



Republika ng Pilipinas  
Lalawigan ng Davao del Norte  
**Sangguniang Panlalawigan**  
Legislative Building, Manhilan, Tagum City, Davao del Norte



**EXCERPTS FROM THE MINUTES OF THE 26<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIAN PANLALAWIGAN OF DAVAO DEL NORTE (TERM 2019-2022) HELD AT THE SESSION HALL, PROVINCIAL GOVERNMENT CENTER (CAPITOL), TAGUM CITY, ON MONDAY, JUNE 27, 2022**

**Present:**

Hon. Rey T. Uy	Vice Governor (Regular Presiding Officer)
Hon. Robert L. So	Senior Board Member
Hon. Nicandro T. Suaybagulo, Jr., UAP	Member
Hon. Jannet N. Tanong-Maboloc	Member
Hon. Francisco C. Remitar, MDMG	Member
Hon. Prospero E. Estabillo, Jr.	Member
Hon. Roger A. Laguna	Member
Hon. Denise Marianne A. Lu, MD	Member/PCL
Hon. Silvino P. Matobato, Jr., PTRP	Member/IPMR
Hon. Ariel S. Macla	Member/SKPPF
Hon. Emerson Dave A. Silutan, LPT	

**On Official Business:**

Hon. Dindo C. Parangan	Member/FABC (Davao City)
Hon. Roy J. Catalan	Member (IGaCoS)

**Absent:**

Hon. Franklin D. Gentiles, CE	Member
Hon. Janris Jay G. Relampagos	Member

*Author: Hon. Jannet N. Tanong-Maboloc*

*Sponsors: Hon. Robert L. So, Hon. Roger A. Laguna and Hon. Denise Marianne A. Lu, MD*

**EXPLANATORY NOTE**

Family plays an important role in molding a child's character. Family functioning, quality parenting, and access to social and family support all contributed to strong optimal health and well-being of every child. To uphold the rights and welfare of children, the Province deems it necessary to adopt measures to give a decent quality life for the youngster and enable them to exercise their rights so that they could develop their full potentials.

This ordinance aims to secure the right of children to assistance, including health, nutrition, education and special protection for all forms of abuses, neglect, cruelty, exploitation and discrimination, and other conditions prejudicial to their interests and provide sanctions for their commission.

**APPROVED:**

  
**EDWIN Y. JUBAHIB**  
Governor

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P.O. No. 2022-004

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**FREDDIE P. RAMOS, JR.**  
Local Legislative Staff Officer III

**PROVINCIAL ORDINANCE NO. 2022-004**

**THE REVISED CHILDREN'S WELFARE CODE OF THE  
PROVINCE DAVAO DEL NORTE**

Be it enacted by the Sangguniang Panlalawigan of Davao del Norte  
in Session Assembled that:

**ARTICLE I  
BASIC PRINCIPLES**

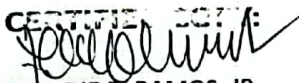
**SECTION 1. TITLE.** This ordinance shall be known and cited as the  
"Davao del Norte Children's Welfare Code".

**SECTION 2. DECLARATION OF POLICY AND PRINCIPLES.** It is  
hereby declared the policies of the Province of Davao del Norte to:

- 2.1. Effectively promote, fully enhance and institutionalize the survival, development, participation and protection of children's right within the framework of advancing general welfare in furtherance of integrated, sustainable and equitable development.
- 2.2. Serve the best interests of children, which shall be the paramount consideration in all actions concerning them, consistent with local autonomy and the principle of "First Call for Children" as enunciated in the United Nations Convention on the Rights of the Child.
- 2.3. Undertake the holistic protection and development of all children together with national government agencies and nongovernmental organizations concerned.

**SECTION 3. ADOPTION OF INTERNATIONAL AND NATIONAL LAWS ON CHILDREN.** The Province of Davao del Norte declares support and adherence to international treaties and agreements related to protection of children, and hereby adopts them as part of its local policies and principles.

- 3.1 This Code hereby adopts all relevant and enforceable national laws, rules and other regulations, and local ordinances governing children, such as but not limited to:
  - a. United Nations Convention on the Rights of the Child (UNCRC)
  - b. Presidential Decree 603: The Child and Youth Welfare Code
  - c. Republic Act No. 10410: Early Years Act (EYA) of 2013
  - d. Republic Act No. 10666: Children's Safety on Motorcycles Act of 2015
  - e. Republic Act No. 11036: Mental Health Act
  - f. Republic Act No. 11037: Masustansiyang Pagkain para sa Batang Pilipino

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Local Legislative Staff Officer III  
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- g. Republic Act No. 11148: Kalusugan at Nutrisyon ng Mag-Nanay Act;
- h. Republic Act No. 9231: An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child, Amending for the Purpose of Republic Act No. 7610, as amended, otherwise known as the "Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act"
- i. DOLE Administrative Order No 149 series of 2016: Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 years of age
- j. DOLE Administrative Order No 149-A series of 2017: Amending Department Order No. 149, Series of 2016 "Guidelines in Assessing and Determining Hazardous Work in the Employment of Persons Below 18 years of age"
- k. Republic Act No. 9775: Anti-Child Pornography Act of 2009
- l. Republic Act No. 11188: Special Protection of Children in Situations of Armed Conflict Act
- m. Republic Act No. 7610: Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act
- n. Republic Act No. 8371: The Indigenous Peoples Rights Act of 1997
- o. Republic Act No. 9344: Juvenile Justice Welfare Act of 2006 as Amended by Republic Act No. 10630
- p. Republic Act No. 9208: Anti-Trafficking in Persons Act of 2003 as Expanded by Republic Act No. 10364
- q. Republic Act No. 10821: Children's Emergency Relief and Protection Act
- r. Republic Act No. 11313: Safe Spaces Act
- s. Republic Act No. 11314: Student Fare Discount Act
- t. Republic Act No. 7877: Anti-Sexual Harassment Act of 1995
- u. Republic Act No. 8353: Anti-Rape Law of 1997
- v. Republic Act No. 8505: Rape Victim Assistance and Protection Act of 1998
- w. Republic Act No. 8972: Solo Parents' Welfare Act of 2000
- x. Executive Order 209, s. 1987: The Family Code of the Philippines
- y. DILG Memorandum Circular No. 2017-43: Adoption of the Barangay Protocol in Managing Cases of Children at Risk (CAR) and Children in Conflict with the Law (CICL)
- z. Republic Act No. 9775: Anti-Child Pornography Act of 2009
- aa. Gender and Development Code of Davao del Norte

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**SECTION 4. DEFINITION OF TERMS.** The following terms as used in this Code shall be defined as:

- 4.1 **Child** refers to:
- a. A person below eighteen (18) years of age;
  - b. A person eighteen (18) years of age or older but who is unable to fully take care of one's self; or protect one's self from abuse, neglect, cruelty, exploitation or discrimination; and unable to act with discernment because of physical or mental disability or condition.
- 4.2 **Child Abuse** pertains to the maltreatment, whether habitual or not, of the child which includes any of the following:
- a. Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment
  - b. Any act by deeds or words which debase, degrade or demean the intrinsic worth and dignity of a child as a human being
  - c. Unreasonable deprivation of her/his basic needs for survival, such as food and shelter
  - d. Failure to immediately give medical treatment to an injured child resulting in serious impairment of her/his growth and development or in her/his permanent incapacity or death
- 4.3 **Child Labor** refers to any work or economic activity performed by a child that subjects her/him health and safety or physical, mental or psychosocial development which is prohibited unless under the direct supervision of parents and under certain requirements and in non-hazardous occupation pursuant to Section 12 of Republic Act No. 7658.
- 4.4 **Child in Conflict with the Law (CICL)** is defined as a child who is alleged, accused of, or adjudged as, having committed an offense under Philippine Laws, pursuant to Republic Act No. 9344 otherwise known as Juvenile Justice and Welfare Act of 2006.
- 4.5 **Children Affected by Armed Conflict (CAAC)** comprise all children population experiencing or who have experienced armed conflict.
- 4.6 **Children Involved in Armed Conflict (CIAC)** pertain to children who are either forcibly, compulsorily recruited, or who voluntarily joined a government force or any armed group in any capacity whether they may participate directly in armed hostilities as combatants or fighters; or indirectly through support roles such as scouts, spies, saboteurs, decoys, checkpoint assistants, couriers, messengers, porters, cooks or as sexual objects.
- 4.7 **Children in Situations of Armed Conflict (CSAC)** include all children involved in armed conflict, children affected by armed conflict and internally displaced children.

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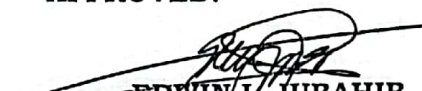
  
**EDWIN I. JUBAHIB**  
Governor

  
**FREDDIE P. RAMOS, JR.**  
Local Legislative Secretary III  
AHC

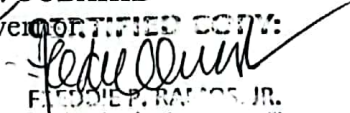


- 4.8 **Children with Disabilities** refer to children who have visual, hearing and speech impairments, specific learning disabilities, behavioral problems, mental retardation, autism, globally delay pelt syndrome and/or orthopedic handicaps.
- 4.9 **Circumstances which gravely threaten or endanger the survival and normal development of children** include, but are not limited to, the following:
- a. Being in a community where there is armed conflict or being affected by armed conflict-related activities
  - b. Working under conditions hazardous to life and safety which unduly interface with their normal development
  - c. Living in or fending for themselves in the streets or urban or rural areas without the care of parents or a guardians or basic services needed for good quality of life
  - d. Being a member of an indigenous cultural community and/or living under conditions of extreme poverty or in an area which is underdeveloped and or lacks or has no adequate access to basic services needed for a good quality of life
  - e. Being a victim of a man-made or natural disaster or calamity
  - f. Circumstances analogous to those above stated which endanger the life, safety or normal development of children
- 4.10 **Council** pertains to the Local Council for the Protection of Children which is established at the provincial, city/ municipal and barangay levels.
- 4.11 **Comprehensive Program Against Child Abuse, Exploitation and Discrimination** refers to the coordinated program of services and facilities to protect children against:
- a. Child prostitution and other sexual abuse
  - b. Child trafficking
  - c. Obscene publications and indecent shows
  - d. Other acts of abuse
  - e. Circumstances which threaten or endanger the survival or normal development of children
- 4.12 **Day Care Center/Child Development Center** is a facility where Day Care Services are provided by an accredited Day Care Worker particularly on the zero (0) to four (4) year age bracket.
- 4.13 **Early Childhood Care and Development (ECCD) System** refers to the full range of health, nutrition, early education and social services development programs that provide for the basic holistic needs of young children from age zero (0) to four (4) years; and to promote their optimum growth and development.

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Local Legislative Secretary

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- 4.14 **United Nations Convention on the Rights of the Child (UNCRC)** refers to the international convention adopted on November 20, 1989 by the United Nations General Assembly, which stresses the rights of children on survival, protection, development, and participation in governance wherein the Philippines became the thirty first (31<sup>st</sup>) State to ratify the Convention on July 26, 1990 by virtue of Senate Resolution No. 109, s. 1990.

**SECTION 5. RIGHTS AND RESPONSIBILITIES OF THE CHILD.**

The rights and responsibilities of the child shall be as follows:

**5.1 Rights of the Children**

- a. All children shall be entitled to the rights herein set forth without distinction as to legitimacy, sex, social status, religion, political antecedents, and other factors.
- b. All children shall possess the following rights as classified into survival, development, protection and participation rights:
  - b.1. Survival rights include the inherent right to life, the right to a name and nationality, the right to identify and those dealing with parental and governmental duties and obligations, adequate and decent standard of living, access to basic health care and services social security and rehabilitation.
  - b.2. Development rights refer to access to educational opportunities and relevant information, play, leisure, cultural activities, and rights to freedom of thought, conscience and religion.
  - b.3. Protection rights cover those rights which guard against the protection of children from all forms of abuses, exploitation and discrimination, right to privacy.
  - b.4. Participation rights pertain to the rights of freedom of expression and to have one's view taken into account, processes, freedom of association and assembly.

**5.2 Responsibilities of Children.** 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 her or his religion, the teaching of her or his elders and mentors, and the bidding of clean conscience.
- b. Love, respect and obey her or his parents, and cooperate with them in the strengthening of the family.

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EDWIN Y. JUBAHIB  
Governor

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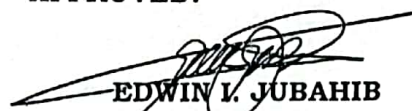
- c. Extend to her or his brothers and sisters love, thoughtfulness, and endeavor with them to keep the family harmonious and united.
- d. Exert her or his utmost potentialities for service, particularly by undergoing a formal education suited to her or his abilities, in order that she or he may become an asset to herself or himself and to the society.
- e. Respect not only her or his elders but also the custom and traditions of her or his people, the memory of her 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 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 II**  
**THE ROLE OF LOCAL GOVERNMENT UNITS**


**SECTION 6. MANDATORY CONSULTATION OF NATIONAL PROJECTS AND COORDINATION WITH NATIONAL GOVERNMENT AGENCIES.** There shall be a mandatory consultation of national projects and coordination with National Government Agencies (NGAs) with regard to the following:

- 6.1. Prior to the implementation of any project by any and all national government agencies, bureaus, offices with regard to children, the express approval by the Governor and the Sanggunian shall be obtained after the holding of the public hearings on the matter.
- 6.2. In the full implementation of this Code and the overall development of all children within the locality, local programs, projects and activities shall be coordinated with, as far as practicable, national government agencies concerned.

**APPROVED:**

  
**EDWIN I. JUBAHIB**  
Governor

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AUG 10 2022

**SECTION 7. ROLE AND DUTY OF THE LOCAL CHIEF EXECUTIVE.**

The following shall comprise the role and duty of the Local Chief Executive (LCE) concerning the implementation of this Code:

- 7.1 The Local Chief Executive, for and on behalf of the Local Government, shall be principally responsible for the implementation of this Code and the attainment of its avowed objectives, provided, that in addition to the duties delegated to and possessed by the Local Chief Executive, she/he is hereby authorized and directed to cause the full implementation of this code as well as to exercise those powers necessary, appropriate, incidental or essential for the promotion of the survival, development, protection and participation of children in particular, and the general welfare.
- 7.2 In the regulation of establishments, enterprises, projects and activities which are subject to the authority of the Local government, the Office of the Chief Executive shall take into account this code in the issuance or cancellations of permits and licenses including renewals thereof, or rejection of applications. The Local Chief Executive shall be further authorized, after due notice, hearing, investigation to order and cause the closure of non-complying establishments and enterprises.
- 7.3 The Local Chief Executive is hereby authorized to enter into inter-local government cooperative arrangements with nearby local governments for mutual benefit and in furtherance of the rights of children in such local governments.

**SECTION 8. ROLE OF THE SANGGUNIAN LEGISLATIVE COMMITTEE ON CHILDREN.** In addition to the standing and special committee of the Sanggunian, there shall be created a Committee of Children composed of chairperson, and the president of the federation of the Sangguniang Kabataan and other three (3) Sanggunian members thereof.

- 8.1 The Committee shall have the following functions and responsibilities:
  - a. Formulate, consider and deliberate on proposals, measures and bills affecting children, their survival, protection, development and participation.
  - b. Conduct periodic public hearings and consultation with appropriate organizations and agencies involved in children.
  - c. Receive, process reports and recommendations and dialogue with the Provincial Council for Children.

**APPROVED:**

  
**EDWIN V. JUBAHIB**  
Governor

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Local Legislative Staff Officer III

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**SECTION 9. CREATION OF LOCAL COUNCIL FOR THE PROTECTION OF CHILDREN.** There shall be created a Local Council for Protection of Children (LCPC) at various levels with the composition and functions as provided herein:

9.1 **Creation of Local Council for the Protection of Children.** There shall be established a Local Council for the Protection of Children at the provincial, city/municipal and barangay level.

9.2 **Composition of the Provincial Council for the Protection of Children:**


- a. Provincial Governor, as Chairperson
- b. Chairperson, Committee on Women, Children and Family Relations
- c. Provincial Planning and Development Coordinator
- d. Provincial Social Welfare and Development Officer
- e. Provincial Treasurer
- f. Provincial Health Officer
- g. Provincial Agriculturist
- h. Schools Division Superintendent of Department of Education (DepEd)
- i. Provincial Prosecutor and City Prosecutor
- j. Sangguniang Kabataan Provincial Federation (SKPF) President
- k. Three (3) accredited or registered Civil Society Organizations
- l. Child representative
- m. Federation of the Association of Barangay Councils (FABC) President
- n. Provincial Accountant
- o. Provincial Budget Officer
- p. Provincial Director of the Department of the Interior and Local Government (DILG)
- q. Provincial Director of the Philippine National Police
- r. Other agencies

9.3 **Functions of the Provincial Council for the Protection of Children.** The Provincial Council for the Protection of Children shall have the following functions:

- a. All levels of LCPC shall allocate one percent (1%) of the Internal Revenue Allotment (IRA) for the operation and functionality of the council budget sharing.
- b. Provide technical assistance through capacity building for the establishment, reconstitution and strengthening in all levels of Local Council for the Protection of Children.

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Governor

  
**FREDDIE P. RAMOS, JR.**  
Local Legislative Staff Council  
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- c. The Provincial Social Welfare and Development Office shall act as the secretariat of the PCPC and ensure the implementation of functionality indicators.
- d. Take steps to prevent juvenile delinquency and assist parents' children with behavioral problems.
- e. Adopt measures for the health of children.
- f. Conduct capability building projects to increase knowledge and skills in handling children's programs of the City/Municipal/Barangay LCPC.
- g. Encourage the proper performance of the duties and responsibilities of parents and provide learning opportunities on the adequate rearing of children and positive parent-child relationship.
- h. Prepare Annual Work and Financial Plan for children and recommend appropriations to the Sanggunian.
- i. Provide coordinative linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children.
- j. Establish and maintain database on children in the province, city / municipality and barangay.
- k. Advocate for the establishment and maintenance of playgrounds, day care centers and other facilities necessary for child and youth development.
- l. Advocate for the passage of resolutions / ordinances responsive to child-related issues and concerns and ensure the inclusion of children's program in the executive agenda.
- m. Protect and assist children in need of special protection (e.g. abandoned, maltreated and dependents) and refer cases filed against child abuses to proper agencies/institutions.
- n. Include in the intervention for the children the following services, through the PSWDO: medical and financial assistance for children who are victims of abuse and children in crisis situation.
- o. Monitor situational reports on children and prepare quarterly update, and dividing the implementation of children's program and make recommendations.
- p. Ensure the functionality of the LCPC and the conferment of the Local Government Unit (LGU) to Seal of Child Friendly Local Governance.
- q. LGUs shall allocate a substantial amount for programs and projects of the local councils for the protection of children (LCPC) pursuant to Republic Act No. 9344 or the Juvenile Justice and Welfare Act of 2006.
- r. The Council shall within six (6) months, for the effectively of this Code, shall formulate a comprehensive program for children for the full and integrated implementation of this code, this program shall be likewise incorporated in the Provincial Development Plan.

**APPROVED:**

  
**EDWIN I. JUBAHIB**  
 Governor

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 Local Legislative Staff  
 AUG 10 2022



s. Meeting of the council shall meet at least once every quarter.

9.4 **Composition of the Municipal/City Council for the Protection of Children.** Members of the City/Municipal LCPC shall include but not limited to the following agencies/units or offices, and other agencies it deems important depending on the current specific situation/problems of the locality:

- a. City/Municipal Mayor, as Chairperson
- b. Chairperson of the Sangguniang Panlungsod/Bayan Committee on Women and Family Affairs, as Co-Chairperson
- c. City/Municipal Planning and Development Coordinator
- d. City/Municipal Social Welfare and Development Officer
- e. City/Municipal Treasurer
- f. City/Municipal Health Officer
- g. City/Municipal Agriculturist
- h. Respective Schools Division Superintendent of DepEd
- i. City or Municipal Prosecutor
- j. Sangguniang Kabataan City/Municipal Federation President
- k. Three (3) accredited and registered Civil Society Organizations
- l. Child representative
- m. City/Municipal Federation of the Association of Barangay Councils President
- n. City/Municipal Accountant
- o. City/Municipal Budget Officer
- p. City/Municipal Local Government Operations Officer of the Department of the Interior and Local Government (DILG)
- q. Philippine National Police–Women and Children Protection Desk (WCPD) Officer

9.5 **The City/Municipal LCPC shall have the following functions:**

- a. Formulate plans programs and policies for children that are gender fair, culturally relevant and responsive to the needs of children from zero (0) to below eighteen (18) years of age.
- b. Prepare Annual Work and Financial Plan (AWFP) for children for incorporation in the LGU Annual Budget;
- 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. Recommend local legislation promoting child survival, protection, participation and development, and with appropriate funding support.

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Local Legislative Staff Officer III

  
**EDWIN V. JUBAHIB**  
Governor

- f. Conduct capability building programs enhance knowledge and skills in handling children's programs.
- g. Monitor and evaluate the implementation of the children's program and submit quarterly status reports to the chairperson of LCPC.
- h. Perform such other functions as provided for in Republic Act No. 8990 or the Early Years Act of 2013 and other child related laws.

9.6 **Composition of Barangay Council for the Protection of Children (BCPC).** The composition of which shall be determined by the council depending on the needs and circumstances in the area. The BCPC shall be composed of the following:

- a. Punong Barangay – Chairperson
- b. Sangguniang Barangay Chairperson, Committee on Women and Children
- c. Barangay Nutrition Scholar
- d. Day Care Workers/Child Development Workers
- e. Barangay health nurse/midwife
- f. DepEd Principal/Teacher In-Charge
- g. Chief, Barangay Tanod
- h. Sangguniang Kabataan Chairperson
- i. Child/Youth Representative
- j. Parent Teachers and Community Association (PTCA) President
- k. Accredited or registered Civil Society Organizations (CSO)
- l. Church based-groups
- m. Other organizations

9.7 **The BCPC shall have the following functions:**

- a. Fosters education of every child in the barangay by ensuring that every child in the barangay acquires at least an elementary education).
- b. Encourages the proper performance of the duties of parents and provide learning opportunities on the adequate rearing of children and on positive parent-child relationships.
- c. Reports all cases of child abuse to the proper authorities.
- d. Protects and assist abandoned, maltreated and abused children and facilitate their cases filed against child-abusers.
- e. Prevents child labor in their area and to protect working children from abuse and exploitation.
- f. Takes steps to prevent juvenile delinquency and to assist children with behavioral problems.

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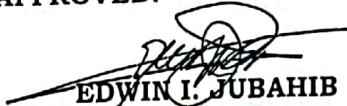
  
**EDWIN Z. JUBAHIB**  
 Governor

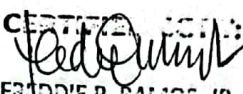
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**AUG 10 2022**



- g. Adopts measures to promote the health and nutrition of children.
- h. Promotes the opening and maintenance of playgrounds and day care centers and other services that are necessary for child and youth welfare.
- i. Secures the cooperation of organizations devoted to the welfare of children and coordinate their activities.
- j. Promotes wholesome entertainment in the community.
- k. Assists parents whenever necessary in securing expert guidance counseling from the proper governmental or private welfare agencies.
- l. Advocates for the passage of child-friendly barangay ordinances in response to child-related issues and concerns.
- m. Prepares the barangay plans of action for children which address the needs of children in the community and ensure their integration into the Barangay Development Plan and implementation by the barangay.
- n. Submits quarterly barangay accomplishment reports on the implementation of the plan to the City/Municipal LCPC (C/MCPC).
- o. Holds classes and seminars on the proper rearing of children. It shall distribute to parents available literature and other information on child guidance.
- p. Takes custody of the child in conflict with the law who is found to be fifteen (15) years of age or below if the parents, guardians or nearest relatives of the child cannot be located, or if they refuse to take custody of the said child.
- q. Be present in the initial investigation of the child in conflict with the law in the absence of the child's parents, guardian, or nearest relative, and the City/Municipal Social Welfare and Development Office.

**APPROVED:**

  
**EDWIN I. JUBAHIB**  
 Governor

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 AUG 10 2022

**ARTICLE III  
PARTICIPATION RIGHTS OF CHILDREN**

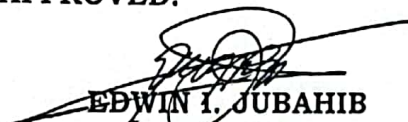
**SECTION 10. RIGHTS TO OPINION.** In accordance with Article 13 of the United Nations Convention on the Rights of the Child, the following shall be the Rights to Opinion as expressed in this Code:


- 10.1 Children in the family, school, community or organization shall be heard. The right to express her or his opinion freely and to have such opinion taken into account in any matter or procedure affecting the child shall be protected and implemented;
- 10.2 Children either directly or through their parents or representative shall be convened or assembled, at least once a year, in order to be consulted and heard. A status of the implementation of this Code shall be presented herein;
- 10.3 Children either directly or through their parents or representative shall be convened or assembled, at least once a year, in order to be consulted and heard. A status of the implementation of this Code shall be presented herein.

**SECTION 11. RIGHTS TO PARTICIPATION IN ACTIVITIES THAT HARNESS THEIR POTENTIALS.** Parents, Schools, Barangays, Religious Sectors, Municipal, City and Provincial Local Government Unit (LGU) are encouraged to allow their children to join and participate in school activities like scouting, school organizations, sports of interest, competitions in arts, sciences and other social and cultural activities that will develop their well-being.

- 11.1 **Youth Associations** as used in this code, shall refer to any club, organization or association of individuals below 18 years of age which is directly or indirectly involved in carrying out child and youth welfare programs and activities. All youth organizations shall enjoy the same rights and discharge the same responsibilities as civic associations as may be permitted by law.
- 11.2 **The barangay, city/municipal and provincial LGU shall support the organizational development of Pag-asa Youth Association of the Philippines (PYAP).**

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11.3 **Students Organizations.** All students' organization in public and private schools shall include in their objectives and cultivation of harmonious relations among their members and with the various segments of the community. Likewise, the City/Municipal Government shall assist and support children with exceptional talents in singing, dancing, sports and academic intelligence to excel in the field.

**ARTICLE IV  
PROTECTION RIGHTS OF THE CHILD**

**SECTION 12. CHILD PROSTITUTION AND OTHER SEXUAL ABUSE.** 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 group, indulge in sexual intercourse or lascivious conduct, are deemed to be children exploited in prostitution and other sexual abuse and shall be protected therefrom.


12.1 The following prohibited acts shall be penalized:


12.1.1. Those who engage in or promote, facilitate or induce child prostitution, which include, but not limited to the following:

- a. Acting as a procurer of a child prostitute
- b. Inducing a person to be client of a child prostitute by means of written or oral advertisement or other similar means
- c. Taking advantage of influence or relationship to procure a child as prostitute
- d. Threatening or using violence towards a child to engage her/him as a prostitute
- e. Giving monetary consideration, good or other pecuniary benefit to a child with intent to engage such child prostitution

12.2 Those who derive profit or advantage therefor, whether as manager or owner of the establishment where the prostitution takes place or the owner or the sauna, disco, bare resort, place of entertainment or establishment servings as a cover or which engages in prostitution in addition to the activity for which the license has been issued to said establishment.

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**SECTION 13. CHILD TRAFFICKING.** Measures shall be undertaken to protect children from acts or any attempt at child trafficking.

13.1 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 or her/his services for money or any other consideration or barter shall be penalized.

13.2 Any attempt to commit child trafficking shall likewise be penalized:

13.2.1. When a child travels alone to a foreign country without valid reason thereof and without clearance issued by the Department of Social Welfare and Development Office (DSWDO) or written permit or justification from the child's parents or legal guardian;

13.2.2 When a person agency, establishment or child-caring institution recruit women or couples to bear a child for the purpose of child trafficking;

13.2.3 When doctor, hospital or clinic official or employee, nurse, midwife, local civil registrar or any other person simulates birth for the purpose of child trafficking; or when a person engages in the act of finding children among low-income families, hospitals, clinics, nurseries, day-care centers, or other child-rearing institution who can be offered for the purpose of child trafficking.

**13. 3. TRAVELLING MINORS**

13.3.1 For Domestic travel, children/minors are not allowed to travel alone to and from Davao del Norte without valid reason or without clearance issued by the Punong Barangay or permit to travel certification coming from the Local Social Welfare and Development Office (LSWDO).

13.3.2 If the traveling minor/child belong to Indigenous Peoples, the travel clearance must be secured from Barangay, Municipal Tribal Office and LSWDO.

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**13.3.3 The following are the reasons as to the requirement of permit to travel:**

- a. Protect the child from abuse & exploitation
- b. Prevent child trafficking
- c. Ensure that the travelling companion is duly authorized and support minor's needs while under her/his custody

**13.3.4 A child/minor, a person below eighteen (18) years old, who is required to secure permit to travel and travelling in any of the following circumstances:**

- a. Travelling alone
- b. Travelling with a person other than anyone of her/his parents or those exercising parental authority and legal custody of the child

A child travelling with both her/his parents is not required to secure permit to travel as long as there is available document to prove that minor's company is her/his parents.

**13.3.5 The following are the persons who can file for permit to travel:**


- a. Minor below eighteen (18) years old
- b. Minor's parents or legal guardian
- c. Minor's travelling companion
- d. Authorized representative of parent/legal guardian

**13.3.6 Requirements for Securing Permit to Travel.**

- a. Birth Certificate of the minor (original & photocopy)
- b. Barangay Clearance issued by the Punong Barangay (stating that the barangay has knowledge of the travel plans of the minor)
- c. Written parental consent attested by the Punong Barangay
- d. If no parents, the consent shall be made by the grandparents or the eldest sibling attested by the Punong Barangay
- e. Identification Card of minor (original and photocopy)

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**SECTION 14. OBSCENE PUBLICATIONS AND INDECENT SHOWS.** Publications and/or shows portraying obscenity or indecency involving children shall be prohibited.

14.1 Any person who will hire, employ, use, persuade, induce or coerce a child to perform in obscene exhibitions and indecent shows, whether live or in video, or model in obscene publications or pornographic materials or to sell or distribute the said materials shall be penalized.

14.2 Any ascendant, guardian, or person entrusted in any capacity with the care of a child who shall cause and/or allow such child to be employed or to participate in an obscene play, scene, act, movie or show or in any other acts covered by this section shall likewise be penalized.

**SECTION 15. OTHER ACTS OF NEGLIGENCE, ABUSE, CRUELTY OR EXPLOITATION AND OTHER CONDITIONS TO THE CHILD'S DEVELOPMENT.** The following acts of neglect, abuse, cruelty or exploitation and other conditions detrimental to the child's development shall be prohibited and penalized:

15.1 Any person including the parents of a child who shall use, coerce, force or intimidate a child or any other child under the following circumstances shall be penalized:

- a. Conceal or abandon the child with intent to make such child lose his civil status.
- b. Abandon the child under such circumstances to deprive of love, care and protection she/he needs.
- c. Sell or abandon the child to another person for valuable consideration.
- d. Neglect the child by not giving her/him the education which the family's status in life and financial condition permit.
- e. Fail or refuse, without justifiable grounds, to enroll the child as required by law.
- f. Cause, abate or permit the truancy from the school he is enrolled. "TRUANCY" as here used means absence without cause for more than twenty school days, not necessarily consecutive.
- g. Exploit the child using her/him, directly or indirectly such as for purposes of begging and other acts, which are inimical to her/his interest and welfare.
- h. Inflict cruel and unusual punishment upon the child or deliberately subject her/him to indignation and other excessive chastisement that embarrass or humiliate her/him.

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- i. Cause or encourage the child to lead an immoral or dissolute life.
- j. Permit the child to possess, handle or carry a deadly weapon regardless of its ownership.
- k. Allow or require the child to drive without license or with license which the parent knows to have been illegally procured.
- l. Cause or allow a child to act as conduit or middlemen in drug trafficking or pushing.
- m. Cause, participate direct a child in the conduct of illegal activities shall be penalized.

15.2 The following acts shall be prohibited:

- a. Minors are prohibited from buying, ordering, serving or drinking beer, liquor, coconut wine and other intoxicating beverages as well as buying and smoking cigarettes and other tobacco products from wholesale, retail, grocery, or convenience stores and all other business establishments in Davao del Norte.
- b. Persons of legal age are prohibited from instructing, ordering, sending on an errand or co-opting any minor, to buy, order or drink beer, liquor, coconut wine and other intoxicating beverages as well as to buy, order or smoke cigarettes and other tobacco products from wholesale, retail, grocery or convenience stores and all other business establishments in Davao del Norte.
- c. All wholesale, retail, grocery or convenience stores as well as all other business establishments in the Davao del Norte are prohibited from selling or serving beer, liquor, coconut wine and other intoxicating beverages as well as cigarettes and other tobacco products to any child;
- d. For this purpose, all wholesale, retail, grocery or convenience stores as well as all other business establishments in the city are mandated to determine the age of their would-be buyers by requiring them, whenever necessary, by reason of their looks and appearance, to present their identification cards, such as School ID, Employee ID, other Government-issued ID or Community Tax Certificate before selling or serving to them beer, liquor, coconut wine and other intoxicating beverages as well as cigarettes and other tobacco products.

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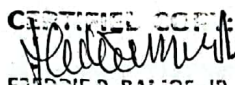
- 15.3 Penalty. Violations of the aforementioned provision shall be punished by imprisonment, not exceeding one (1) year, or a fine not exceeding Five Thousand Pesos (P5,000.00) or both at the discretion of the court.
- a. Violation of paragraph A, minor shall undergo intervention program – at the barangay and LSWDO;
  - b. Violation of paragraph b and c shall be punished by imprisonment, not exceeding one (1) year, or a fine not exceeding Five Thousand Pesos (P5,000.00) or both at the discretion of the court.

**SECTION 16. SANCTIONS OF ESTABLISHMENT OR ENTERPRISE WHICH PROMOTES, FACILITATES OR CONDUCTS ACTIVITIES CONSTITUTING CHILD PROSTITUTION AND OTHER SEXUAL ABUSE CHILD TRAFFICKING, OBSCENE PUBLICATIONS AND INDECENT SHOWS AND OTHER ACTS OF ABUSE.** The following sanctions shall be imposed to establishments or enterprises which violate the provisions of Article IV of this Code:

- 16.1 All establishments and enterprises which promote or facilitate child prostitution and other sexual abuse, child trafficking, obscene publications and indecent shows and other acts of abuse shall be immediately closed and their authority or license to operate shall be cancelled subject to due process requirements, without prejudice to the owner or manager their being prosecuted under this Code and/or the Revised Penal Code as amended or special laws.
- 16.2 After a judicial determination of the culpability of the owners, managers, employees and agents of said establishment or enterprises, a sign with the word "OFF LIMITS" shall be conspicuously displayed outside the establishment or enterprises for such period which shall not be less than one (1) year, as the Council may determine.
- 16.3 An establishment shall be deemed promoting or facilitating child prostitution and other sexual abuse child trafficking, obscene publications and indecent shows, and other acts of abuse if the acts constituting the same occur in the premises of the said establishment under this code. An enterprise such as sauna, travel agency or recruitment agency which promotes the aforementioned acts as part of a tour for foreign tourist, exhibits children in a lewd or indecent show provides child masseurs shall be deemed to have committed the acts penalized herein.

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**SECTION 17. EMPLOYMENT OF CHILDREN.** In accordance with Republic Act No. 9231 entitled: "An act providing for the elimination of the worst forms of child labor and affording stronger protection for the working child, amending for this purpose Republic Act No. 7610, as amended, otherwise known as the 'Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act'", all local government units in the Province of Davao del Norte shall put in place mechanisms to prevent children from engaging with any hazardous work and activities.


17.1 Children below fifteen (15) years of age shall not be employed except:

- a. When a child works directly under sole responsibility of his parents or legal guardian and where only members of the employer's family are employed, provided however, that his employment neither endangers his life, safety, health and morals, nor impairs his normal development provided further that the parent or legal guardian shall provide the said minor child prescribed primary and / or secondary education.
- b. Where a child's employment or participation in public entertainment of information through cinema, theatre, radio television is essential, provided the employment contract is concluded by the child's parents or legal guardian with the express agreement of the child concerned if possible and the Office of the Provincial Governor, and provided that the following requirements in all instances are strictly complied with:
  - i. The employer shall ensure the protection, health, safety, morals and normal development of the child.
  - ii. The employer shall institute measures to prevent the child's exploitation or discrimination taking into account the system and the level of remuneration, and the duration and arrangement of working.
  - iii. The employer shall formulate and implement, subject to the approval and supervision of competent authorities, continuing program for training and skill acquisition of the requirements.

In the above exceptional cases where any such child may be employed, the employer shall first secure, before engaging such child a work permit from the Department of Labor and Employment and the Office of the Provincial Governor, which shall ensure observance of the child's rights and protection.

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17.2 Worst forms of Child Labor:

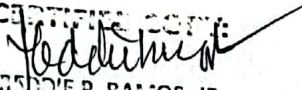
- a. All forms of slavery, as defined under Republic Act No. 9208 or the "Anti-Trafficking in Persons Act of 2003" as expanded by Republic Act No. 10364", or practices similar to slavery such as sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor including recruitment of children for use in armed conflict under Republic Act No. 11188 otherwise known as the "Special Protection of Children in Situation of Armed Conflict Act".
- b. The use, procuring, offering or exposing of a child for prostitution, for the production of pornography or for pornographic performance.
- c. The use, procuring or offering of a child for illegal or illicit activities, including the production and trafficking of dangerous and volatile substances prohibited under existing laws.
- d. Work which, by its nature or circumstances in which it is carried out, is hazardous or likely to be harmful to the health, safety or morals of children.

17.3. Regulations

- a. Upon renewal of permit of business establishments and registration of other form of businesses, the owners must undergo orientation/refresher of the salient provisions of Republic Act No. 9231, Child Labor 101 and related laws and regulations to be conducted by Department of Labor and Employment (DOLE) and/or Local Government Unit covering the business establishments.
- b. Functional referral and reporting mechanism and emergency hotlines be made available in localities (LGUs - barangay and municipality/city) where there are established plantations, mining and quarrying operations, fishing communities, landfill, computer shops and other related businesses that posed hazards and to the safety and well-being of children.

**SECTION 18. CHILDREN IN CONFLICT WITH THE LAW (CICL) AND CHILD AT RISK (CAR).** The Province of Davao del Norte shall adopt measures to ensure that the rights of CICL are upheld and protected by all levels of the local government units in compliance with the provisions of the Juvenile Justice and Welfare Act of the Philippines based on Republic Act No. 9433 and Republic Act No. 10630. The following must be ensured in handling CICL:

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- a. Formulate a Comprehensive Juvenile Intervention Program.
- b. Ensure that a CICL shall only be searched by a law enforcement officer of the same gender and shall not be locked up in a detention cell.
- c. Ensure that should detention of a CICL be necessary, the child is secured in quarters separate from that of the opposite sex and adult offenders.
- d. Establish residential facility for a girl and boy CICL that will take charge in the diversion program and reintegration of children
- e. Ensure the establishment of community-based intervention and diversion programs for CICL which shall be instituted by the local government units through the LCPC, school, youth organizations and other concerned agencies.

18.1 All level of local government units in Davao del Norte shall establish mechanisms to advocate the preventive measures, rehabilitation and reintegration of children who are at risk and have been a stray so that, they too, can look at the future with hope and enthusiasm. Children at Risk (CAR) refers to children who are vulnerable to and at risk of behaving in a way that can harm themselves or others, or vulnerable and at risk of being pushed and exploited to come into conflict with the law because of personal, family and social circumstances, such as, but not limited to, the following:

- a. Being abused by any person through sexual, physical, psychological, mental, economic or any other means, and the parents or guardians refuse, are unwilling, or unable to provide protection for the child
- b. Being exploited sexually or economically
- c. Being abandoned or neglected, and after diligent search and inquiry, the parents or guardians cannot be found
- d. Coming from a dysfunctional or broken family or being without a parent or guardian
- e. Being out of school
- f. Being a street child
- g. Being a member of a gang
- h. Living in a community with a high level of criminality or drug abuse
- i. Living in situations of armed conflict

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**SECTION 19. CHILDREN'S PROTECTION IN TIMES OF EMERGENCIES OR DISASTERS.** The following must be ensured that children shall be given first priority in the delivery of services:


- 19.1 All efforts shall be exerted to ensure that children are not separated from their parents/family. In case of separation, the reunification of children with their parents/family shall be given utmost priority and immediate attention.
- 19.2 Establishment of Child Friendly Space (CFS) in evacuation centers to provide young people with a safe place to play, participate in activities, learn about their rights to health and protection, and healing from trauma they experienced.
- 19.3 Establishment of Women Friendly Space (WFS) in evacuation centers where females can go to at any time to feel safe and empowered and have access to information, education, recreational activities, support and services. These are often integrated spaces offering a range of services including resources, information, social networks, etc. WFS are safe spaces for women and girls in the community, culturally-appropriate and tailored to the context.

**SECTION 20. CURFEW HOUR FOR MINORS.** Curfew hours is hereby imposed on minors by the local government units to further protect them and keep them from any form of harm and abuse and keep them from getting involved in crimes and other illegal activities. Curfew hours shall be subject to the discretion of the local government units. The measure will use the enforcement procedure prescribed by the Juvenile Justice Welfare Act of 2006 when taking in custody the minors who will be caught violating the curfew.

**SECTION 21. RESIDENTIAL FACILITIES.** Establishment and operation of residential care facilities for women and children managed by the Provincial Government of Davao del Norte. The facilities are operated under the guidance of trained staff where residents are cared for under a structured therapeutic environment with the end view of reintegrating them into their families and communities as socially functioning individuals. Physical mobility of residents of said centers may be restricted pending court disposition of the charges against them.

- 21.1 **Bahay Pag-asa for Children in Conflict with the Law.** This residential facility is operated by the Provincial Government under the PSWDO which refers to a 24-hour child-caring institution established, funded and managed by the province and licensed and/or accredited non-government organizations (NGOs) providing short term residential care for children in conflict with the law who are above fifteen (15) years but below eighteen (18) years of age who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction pursuant to Republic Act No. 9344 the Juvenile Justice Welfare Act.

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- 21.2 **Women/Children Development Center** is a residential care facility for women and children in crisis situation managed and operated by the provincial government. WDC provides women with gender-responsive case management and appropriate services such as, but not limited to, temporary shelter, psychosocial support and healing sessions, medical services, self-enhancement sessions, counseling services, legal assistance, escorting of clients during court hearing and referral to concerned agencies for other appropriate interventions;
- 21.3 **Child Minding Center.** Provincial Government of Davao del Norte shall establish and operate a childminding center. The parent(s)/guardian(s) must be a working-solo parent or both parents working with no responsible adult left in the home, or with no sufficient income to hire a nanny;
- 21.4 **Luntiang Paraiso Regional Rehabilitation Center (LPRRC)** is a drug and alcohol treatment residential facility established in New Corella, Davao del Norte managed and operated by the Provincial Government and administered by skilled and trained staff and personnel. The facility helps patients change and be rehabilitated;
- 21.5 **Balay Panaghiusa/Halfway House for Former Rebels and Children in Situation of Armed Conflict.** The halfway house will serve as a temporary shelter for former rebels and rescued children involved in armed conflict while their documents (as beneficiaries of the government's Enhanced Comprehensive Local Integration Program or E-CLIP) are being processed. This will also be a training facility for the FRs and CSAC prior to their reintegration to their families and communities;
- 21.6 **Balay Silangan.** The Balay Silangan Reformation Program provides intervention for small-time drug offenders who are neither users nor dependents. This is a new approach aimed to address the surge of drug offenders who surrendered and availed of the plea bargain since there was no institutionalized intervention for the program's intended clients. The program is adopted based on the Dangerous Drugs Board Regulation.

**SECTION 22. INTER-AGENCY COUNCIL AGAINST TRAFFICKING VIOLENCE AGAINST WOMEN AND CHILDREN (IACAT-VAWC).** All local government units in Davao del Norte shall establish IACAT-VAWC which shall be headed by the local chief executive. It aims to establish a referral system at the local government level to have an integrated and coordinated community response to victims of violence against women and children (VAWC) and human trafficking.

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22.1 The IACAT-VAWC shall also ensure that all levels of local government units shall provide free access of, but not limited to the following, for the children who are witnesses, victims, or accused in a criminal case or witnesses in non-criminal proceedings:

- a. Psychiatric/psycho-social assistance
- b. Free interpretation services for speech and / or hearing impaired in court proceedings
- c. Access to lawyer/legal representatives
- d. Financial and medical assistance

**SECTION 23. THE ROLE OF MASS MEDIA.** The mass media shall play an active role in the promotion of child rights, and delinquency prevention. Media practitioners shall, therefore, have the duty to maintain the highest critical and professional standards in reporting and covering cases of children.

Further, the mass media shall be aware of their extensive social role and responsibility as well as their influence, in communications relating with the children. They should use their power to protect the rights of children by relaying consistent message through a balanced approach. Protect the rights of children by using the principle of confidentiality in all cases involving children. Special attention shall also be given to effective anti-drug awareness campaigns and delinquency prevention.

**SECTION 24. THE ROLE OF THE PHILIPPINE NATIONAL POLICE.** The PNP based in the city and municipality shall ensure police visibility in places frequented by children especially in the evening to provide protection and immediate assistance in case of harmful situations. The PNP shall take charge in the preparation of investigation report and endorse to the Prosecutor's Office for conduct of inquest or preliminary investigation through the Women's and Children's Desk Officer and actively participate in the Local Council for the Protection of Children (LCPC).

24.1 The PNP shall also conduct and facilitate advocacy and awareness raising on child, women and family protection.

**SECTION 25. CHILD-FRIENDLY JUSTICE SYSTEM.** The Province of Davao del Norte shall endeavor to support the judicial system in creating and maintaining an environment that will allow children to give reliable and complete evidence, minimize trauma to children, encourage children to testify in legal proceedings, and facilitate the ascertainment of truth. Relative thereto, the following endeavors shall be ensured:

25.1 Lawyer/legal representatives must at all times support the legal assistance for the children victims of all forms of abuse.

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- 25.2 Provide access to free interpretation services for speech and/or hearing-impaired children who are witnesses, victims, or accused in a criminal case or witnesses in non-criminal proceedings.

**SECTION 26. THE ROLE OF THE ARMED FORCES OF THE PHILIPPINES (AFP).** In support to the Republic Act No. 11188, an act providing for the Special Protection of Children in situations of Armed Conflict and providing penalties for violations thereof, the Armed Forces of the Philippines through its Units operating within Davao del Norte shall implement activities that will prevent the recruitment of and use of children in armed conflict; provide effective protection and relief to all children in situations of armed conflict.

Further, the AFP in possession of the CIAC shall report immediately within twenty-four (24) hours the incident to the LSWDO concerned, Local Council for the Protection of Children (LCPC) and Council for the Welfare of Children (CWC).

#### **ARTICLE V SURVIVAL RIGHTS OF CHILDREN**

**SECTION 27. PRIMARY HEALTH CARE.** The local government shall implement a primary health care program which shall be provided for children; provided, however that in case of abused, neglected or exploited children, such consent shall not be required. Primary health care services include:


- 27.1 Health Education;
- 27.2 Mandate of New Born Screening;
- 27.3 Treatment of Locally Endemic Diseases;
- 27.4 Expanded Program on Immunization;
- 27.5 Maternal and Child Health;
- 27.6 Provision of Essential Drugs;
- 27.7 Nutrition;
- 27.8 Treatment of communicable and non-communicable diseases;
- 27.9 Safe water and good waste disposal.

**SECTION 28. MAINTENANCE OF HEALTH CENTERS.** Provincial, City, and Municipal and Barangay shall take appropriate measures:

- 28.1 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 food and safe drinking water, taking into consideration the dangers and risk of environmental pollution.

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- 28.2 To establish a comprehensive parent's orientation development program which includes courses on reproductive health, Human Immunodeficiency Virus (HIV)/ Acquired Immune Deficiency Syndrome (AIDS), child health and child rearing practices in the context of Filipino Psychology;
- 28.3 To conduct massive information and education on breastfeeding utilizing existing reference materials for effective breastfeeding edification program.

**SECTION 29. NUTRITION PROGRAM.** The Province of Davao del Norte shall promote good nutrition for children and towards this, it shall establish and implement the following:

- 29.1 Community-based and in-school feeding program for children;
- 29.2 Nutrition education program for parents, which includes the promotion of the use of iodized salt in every household.
- 29.3 Breastfeeding program for nursing mothers to ensure that infants are exclusively breastfed.
- 29.4 Provision of adequate nutritious food and access to clean drinking water for all children, taking into consideration the dangers and risks of environmental pollution.
- 29.5 Regulation of the scale of food in public and private elementary and high school levels to ensure that schools sell nutritious food and beverage to children.
- 29.6 Deworming, follow-up monthly weighing.
- 29.7 Monitoring of children with stunted growth.


**SECTION 30. BIRTH REGISTRATION.** A system shall be established in the city/municipal local government unit to ensure the one hundred percent (100%) registration of births in the Province of Davao del Norte to guarantee the right of the child to identity. Further, the LCE through the Local Civil Registrar must ensure registration of all children especially the Indigenous Peoples (IP) children.

**SECTION 31. INTEGRATED HEALTH SERVICE FOR CHILDREN WITH SPECIAL NEEDS.** All local government units in the Province of Davao del Norte shall provide an integrated health service for children with disabilities which shall include the prevention of disability through immunization, nutrition, environmental protection, early detection of disability and timely intervention to arrest disabling condition and medical treatment and rehabilitation.

The Province shall ensure the setting up of Hospital-Friendly Hospitals. All hospitals within the territorial jurisdiction of Davao del Norte shall set-up friendly policies, services and units to include establishment of Women and Children Protection Units (WCPU).

**APPROVED:**

  
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**SECTION 32. FOSTER CARE PROGRAM.** City and Municipal Local Government units through its Local Social Welfare and Development Office (LSWDO) shall ensure the promotion of Foster Care Program that caters the process of provision of planned temporary substitute parental care to a child by a foster parent. The LSWD Office shall facilitate the requirement to register/license the foster homes/families as required by Republic Act No. 10165 otherwise known as the Foster Care Act of 2012.

**SECTION 33. PROTECTION OF CHILDREN IN TIMES OF PANDEMIC.** For health protection, children and their families are prohibited from caroling/mendicancy activities especially during Christmas season.

## **ARTICLE VI DEVELOPMENT RIGHTS OF CHILDREN**

**SECTION 34. EARLY CHILDHOOD CARE AND DEVELOPMENT (ECCD) PROGRAM.** The Province of Davao del Norte Province shall ensure to support the ECCD program through the following initiatives:

- 34.1 Establishment of Child Development Center (formerly known as Day Care Centers). There shall be a day care center/child development center, managed by an accredited day care worker/child development worker, established in every barangay in the province to ensure a total development and protection of child program as provided by Republic Act No. 6972.
- 34.2 Support to Child Development Workers and Support Group. Provincial/City/Municipal LGU/Barangay shall provide incentives and benefits for Child Development Workers/Teachers. Technical assistance through trainings and capacity building activities shall be provided by the Local Social Welfare and Development Office.
- 34.3 A Community Volunteer Parents Group shall be organized to be an effective support group to the center. The volunteer group shall help mobilize resources for the improvement of the center, acquisition of more learning materials and play equipment and other support activities.


**SECTION 35. ACCESS TO QUALITY PRIMARY AND SECONDARY EDUCATION.** The local government units of Davao del Norte recognize the right of every child to education, with a view to achieving this right progressively and on the basis of equal opportunity, it shall, in particular:

- 35.1 Establish and maintain a system of free public education in the elementary and high school levels..

**APPROVED:**

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**FREDDIE P. RAMOS, JR.**  
Local Legislative Secretary

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**EDWIN I. JUBAHIB**  
Governor

- 35.2 Develop different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need.
- 35.3 Make educational and vocational information and guidance available and accessible to all children.
- 35.4 Take measures to encourage regular attendance at schools and the reduction of drop-outs..
- 35.5 Ensure that children with disabilities are provided with access to quality education and ample opportunities to develop their skills. Learning institutions shall take into account their special needs with respect to the use of school facilities, class schedules, physical education requirements, provision and auxiliary services and other pertinent considerations.

**SECTION 36. LEISURE, SPORTS, CULTURE.** Local Government Units of Davao del Norte shall respect and promote the rights of the child to participate fully in cultural and artistic life and shall provide appropriate and equal opportunities for cultural, sports and recreational and leisure activities. In pursuit therefore, the following must be ensured:

- 36.1 Invest in the production of local literature or other relevant materials for children, especially those made by children.
- 36.2 Ensure the presence of playground/park, sports facilities and other recreational areas for children.
- 36.3 Recognize children who are gifted in sports or performing arts and provide access to resources to further the development of their talents, which may be in the form of grants, subsidies and other incentives.

**SECTION 37. PARENT EDUCATION.** In order to enhance the capacity of parents to raise their children in a healthy, loving and nurturing environment and in a manner that is consistent with the child's normal growth and development, parent education shall be incorporated in the following:

- 37.1 Pre-marriage counselling seminars..
- 37.2 Orientation for parents in the public and private elementary and secondary schools, including but not limited to values formation, seminar on the rights of the children and responsible parenthood
- 37.3 Parent education shall include a reinforcement and expansion of existing training and capacity building programs targeted at parents, such as but not limited to Parent's Effectiveness Seminar (PES); Parents, Teachers and Community Association (PTCA) and incorporate appropriate training modules on children's rights, positive non-violent discipline, child abuse, juvenile justice, character development and values formation.

**APPROVED:**

  
**EDWIN I. JUBAHIB**  
 Governor

**CERTIFIED COPY:**  
  
**FREDDIE P. RAMIREZ, JR.**  
 Local Legislative Secretary



**ARTICLE VII  
PENAL AND FINAL PROVISIONS**

**SECTION 38. GENERAL PENALTY.** The penalty under the Revised Penal Code and Special Laws shall be applicable to any violations of the provisions of this code.

**SECTION 39. INFORMATION DISSEMINATION.** The Provincial Social Welfare and Development Office and Provincial Information Communication, and Knowledge Management Office (PICKMO) in coordination with the Local Council for the Protection of Children (LCPC) are hereby directed to formulate and implement information dissemination program to the general public about this code and cause the printing and distribution of the same.

**SECTION 40. APPROPRIATIONS.** All levels of local government shall appropriate at least one percent (1%) from the Internal Revenue Allotment (IRA) to be incorporated in the Annual Investment Plan to efficiently allocate children's fund for its programs, projects, activities and operation/strengthening of LCPC and to implement this code.

**SECTION 41. SEPARABILITY CLAUSE.** If for any reason/s, any part of provision of this code shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**SECTION 42. REPEALING CLAUSE.** All ordinances, resolutions, executive orders and other issuance/s which are inconsistent with any of the provisions of this code, are hereby repealed or modified accordingly.

**SECTION 43. EFFECTIVITY CLAUSE.** This code shall take effect upon completion of its publication and posting in at least two (2) conspicuous places for a minimum period of three (3) consecutive weeks.

**ENACTED** this 27<sup>th</sup> day of June 2022 at Mankilam, Tagum City, Davao del Norte.

I hereby certify to the correctness of this ordinance.

**DENNIS DEAN T. CASTILLO, MPA**  
(PG Department Head)  
Secretary to the Sanggunian

**ATTESTED:**

**REY T. UY**  
(Vice Governor)  
Regular Presiding Officer

**APPROVED:**

**EDWIN L. JUBAHIB**  
Governor

AUG 03 2022  
Date Signed

**CERTIFIED COPY:**  
**FREDIE P. RAMOS, JR.**  
Local Legislative Secretary

AUG 10 2022