organizations 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. It is, therefore, hereby mandated that all elementary and high school student council presidents and leaders of all other children organizations shall be convened as a children's assembly in their respective localities. This assembly will serve as a venue to discuss their issues and concerns and to have a collective voice on issues affecting them.

ARTICLE VI LIABILITIES OF PARENTS

Section 31. TORTS/DAMAGES. Parents and guardians are responsible for the damage caused by the child under their parental authority in accordance with the Civil Code.

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 the custody of their parents/guardians or appropriate authorities.

Section 32. CRIMES. Criminal Liability shall attach to **any parent** who:

- a. Conceals or abandons the child with intent to make such child lose his civil status.
- b. Abandons the child under such circumstances as to deprive him of the love, care and protection he needs.
- c. Sells or abandons the child to another person for valuable consideration.
- d. Neglects the child by not giving him the education which the family's station in life and financial conditions permit.
- e. Fails or refuses, without justifiable grounds, to enroll the child as required in an educational institution.
- f. Causes, abates, or permits the truancy of the child from the school where he is enrolled. "Truancy" as here used means absence without cause for more than twenty (20) schooldays, not necessarily consecutive.
- g. It shall be the duty of the teacher in-charge to report to the parents the absences of the child the moment these exceed five schooldays.
- h. Improperly exploits the child by using him, directly or indirectly, such as for purposes of begging and other acts which are inimical to his interest and welfare.



- i. Inflicts cruel and unusual punishments upon the child or deliberately subjects him to indignation and other excessive chastisements that embarrass or humiliate him.
- j. Causes or encourages the child to lead an immoral or dissolute life.
- k. Permits the child to possess handle or carry a deadly weapon, regardless of its ownership.
- l. Allows or requires the child to drive without a license or with a license which the parent knows to have been illegally procured. If the motor vehicle driven by the child belongs to the parent, it shall be presumed that the latter permitted or ordered the child to drive.

"Parents" as here used shall include the guardian and the head of the institution or foster home which has custody of the child.

Any parent or guardian found to be negligent in the performance of their duties to their children 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. (See Penal Provisions)

ARTICLE VII IMPLEMENTING AND MAINSTREAMING MECHANICS

Section 33. CREATION OF CITY COUNCIL FOR THE PROTECTION OF CHILDREN. There shall be created, substantially-funded and productively-sustained City Council for the Protection of Children at the City of Koronadal. The following are the compositions, duties and responsibilities:

A. City Council for Protection of Children

Composition

Chairperson: City Mayor

Members:

Chairperson, Legislative Committee on Women, Children and Family Relations
City Local Government Operations Officer
City Social Welfare and Development Officer
Division Superintendent / District Supervisor of the Department of Education (DepEd)
Local Labor and Employment Officer
City Planning & Development Coordinator
City Budget Officer
City Health Officer
City Nutrition Officer
Chief of Police
City Treasurer
City Legal Officer
Liga ng mga Barangay Federation President
Sangguniang Kabataan (SK) Federation President
Parent – Teachers Community Association (PTCA) President
A Child Representative from each barangay
Three (3) representatives of NGOs and POs
City Tribal Council
City Federation of Muslim Leaders

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Functions:

- a. Formulate plans, programs and policies for children that are gender-fair, culturally relevant and responsive to the needs of diverse groups of children from 0 to below 18 years of age;
- b. Prepare City Development Plan for Children (CDPC), Annual Work and Financial Plan (AWFP) for children and recommend appropriations to the Sanggunian;
- c. Provide coordinative-linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
- d. Establish and maintain database on children in the city/municipality;
- e. Provide technical assistance and recommend financial support to the BCPCs;
- f. 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;
- g. Conduct capability building programs to enhance knowledge and skills in handling children's program;
- h. Monitor and evaluate the implementation of the program and submit quarterly status reports to the CCPC; and
- i. Performs such other functions as provided for in this Code and other child related laws.

B. Barangay Council for the Protection of Children

Composition

Chairperson:	Punong Barangay
Vice Chairperson:	Elected by the Members
Secretary:	Elected by the Members
Members:	Sangguniang Kabataan Day Care Worker Barangay Health Worker Barangay Nutrition Scholar Public School Teacher Chief of Barangay Police Two (2) CSO Representatives Three (3) Children Representatives PTCA President Church-based Children Serving Group Representative A Barangay Tribal Child Representative in Barangays with Indigenous Peoples A Barangay Muslim Child Representative in Barangays with Muslims

Functions:

- a. To foster education of every child in the barangay (To ensure that every child in the barangay acquires at least an elementary education);
- b. To encourage the proper performance of the duties of parents and provide learning opportunities on the adequate rearing of children and positive parent-child relationship;
- c. To report all cases of child abuse to the proper authorities;
- d. To protect and assist abandoned, maltreated and abused children and facilitate their cases filed against child abusers;
- e. To prevent child labor in their area and protect working children from abuse and exploitation;
- f. To take steps to prevent juvenile delinquency and to assist children with behavioral problems so that they can get expert advice;
- g. To adopt measures to promote the health and nutrition of children;
- h. To promote the opening and maintenance of playgrounds and day care centers and other services which are necessary for child and youth welfare;
- i. To secure the cooperation of organizations devoted to the welfare of children and coordinate their activities;

- j. To promote wholesome entertainment in the community;
- k. To assist parents whenever necessary in securing expert guidance counseling from the proper governmental or private welfare agencies;
- l. To advocate for the passage of child-friendly barangay ordinances in response to child-related issues and concerns;
- m. To prepare the barangay plans of action for children which addresses the needs of children in the community and ensure their integration into the Barangay Development Plan and implementation by the barangay;
- n. To ensure the effective advocacy and efficient implementation of the Department of Education (Dep Ed) Order No. 40, series of 2012 on Child Protection Policy in schools; and
- o. To submit quarterly barangay accomplishment reports on the implementation of the plan to the City Council for the Protection of Children (CCPC).

Section 34. SUSTAINED FUNCTIONALITY OF THE BARANGAY COUNCILS FOR THE PROTECTION OF CHILDREN. There shall be sustained functionality of the Barangay Local Councils for the Protection of children (BCPCs). Towards this end, the Annual Search for Child Friendly Barangay Units shall be enhanced and institutionalized as the main tool for the efficient and effective monitoring and evaluation of the functionality of the BCPCs.

Section 35. CITY JUVENILE TASK FORCE. There shall be created and functionally-sustained City Juvenile Task Force to go after establishments, activities and persons performing violence against children. It shall have the following composition and functions:

Composition

Team Leader:	City Social Welfare and Development Office (Child Welfare Section)
Asst. Team Leader:	Philippine National Police, City of Koronadal
Members:	City Health Office
	City Legal Office
	Department of Justice (Office of the City Prosecutor)
	Public Employment Service Office (PESO)
	City Business and Permits Licensing Office

Functions:

- a. Conduct surveillance on possible violations of this code and recommend/ undertake appropriate actions.
- b. Conduct surveillance on establishments, activities and persons possibly performing violence against children.
- c. Conduct random inspections of known establishments and activities and apprehend persons performing violence against children.
- d. Padlock establishments performing violence against children.
- e. Stop activities on violence against children.
- f. Gather information of incidents of violence against children for the filing of formal appropriate legal actions.
- g. Monitor the status of suspended sentences.
- h. Monitoring of children travelling alone in transportation terminals and exits of the City.



**ARTICLE VIII
PENAL PROVISIONS**

Section 36. PENALTIES AND SANCTIONS

a. Violation of Article III Section 7(b)

A fine of Five Thousand Pesos (Php 5,000.00) and/or imprisonment not exceeding one (1) year, at the discretion of the court, shall be imposed upon the owner or proprietor for sole proprietorship, President for corporations, Manager of any establishment or facility, or organizer of an event.

b. Violation of Article III Section 7(e)

First offense	-One Thousand Pesos (Php 1,000.00)
Second offense	-Two Thousand Pesos (Php 2,000.00)
Third offense	-Five Thousand Pesos (Php 5,000.00)

c. Violation of Article III Section 7(f)

First offense	-Fifteen (15) day suspension of business operation
Second offense	-One (1) month suspension, and confiscation of video and computer units, billiards and pool games paraphernalia and other implements used such business;
Third offense	-Disqualification to engage in such business for one (1) year.

d. Violation of Article III Section 7(g)

Violators of this provision shall suffer the penalty of an imprisonment not to exceed one (1) year and/or a fine of not to exceed Five Thousand Pesos (Php 5,000.00), at the discretion of the court. In addition, if the violating establishment is a business entity its business permit shall be recommended to the local chief executive for revocation and the establishment shall be closed.

e. Violation of Article III Section 7(j)

First offense	-One Thousand Pesos (Php 1,000.00) and suspension of business license in case of non-payment of penalties & failure to take corrective action
Second offense	-Two Thousand Pesos (Php 2,000.00) and suspension of business license in case of non-payment of penalties & failure to take corrective action
Third offense	-Three Thousand Pesos (Php 3,000.00) and suspension of business license in case of non-payment of penalties & failure to take corrective action and confiscation of alcohol and tobacco products
Fourth offense	-Five Thousand Pesos (Php 5,000.00) and cancellation of business permit or imprisonment upon discretion of the court

f. Violation of Article III Section 7(l)

First offense	-One Thousand Pesos (Php 1,000.00)
Second offense	-Two Thousand Pesos (Php 2,000.00)
Third offense	-Three Thousand Pesos (Php 3,000.00)

g. Violation of Article III Section 7(m)

First offense	-One Thousand Pesos (Php 1,000.00)
Second offense	-Two Thousand Pesos (Php 2,000.00)
Third offense	-Three Thousand Pesos (Php 3,000.00)

h. Acts mentioned in Article VI Section 32 shall be punishable with:

First offense -Counseling or parent education;

Second and subsequent offenses – A fine of not exceeding Five Hundred Pesos (Php500.00) or imprisonment from two to six months or both at the discretion of the court unless a higher penalty is provided for in the Revised Penal Code or special laws pursuant to Presidential Decree No. 603 – Child and Welfare Code.

For offense punishable under R.A. 7160, R.A. 7658, R.A. 9262 and other National Laws as well as this Code, the offended party/ and or any party so authorized shall file a complaint under the national Law and the penalty in such national law shall be imposed.

Failure to comply with pertinent provisions of this Code by the concerned local chief executive, members of legislative bodies and/or head of offices or bodies shall constitute dereliction of duty subject to penalties prescribed under the Local Government Code and other pertinent laws.

**ARTICLE IX
FINAL PROVISIONS**

Section 37. MANDATORY REVIEW. This Ordinance shall be reviewed five (5) years after its enactment to ensure responsiveness to current trends and needs.

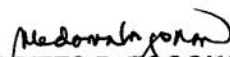

Section 38. SEPARABILITY CLAUSE-The provisions of this Ordinance are hereby declared to be separable and in event one or more of such provisions are held unconstitutional, the validity of the other provisions shall not be affected thereby.

Section 39. REPEALING CLAUSE- All local ordinances, rules and regulations, or parts thereof that are inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.


Section 40.- EFFECTIVITY-This Ordinance shall take effect after compliance with the mandatory requirements for posting and publication.

ENACTED this 9th day of March 2021, in the City of Koronadal, Province of South Cotabato.

CERTIFIED CORRECT:


MARITES D. TOGONON
Secretary to the Sanggunian 

ATTESTED:


PETER B. MIGUEL, M.D, FPSO-HNS
City Vice Mayor/Presiding Officer

APPROVED:


ATTY. ELIORDO U. OGENA
City Mayor