



Republic of the Philippines
Region IX, Zamboanga Peninsula
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Kumalarang

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 21ST REGULAR SESSION OF THE 8TH SANGGUNIANG BAYAN OF KUMALARANG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON DECEMBER 2, 2013 AT EXACTLY 9:30 A. M.

OFFICERS/MEMBERS	POSITION/DESIGNATION	PRESENT	ABSENT	REMARKS
HON. ALLAN P. DAMAS, REE	Mun. Vice Mayor, Presiding	/		
HON. PEDRO A. BARIATA	SB Member	/		
HON. DEMETRIO F. FUSILERO	SB Member, Asst. Floor Leader	/		
HON. JUDA T. DAKULA	SB Member		/	
HON. BENITO L. ROFEROS	SB Member	/		
HON. ALTHEA GLENNE A. POLIRAN	SB Member	/		
HON. RAMON O. DECENA	SB Member	/		
HON. FRANCISCO H. MACA, JR.	SB Member, Floor Leader	/		
HON. JAPAR M. TAIB	SB Member	/		

MUNICIPAL ORDINANCE NO. 2013 - 03

"THE COMPREHENSIVE CHILDREN'S WELFARE CODE OF THE MUNICIPALITY OF KUMALARANG, ZAMBOANGA DEL SUR."

Be it enacted by the Sangguniang Bayan of Kumalarang, Zamboanga del Sur in session assembled that:

ARTICLE A. TITLE, POLICY, PRINCIPLES AND DEFINITION OF TERMS

Section 1A. Title. This Ordinance shall be known as: **"The Comprehensive Children's Welfare Code of the Municipality of Kumalarang, Zamboanga del Sur"**.

Section 2A. Declaration of Policy and Principles. It is hereby declared to be the policy of the Municipality of Kumalarang, Zamboanga del Sur that the enhancement as well as the promotion and protection of the rights of children as to their survival, protection, participation and development be given primary concern. This code shall work in respect of the family's role in providing their children their basic needs. It is also geared to support the efforts of the parents, other child-care and development workers, non-government organizations and communities in nurturing and caring for the children, from prenatal period to adolescence.

It shall be the policy of the Municipality of Kumalarang, Zamboanga del Sur to ensure that the programs aimed toward the achievement of goals for the survival, protection, participation and development of children be given utmost priority. Every effort shall be made by the Local Government Unit of Kumalarang, Zamboanga del Sur to guarantee that such programs are allocated with sufficient resources and are protected in times of economic severity and structural adjustments.

Section 3A. Definition of Terms.

The following terms used in this ordinance shall be understood as provided for under this provision:

- Children – refers to a person below eighteen (18) years of age or those over but are unable to fully take care of themselves from abuse, neglect, cruelty, exploitation, or discrimination to physical or mental disability or condition.
- Survival Rights – relates to the provision in relation to parental and governmental duties and liabilities, adequate living standard and access to the basic health services and social security.

m. Food Fortification – is the addition of nutrients to processed foods or food products at level above the natural state. It is used as an approach to control micronutrient deficiency to children's diet, added to the food that is widely consumed by a specific risk groups.

n. Anti-Social Related Activities – are those acts against propriety, chastity and person which includes but not limited to the following:

- 1) Petty crimes, such as snatching, shoplifting, etc.;
- 2) Using and pushing prohibited drugs, selling illegal or lewd reading materials;
- 3) Pimping for young and old prostitutes and sexual perversions, doing or participating in obscene shows;
- 4) Gambling of any form;
- 5) Rape and incest; and
- 6) Any other circumstances as defined in existing laws.

ARTICLE B. PROMOTION AND PROTECTION RIGHTS OF CHILDREN

Section 1B. Program Against Child Abuse, Exploitation and Discrimination. There shall be a comprehensive program to be formulated by the Municipal Council for the Welfare of Children through the Municipal Social Welfare and Development Office within one (1) year from the effectively of this Code. The program is designed to protect the children against child prostitution and other forms of sexual abuse, child trafficking, obscene publications and indecent shows and other acts of abuse, and circumstances that endanger child survival and normal development.

Section 2B. Child Prostitution and Other Forms of Sexual Abuse. Children, whether male or female, who, for money, profit or any other consideration, or due to 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.

The penalty as prescribed in Section 5 of Republic Act No. 7610 shall be imposed upon the following:

- a) Those who engage in or promote, facilitate or induce child prostitution which include, but are not limited to the following:
 - 1) Acting as procurer of a child prostitute by means of written or oral advertisement or other several means;
 - 2) Inducing a person to be a client of a child prostitute by means of written or oral advertisement or other several means;
 - 3) Entering into a relationship with or taking advantage of a child as a prostitute;
 - 4) Threatening or using violence towards a child to engage him or her as a prostitute or a participant in indecent shows;
 - 5) Giving monetary considerations, goods or other pecuniary benefit to a child with the intent to engage such child in prostitution.
- b) Those other persons who commit acts stated in Article III of Republic Act No. 7610 shall be penalized accordingly, as prescribed in the same Article.

Section 3B. Obscene Publication and Indecent Show. Any person who shall hire, employ, use, persuade or coerce a child to perform in obscene exhibitions and indecent shows, whether live or video, pose or model in obscene publications or pornographic materials shall suffer the penalty as prescribed in RA 7610.

Section 4B. Sanctions for Establishments or Enterprises which Promote, Facilitate or Conduct Activities Constituting Child Prostitution and Other Sexual Abuse, Child Trafficking, Obscene Publications and Other Indecent Shows.

All establishments or enterprises which promote child prostitution and sexual abuse, child trafficking, obscene publications, indecent shows and other similar shows, and other acts of abuse shall be immediately closed and their authority or license to operate be cancelled, without prejudice to the owner or manager thereof being prosecuted under this Code.

4) Special Course for PNP Members. There shall be a special course for members of the PNP designed by the Municipal Police Station in coordination with the Municipal Council for the Welfare of Children to handle effectively the children involved in anti-social activities. All Police Officers shall take up the course especially those who are assigned in the women and children Concern Desk.

5) Police Brutality. Any brutality committed against children by police authorities shall be subjected to the penalty provided by law or to be determined by the Municipal People's Law Enforcement Board without prejudice to the implementation of the provisions of the Revised Penal Code.

Section 10B. Employment of Children. Children, as defined in this Code, shall not be employed. However, the same may be allowed provided that:

- 1) The minimum requirements as stated in Section 12 of Republic Act 7610, as amended by RA 9231 shall be present; and
- 2) The employer shall register the child to the Municipal Council for the Welfare of Children through the Department of Labor and Employment Provincial Office, to enjoy benefits and other special protection as may be provided.
- 3) The Municipal Council for the Welfare of Children shall promulgate rules and regulations necessary for the effective implementation of this section.

Section 10B.1 Prohibition on the Employment of Children in Certain Advertisements. No person shall employ a child to model in all forms of commercial advertisements promoting alcoholic beverages, intoxicating drinks, tobacco and its by-products, junk diet and violence.

Section 10B.2 Penalties. Any person who shall violate any provisions of the above section shall suffer the penalty prescribed in Section 16 of Republic Act No. 7610 as amended by RA 9231.

Section 11B. Specialized Team of Educators for Moro and Indigenous People's Children. In addition to the rights guaranteed to Indigenous and Moro children under RA No. 7610 and of the existing laws, a special team of educators shall be created. Its functions are to look into the appropriateness of curriculum for the Indigenous and Moro children in the different barangays of the Municipality and to design training for teachers assigned to their communities which are culture-specific and relevant to the needs and existing situations of their communities.

Section 11B.1 Creation of Moro and Indigenous People's Council. A council for Moro and Indigenous communities in the Municipality shall be created to facilitate planning, decision-making, implementation and evaluation of all government programs affecting children of indigenous and Moro people. NGO focused on these communities shall also be recognized, respected and represented to the Council. The Municipal Mayor shall issue an Executive Order for its composition.

Section 12. Children as Social Indicators of Local Condition. Children are hereby declared as Social Indicators of Local Condition. It shall be the responsibility of the Local Government of Kumalarang, Zamboanga del Sur and all other sectors concerned to resolve armed conflicts in order to idealize the UN Convention on the Rights of the Child.

Section 13. Respect for the International Covenants Relevant to Armed-Conflict. The Local Government of Kumalarang, Zamboanga del Sur undertakes to ensure respect for rules of international humanitarian Law applicable to Philippine political armed-conflict which is relevant to the child. Specifically, the following policies shall be observed:

- 1) 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;
- 2) 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;
- 3) Delivery of basic social services, such as education, primary health and emergency relief services shall be kept unhampered;

Culturally relevant activities shall be promoted instead of promoting young women as commodities during "benefit dance". A penalty shall be imposed on the organizers of the benefit dance by the Municipal Circuit Trial Court (MCTC) or Municipal Trial court (MTC) accordingly for the violation of this provision.

Section 15B. Curfew on Minors. For the protection of children below eighteen (18) years of age, they shall be prohibited from loitering or sleeping in public places after 7:00 in the evening until 4:00 in the morning of the following day, unless they are in the company of their parents or guardians, or enrolled in colleges or universities, or during Christmas, New Year, school program or other religious activities.

A penalty equivalent to a whole day seminar on duties and responsibilities of parents shall be imposed on the parents or guardians on the violators of this provision. A fifteen (15) day community service, as determined by the local court, shall be imposed as penalty for the second time offenders.

ARTICLE C. SURVIVAL AND DEVELOPMENTAL RIGHTS OF CHILDREN

Section 1C. Under Five Program Framework. The Local Government of the Municipality of Kumalarang, Zamboanga del Sur shall ensure to the maximum extent possible the survival and development of the children which shall include the following:

- 1) Monitoring or registration of births and the completion of the immunization series for the prevention of tuberculosis, diphtheria pertussis, tetanus, measles, poliomyelitis and such other diseases for which vaccines have been developed for administration to children up to five (5) years of age;
- 2) Growth monitoring and supervision of nutritional feeding at home;
- 3) Care for children of working parents during the day are provided by the Day Care Workers under the supervision of the Municipal Social Welfare and Development Officer. The MSWDO, in coordination with the Provincial Early Childhood Care and Development (ECCD) Coordinator shall provide enhancement training to the Day Care Workers.
- 4) Materials and network of surrogate parents-teachers who will provide intellectual and mental stimulation to the children, as well as supervised wholesome recreation with balanced program of supervised play, mental stimulation and group activities with peers;
- 5) A sanctuary for abused, neglected or exploited children in urgent need of protection due to situation that endangers the child, or which has exposed the child in cruelty and abuse; Provided, that the center with the help of the barangay officials and their barangay level support systems, may call upon the law enforcement agencies when the child needs to be rescued from an unbearable home situation;
- 6) A Reproductive Health Care Center for all pregnant women for prenatal and neonatal care. Identified high-risk pregnant women shall be referred to obstetrical and pediatric for proper care. Barangay Health Workers and trained hilots shall be with basic training for normal delivery and identification of high-risk pregnancies;
- 7) A barangay network of assistance from among the adults for the total development and protection of children;
- 8) Unstructured, combined with structured learning exercises for children under the early childhood education shall be instituted in the children centers, or day care centers respecting the participation right of the child; and
- 9) A pool of trained day care workers with an updated salary scheme commensurate to the tasks assigned.

Section 1C.1 Early Childhood Care and Development Program. The Local Government Unit of Kumalarang, Zamboanga del Sur shall initiate the care of the 0-5 years children through the Early Childhood Care and Development Office, in coordination with the Municipal ECCD Committee and Barangay Council for the Protection of Children.

Section 1C.2 Population-Based Day Care Center Setting 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 Municipal Council for the Welfare of Children, in coordination with the MSWD Office. Parents Program shall form part of this early childhood education.

The Child Health Institute shall monitor the operations of all private and government hospital-pediatric units to ensure the implementation of the child-friendly measures.

Section 5C. Survey and Active Program for Children with Disability. The Local Government Unit of Kumalarang, Zamboanga del Sur shall make a periodic and comprehensive survey on the children with disability. The data is the basis to achieve a more systematic coordination of services on health, nutrition and education for children with special needs.

Section 6C. Investment in Education and Health Professional Training Program for Special Program with Differently-abled Children. Training program for educators and health professionals handling differently-abled children shall form part of the local priority of the Local Government Unit of Kumalarang, Zamboanga del Sur.

Educators and Health Professionals Training Program for Children with Disability shall be adopted for educators and health professionals handling children with disability as a priority program of the Local Government Unit of Kumalarang, Zamboanga del Sur.

Section 7C. Barangay Level Program for Recreational and Cultural Facilities. A barangay level program for the revival of indigenous games reflective of the cultural diversity in Kumalarang, Zamboanga del Sur shall be installed. The Local Government Unit of Kumalarang, Zamboanga del Sur shall allocate space for recreation and provide recreational facilities appropriate for children's gender and age. A regular cultural program appropriate for each children's age group and gender shall be designed with due respect to cultural diversity.

Section 8C. Local Children's Literature. In support to the socio-cultural development of children, the Local Government Unit of Kumalarang, Zamboanga del Sur shall invest in the production of local literature for children or other relevant materials.

Section 9C. Parenting Orientation Courses. Marriage License applicants shall be required to participate in Parenting Orientation Course I, among other requirements prior to the issuance of marriage license by the Municipal Civil Registrar. The course becomes an integral part of existing Family Planning Seminar or Reproductive Health Course. The Municipal Council for the Welfare of Children, in close coordination with the Municipal Health Office and the Municipal Civil Registrar's Office, shall update the family planning seminar in cognizance of this Code.

Section 9C.1 Parent – applicants for birth certificate of their child shall also be required to participate in the Parenting Orientation Course II, as follow up to the first course before the issuance of Certificate of Live Birth by the Civil Registrar without prejudice to the early registration of birth requirement under existing laws.

Section 9C.2 Modules of these courses shall be designed by the Municipal Council for the Welfare of children and Provincial Social Welfare and Development Office and in close coordination with NGO child-focused programs.

ARTICLE D. PARTICIPATION RIGHT OF CHILDREN

Section 1D. 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 to 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 2D. Installation of Mechanism of Participation in Policy and Program Formulation in the Local Government. It is important to consult the children and provide venue for their expression of views relevant to the Municipality of Kumalarang, Zamboanga del Sur Government Policies. It is therefore proper that seven to twelve (7-12) years old and thirteen to below eighteen (13-less 18) years old are convened through their representatives in a once a year basis, specially during children's month every October. NGOs concerned with these groups of children shall be part of the process in both preparation and evaluation of the convention. Detailed implementing rules and guidelines shall be drafted by the Sangguniang Kabataan Secretariat, in coordination with the Municipal Council for the Welfare of Children.

ARTICLE F. FINAL PROVISIONS

Section 1F. Rules and Regulations. Unless otherwise provided in this Code, the Department of the Interior and Development, in coordination with the Municipal Council for the Welfare of Children shall promulgate the rules and regulations for the effective implementation of this Code. Such rules and regulations shall take effect upon its publication in two (2) local newspapers of general circulation.

Section 2F. Appropriation. The amount necessary to carry out the provisions of this Code is hereby authorized to be appropriated in the Annual Implementation Plan, specifically five-percent (5%) of the gross income of the Local Government Unit of Kumalarang, Zamboanga del Sur and additional one and one-half percent (1.5%) from each additional fund from other sources.

Section 3F. Applicability Clause. All other matters relating to the imposition of this ordinance shall be governed by pertinent provisions of existing laws, rules and regulations and other ordinances.


Section 4F. Separability Clause. If any provision of this Code is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in full force and effect.

Section 5F. Repealing Clause. All ordinances, rules and regulations or parts thereof in conflict with or inconsistent with any provisions of this Ordinance are hereby repealed or modified accordingly.

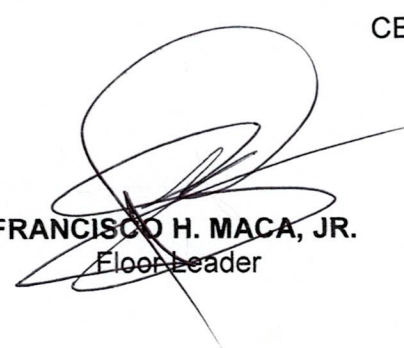
Section 6F. Effectivity. This ordinance shall take effect fifteen (15) days after publication in a local newspaper with general circulation, or posting in at least three (3) conspicuous places at the Municipal Hall, Barangay Halls and public markets in the Municipality of Kumalarang, Zamboanga del Sur.

ENACTED AND APPROVED this 2nd day of December 2013 by the 8th Sangguniang Bayan of Kumalarang, Zamboanga del Sur on its 21st Regular session.

CERTIFIED CORRECT:


JOCELYN B. ALCARIA
Sanggunian Secretary

VERIFIED:


FRANCISCO H. MACA, JR.
Floor Leader

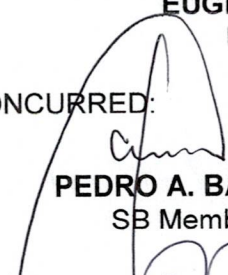
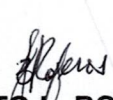
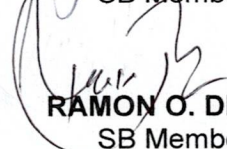
ATTESTED:


ALLAN P. DAMAS, REE
Municipal Vice Mayor
Presiding Officer

APPROVED:


EUGENIO G. SALVA, JR.
Municipal Mayor

CONCURRED:


PEDRO A. BARIATA
SB Member
DEMETRIO F. FUSILERO
SB Member
BENITO L. ROFEROS
SB Member
ALTHEA GLENNE A. POLIRAN
SB Member
RAMON O. DECENA
SB Member
JAPAR M. TAIB
SB Member

- c. Development Rights – pertains to the access of a child to educational opportunities, access to relevant information, play, leisure, cultural activities and the right to freedom of thought, ideas, conscience and religion.
- d. Protection Rights – covers those which shield and guard children against all forms of child abuse, exploitation and discrimination in major areas where a child is considered to be extremely difficult circumstances.
- e. Participation Rights – includes the child's freedom to express one's self in matters affecting their lives as well as the right to proper representation in law-making body of the locality, which shall be considered as part of the preparation for responsible parenthood and citizenry.
- f. Moro – refers to individuals belonging to any of the thirteen (13) ethno-linguistic groups closely associated with Islam or Muslims, such as: Tausog, Maranaw, Maguindanao, Samal, Yakan, Angil, Iramin, Palawani, Badjao, Jamamapun, Kalibugan and Molbog.
- g. Child Abuse – refers to the maltreatment of a child, whether habitual or not, which includes any of the following:
 - 1) Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;
 - 2) Any act, deed or word which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;
 - 3) Unreasonable deprivation of their basic needs of survival, such as food and shelter; or
 - 4) Failure to immediately give medical treatment to an injured child resulting in serious impairment of his/her growth and development or permanent physical, mental incapacity or death.
- h. Circumstances which gravely threaten or endanger the survival and normal development of children, includes 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 life, 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 urban and rural areas without care of parents or guardians, or without any adult supervision needed for their welfare;
 - 4) Being a member of an indigenous cultural community or living under conditions of extreme poverty, or in an area which is underdeveloped or has inadequate access to basic needs for a good quality of life;
 - 5) Being with family members or guardians who have psychological problems, grave enough for them to commit incest, sibling rape, lascivious acts and other forms of physical and mental abuse;
 - 6) Being a victim of human-made or natural disaster or calamity;
 - 7) Being a victim of an illegal transnational union or child trafficking; or
 - 8) Circumstances analogous to those above stated which endanger the life, safety or normal development of children.
- i. Comprehensive Children's Support System Against Child Abuse, Exploitation and Discrimination – refers the coordinated program of services and facilities to protect children against the following:
 - 1) Child prostitution and other sexual abuse;
 - 2) Child trafficking;
 - 3) Obscene publication and indecent shows;
 - 4) Other acts of abuse;
 - 5) Child Labor under RA 9231;
 - 6) Circumstances that threaten or endanger the survival and normal development of children or as prescribed in the United nations Convention on the Rights of the child.
- j. Comprehensive Support System for the Development of Children – also refers to the coordinated programs of services and facilities outlined in section 3 of RA 6972 and RA 8980 and as prescribed by the UN Convention of the Rights of a Child.
- k. Municipal Government of Kumalarang Council for the Welfare of Children – refers to the existing council which is created through an Executive Order by the Local Chief Executive, who is responsible for the implementation of this Code.
- l. Junk diet – are foodstuffs which are processed by artificial flavors, coloring and preservatives which have been found to contain carcinogenic elements that are harmful for the body or those beyond expiry date.

Section 5B. Child Trafficking. Any person engaged 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 Republic Act No. 7610 as amended by Republic Act 9280 which provides the following:

- a. Qualified Trafficking in Persons shall suffer a penalty of imprisonment for a period of one (1) month or a fine of Php1,500.00, or both, at the discretion of the court.
- b. Trafficking in Persons shall suffer a penalty of period of imprisonment for a period of one (1) month or a fine of Php1,600.00, or both, at the discretion of the court.
- c. Promoting Trafficking in Persons shall a penalty of imprisonment for a period of one (1) month or a fine of Php1,400.00, or both, at the discretion of the court.

Section 6B. Attempt to Commit Child Trafficking. There is an attempt to commit child trafficking under the following circumstances:

- a. Attempt to recruit, transport, harbor, provide or receive a child or minor person by any means, including those under the pretext of domestic or overseas employment or training or apprenticeship, for the purpose of prostitution, pornography, sexual exploitation, forced labor, slavery, involuntary servitude or debt bondage.
- b. Attempt to recruit, hire, adopt, transport or abduct a child or minor person by means of threat or use of force, fraud, deceit, violence, coercion, or intimidation for the purpose or removal or sale of organs of the child or minor.

Section 7B. Other Acts or Condition Prejudicial to the Child's Development. It shall be unlawful for any person to sell liquor, cigarette, illegal drugs and other items detrimental to the development of the child.

For purposes of this Ordinance, the penalty for the commission of such act as prescribed in Article IV of Republic Act No. 7610 shall be imposed. The victim of the act committed under this section shall be entrusted to the care of an institution for protection and rehabilitative custody, such as, but not limited to Kaabag Center, Lingap Center and other institutions as managed by Non-Government Organizations (NGOs).

Section 8B. Control on Children's Exposure to Commercial Video Games. Commercial establishment catering rental of electronic video games to children during school days 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 of said establishments and cancellation of business permit shall constitute the penalty for the third offense.

Section 9B. Children Involved in Anti-Social Related Activities. Children who are involved in anti-social related activities shall be subjected to a rehabilitation program that shall assist the children to rebuild themselves and reintegrate in the mainstream of society.

For purposes of this provision, the following shall be observed:

- 1) **Monitoring of Suspended Cases of Children and Appropriate Assistance.** The Municipal Social Welfare and Development Office shall recommend application for suspension of sentences to children involved in anti-social activities. The Technical Working Group of the Municipal Council for the Welfare of Children shall closely monitor the cases involving children in court to adequately implement the suspension of the sentence.

Appropriate and responsive rehabilitation program shall be afforded to them under the care of the Municipal Social Welfare and Development Office and other institutions managed by Non-government Organizations. The Municipal Social Welfare and Development Office and the NGOs with special interests on rehabilitation shall design the framework of assistance.

- 2) **Appointment of Women and Children Concerns Desk Officer and Police Procedures.** The Municipal Police Station shall have a Women and Children Concerns Desk Officer tasked to handle cases involving children. Child Friendly police procedures shall be implemented as contained in the Handbook on the Management of Children's Cases in Especially Difficult Circumstances. Each PNP member shall be provided a copy of the said handbook.
- 3) **Appointment of Women and Children Concerns Desk Officer and Police Procedures.** The Municipal Police Station shall have a Women and Children Concerns Desk Officer tasked to handle cases involving children. Child Friendly police procedures shall be implemented as contained in the Handbook on the Management of Children's Cases in Especially Difficult Circumstances. Each PNP member shall be provided a copy of the said handbook.

- 4) The safety and protection of those who provide services, including those involved in fact-finding missions from both the government and non-government institutions shall be ensured. They shall not be subjected to undue harassment in the performance of their work.
- 5) 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 depot; and
- 6) All appropriate steps shall be taken to facilitate the reunion of families temporarily separated due to armed conflict.

Section 13B.1 Evacuation of Children during Armed-Conflict. Children shall be given priority during evacuations as a result of armed conflict. People's organizations existing in the community shall be topped to look after the safety and well being of children during evacuation operations. Measures shall be taken to ensure that those persons responsible for their safety and well-being accompanied the evacuated children.

Section 13B.2 Family Life and Temporary Shelter. Whenever possible, members of the same family shall be housed in the same premises and given separate accommodation from other evacuees and provided with facilities to lead a normal family life. In places of temporary shelter, expectant and nursing mothers and children shall be given additional food in proportion to their physiological needs. Whenever feasible, children shall be given opportunities for physical exercise, sports and outdoor games.

Section 13B.3 Children and Family Psycho-Social Program. It is important for the children and their families that they shall be part of a psychological program. The Municipal Social Welfare and Development Office, in coordination with NGOs shall design a comprehensive psychological program for both children and their families affected by the armed conflict.

Section 13B.4 Rights of Children Arrested for Reasons Related to Armed Conflict. Any child who has been arrested for reasons related to armed conflict, either as combatant, courier, guide or spy is entitled to the following rights:

- 1) Separated detention cell from adults except where families are accommodated as family rights;
- 2) Immediate free legal assistance;
- 3) Immediate notice of such arrest to the parents or guardian of the child; and
- 4) Release of the child on recognizance within twenty-four (24) hours to the custody of the Municipal Social Welfare and Development Office or any responsible member of the community as determined by the court.

If after hearing the evidence in the proper proceedings, the court should find that the aforesaid child has committed the acts charged against him or her, the court shall determine the imposable penalty, including any civil liability chargeable against him or her. However, instead of pronouncing judgment of conviction, the court shall suspend all further proceedings and shall commit such child to the custody or care of the Municipal Council for the Welfare of Children; or to any training institution operated by the government, or duly licensed agencies or any other responsible person, until he or she has reached eighteen (18) years of age; or for a shorter period as the court may deem proper, after considering the reports and recommendation of the Municipal Council for the Welfare of Children, or responsible individual under whose care he or she has been committed.

The aforesaid child shall be subjected to visitation and supervision by a representative of the Municipal Council for the Welfare of Children or any duly licensed agency or such officer as the courts may designate to such condition as it may prescribe.

Section 13B.5 Monitoring and Reporting of Children in Situations of Armed Conflict. The Chairperson or any designated official of the barangay affected by the armed conflict shall submit the names of children residing in said barangay to the Municipal Social Welfare and Development Officer within twenty-four (24) hours from the occurrence of the armed conflict.

Section 14B. Selective Ban on Benefit Dance in the Barangays. Barangay level fund raising activities shall not include "benefit dance" as defined in this Ordinance.

The day care centers shall be set up in every barangay pursuant to Republic Act No. 6972 and Republic Act No. 8980, and the ECCD Law. The Municipal Council for the Welfare of Children shall monitor its establishment and functionality.

Section 1C.3 Promotion of Primary Health Care Program. The Barangay Health Centers shall implement the primary health care program. Each Barangay health center shall have barangay health workers task to monitor child health care with an honorarium commensurate to the tasks assigned.

To further ensure the implementation of Section 1C.3, Article C of this Code, the Local Government Unit of Kumalarang, Zamboanga del Sur, in particular, shall take appropriate measures, such, but not limited to the following:

- 1) To combat disease and malnutrition within the framework of primary health care, through the application of readily available technology and through the provision of adequate nutritious foods and safe drinking water, taking into consideration the dangers and risks of environmental pollution;
- 2) To establish a comprehensive Parents Effectiveness Service Program which includes courses on reproductive health and child health and child rearing practices in the context of the Filipino culture;
- 3) To monitor the full implementation of the Milk code of the Philippines and advocate for the prosecution of milk forms which violate the code; and
- 4) To conduct massive information and education on breast-feeding, utilizing existing reference materials for effective breast feeding education program, and that students at all levels are required to take up breast feeding education course which shall be an integral part of all curricula.

Section 2C. Comprehensive Training Course on Child Health. All health practitioners dealing with child health in government, NGOs or private institutions shall be required to complete a Comprehensive Training Course on Child Health. No one shall be allowed to 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 Code.

Violation of this provision shall be penalized by cancellation of license to practice profession. All health practitioners, to include but not limited to, Public Health Nurse (PHN), ObGyne, Pediatrician, and those dealing with child health in government and private institutions, shall be required to undergo a Comprehensive Training Course on Child Health, specifically on Emergency Obstetric Care (EMOC). No one shall be allowed to practice his or her profession without the completion of the training course.

Section 3C. Child-Friendly Mini-Hospital in Kumalarang, Zamboanga del Sur. The Mini-Hospitals operating in Kumalarang, Zamboanga del Sur shall set up child-friendly units, to include rooming-in facilities and pediatric – appropriate mechanisms and gadgets.

There shall be set-up baby/child friendly unit in the hospital, to include rooming-in facilities and pediatric appropriate mechanisms and gadgets. To monitor the compliance of this section, there is hereby created a Child Health Institute.

Section 4C. Creation of Children's Hospital. The Local Government Unit of Kumalarang, Zamboanga del Sur shall establish a special hospital for children accessible to, and affordable for the poor families. It shall ensure pediatric assistance and facilities for the treatment of illness and physical rehabilitation. Such protective and developmental placement shall be evaluated regularly by a competent team composed of multi-disciplined professionals. This special hospital shall not, however, assume the functions of a primary health care available at the barangay level. The Zamboanga del Sur Medical Society shall be involved in the final promulgation of the program of the Children's Hospital under the Task Force on Child Health which shall be formed by the Municipal Health Office and the Municipal Council for the Welfare of the Children within one (1) year of the effectivity of this Code.

As part of the support system for child's health, government health practitioners are required to undertake special training on pediatric care through the Kumalarang, Zamboanga del Sur Child Institute which shall be established by the Local Government Unit of Kumalarang, Zamboanga del Sur within two (2) years after the approval of this Code.

ARTICLE E. IMPLEMENTING MECHANISM

Section 1E. Creation of the Municipal Council for the Welfare of Children. The Municipality of Kumalarang, Zamboanga del Sur shall create and organize the Municipal Council for the Welfare of Children that shall be composed of representatives coming from the different government agencies, such as the following:

- a. Municipal Planning and Development Office
- b. Municipal Health Office
- c. Department of Education
- d. Municipal Social Welfare and Development Office
- e. Municipal Budget Office
- f. Municipal Agriculture Office
- g. Department of the Interior and Local Government
- h. PESO – DOLE
- i. Philippine National Police
- j. Municipal Circuit Trial Court
- k. Municipal Sangguniang Kabataan Federation
- l. Office of the Provincial Population Commission
- m. Sangguniang Bayan – Committee on Women and Family
- n. Sangguniang Bayan – Committee on Health and Social Services

Section 1E.1 Representation from the following sectors may also be invited:

- a. People's Law Enforcement Board
- b. Civil Society Organizations or NGOs dealing with women and children's concerns
- c. Philippine National Red Cross
- d. Municipal Subanen Tribal group or association
- e. Office of Muslim Affairs

Section 2E. Objectives of the Municipal Council for the Welfare of Children. The Municipal Council for the Welfare of Children shall be created to reinforce the capacity of the Municipal Social Welfare and Development, Office in realizing the provisions of this Code. It shall act as a regulatory body for operations of all existing programs and projects designed for children, more specifically, it shall have the following objectives:

- a. Promote the implementation of the provisions of the UN Convention on the Rights of the Child;
- b. Educate the stakeholders and the members of the Kumalarang, Zamboanga del Sur community of the Convention on the Rights of the Child;
- c. Design and implement programs to enhance the well-being of the children of Kumalarang, Zamboanga del Sur;
- d. Ensure the proper allocation of resources for children's concerns;
- e. Protect the rights of the child;
- f. Monitor the implementation of this Code and the respect of the UN Convention on the Rights of a child; and
- g. Periodically assess and evaluate the plans and programs for the children and assist in the refinement of the implementing rules and guidelines of this Code.

Section 3E. Components of the Municipal Council for the Welfare of Children. The Municipal Council for the Welfare of Children shall have the following components to orchestrate its various program and projects consistent with the provision of this Code, National issuances and internal covenants:

- a. Home-based foster care for children
- b. Omit Psycho-social Rehabilitation Centers for Children in Extremely Difficult Circumstances
- c. Children's Rights Advocacy and Campaign
- d. Children's Hospital
- e. Early childhood Care for Development Program
- f. Legal Assistance Program