



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City of Mandaluyong

ORDINANCE NO. 706, S-2018

AN ORDINANCE CREATING THE CHILDREN'S WELFARE CODE OF
MANDALUYONG CITY THEREBY AMENDING ORDINANCE
NO. 405, SERIES OF 2008, OTHERWISE KNOWN
AS "AN ORDINANCE CREATING THE MANDALUYONG
CITY CHILDREN'S CODE AND APPROPRIATING FUNDS THEREOF"

BE IT ORDAINED by the Sangguniang Panlungsod of Mandaluyong City,
in session assembled:

ARTICLE I
GENERAL PROVISIONS

SECTION 1. TITLE. This Ordinance shall be known as, "The Children's Welfare
Code of Mandaluyong City".

SECTION 2. DECLARATION OF POLICY. The Mandaluyong City Government
hereby adopts and imposes policies and strategies that would
establish and protect the rights of children. Their survival, protection,
participation and development are given preferential consideration
in all of its government programs.

It is hereby declared that Mandaluyong City shall adopt
the following core principles and policies:

- A. Mandaluyong City shall adopt policies, extend programs and
enacts legislative measures to protect the rights of children to
assistance, including their proper care, nutrition, and special
protection from all forms of neglect, abuse, cruelty, exploitation
and other conditions prejudicial to their development.
- B. Mandaluyong City shall ensure observance of international laws,
instruments, and legal framework concerning children, especially
those to which the Philippines is a party. Mandaluyong City
recognizes the inherent rights of the child in accordance with the
United Nation's Convention on the Rights of the Child, including
all other relevant international instruments specific to children,
and as such, Mandaluyong City adopts policies of international
laws, as part of its laws, in all matters affecting children.
- C. Mandaluyong City shall promote the constitutional provisions to
equally protect the inherent life of the mother and child, including
the life of the unborn child from conception.
- D. Mandaluyong City warrants that children's equal protection rights
are respected without discrimination of any kind, irrespective of the
child's parents, or legal guardian's race, color, sex, gender, language,
religion, political or other opinions, national, ethnic or social origin,
property, disability, birth or status. Services and activities are
likewise designed for the full recognition of the special needs of
children and girls, as well as of children with disabilities and of
indigenous origin.

- E. Mandaluyong City shall uphold the sanctity of family life. It shall protect and strengthen the family as a basic autonomous social institution.

Mandaluyong City hereby adopts policies and enacts measures to preserve and strengthen family ties, including improvement of the home environment. Mandaluyong City shall prioritize necessary measures for assistance and training to families and their children, so that the family can fully assume its full responsibilities within the community to afford their children care and guidance, preferably in their own homes. Policy shall encourage full and harmonious development of the child's character and personality, nurtured and sufficiently cared for in a family environment with an atmosphere of happiness, love, peace and understanding, as will best serve the child's welfare and the interests of society.

- F. Granting the limited role of the state in the family, Mandaluyong City shall consider recourse to intervention only when there is imminent or determinable threat to the child. It shall be the policy of Mandaluyong City to secure any child removed from the custody of his parents, the necessary care, guidance, and discipline and to assist him in becoming a responsible and productive member of society, with the following guarantees:

1. To be placed in a secure and stable environment;
2. To avoid being subjected to indiscriminate removal from foster home to foster home;
3. To have assurance of long-term permanency planning.

- G. Mandaluyong City commits to provide individualized risk-management prevention-oriented prerogatives and comprehensive restorative justice interventions which will make the City an enabling environment for children to grow and develop their full potential, at every stage of development, and where children are protected by a responsive government, free from all forms of abuse, neglect, cruelty, exploitation, discrimination and other conditions prejudicial to their development.

Mandaluyong City shall adopt programs, policies and implementation relative to the administration of individualized preventive models of juvenile justice and restorative juvenile justice system, in its laws, policies, and programs, applicable to children-at-risk and children-in-conflict with the law, including appropriate preventive and rehabilitative facilities, initiatives, interventions, therapy, and diversion programs, devolved to the barangay and community-level.

- H. Mandaluyong City shall stimulate economic development and decent employment opportunities for parents, so that children are averted from the harsh realities of labor and employment, and from becoming prematurely exposed to the Philippine labor workforce, and to avoid exploitation of children in hazardous forms of child labor.

- I. Mandaluyong City shall involve the youth in conservation, and expand the width of its efforts to include our natural resources, environment, culture, heritage, and everything else that through time has become identified with the Filipino people as reflecting our values, beliefs and aspirations.

Mandaluyong City shall educate the children to cultivate love for nature, culture and heritage Policy shall also uphold the legal and moral principle of intergenerational responsibility towards the environment, such that every generation shall recognize its responsibility to the next, to preserve the rhythm and harmony of nature, for the full enjoyment of a balanced and healthful ecology for the children of today and the children of tomorrow.

- J. Mandaluyong City shall promote the spirit of volunteerism and embark on a community-based approach to uphold the rights of the child through the Mandaluyong City Council for the Protection of Children, the Barangay Councils for the Protection of Children, in partnership with volunteers and key stakeholders, including but not limited to families, peers, local communities, non-governmental organizations, people's organizations, civil society, church, private organizations, schools, local government units, national government, mass media, and most importantly, the children.
- K. Mandaluyong City shall protect the children's physical, moral, spiritual, intellectual and social well-being as it promotes the vital role of children and the youth society in nation-building. Mandaluyong City shall inculcate in the youth patriotism and nationalism, and encourage their involvement in public and civic affairs.
- L. Mandaluyong City shall apportion the necessary resources, budget and funding, devolved to the barangay-level, in partnership with non-governmental organizations, foundations, and the concerned private sector. Mandaluyong City also hereby legislates continuing and on-going City Ordinances for the promotion of the dignity of children, to support opportunities in the exercise of children's rights, and facilitate child development. In keeping with its duties and responsibilities to uphold the rights and well-being of children. Mandaluyong City deems it necessary to ordain legislative measures that will address their needs, hence, this Children's Welfare Code.

SECTION 3. COVERAGE. The provisions of this Ordinance shall govern all institutions, departments, offices and agencies that are under the supervision of the City Government of Mandaluyong. It shall also govern, without prejudice to existing laws, all persons, entities, private, non-government/people's organizations that deal with children, their rights and any undertaking relative to a child's development, survival, protection and participation.

SECTION 4. GOVERNING LAWS. Mandaluyong City declares support and adherence to international laws, treaties and agreements related to the protection of children, and hereby adopt them as part of its local laws, policies and principles.

This Code covers all general and special Ordinances of Mandaluyong City relating to the welfare of children and their families. It supports all the national laws and policies for the survival, development, protection and participation of children, and adopts pertinent international treaties and agreements to which the Philippines is a party.

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:

- 1989 UN Convention on the Rights of the Child;
- ADMINISTRATIVE ORDER NO. 7, SERIES OF 2008 (DSWD). Guidelines in the Conduct of Diversion for Children in Conflict with the Law;
- DEPARTMENT OF LABOR AND EMPLOYMENT DEPARTMENT ORDER NO. 149-2016;
- PRESIDENTIAL DECREE NO. 603. The Child and Youth Welfare Code;
- REPUBLIC ACT NO. 7610. Special Protection of Children against Child Abuse, Exploitation and Discrimination Act of 1994;
- REPUBLIC ACT NO. 7658. Act Prohibiting the Employment of Children below 15 years of Age in Public and Private Undertakings of 1994;
- REPUBLIC ACT NO. 7877. Anti-Sexual Harassment Act of 1995;
- REPUBLIC ACT NO. 8049. An Act Regulating Hazing and Other Form or Initiation Rites in Fraternities, Sororities, and other Organizations and Providing Penalties therefore as amended by Republic Act 11053 or the Anti-Hazing Act of 2018;
- REPUBLIC ACT NO. 8353. Anti-Rape (1997);
- REPUBLIC ACT NO. 8505. Rape Victim Assistance and Protection Act of 1998;
- REPUBLIC ACT NO. 8972. The "Solo Parents' Welfare Act of 2000";
- REPUBLIC ACT NO. 8980. The Early Childhood Care and Development Act of 2000;
- REPUBLIC ACT NO. 9165. Comprehensive Dangerous Drugs Act;
- REPUBLIC ACT NO. 9208. Anti-Trafficking in persons especially women and children;
- REPUBLIC ACT NO. 9211. Regulating the Use and Distribution of Tobacco Products;
- REPUBLIC ACT NO. 9231. The Anti-Child Labor Law;
- REPUBLIC ACT NO. 9262. Anti- Violence Against Women and their Children Act of 2004;
- REPUBLIC ACT NO. 9344. Juvenile Justice and Welfare Act of 2006;
- REPUBLIC ACT NO. 9775. An Act Defining the Crime of Child Pornography, Prescribing Penalties Therefore and for Other Purposes;

- REPUBLIC ACT NO. 10175. An Act Defining Cybercrime, Providing for the Prevention, Investigation, Suppression and the Imposition of Penalties Therefore and for Other Purposes.
 - a. 2008 UN Convention on the Rights of Persons with Disabilities;
 - b. REPUBLIC ACT NO. 7277 Magna Carta for Persons with Disabilities (1991);
 - c. REPUBLIC ACT NO. 10165. An Act to Strengthen and Propagate Foster Care and to Provide Funds Thereof;
 - d. DOCTRINE OF *PARENS PATRIAE*, LATIN FOR "FATHER OF HIS COUNTRY", OR SIMPLY UNDERSTOOD AS THE "STATE AS THE GUARDIAN OF THE PEOPLE", is a doctrine referring to the inherent power of the state as the ultimate guardian of all people under a disability, especially children, whose care is only entrusted to their parents or guardians as well as those who may be considered as underprivileged, incompetents and the underdogs. It is the power of the state to take a reasonable decision on the part of a person who is unable to make one for himself.
- REPUBLIC ACT NO. 10364. An Act Expanding Republic Act No. 9208 Entitled "An Act to Institute Policies to Eliminate Trafficking in Persons Especially Women and Children, Establishing the Necessary Institutional Mechanisms for the Protection and Support of Trafficked Persons, Providing Penalties for its Violations and for other Purposes";
- REPUBLIC ACT NO. 10627. An Act of Requiring all Elementary and Secondary Schools to Adopt Policies to Prevent and Address the Acts of Bullying in their Institutions;
- REPUBLIC ACT NO. 10821. An Act Mandating the Provision of Emergency Relief and Protection for Children Before, During, and After Disasters and Other Emergency Situations;
- SECTION 3, PARAGRAPH 2, ARTICLE XV OF THE 1987 CONSTITUTION – states the right of the children to assistance, including proper care and nutrition and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development;
- SECTION 12, ARTICLE II of the 1987 Constitution states the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception. The natural and primary right and duty of parents in the rearing of the youth from civic efficiency and the development of moral character shall receive the support of the Government;
- SECTION 13, ARTICLE II of the 1987 Constitution recognizes the vital role of the youth in nation building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. It shall inculcate in the youth patriotism and nationalism, and encourage their involvement in the public and civic affairs.

SECTION 5. All other existing Ordinances and pertinent provisions of laws protecting children, as well as related executive orders, rules and regulations or parts thereof which are consistent with the principles and policies laid down in this Code are hereby adopted and incorporated.

SECTION 6. DEFINITION OF TERMS:

- ANTI-SOCIAL RELATED ACTIVITIES – are those acts against poverty, chastity and persons which include, but are not limited to the following:
 - a. Petty crimes such as snatching, shoplifting, misrepresentations;
 - b. Using and pushing prohibited drugs and other habit-forming substances, selling illegal or lewd reading materials;
 - c. Pimping for sexual perversions, doing or participating in obscene shows or performances;
 - d. Gambling in any form;
 - e. Rape and incest; and
 - f. Any other circumstances which are defined under other existing laws.
- CERTIFICATE OF FOUNDLING – or the certificate concerning a deserted or abandoned infant or a child found with parents, guardian, or relatives being unknown or a child committed in an orphanage or charitable or similar institution with unknown facts of birth and parentage which is recorded in the Register of Foundlings;
- CHILD/CHILDREN – shall refer to persons aged below eighteen (18) years or those over but not able to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation, or discrimination because of a physical or mental disability or condition;
- CHILD ABUSE – refers to maltreatment of the child, whether habitual or not, which includes any of the following:
 - a. Psychological and physical abuse, such as neglect, cruelty, abandonment and other forms of abuses:
 - 1. Any act by deed or word which debases, degrades, demeans the intrinsic worth and dignity of a child as a human being;
 - 2. Unreasonable deprivation of his/her basic needs of survival such as food and shelter;
 - 3. Failure to immediately give medical treatment to an injured child resulting to serious impairment of his/her growth and development or permanent incapacity or death.

- CHILD LABOR – refers to any work or economic activity performed by a child that subjects him/her to any form of exploitation or is harmful to his/her health and safety or physical, mental or psychosocial development as defined in Department of Labor and Employment, Department Order 65-04, otherwise known as Rules and Regulations Implementing Republic Act No. 9231 amending Republic Act No. 7610 as amended;
- 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; and
 - i. Living in situations of armed conflict.

CAR also includes those children who violate the Ordinances enacted by the City Government, concerning juvenile status offenses enumerated in Section 57-A of Republic Act No. 9344 as amended by Republic Act No. 10630, such as, but not limited to:

1. Curfew violations;
2. Truancy;
3. Parental disobedience;
4. Anti-smoking and anti-drinking laws.

as well as those concerning light offenses and misdemeanors against public order or safety such as, but not limited to:

1. Disorderly conduct;
2. Public scandal;
3. Harassment;
4. Drunkenness;
5. Public intoxication;
6. Criminal nuisance;
7. Vandalism;
8. Gambling;
9. Mendicancy;

10. Littering;
11. Public urination, and
12. Trespassing

- **CHILDREN IN CONFLICT WITH THE LAW** – is a youthful offender who is over fifteen (15) years but under eighteen (18) years of age and acting with discernment at the time of the commission of the offense as provided under Republic Act 9344;
- **CHILDREN WITH DISABILITY** – are those who have long-term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others;
- **COMPREHENSIVE CHILDREN'S SUPPORT SYSTEMS ON CHILD ABUSE, EXPLOITATION AND DISCRIMINATION** – refers to the coordinated program of services facilities to protect children against: Child prostitution and other sexual abuse; Child trafficking; Obscene publications and indecent shows; Other acts of abuse; and Circumstances which threaten or endanger the survival and normal development of children or as prescribed by the UN Convention on the Rights of the Child;
- **CORPORAL PUNISHMENT** – refers to a kind of punishment or penalty imposed for an alleged or actual offense, which is carried out or inflicted, for the purpose of discipline, training or control, by a teacher, school administrator, an adult, or any other child who has been given or has assumed authority or responsibility for punishment or discipline;
- **DEVELOPMENT RIGHTS** – pertain to the access of a child to education opportunities, access to relevant information, play, leisure, cultural activities and the right to freedom of thought and religion;
- **DISABLED PERSONS** – are those suffering from restriction of different abilities, as a result of a mental, physical or sensory impairment, to perform an activity in the manner or within the range considered normal for a human being as defined in Republic Act No. 7277 otherwise known as AN ACT PROVIDING FOR THE REHABILITATION, SELF-DEVELOPMENT AND SELF-RELIANCE OF DISABLED PERSON AND THEIR INTEGRATION;
- **DISCRIMINATION AGAINST CHILDREN** – refers to an act of exclusion, distinction, restriction or preference which is based on any ground such as age, ethnicity, sex, sexual orientation and gender identity, language, religion, political or other opinion, national or social origin, property, birth, being inflicted by AIDS, being pregnant, being a child in conflict with the law, being a child with disability or other status or condition, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons on an equal footing, of all rights and freedom;

- FOSTER CARE – refers to the provision of planned temporary substitute parental care to a child by a foster parent as defined in Republic Act No. 10165;
- FOUNDLING – a deserted or abandoned infant or child whose parents, guardian or relatives are unknown; or a child committed to an orphanage or charitable or similar institution with unknown facts of birth and parentage and registered in the Civil Register as a “foundling as defined in the Rules on adoption promulgated by the Supreme Court in 2002”;
- GAMBLING – Any game, scheme, regardless of whether winning thereat is dependent upon chance or skill or both, wherein wagers consisting of money, articles of value or representative of value are at stake or made as defined in Executive Order No. 13, Series of 2017;
- GUARDIAN – refers to any person who exercises substitute parental authority regardless of whether or not such parental authority over a child is bestowed by a court as defined in Department of Labor and Employment, Department Order 65-04, otherwise known as Rules and Regulations Implementing Republic Act No. 9231 amending Republic Act No. 7610 as amended;
- HAZING – an initiation rite being conducted as a pre-requisite for admission as member in a fraternity, sorority or organization by placing the recruit, neophyte or applicant in an embarrassing or humiliating situation such as forcing him/her to do menial unlikely and other similar tasks or activities or otherwise subjecting him/her to physical or psychological suffering or injury;
- JUNK FOODS – are foodstuffs which are processed with artificial flavors, coloring and preservatives which have been found to contain carcinogenic elements harmful for the body or those sold beyond their expiry periods and foodstuffs that are deep-fried;
- LOITERING – staying in a particular place or commercial establishments like food chain, malls, etc. more than the usual or regular time needed to stay in such places during school hours;
- MENDICANT – refers to any person who has no visible and legal means of support, or lawful employment and who is physically able to work but neglects to apply himself to some lawful calling and instead uses begging as a means of living.
 - a. HABITUAL MENDICANT – refers to a mendicant who has been fined or otherwise made liable under this Ordinance for two or more times;
 - b. EXPLOITED MINOR MENDICANT – refers to an infant or below 18 years of age who is used in begging or one who accompanies a habitual vagrant or beggar.
- NARCOTICS – A drug that causes insensibility or stupor which is subject to regulatory restrictions;

- ORGANIZATION, FRATERNITY, SORORITY, GANG ASSOCIATION – shall be defined as an organization which engages in hazing as initiation rites which inflicts physical, **psychological/mental** harm to its members or others as a condition for acceptance in such an organization;
- PARTICIPATION RIGHTS – pertain to the child's freedom to express oneself in matters affecting his/her life as part of preparation for becoming a responsible citizen;
- PROTECTION RIGHTS – pertain to the right to be free and protected from all forms of child abuse, exploitation, and discrimination;
- PSYCHOTROPIC DRUG – Any drug capable of affecting the mind, emotions, and behaviour;
- REHABILITATION – is an integrated approach to physical, social, cultural, spiritual, educational and vocational measures that create conditions for the individual to attain the highest possible level of functional ability as defined in Republic Act No. 7277 otherwise known as AN ACT PROVIDING FOR THE REHABILITATION, SELF-DEVELOPMENT AND SELF-RELIANCE OF DISABLED PERSON AND THEIR INTEGRATION;
- SCHEDULED SCHOOL HOURS – refers to the time where elementary and high school pupils and students are supposed to be inside school premises;
- SPECIAL CONCERNS – are circumstances which gravely threaten or endanger the survival and normal development of children but 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, safety, and morals which unduly interfere with their normal development;
 - c. Living in or fending for themselves in the streets without the care of parents and guardians or any adult supervision needed for their welfare;
 - d. Being a member of indigenous cultural community and/or living under conditions of extreme poverty or in area which is underdeveloped and/or lack or has inadequate access to basic services needed for a good quality of life;
 - e. Being a victim of a man-made or natural disaster calamity;
 - f. Circumstances analogous to those above stated which endanger life, safety or normal development of children.
- SURVIVAL RIGHTS – pertain to the rights of children to adequate living standard and **access** to basic health services and social security;

- VIOLENCE AGAINST CHILDREN – is defined as physical maltreatment, emotional abuse, sexual abuse, neglect or negligent treatment, or commercial and other forms of exploitation, resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power. [This is according to Violence against Children: World Report on Violence and Health (2002)].
- VULNERABLE CHILDREN – belong to families, households, groups or communities who are at risk of being abused, hurt, injured, or neglected due to economic, socio-political, cultural or religious, gender, physiological related reasons. Specifically, they refer to children with disabilities, children who belong to certain indigenous communities or tribal group, children of poor families, some girl children, working children, and children in conflict with the law and children in humanitarian or disaster settings.

ARTICLE II PROTECTION RIGHTS OF CHILDREN

SECTION 1. PROTECTION RIGHTS. These cover those rights protecting the child from all forms of abuses and discrimination which includes the following:

- a. Protection of the child from all forms of physical and mental abuse;
- b. Rights of the child to be protected from injury, neglect and maltreatment;
- c. Protection from exploitation, sexual and economic abuse, including prostitution and involvement in pornography;
- d. Protection from sale, trafficking, and abduction;
- e. Right to necessary treatment and reintegration of abused or exploited;
- f. Right to periodic assessment if placed under care, protection or treatment;
- g. Right of protection in situation of armed conflict;
- h. Right of Children in conflict with law;
- i. Right of Freedom from torture, death penalty, life imprisonment, and deprivation of liberty;
- j. Right to protection from child labor;
- k. Right to be protected from the use of narcotics, psychotropic drugs, and from being involved in the production and distribution;
- l. Right of Children with Disabilities to fully enjoy their basic human rights and reach their full potential within a caring and protective environment, and live a life with dignity and free from discrimination, ostracisms, exclusion, shame and actively participating in the community;

- m. All other rights granted to him by law, ordinance, regulation, or international treaty by virtue of his being a child.

ARTICLE III PROTECTION MEASURES ON MINORS

SECTION 1. CURFEW ON MINORS. For the protection of minors, they are prohibited from loitering in public places or moving outside their residences between the hours of 10:00 o'clock in the evening and 4:00 o'clock in the morning. Should there be a necessity for them to be outside their residences during curfew hours, they should be accompanied by their parent/s, responsible elders or guardians, otherwise, they should secure a curfew pass as prescribed by Section 3 of the City Ordinance No. 324, S-2005.

Offenders found to be under the influence of liquor or illegal drugs and/or is causing harm, alarm and scandal to himself or others shall be temporarily held under the custody of the Barangay UNTIL the child offender is sober, calms down and ready to be sent home. The matter shall be referred to MADAC and concerned parent/s or guardians of the minor shall be immediately summoned before the Barangay Council for the Protection of Children (BCPC) for orientation and counseling.

The same parent/s or guardian/s shall be prosecuted for violation of the pertinent provision of the Code of Parental Responsibility.

SECTION 2. LOITERING DURING SCHOOL HOURS. Students or school children are banned from loitering in public places outside their school grounds/campuses during their scheduled school hours unless they are accompanied by their parents/legal guardian or are attending an official school function or activity. Students and/or school children who will be caught loitering in public places outside their school grounds/campuses during scheduled school hours shall be sanctioned as follows:

- a. Counselling by the school's guidance counselor;
- b. Concerned parent or guardian shall be notified by the teacher-in-charge and shall be prosecuted under Section 12.5 of the Code of Parental Responsibility;
- c. Concerned schools of students found loitering shall be immediately notified by the apprehending officers for its information and appropriate action.

Commercial establishments which offer and promote vices such as but not limited to video arcades, bars, amusement centers and gambling places to school children during scheduled school hours shall be subjected to closure/revocation of business permit and confiscation of their gadgets, equipment, machines and other paraphernalia.

SECTION 3. **FRATERNITIES AND GANGS.** No person shall force, coerce, bully or deceive any juvenile into joining any organization, fraternity, sorority, gang or association involved in unlawful activities or any deviant activities such as but not limited to vandalism, violence and sexual perversion. Any person who shall force, coerce or deceive any minor/juvenile into joining any organization, fraternity/sorority or gang within the campus or outside the school grounds shall be sanctioned with **one** (1) month of community service or twelve (12) months imprisonment or both without prejudice to his/her/their prosecution under Republic Act No. 11053 or the Anti-Hazing Act of 2018.

SECTION 4. **SMOKING BAN ON MINORS.** It shall be unlawful for any person or establishment to sell cigarettes, other tobacco products to minors within the City of Mandaluyong.

Violators shall be penalized in accordance with the provisions of Ordinance No. 671, S-2017, otherwise known as the "Comprehensive Smoke Free Ordinance of the City of Mandaluyong".

SECTION 5. **MINORS ARE BANNED FROM BUYING AND DOING ERRANDS FOR ANY PERSON TO PURCHASE VOLATILE SUBSTANCE SUCH AS RUGBY (TOLUENE) AND OTHER SIMILAR SUBSTANCES DEFINED AND ENUMERATED UNDER CITY ORDINANCE NO. 657, S-2017 AND SECTION 1 OF PRESIDENTIAL DECREE NO. 1619 AND INTOXICATING LIQUORS, CIGARETTES, AND SOLVENTS.**

- a. Any person who sells or allows the selling of rugby (toluene) and other similar habit inducing solvents to minors shall be penalized under existing Ordinance No. 657, S-2017 without prejudice to the penalties provided for under Section 3 of Presidential Decree No. 1619 and closure of the establishment selling the aforesaid substances to minors and revocation of its business permit;
- b. Likewise, any person, store or grocery who sells or allows the selling of liquors to minors shall be subject to revocation of its business permit;
- c. On the other hand, person selling cigarettes and other tobacco products to minors shall be penalized in accordance with the provisions of Ordinance No. 671, S-2017, otherwise known as the "Comprehensive Smoke Free Ordinance of the City of Mandaluyong";
- d. No person is allowed to send minors on errands to purchase cigarettes and other tobacco products, beer, liquor, and other alcoholic beverages, rugby, solvents, and other similar products to minors.

SECTION 6. MINORS ARE BANNED TO ENTER, WATCH, WITNESS, PLACE BETS AND ENGAGE IN ANY FORM OF GAMBLING.

- a. Any person, owners and/or organizers of **gambling/betting** places such **as** cockfighting arena, "tong-its", any other card games and mahjong places, lotto and Small-Town Lottery (STL) betting stations and the like shall ensure that no minors are allowed to enter, watch, witness, or place any bets in the said betting stations;
- b. Any person or establishments who allows minor/s to enter, watch, witness, or place any bets and engage in any form of gambling shall be penalized by the revocation of their permit without prejudice to their being prosecuted under Presidential Decree No. 1602 **as** amended by Republic Act No. 9257 (as amended by Executive Order No. 13, S-2017);
- c. Establishments authorized to operate lottery **as** lotto and other games such as bingo and Off-Track horse racing betting stations are **prohibited** from accepting bets from minors. Violators shall be punished by closure of the establishment plus revocation of its business permit.

SECTION 7. PROHIBITION ON TRICYCLE AND PEDICAB.

- a. **OVERLOADING UTILIZED AS SCHOOL SERVICE FOR CHILDREN.** As child's welfare and safety are the primary objectives of this Ordinance, it is hereby prohibited the overloading of children passengers in tricycles and pedicabs or utilized as school service for children. This practice endangers the lives of the students, the driver, **as well as** ordinary passers-by;
- b. **PROHIBITING MINORS ON BOARD MOTORCYCLES WITHOUT PROTECTION GEARS AND ON BOARD IN THE FRONT, SIDE WHEEL OR ON TOP OF THE TRICYCLES.**

A. PROHIBITED ACTS.

1. Minors are not allowed to board motorcycles without proper safety gears, such as helmet, and the likes;
2. Minors are also not allowed to occupy the front, side car extension, or on top of the side car of tricycles.

B. PENALTIES.

The said prohibited acts shall be penalized accordingly by regulations set forth by the Tricycle Regulation Office and Traffic and Parking Management Department without prejudice to the application of Article IV Section 12, No. 12 of Ordinance No. 644, S-2016 (Code of Parental Responsibility).

SECTION 8. PRESCRIBING GUIDELINES AND REGULATIONS ON THE OPERATION AND SERVICES OF GAMING AND INTERNET CAFES IN MANDALUYONG CITY AND FOR OTHER PURPOSES.

A. PROHIBITED ACTS for students of minor age: (Section 7, Ordinance No. 567, S-2014)

- a. Enter the establishment wearing school uniform except those doing research/school works in internet cafes or computer rentals shops during vacant/free school hours;
- b. Enter the premises during school hours except students doing research/school works in internet cafes or computer rental shop during vacant period. Computer gaming shop are strictly prohibited from allowing the entry of student during school hours;
- c. Enter the premises without identification cards (ID) and class schedule duly issued by the Registrar's Office.
- d. For both students and out-of-school of minor age, entering the premises from 10:00 PM to 4:00 AM is prohibited, unless accompanied by a parent or guardian.

B. PENALTIES. (Section 10, Ordinance No. 567, S-2014)

- a. In addition to the administrative penalty of cancellation or revocation of the Mayor's Permit issued under this Ordinance, a fine of not less than Five Hundred Pesos (P500.00) but not more than Five Thousand Pesos (P5,000.00) or imprisonment for a period of not less than one (1) month and one (1) day but not more than six (6) months shall be imposed upon the owner, manager and/or person in-charge of the establishment found violating the provision of this Ordinance;
- b. If the offender is a corporation or partnership, the penalty above prescribed shall be imposed upon the President and/or the General Manager or the Managing Partner, as the case may be, of the erring entity;
- c. The same penalty shall be imposed upon any person found performing any of the acts prohibited under Section 7, Ordinance No. 567, S-2014;
- d. Parents or guardians of minors, who violated the above provisions shall be penalized under Section 14 of Ordinance No. 538, S-2014, otherwise known as "An Ordinance Enacting the Mandaluyong City Code of Parental Responsibility for the Protection of Children's Rights".

SECTION 9. PROHIBITING MINORS TO RENT AND DRIVE TRICYCLE AND TRISIKADS

A. PROHIBITED ACTS.

- a. No minors are allowed to rent or drive trisikads, motorcycles and other motor vehicles in the jurisdiction of the City;
- b. All trisikad, tricycle owners and operators shall not allow any minor to rent or drive trisikad and tricycle.

B. PENALTIES FOR OWNERS AND OPERATORS OF THE TRISIKAD AND TRICYCLE:

FIRST OFFENSE	Mandatory counseling and a fine of Two Thousand Pesos (P2,000.00) or community service of eight (8) hours.
SUCCEEDING OFFENSES	Cancellation of Business Permit.

SECTION 10. PROHIBITING CHILDREN FROM SKATEBOARDING, WADE BOARDING, USING ROLLER BLADES, SKATES, BIKE, E-BIKES AND ANY OTHER SPORTS EQUIPMENT AND VEHICLE WITH WHEELS ALONG CITY MAJOR THOROUGHFARES.

A. PROHIBITED ACTS.

- a. Skateboarding, wade boarding, use of roller blades, skating, biking and use of two (2) wheeled gadgets is strictly prohibited in all major thoroughfares within the jurisdiction of Mandaluyong;
- b. Parents of minors caught violating this Act shall be held responsible of the act of their child.

B. PENALTIES.

- 1. FOR ADULT OFFENDER. The acts mentioned in this Section hereof shall be punishable under Section 14 of Ordinance No. 538, S-2014, otherwise known as "An Ordinance Enacting the Mandaluyong City Code of Parental Responsibility for the Protection of Children's Rights";
- 2. FOR MINOR OFFENDER. Mandatory Counseling of minor together with his/her parents.

SECTION 11. PROHIBITING MENDICANCY.

A. PROHIBITED ACTS.

- a. Any parents or person are prohibited to allow their children or any minor to beg, whether for money or for food, in houses, at the public plaza, in terminals, in restaurants, along the roads, or any other public or private places;
- b. Begging and soliciting of cash in public places, streets, buildings and offices, as well as in any business or commercial establishment by any mendicants are not allowed;
- c. Any infant or child 8 years old and below who is found begging or is being utilized by any person for purposes of begging, shall be considered as neglected child and shall be placed into the custody of the City Social Welfare and Development Department;
- d. Any minor over 8 years old and under found begging or is being utilized for purposes of begging shall be placed to mandatory counseling and endorse to their parents/guardians. If no parents or guardians, they shall be placed in the Youth Center under the custody of a house parent until such time that they will be endorsed to an institution for minors;

- e. Any person not otherwise covered in the preceding paragraphs who is found begging and is physically or mentally incapable of gainful occupation shall be provided the integrated package of services by the City Social Welfare and Development Department.

B. PENALTIES.

- a. Any adult person found begging shall undergo mandatory counseling and shall render community service of eight (8) hours;
- b. Parents or guardians of minors who allow or encourage minors to be mendicants shall be penalized under Section 14 of Ordinance No. 538, S-2014, otherwise known as "An Ordinance Enacting the Mandaluyong City Code of Parental Responsibility for the Protection of Children's Rights";
- c. Any person who abets mendicancy by giving alms directly to mendicant, exploited infants and minors on public and private places, public roads, sidewalks, parks, restaurants, theaters, markets, bridges and other similar places shall be meted a penalty of One Thousand Pesos (P1,000.00);
- d. Any individual exploiting a disabled person to beg will also be meted a penalty of One Thousand Pesos (P1,000.00) and three (3) months imprisonment or both.

SECTION 12. PROHIBITING THE SELLING OF JUNK FOODS INSIDE SCHOOL PREMISES.

A. PROHIBITED ACTS.

- a. School canteen owners and operators are strictly prohibited from selling junk foods to students;
- b. Junk foods as provided in DepEd Order No. 13, Series of 2017 are hereby enumerated as:
 - 1. Any product containing caffeine (for school canteens);
 - 2. Any processed fruit/vegetable juice with added sugar of more than 20 grams or 4 teaspoons per serving;
 - 3. Any jelly, slushies;
 - 4. Any ice cream/ice drops/ice candies, cakes and slices, donuts, sweet biscuits and pastries, and other sweet bakery products;
 - 5. All types of candies including chocolates, hard/chewy candies, chewing gums, marshmallows, lollipops, yema, etc.;
 - 6. French fries, bicho-bicho, etc.;
 - 7. Instant noodles;
 - 8. All types of heavily salted snacks such as chips;
 - 9. Chicharon;
 - 10. Chicken skin;
 - 11. Bacon;
 - 12. Deep-fried food including fish balls, kikiam, etc.;
 - 13. Fruits canned in heavy syrup;
 - 14. Sweetened fruits or vegetables.

B. PENALTIES FOR OWNERS AND OPERATORS OF CANTEEN, BUSINESS ESTABLISHMENTS AND SARI-SARI STORES:

FIRST OFFENSE	Mandatory counseling and a fine of Two Thousand Pesos (P2,000.00).
SUCCEEDING OFFENSES	Cancellation of Business Permit.

SECTION 13. PROHIBITING THE SELLING OF FIRECRACKERS TO MINORS
(Ordinance No. 574, S-2014 as amended by 673, S-2017)

A. PROHIBITED ACTS.

1. SELLING FIRECRACKERS TO MINORS ARE STRICTLY PROHIBITED.

It is hereby mandated that within the City of Mandaluyong, the sale, possession, use, disposal and distribution of firecrackers and pyrotechnic devices is regulated in such a manner that:

- a. No individual or any person, sari-sari store, mini-groceries, supermarkets, flea markets, department stores and all similar establishments is allowed to sell to minors;
- b. Any individual person, sari-sari stores, mini-groceries, supermarkets, flea markets, department store owners, proprietors, operators and managers respectively found selling this regulated firecrackers to minors shall be upon apprehension, his/her/its Mayor's and Business Permits and License to sell and operate his/her/its said sari-sari store, mini-groceries, supermarket, flea market, department store and other similar establishments shall be immediately suspended, cancelled and/or revoked.

OTHER INDIVIDUAL OR PERSON CONSIDERED LIABLE:

- a. Any parents, juridical guardians or those exercising substitute parental authority shall be imposed the penalty herein provided, whenever, their minor children are found to be in possession, use and/or disposal of the firecrackers and pyrotechnic devices no matter how their children and/or ward took physical possession of the same, if such physical possession took place in their place of residence and its premises;
- b. The school administrator, principal or teacher who exercise special parental custody over minor children so long as these pupils remain in their protective and supervisory custody in school when they commit such tortuous acts or omission.

B. PENALTIES. OWNER OF THE STORES SELLING FIRECRACKERS VIOLATING THIS PROVISION SHALL HAVE THE FOLLOWING SANCTIONS:

- a. Fine of Three Thousand Pesos (P3,000.00) and/or imprisonment of six (6) months at the discretion of the court;

- b. Confiscation of their stocks;
- c. Automatic cancellation of his/her permit granted by the City Government;
- d. If the offender is a juridical entity, the imposable penalty shall be imposed to its President, Chief Operations Officer and/or General Manager or Operator;
- e. Parents or guardians of minors, who violated the above provisions shall be penalized under Section 14 of Ordinance No. 538, S-2014, otherwise known as "An Ordinance Enacting the Mandaluyong City Code of Parental Responsibility for the Protection of Children's Rights".

SECTION 14. PROTECTION OF CHILDREN AND WOMEN FROM SEXUAL EXPLOITATION IN TOURISM.

A. PROHIBITED ACTS.

The City Government shall ensure that children and women are protected from dangers of sexual abuse and exploitation as an effect of tourism.

- 1. Tourism related or oriented establishments are prohibited to engage in any sex tourism or prostitution;
- 2. Hotels, inns, pension houses, resort, beach houses will not allow any minor to check in without parent's consent;
- 3. Hotels, inns, pension houses, resort houses shall not allow any minors accompanied by person not in any way related to him/her.

B. INTERVENTION FOR MINOR.

Mandatory counseling of minor together with his/her parents and appropriate intervention.

FOR EMPLOYERS AND/OR OWNERS OF ESTABLISHMENT:

FIRST OFFENSE	Mandatory counseling and a fine of Three Thousand Pesos (P3,000.00).
SUCCEEDING OFFENSES	Cancellation of Business Permit.

SECTION 15. PROTECTION OF CHILDREN FROM DISCRIMINATION. The 1987 Philippine Constitution institutes democratic principles in the government and society. It explicitly declares full equality of all in the eyes of the law and in the benefits of liberty and freedom and the subsequent social and economic progress. The Constitutional provisions prohibit discrimination on the bases of race, religion, gender, and physical conditions.

A. PROHIBITED ACTS.

Individual, private entity, government and non-government organization are mandated not to resort to exclusion, distinction, restriction or preference which is based on any ground such as age, ethnicity, sex, sexual orientation

and gender identity, language, religion, political or other opinion, national or social origin, property, birth, being inflicted by AIDS, being pregnant, being a child in conflict with the law, being a child with disability or other status or condition, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons on an equal footing, of all rights and freedom.

FIRST OFFENSE	Mandatory Counseling.
SECOND OFFENSE	Mandatory counseling and a fine of Two Thousand Pesos (P2,000.00).
THIRD OFFENSE	Mandatory counseling and a fine of Three Thousand Pesos (P3,000.00).

SECTION 16. PROTECTION OF CHILDREN FROM CORPORAL PUNISHMENT.

B. PROHIBITED ACTS.

The use of corporal punishment, which includes emotional, degrading and humiliating punishment on children, shall be prohibited in the home, early childhood care and development facilities and day care centers, schools and other educational institutions, child caring centers, religious institutions, health care centers and facilities, community centers, sports centers, government units, and in other places where there are children.

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

It includes physical, humiliating or degrading punishment, including but not limited to the following:

1. Blows such as, but not limited to, beating, kicking, hitting, slapping, or lashing, of any part of a child's body, with or without the use of an instrument such as, but not limited to a cane, broom, stick, whip or belt;
2. Striking of a child's face or head, such being declared as a "no contract zone";
3. Pulling hair, shaking, twisting joints, cutting or piercing skin, dragging, pushing or throwing of a child;
4. Forcing a child to perform physically painful or damaging acts such as, but not limited to, holding a weight or weights for an extended period and kneeling on stones, salt, pebbles or other objects;
5. Deprivation of a child's physical needs as a form of punishment;

6. Deliberate exposure to fire, ice water, smoke, sunlight, rain, pepper, alcohol, or forcing the child to swallow substances, dangerous chemicals, and other materials that can cause discomfort or threaten the child's health, safety and sense of security such as, but not limited to insecticides, excrement or urine;
7. Tying up a child;
8. Confinement, imprisonment or depriving the liberty of a child;
9. Verbal abuse or assaults, including intimidation or threat of bodily harm, swearing or cursing, ridiculing or denigrating the child;
10. Forcing a child to swear a sign, to undress or disrobe, or put on anything that will make a child look or feel foolish, which belittles or humiliates the child in front of others;
11. Permanent confiscation of personal property of pupils, students or learners, except when such pieces of property pose a danger to the child or to others, and
12. Other analogous acts.

B. PENALTIES.

FIRST OFFENSE	Mandatory Counseling.
SECOND OFFENSE	Mandatory counseling and a fine of Two Thousand Pesos (P2,000.00).
THIRD OFFENSE	Mandatory counseling and a fine of Three Thousand Pesos (P3,000.00).

SECTION 17. NO CONTEST PROVISION. Any person or entity cited for violation of the provisions of this Ordinance who does not wish to contest the apprehension may opt to pay the minimum fine herein prescribed prior to the institution of formal charges.

SECTION 18. PROCEDURE IN RESCUING A CHILD AT RISK. If the child is a Child at Risk and committed violation of any provision of this Ordinance, the responding officer shall immediately rescue the child and shall undertake the following:

- a. Give the child a friendly advice or “payo” or a simple warning not to repeat the act/s she/he has committed;
- b. Immediately notify the parents or guardians for their proper intervention in the treatment of the child;
- c. Immediately transfer the physical custody of the child directly to the barangay of residence for proper disposition;
- d. If the child is a resident of another municipality or city, turnover the CAR to the LSWDO of the place where the offense was committed;
- e. Whenever a case is referred to the Barangay or the LSWDO and documents need to be submitted, the Women and Child Protection Desk (WCPD) Officer shall submit the records of the case in a sealed envelope with the “CAR CASE” written conspicuously on the upper right-hand corner of the face of the envelope with appropriate receipts for the documents.

In all cases, the responding officer shall take down the facts of the case in his/her tickler and shall report the incident to the WCPD Officer who shall enter the incident in the Pink Blotter or Mandatory Registry.

ARTICLE IV SURVIVAL AND DEVELOPMENT RIGHTS OF CHILDREN

SECTION 1. SURVIVAL RIGHTS. Every child shall be entitled to the following "Survival Rights" without distinction or discrimination:

- a. The right to be born well, endowed with the dignity and worth of a human being from the moment of his or her conception;
- b. The right to a wholesome family life that will provide him or her with love, care, and moral maternity security. The dependent or abandoned child shall be provided with the nearest substitute of a home;
- c. The right to a balanced diet, adequate clothing, sufficient shelter, proper medical attention, and all the basic physical requirements of a healthy and vigorous life.

SECTION 2. EARLY CHILDHOOD PROGRAM FRAMEWORKS. The Local City Government of Mandaluyong shall ensure, up to the maximum extent possible, the survival and development of the child. The program on survival and development shall include the following:

- a. Monitoring of registration of births and completion of the immunization series for prevention of tuberculosis, diphtheria, pertussis, tetanus, measles, polio myelitis and such other diseases for which vaccines have been developed for administration to children up to six (6) years of age;

1. BIRTH REGISTRATION. The City establishes a system that will ensure the registration of births in the City. Every child must be registered immediately at birth to guarantee the right to a name and identity.

The barangay, through their Midwives and Barangay Health Workers, shall assist and ensure that every child shall be registered, within one (1) month after the child's birth.

To avoid further incidence of unregistered births, the Civil Registry of the City of Mandaluyong shall conduct a community outreach program or any activity at least twice a year to all barangays to inform, monitor and register all unregistered births of every child.

2. BASIC IMMUNIZATION PROGRAM. Article IV, Section 12 of Ordinance No. 538, S-2014 (Code of Parental Responsibility) shall be adopted.

Through the collective efforts of the Nutrition Council and City Health Department, they will conduct the necessary programs and activities such as computerized data-banking, group-charting, house to house interviews and the likes, in order to monitor and make sure that all children below 6 years of age are properly immunized and health records are well-kept and organized for future health reference of the child.

- b. Growth and nutritional monitoring with nutritional feeding and supervision of nutritional intake through community visitations of Barangay Nutrition Council (BNC) and Barangay Health Workers (BHW);
- c. Material and network of surrogate parents-teachers who will provide intellectual and mental stimulation to children, as well as supervised wholesome recreation, with a balanced program of supervised play, mentally-stimulating activities, and group activities with peers;
- d. Working closely with non-government organizations (NGOs) and private institutions which can provide or serve as a sanctuary for abused, neglected or exploited children which will take in children in urgent need of protection due to a situation which endangers the child or which has exposed the child to cruelty and abuse;
- e. A Reproductive Health Care Center for pregnant mothers for prenatal and neonatal care and, in the proper case, for delivery of the infant under conditions which will remove or minimize the risk to the mother and child.

The City supports its maternal and child health care program, which caters to the health of the mother, as it will affect the child in the womb during pregnancy, so that the mother will bear a healthy baby. This program shall be under the administration and supervision of the City Health Office, as follows:

- A. Consistent campaigns are conducted on the regular consultation of pregnant mothers;
- B. Pregnant women get at least four complete pre-natal and neonatal check-ups;
- C. Pregnant or lactating mothers are given sufficient doses of Vitamin A and iron;
- D. Pregnant women who are at risk get emergency obstetric medical care;
- E. All births are attended by trained personnel;
- F. Child delivery shall be assisted by midwife. Report to the City Health Office any presence of untrained "hilot" and continuously discourage child delivery at home.

- f. Day Care Centers with adequate facilities shall be established in every Barangay. A Barangay-level network of assistance from the adults of the Barangays for the total development and protection of children shall assist the social workers and Day Care Center teachers in implementing the programs for the children.

SECTION 3. PROMOTION OF PRIMARY HEALTH CARE PROGRAM. The Barangay Health Centers shall implement the primary health program. Each Barangay Health Center shall have a Barangay Child Health Officer tasked to monitor child health in the Barangay level with a salary commensurate to the task assigned and in accordance with the standards of the Civil Service Commission.

The City Health Officer of Mandaluyong shall take the following appropriate measures:

- a. To combat diseases and malnutrition within the framework of primary health care;
- b. To establish a Comprehensive Parents' Orientation Development Program which includes courses on reproductive health, child health and child rearing practices, and family planning in the context of the Filipino psychology and culture;
 1. Strengthen the functions of Task Force Batang Ina which aims to prevent early teenage pregnancy by empowering young people to make wise decisions and take responsibility for sexual and reproductive health and rights;
 2. Advocate for responsible parenthood and those pregnancies are spaced at least 2 years apart.
- c. To monitor the full implementation of Executive Order 51 or the Milk Code of the Philippines and advocate the prosecution of milk firms which violate the same;
- d. To conduct massive information and education on breast feeding, utilizing existing materials for effective breast-feeding education program;

Encouraging mothers to breastfeed their babies by stressing the importance and benefits of breast milk; from 0-6 months exclusive breastfeeding and introduction of appropriate complimentary feeding from 6 months old, while continuing breastfeeding up to 2 years and beyond.

- e. The City shall advocate for the implementation of Nursing Station within the workplace for both private and government establishments;
- f. All health practitioners dealing with child health in government and private hospitals and other institutions shall be required to complete a Comprehensive Training Course in Child Health Care.

SECTION 4. PROMOTION OF NEW BORN SCREENING PROGRAM. The City shall implement a new born screening program to ensure that every newborn has access to new born screening for certain inheritable condition that can result to mental-handicap, serious health complications or death if left undetected and untreated in conformity with the provisions of Republic Act No. 9288 or the New Born Screening Act of 2004. The program on newborn screening shall include the following:

- a. All children born in public and private lying-in clinics, public and private hospitals and homes must undergo newborn screening test within the first forty-eight (48) hours after birth, but not later than three (3) days from the complete delivery of the newborn;
- b. The administration of the New Born Screening Test to babies whose parents are indigent residents of the City and born at the Mandaluyong City Medical Center (MCMC), or in any lying-ins and health centers of the City shall be given for free, upon presentation of a Family Access Card or a Certification from the Local DSWD of their indigency;
- c. All children of Mandaluyong residents who are born outside of the City must also undergo a newborn screening test;
- d. Any health practitioner in the City of Mandaluyong who delivers and assists in the delivery of a new born shall, prior to deliver, inform the parents or legal guardian of the newborn of the availability, nature and benefits of newborn screening;
- e. The City Health Department shall conduct continuing information, education re-education and training program for health personnel on the rationale, benefits, procedures of newborn screening;
- f. Any parent or legal guardian who refuses to subject their newborn to a screening on a valid or religious grounds and beliefs shall acknowledge in writing their understanding that refusal for testing will prevent early detection of the child's disability that may manifest on the onset of the developmental age of the child. A copy of this refusal documentation shall be made part of the newborn's medical record and said refusal shall be indicated in the national newborn screening database;
- g. The amount of Three Million Five Hundred Thousand Pesos (P3,500,000.00) shall be set aside in the Budget Appropriation of the City annually to be spent in the program of the newborn screening.

SECTION 5. CHILD-FRIENDLY HOSPITALS/CLINICS IN MANDALUYONG CITY. All hospitals in Mandaluyong City shall set up child-friendly units to include rooming-in facilities and pediatric-appropriate mechanisms and gadgets accessible and affordable to poor families.

Hospitals, clinics and other health-related institutions providing health treatments shall, within forty-eight (48) hours from knowledge of any case of child maltreatment, abuse or exploitation, submit a report in writing to the City Department of Social Welfare and Development (DSWD) and the Women and Children's Desk of the Mandaluyong Police. These agencies are required to conduct an investigation and appropriate action necessary to protect the child from maltreatment, abuse and exploitation.

SECTION 6. **INFANT AND YOUNG CHILD FEEDING (IYCF) PRACTICES.** In support to the "*Bright Child*" Program pursuant to Executive Order 286 and in actively implementing its programs, the City hereby strengthens every health service provider in its implementation of the Infant and Young Child Feeding practices covering the whole health sector, whether government or private, including professional groups and private sectors. Every health service providers shall implement the following objectives of Infant and Young Child Feeding (IYCF):

- a. To improve the survival of infants (aged 0-11 months) and young children (1 year up to 3 years old) by improving their nutritional status, growth and development through optimal feeding during early initiation of breast feeding, exclusive breast feeding for six (6) months, and extended breast feeding up to two (2) years and beyond;
- b. That all infants are given timely, adequate and safe complementary foods, micronutrient **supplementation**, implementation of salt iodization and food fortification;
- c. To strengthen and support **health** service providers in providing support systems to make all means necessary available to mothers who breast feed their young under difficult circumstances such as, but not limited to natural human-induced calamities, mothers with malnourished infants with low birth weight, mothers with transmissible diseases such as HIV and others;
- d. To advocate continued training for promoting, protecting, support and improving infant and young feeding in all aspects of human life;
- e. Salt Iodization Implementation of Republic Act No. 8172, otherwise known as "An Act Promoting the Salt Iodization Nationwide". This program on Nutrition shall be under the administration and supervision of the City Health Department:
 - i. All salt manufacturers and stores selling salts shall ensure that they are selling iodized salt;
 - ii. Conduct of salt testing in household and food establishment.

SECTION 7. **PROTECTION RIGHTS AND PROGRAMS FOR FOUNDLING.** The City of Mandaluyong recognizes the rights of the foundling that he/she must live a full and meaningful life and that alternative protection and assistance shall be afforded to every child who is abandoned, surrendered, or neglected. Mandaluyong City also recognizes that Foster Care is an important step towards the child's return and reintegration to his biological parents or placement with an adoptive family.

In this regard, the City Government of Mandaluyong shall extend such assistance in the most expeditious manner in the interest of full emotional and social development of the abandoned, surrendered, or neglected child. Mandaluyong City shall also provide for social welfare services which include foster care programs.

A. PROCEDURE BEFORE BEING GIVEN A CERTIFICATE OF FOUNDLING:

1. When the child is first found, the person who found him or her must report the incident to the local barangay or police station, whichever is nearer or convenient to the finder and have it logged in the blotter. The child must then be turned over to the local office of the Department of Social Welfare and Development (DSWD) or to a duly licensed orphanage or charitable or similar institution.

Failure to turn the child over to authorities is punishable by law.

2. The DSWD social worker shall then exhaust all efforts to identify the child and his or her parents, including making appeals through media.
3. If the child's family is still not found after three months, the social worker will file a petition to declare the child abandoned and legally available for adoption.
4. Once this petition is approved, the social worker can register the child at the local civil registry in order to attain a Foundling Certificate.

No fees and other related charges such as processing fees and/or penalties shall be imposed on the registration of Certificate of Foundling.

A "Certificate of Foundling" can legally take the place of a birth certificate for whatever purpose the child may require one – in school enrolments, job applications, marriage certificate applications, and so on.

The Certificate contains details such as the child's defining features, place and date where he or she was found, and name – if the name of the child is unknown, the social worker can give him or her one.

5. Afterwards, the child can undergo the normal domestic or inter-country adoption procedure.

SECTION 8. **DEVELOPMENTAL RIGHTS.** These refer to the rights of a child to education to develop his or her personality, talents, mental and physical abilities to the fullest extent, including participation in cultural activities, access to appropriate and relevant information, and opportunities for rest, play, and leisure. The following are developmental rights:

- A. The right to a well-rounded development of his or her personality to the end that he or she may become a happy, useful, and active member of society;
- B. The right to grow up as a free individual in an atmosphere of peace, understanding, tolerance, and universal brotherhood/sisterhood, and with the determination to contribute her or his share in the building of a better world;
- C. The gifted child shall be given the opportunity and encouragement to develop his or her special talents;
- D. The emotionally disturbed or socially maladjusted child shall be treated with sympathy and understanding, and shall be entitled to treatment and competent care;
- E. The physically or mentally disabled child shall be given treatment, education, and care, required by his or her particular condition;
- F. The right to education, primary education must be compulsory and higher education must be available and accessible to all the basis of capacity by every appropriate means. The education of the child shall be directed to:
 - 1. The development of the child's personality, talents, and mental and physical abilities to the fullest extent;
 - 2. The preparation of the child for responsible adult life in a free society;
 - 3. The development of respect for the child's parents, her or his cultural identity, language, and values, and the cultural background and values of others;
 - 4. The development of respect for the natural environment.
- G. The right to full opportunities for safe and wholesome recreational activities for the wholesome use of their individual and social leisure hours;
- H. The right to live in a community and a society that can offer her or him an environment free from pernicious influences and conducive to the promotion of her or his health and the cultivation of their desirable traits and attributes.

SECTION 9.

EARLY CHILDHOOD CARE AND DEVELOPMENT. The City shall carry out the provisions of Republic Act No. 8980 otherwise known as "Early Childhood Care and Development Program" which refer to the full range of health, nutrition, early education, psycho-social and other services that provide for the holistic needs of children, particularly referring to persons from conception to age six.

- A. DAY CARE SERVICES PROGRAMS. The City shall support the Day Care Services Program which is a community program to be implemented by the barangay, through the Day Care Services.

B. BARANGAY DAY CARE CENTERS.

1. The City shall establish and maintain Day Care Centers in every barangay that will cater to the nutritional needs, social and mental development of all children from ages 2-4 years old;
2. The ratio of children/teacher per session must be:

Three (3) year old	ten (10) children/teacher
Four (4) year old	twelve (12) children/teacher

3. Day Care Center facilities in the barangay must not be used for other purpose/s other than what is intended;
4. The City Government shall ensure that all Day Care Centers and Day Care Workers shall pass the accreditation set by the DSWD.

C. STANDARDS FOR DAY CARE, OTHER ECCD CENTERS AND SERVICE PROVIDERS.

1. The City recognizes the significant role of the Day Care Service and other Early Childhood Education-Early Childhood Care and Development of children's well-being in the locality;
2. The City adopts and supports the implementation of DSWD Administrative Order No. 29 Series of 2004. The Administrative Order provides for the accreditation Standards for Day Care, other ECCD Centers and Service Providers (For Children Aged 0-6 years) to ensure effective and quality delivery of Day Care Service and other ECE-ECCD programs in the City;
3. The children are the ultimate beneficiaries of the standards for Day Care and other ECCD Centers and its Service Providers. Thus, these shall ensure that children from birth to age six (6) receive consistently high-quality care and education so that they can develop their fullest potentials;
4. The City shall pay the monthly allowance/honorarium of the Barangay Day Care workers with community counterpart in accredited public Day Care Centers. Provided, that the Day Care Curriculum shall be developed and strengthened based on the principles of early childhood care and development. Provided, however, that the program shall be under the direct supervision of the City Social Welfare and Development Department in coordination with the Department of Education.

SECTION 10. VOLUNTEERS. The City and Barangays may call upon private volunteers, who are responsible members of the community and utilize them to assist children's care, to provide consultative services for medical, educational and other children's need, and to conduct Free Tutorial Sessions.

- A. The Mandaluyong City Council for the Protection of Children (MCCPC) and the Barangay Council for the Protection of Children (BCPC) shall organize volunteers to conduct free tutorial sessions for identified beneficiaries on English and Math Subjects;

- B. The session will depend on the schedule agreed upon by the MCCPC and the volunteers;
- C. Children coming from the indigent families will be given priority in this program;
- D. Every barangay shall include this program in their BCPCs Annual Work and Financial Plan.

SECTION 11. RECREATIONAL AND CULTURAL PROGRAMS.

- A. **ESTABLISHMENT OF RECREATIONAL FACILITIES IN EVERY BARANGAY.**
 - 1. Every Barangay in the City shall allocate space for recreational facilities appropriate for children;
 - 2. Recreational facilities shall include but not limited to play grounds, sports facilities, library or learning centers.
- B. **CONDUCT OF YEAR-ROUND CULTURAL AND SPORTS PROGRAM FOR CHILDREN.**
 - 1. A year-round cultural program appropriate to age groups shall be designed with due respect to cultural diversity;
 - 2. Programs and activities shall include but not limited to the following:
 - a. Free Summer Performing and Visual Arts Summer Workshop;
 - b. Free Sports Clinic every summer;
 - c. Other activities as may be approved by the MCCPC.
 - 3. Indigenous games shall be encouraged in various athletic and sports programs of the City;
 - 4. Every Barangay shall ensure that at least 10% SK or Youth Development Fund shall be allocated for this purpose.

SECTION 12. **LOCAL CHILDREN'S ARTS AND LITERATURE.** In support of the socio-cultural development of children, the City shall invest in the promotion and production of local arts and literature for children and other relevant materials.

- A. Read Aloud;
- B. Mobile Library;
- C. Mandaluyong City Junior Artists (painting).

SECTION 13. **FAMILY AND SPIRITUAL DEVELOPMENT.**

- A. The spiritual and moral upliftment of children shall be the responsibility of the parents, schools, teachers, different churches and religious groups in the City;
- B. Every family shall remind their children to heed the ethical and moral teachings of their church, attend actively and get involved in their respective religious church activities such as Mass, prayer service, catechism, worship, bible studies, retreats, seminars, family day, prayer meeting, and the like to ensure a strong family relationship and God-fearing community;

- C. Religious education of children in all public and private schools is a legitimate concern of the church to which the students belong. All churches may offer religious instructions in public and private elementary and secondary schools subject to the requirements of the Constitution and existing laws.

SECTION 14. **FAMILY AND COMMUNITY SUPPORT PROGRAM.** The City, through the City Social Welfare and Development Department (CSWD), shall support the implementation and sustain a **Comprehensive Family and Community Support Program for Children.**

To ensure the implementation of this Section, it shall take appropriate measures to support the program of Family and Community Support Program. There shall be a Comprehensive Family and Community Support Program, which shall include courses on child health and rearing practices, responsible parenthood, parent effectiveness, pre-marriage counseling, social self-development, drug abuse prevention and control.

This shall also include courses and services in community organizing such social preparation on disasters and calamities, and social welfare structure development among others.

SECTION 15. **MANDATORY WORK IMMERSION FOR SENIOR HIGH SCHOOL STUDENTS.** Work immersion is one of the course requirements for graduation. A Senior High School student has to undergo work immersion in a business organization/establishment whose work requirements are related to the specialization.

- A. It refers to the part of the Senior High School Curriculum consisting of 80 hours of hands-on experience or work simulation which the Grades 11 and 12 students will undergo to expose them to the actual workplace setting and to enrich the competencies provided by the school under the supervision of the School Head and the designated personnel of the partner;
- B. The 80 hours may be scheduled for no more than 8 cumulative or consecutive hours per day;
- C. All **Technical-Vocational** Institutions offering SHS shall also be governed by these guidelines of TESDA and DOLE relevant to basic education;
- D. Through work immersion, the students are exposed to and become familiarized with work related environment to their field of specialization.

SPECIFICALLY, THE STUDENTS ARE ABLE TO:

1. gain relevant and practical industrial skills under the guidance of industry experts and workers;
2. appreciate the importance and application of the principles and theories taught in the school;

3. enhance their technical knowledge and skills; and
 4. prepare them to meet the needs and challenges of employment or higher education after their graduation.
- E. Work Immersion shall be governed by existing laws and DepEd issuances such as, but not limited to, the following:
1. Child Protection Policy;
 2. Anti-Bullying Act;
 3. Act Declaring Sexual Harassment Unlawful in the Employment, Education or Training Environment, and for other Purposes;
 4. Prohibition of cooperation or partnership with the tobacco industry in all areas of the country;
 5. Strengthening the integration of breastfeeding education in the curriculum, setting up and sustaining the operation of lactation stations. Executive Order No. 51, school officials are discouraged from partnering with companies manufacturing milk and infant formula products;
 6. **Adopt-A-School** Act of 1998 (amount of donation equivalent to 150% is deducted from the Taxable Income);
 7. Relevant labor laws and issuances in the fields of internships, apprenticeship, on-the-job training (OJT); and others
 8. Article 218 and 219 of the Family Code, on the special parental authority and responsibility of schools, administrators and teachers.
- F. The students **are** prohibited in having work immersion in industries and activities considered as hazardous in accordance with Dole Department Order 149-2016.
- Under DO 149-16, among those considered as hazardous industries are mining and quarrying; construction; transportation and storage; water supply, sewerage, waste management, and remediation activities; forestry and logging; fishing and aquaculture; hunting and trapping; security and investigation; and manufacturing of alcoholic beverages, tobacco, pyrotechnics, rubber and plastic products, chemicals, metals, and weapons and ammunitions.
- G. Work immersion shall not be considered as employment arrangement but only to serve the K-12 Program **purpose of exposing the students** to actual workplace setting and **augment the competencies provided by the schools**.
- H. Work immersion for students who are **still** below 15 years old must have permission from their parents or guardians and should be no longer than four hours per day.
- I. Failure of any private entity doing business in the City to accept senior high school students for mandatory work immersion **without** any justifiable reason/s constitute violation of this Ordinance and accordingly shall be imposed a fine of P3,000.00 for the first offense. Second offense will merit a fine of P5,000.00 and a warning. Third offense will merit revocation of its business permit.

SECTION 16. PROGRAMS FOR DIFFERENTLY-ABLED CHILDREN. Children with special needs—just like all others—need good and adequate nutrition, attention, care and love; good and appropriate education, and good role models and support services. The local City Government of Mandaluyong shall strengthen the programs of “Project T. E. A. C. H” that give focus and priority to the various needs of children with disabilities. The Disabled Persons Affairs Division with the help of City Social Welfare Office shall likewise make a periodic comprehensive survey on the differently-abled children in the City and shall implement programs for them that is child-focused and appropriate for children with special needs.

PROJECT T. E. A. C. H. HAVE THE FOLLOWING OBJECTIVES:

- a. Teach citizens and employees of Mandaluyong such as teachers, DSWD volunteers, Barangay Health Workers, and other volunteers how to identify children suspected of having special needs;
- b. Ensure that children suspected of having special needs are examined by specialists so they can be provided with the appropriate intervention;
- c. Organize group of volunteers who will be trained to assist in the provision of therapy and education services for children with special needs; and
- d. Provide applicable services for children with special needs.

SECTION 17. PROGRAMS FOR CHILDREN BEFORE, DURING AND AFTER DISASTER. The City Government of Mandaluyong shall adopt policies and programs for children before, during and after disaster which are as follow but not limited to:

- a. Establishment of evacuation centers;
- b. Establishment of transitional shelters for orphaned, separated and unaccompanied children, which must include gender-specific emergency latrines, bathing cubicles and hand-washing facilities specifically designed for children;
- c. Assurance for immediate delivery of basic necessities and services, with priority given to the specific health and nutrition needs of pregnant women, lactating mothers, newborn babies, children under five years old and children with disabilities;
- d. Enforcement of stronger measures to ensure the safety and security of affected children to prevent child trafficking, child labor and other forms of exploitation. Children will also be given priority during an evacuation because of a disaster or other emergency situation;
- e. Delivery of health, medical and nutrition services;
- f. Creation of a plan of action to bring affected children back to school;

- g. Establishment of child-friendly spaces defined by the law as "spaces where communities create nurturing environments for children to engage in free and structured play, recreation, leisure and learning activities";
- h. Promotion of children's rights by teaching both children and emergency responders what to remember during disaster situations.

ARTICLE V PARTICIPATION RIGHTS OF CHILDREN

SECTION 1. PARTICIPATION OF CHILDREN IN DECISION-MAKING PROCESSES. Article 12 of the Convention on the Rights of the Child states that children have the right to participate in decision-making processes that may be relevant in their lives and to influence decisions taken in their regard-within the family, the school or the community. It shall be the responsibilities of adults especially that in the local governance to provide opportunities and venue for children to express their views or ideas on matters concerning their development and welfare. In this regard, the local government offices involved in policy formulation is mandated to ensure that the children sectors are properly represented during deliberations, consultations and formulation of policies relevant to children's development and welfare.

SECTION 2. STATE OF THE CHILDREN'S REPORT. As embodied in Article 12 paragraph 2 of the Convention on the Rights of the Child, Children's Congress or the State of the Children's Report shall be an avenue for children to be heard and be assessed of all children-related policies and programs done by the City. Every NGO's concerned with children shall be instrumental in the process of the preparation and evaluation of the Convention. It shall be held every November during the celebration of Children's month.

SECTION 3. INSTALLATION OF MECHANISM FOR PARTICIPATION IN POLICY AND PROGRAM FORMULATION IN MANDALUYONG CITY.

- A. It is important to consult and provide venue for the expression of views relevant to Mandaluyong City Local Government Policies. It is therefore proper that children between seven to twelve (7-12) years old and thirteen to eighteen (13-18) years old are convened through their representatives in a once a year basis, during the Mandaluyong City Children's Convention, specifically during the Children's Month, every November of every year;
- B. NGOs concerned with these groups of children shall be part of the process in both preparation and evaluation of the Children's Convention;
- C. The Sangguniang Panlungsod shall also include in the people's hour during hearings a portion where children could express views on matters affecting them;
- D. A child representative shall be included in the representation of the Mandaluyong City Council for the Protection of Children, as well as the Barangay Council for the Protection of Children;

- E. Participation of Children in Activities that Harness their potentials and gifted talents.

Parents are encouraged to allow their children to join and participate in school activities, city programs, like scouting, school organizations, sports of interest, competition in Arts, Sciences, and other Social and Cultural activities that will develop their well-being.

SECTION 4. DESIGNATING EVERY MONTH OF NOVEMBER AS "MANDALUYONG CITY CHILDREN'S MONTH" AND THE DATE NOVEMBER 17 OF EVERY YEAR AS "MANDALUYONG CITY CHILDREN'S DAY."

- A. Republic Act No. 10661, An Act declaring November of every year as National Children's Month is hereby adopted. This declaration commemorates the adoption of the Convention on the Rights of the Child by the United Nations General Assembly on November 20, 1989;
- B. The City, through the Mandaluyong City Council for the Protection of Children (MCCPC), shall organize a yearly "Mandaluyong City Children's Convention" during the Children's Month;
- C. The MCCPC shall plan and coordinate the conduct of child-focused activities for the Children's Month and observe "Mandaluyong City Children's Day" with programs highlighting the rights, role, and responsibilities of children.

SECTION 5. ESTABLISHING OF CHILDREN ORGANIZATIONS. The MCCPC shall organize children's or young organizations in coordination with other concerned agencies. This Council will facilitate the organization, strengthening and monitoring of the functionality of children's organizations and encourage children's participation in the City and barangay level in matters that affect their rights and welfare.

- A. THE PURPOSES OF ENCOURAGING THE GROWTH OF CHILDREN'S ORGANIZATIONS ARE TO:
1. Provide a platform to voice their concerns and influence public policies;
 2. Allow representation of children in the legislative and policy-making bodies;
 3. Create a venue for their social, mental and spiritual growth.

SECTION 6. This Code hereby adopts Republic Act No. 8296, otherwise known as "AN ACT DECLARING EVERY 2ND SUNDAY OF DECEMBER AS NATIONAL CHILDREN'S BROADCASTING DAY".

- A. Every 2nd Sunday of December, television, and radio stations nationwide are required to allocate three (3) airtime for children's programs;
- B. The City, in coordination with different schools and radio stations within the City, encourages the initiation of activities and programs featuring talented children in broadcasting and hosting;

- C. The City Public Information Office will spearhead the National Children's Broadcasting Day.

SECTION 7. CREATION OF YOUNG LEADERS OF MANDALUYONG.

- A. Mandaluyong City shall create the Young Leaders of Mandaluyong, a program which allows children leaders of respective schools, to act as the City Officials, such as Mayor, Vice-Mayor, City Councilors, for a week to enhance their leadership skills and provide opportunities for them to experience public service;
- B. This program shall be supervised by the MCPC, in coordination with Department of Education-Mandaluyong City Division, Human Resource & Management Office, various local and national department heads together with partner NGOs and civic groups;
- C. The program shall provide for leadership training, seminars and programs.

ARTICLE VI
REHABILITATION AND SUPPORT SYSTEM

SECTION 1. INSTITUTIONALIZING THE "BAHAY TULUYAN" OR CRISIS CENTER FOR WOMEN AND CHILDREN WHO ARE VICTIMS OF DOMESTIC VIOLENCE AND ABUSE. The "Bahay Tuluyan", established and existing since 2002, shall serve as crisis center for women and children who are victims of domestic violence. It shall be tasked to provide the following:

- a. To provide temporary shelter and basic services to abused children and women;
- b. To network with non-government organizations and government agencies for the provision of the needed medical, psycho-social and legal services necessary in restoring/building the self-esteem of its clients;
- c. To encourage and build the capacities of abused children and women to come into the open and pursue cases in court whenever they are ready;
- d. To provide life skills and livelihood training to abused children and women while in the center to enable them to be productive and as a form of therapy;
- e. To provide livelihood assistance and placement to abused children and women who are ready to be reintegrated with their families and communities;
- f. To conduct a citywide education and advocacy program aimed at raising public awareness on the evils of child abuse and domestic violence, and massive information dissemination on the rights of children and women.

SECTION 2. SUPERVISION AND FUNDING. The said Center shall be under the supervision and operation of the Department of Social Welfare and Development of the City of Mandaluyong and to the Gender and Development Fund where it derives its support, operational needs and other budgetary requirements.

SECTION 3. MONITORING, EVALUATION AND ASSISTING PROGRAMS FOR CHILDREN AND OUT-OF-SCHOOL YOUTHS. Monitoring and Evaluation is essential for program and goal setting towards children welfare. This shall be the basis of fund allocation and further improvement of a particular program. Programs for early childhood stage and youth are as follows:

- a. The City Government of Mandaluyong shall endeavor to utilize and avail of alternative education program sponsored by the Bureau of Alternative Learning System of the Department of Education (DepEd). Likewise, it shall pursue tie-ups and partnerships with other private institutions that can and are willing to provide trainings, scholarship grants and other programs for the well-being of the out-of-school youths of Mandaluyong, including livelihood programs that will help them secure part-time employment or allow them to venture into part-time businesses which can help them sustain their education on their own;
- b. Subject to existing national laws governing education, labor and employment, the City Government of Mandaluyong shall endeavor to constitute laws and precepts that will allow flexibility to working out-of-school youth (OSY) and provide a "work and study" environment conducive to the continuance of their education;
- c. Conduct of a yearly census to monitor the decrease or increase of the number of out-of-school youths (OSYs) in the communities, and shall serve as data-base to determine appropriate programs that would help them out;
- d. The City Government shall maintain the facilities and functions of "Adolescent Hub". The "Adolescent Hub" shall serve as halfway house for out-of-school youths and street children. The City Social Welfare Development Department shall, likewise, make a periodic comprehensive survey on the out-of-school children and street children in the City and shall implement programs that are child-focused and appropriate for them.

SECTION 4. INSTITUTIONALIZING THE LOCAL COUNCIL FOR THE PROTECTION OF CHILDREN (LCPC). The City shall maintain the Local Council for the Protection of Children and coordinate with the barangays in the creation and organization of the Barangay Council for the Protection of Children (BCPC) at the barangay level. This is in keeping with the mandate of the LGU to coordinate the formulation, implementation and enforcement of all policies, programs, and projects relative to the survival, development and protection of children of the City Council.

The Local Council for the Protection of Children (LCPC) shall ensure the effective **implementation** of the Philippine Government's commitment to the Convention on the Rights of the Child, World Declaration on the Survival, Development and Protection of Children, and the Child 21 Framework.

It shall plan and implement programs and services for children by virtue of the LGU's power and authority to plan and implement local **socio-economic** development plans, policies, and programs.

SECTION 5. COMPOSITION AND FUNCTIONS OF THE LOCAL COUNCIL FOR THE PROTECTION OF CHILDREN.

- a. Members of the Local Council for the Protection of Children (LCPC) shall include the following agencies/units or offices, and other agencies it deems important depending on the current specific situation/ problems of the locality:
 1. The City Mayor;
 2. The Chairperson of the Sangguniang Panlungsod Committee on Women, Children, Family Relations and Social Services;
 3. The City Planning and Development Coordinator;
 4. The City Social Welfare and Development Officer;
 5. The City **Health** Officer;
 6. The City Schools Division Superintendent;
 7. The City **Prosecutor/Head**, City Public Attorney's Office;
 8. The President of the City Federation of the Sangguniang Kabataan (SK);
 9. Two (2) People's Council representatives;
 10. Three (3) child representatives (1 boy, 1 girl and 1 from PWD);
 11. The President of the Liga ng mga Barangay (LnB);
 12. A member of the Local Finance Committee;
 13. The City Director of the Department of the Interior and Local Government (DILG) and/or his representative;
 14. A representative of the Philippine National Police City Command.
- b. The Local Council for the Protection of Children (LCPC) shall have the following functions:
 1. To formulate the City plan of action for children, incorporating **projects and programs needing** assistance submitted by their **constituent barangays**; and ensure the integration of these plans into the City Development Plan;

- II. To review and integrate the City programs and projects needing assistance into the City Comprehensive Program for Children;
 - III. To monitor and evaluate the implementation of the barangay and City plans and programs;
 - IV. To submit quarterly status reports on the implementation of the City Comprehensive Program for Children through the City Development Council (CDC);
 - V. To recommend policies and programs to the CDC;
 - VI. To provide the necessary technical assistance to the City and barangay councils, if called for;
 - VII. To advocate for the passage of relevant child and youth protective ordinances;
 - VIII. To advocate for increased support and resource allocation for children's programs and projects from City Government and secure resources for the same from other sources;
 - IX. To provide technical assistance to the community-based frontline workers through the conduct of capability building and human resource development activities;
 - X. To prepare contingency measures to protect children and their families in crisis brought about by the natural and human-made calamities; and
 - XI. To identify and recommend programs and services to be contracted for implementation by NGOs and other entities in the implementation of this Code.
- c. **TECHNICAL WORKING GROUP.** The TWG shall act as the legwork of the Council in the data-gathering, monitoring, evaluation and coordination of programs to various related agencies and to the Members of the Council. It shall be headed by a Program Coordinator to be identified by the Council with the approval of the Chairman;
- d. **INTERNAL RULES AND REGULATIONS OF THE LOCAL COUNCIL FOR THE PROTECTION OF CHILDREN (LCPC).** The Local Council for the Protection of Children (LCPC) shall adopt its own Internal Rules of Procedures and Regulations to serve as guidelines for the Members in the discharge of their official functions such as the organization's structure, parliamentary procedure, order of meeting and quorums, discipline and such other rules the Council may adopt subject to the review of the City Council;
- e. **OPERATIONAL BUDGET.** An operational budget for the Local Council for the Protection of Children (LCPC) shall be allocated from the Gender and Development Fund of the City as mandated by Republic Act 7192;

- f. Secretariat support shall be provided by the City Social Welfare and Development Department or any appropriate office. The Secretariat shall be responsible for the documentation of proceedings of meetings and preparation of the reports and other necessary documents as needed by the Council.

SECTION 6. THE BARANGAY AND THE BARANGAY COUNCIL FOR THE PROTECTION OF CHILDREN (BCPC). The Barangay Council shall create a Barangay Council for the Protection of Children (BCPC), the composition of which shall be determined by the former depending on the needs and circumstances in the area. The BCPC shall have the following functions:

- a. The functionality of every Barangay Council for the Protection of Children (BCPC) in all Barangays shall be strengthened;
- b. As spearheaded by the Barangay Council for the Protection of Children (BCPC), every barangay shall advocate, support and uphold every right of the child;
- c. Shall allocate space for recreation and provide recreational facilities appropriate for children's gender and age in every Barangay;
- d. Every barangay shall establish a **Women-Children's Desk** and appoint a qualified, child-friendly and **gender-sensitive** officer knowledgeable in handling cases involving children. The Women-Children's Desk shall primarily, among any other, protect and assist abandoned, maltreated and abused children and facilitate their **cases** filed against child abusers;
- e. In support of the socio-cultural development of children in Mandaluyong City, the Local City Government shall invest in the protection of local children's literature or other relevant materials. Hence, all barangays shall create their respective public libraries or computer rooms for research and learning purposes. This shall be spearheaded and funded by the Sangguniang Kabataan or may be sourced out from different NGOs;
- f. To foster education and nutrition program for every child in the barangay;
- g. To encourage the proper performance of the duties of parents and provide learning opportunities on the adequate rearing of children and on positive parent-child relationships;
- h. To advocate for the passage of child-friendly barangay ordinances in response to child-related issues and concerns;
- i. To prepare 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.

SECTION 7. PARENTING-ORIENTATION COURSES. Marriage License applicants shall be required to participate in a Parenting Orientation Course I among other requirements, prior to the issuance of marriage license by the City Civil Registrar's Department. This course becomes an integral part of existing Family Planning Seminar on Reproductive Health Course.

Parent applicants for Birth Certificate of the child shall also be required to participate in a Parenting Orientation Course II, as follow-up to the first course before issuance of Certificate of Live Birth by the Civil Registrar without prejudice to the early registration of birth requirements under existing laws. Modules on these courses shall be designed by the Mandaluyong City Council for the Protection of Children and the City Social Welfare and Development Department in close coordination with the City Health Department and any existing NGO engaged in child-focused programs.

SECTION 8. REFORMATION OF CHILDREN IN CONFLICT WITH THE LAW. Children who are involved in anti-social or related activities shall be registered in a reform program that shall assist in rebuilding themselves and reintegration into the mainstream of society. Those programs shall include the following:

- a. MONITORING OF SUSPENDED CASES OF CHILDREN AND APPROPRIATE ASSISTANCE. Application for suspension of sentences of children involved in anti-social activities shall be done by the Mandaluyong City Council for the Protection of Children. A special team from said office shall monitor closely the cases involving children to adequately enforce the suspension of sentences. Appropriate and responsive rehabilitation program shall be afforded to them under the core of the Mandaluyong City Council for the Protection of Children. The framework of assistance shall be designed by the said Council in close coordination with NGOs and professionals with special interests in children's rehabilitation;
- b. APPOINTMENT OF WOMEN AND CHILDREN'S DESK OFFICER AND CHILD-FRIENDLY POLICE PROCEDURES. Each police precinct in Mandaluyong City shall have a Women and Children's Desk Officer to handle cases involving children. Child-friendly police procedures shall be implemented as contained in the Police Handbook on the management of cases of children in especially difficult circumstances. Each PNP element shall be provided a copy of the said handbook;
- c. SPECIAL COURSE FOR PNP. A special course for members of the Philippine National Police shall be designed to handle effectively children involved in anti-social activities. A team of PNP members shall take up the course-related section and other Child and Youth Relations Officers in each PNP detachment. Relevant activities shall be provided by the Mandaluyong City Council for the Welfare of Children and Family Concerns in close coordination with the Philippine National Police Child Protection Team.

SECTION 9. OTHER REHABILITATION, SUPPORT AND DIVERSION PROGRAMS FOR CHILDREN IN CONFLICT WITH THE LAW.

- a. The City shall create a Youth Home that will serve as a venue for counseling, educating, and other diversion programs for children who are in conflict with the law;

- b. **INSTITUTIONALIZING THE "BAHAY PAG-ASA" FOR MALE STREET CHILDREN AND CHILDREN IN CONFLICT WITH THE LAW.** The City of Mandaluyong appreciates the worth of street children and rebuilds the lives of children in conflict with the law. Thus, the City commits to being a Child-Friendly City by ensuring that BAHAY PAG-ASA shall be maintained. It shall be tasked to provide the following:
1. To provide a facility that will cater to male street children and children in conflict with the law;
 2. Offers interventions for the children in terms of legal assistance, referrals to appropriate institutions, social service counseling and psychological evaluation, temporary custody and shelter, values formation and character-building session, Balik Aral program, employment, capability building and recreational activities, educational programs, and Parent Effectiveness Seminar;
 3. Provide proper case management by social workers to all the children it serves. A ratio of one social worker to 25 CICL must be implemented to attain to the needs of children;
 4. Provide livelihood skills training especially for older boys.
- c. Reinforcing and strengthening the programs and activities of the DSWD and Mandaluyong Anti-Drug Abuse Council (MADAC).

ARTICLE VII DEVELOPMENT PLAN FOR CHILDREN

- SECTION 1. The Mandaluyong Children's Development Plan was formulated through the collaborative involvements of major stakeholders in the City, from the City Government to sectoral representatives, non-governmental organizations and the youth with the vision of Mandaluyong as a child-friendly City. This Development Plan for Children shall serve as a guiding instrument for further development of the Code based on the varying needs and situationer of children's condition in the City of Mandaluyong.
- SECTION 2. **INVESTMENT PLAN FOR CHILDREN.** The Investment Plan for Children shall be indicative of its source funding. Concerned agencies shall source out funding either from the local, national or private funds so as to maintain sustainability of children's programs. Every year stakeholders shall undergo workshops and seminars to update the development plan with their corresponding funding need.

ARTICLE VIII INSTITUTIONALIZATION OF SUSTAINABLE DEVELOPMENT GOALS FAMILY-BASED ACTION FOR CHILDREN AND THEIR ENVIRONS IN THE SLUM (SDG FACES)

- SECTION 1. **RATIONALE OF THE SDG-FACES.** The "Sustainable Development Goals Family-Based Actions for Children and Their Environs in the Slums" is an innovative project in addressing the United Nations Millennium Development Goals (UN-MDGs). It is implemented by the Department of the Interior and Local Government-Local Government Academy (DILG-LGA) which was started in 2008.

- a. SDG is incorporated in the country's 2017-2022 Philippine Development Plan and the Ambisyon 2040; with the SDG-FACES, national and global development goals are expected to be linked in local development plans;
- b. This program aims to improve the quality of life of 600 boys and girls, aged 0-17, from 40 urban poor households, in 15 slums communities nationwide. This is in support to attainment of the MDGs.
- c. The objectives of the program are the following:
 1. To enhance the capacities of urban poor women/mothers to identify issues, articulate the needs of and set targets for their families, especially that of their children, makes strategic choices and actions, and monitor their children's progress to meet the MDGs using the Family MDG Covenant;
 2. To develop and establish quick response mechanisms at the household, city and national levels to ensure concrete actions are facilitated to provide solutions addressing MDG issues affecting children in the slums, including the mobilization of national and local governments, business groups, church, academe and civil society for policy, programme, financial and capacity-building support;
 3. To develop and be tested by the community, models on right-based actions and solutions addressing MDG deficits in education, food, health, and environment that directly impact on the quality of life of children in the slums; and
 4. To realign and enhance, as a national policy anchor, the National Urban Development and Housing Framework (NUDHF) to address relevant MDGs issues including strategic interventions in the urban slums.
- d. The project empowers local government units (LGUs) to be dynamic partners of the National Government in responding to the challenges of the MDGs. It engages the participation of forty (40) families living in the slums from select cities and aims to establish quick response mechanisms, demonstration projects, and sustainability measures that will address the MDG-deficit areas in environment, food, or health directly affecting the quality of life of children in the slums;
- e. This program aims to enhance the capacities of urban poor women/mothers to identify issues, articulate the needs of and set targets for their families, especially that of their children, makes strategic choices and actions, and monitor their children's progress to meet the SDGs using the Family SDG Covenant;
- f. Mandaluyong City, being one of the beneficiaries SDG-FACES, in September 2017, has successfully implemented this project in the slum areas of Barangay Addition Hills. The positive outcome of this program has convinced the City officials to institutionalize this and become a regular program of the City of Mandaluyong.

SECTION 2. ACTIVITIES. The main activities of the Project are to:

- a. Select the City's participating barangay slum communities and families;
- b. Plan for Quick Response Mechanisms, Provision of Educational Assistance, and other Privileges;
- c. Conduct capacity building workshops for barangay and families together with partner institutions and stakeholders;
- d. Mainstream slum-level SDG targets in the City plans and budget;
- e. Conduct national and City level multi-stakeholder dialogues to develop quick response mechanisms (QRMs) and provide technical assistance to operationalize the quick response mechanisms;
- f. Support monitoring of children's progress on the SDG targets;
- g. Facilitate knowledge sharing among the beneficiary slum areas, and partner institutions;
- h. Ensure local policy reviews and consultations are integrated; and
- i. Monitor and report on the progress of the project.

SECTION 3. CREATION OF SDG-FACES TEAM.

A. SDG FACES CORE TEAM SHALL BE COMPOSED OF THE FOLLOWING:	
Mayor	Chairman
Sangguniang Panlungsod Committee Chairperson of Committee on Women, and Children and Family elations	Member
CSWD Officer	Member
City Planning and Development Coordinator	Member
Health Officer	Member
City Local Government Operations Officer	Member
School's Division Superintendent	Member
LCPC Focal Person	Member
B. SDG FACES TECHNICAL WORKING GROUP	
Overall Coordinator	
Community Organizers	
C. SDG FACES SECRETARIAT	

SECTION 4. DUTIES AND FUNCTIONS.

- A. CITY CORE TEAM:
- 1. Responsible for the overall supervision in the implementation of the project;
 - 2. Responsible for the selection of the slum community as beneficiary of the project.
- B. Support Team Through a participatory process, assist the FACES project management team in the community action planning and project implementation bearing in mind their respective areas of concern/responsibilities vis-a-vis the need of the recipient community. Develop and extend practicable SDG-responsive intervention.

C. TECHNICAL WORKING GROUP:

1. Customization of a family-based SDG Covenant;
2. Establishment of a structure for Quick response mechanism;
3. Prepare and keep the records of the FACES Project management and support team.

SECTION 5. SELECTION OF BENEFICIARIES. IDENTIFICATION OF BENEFICIARIES. A ~~house-to-house~~ survey is conducted as an initial step for identification of beneficiaries. For a household to be qualified as beneficiary, it should fit in the following criteria:

- a. with 0-17-year old child;
- b. a non-4Ps member with no fixed income for the head of the household living in a shanty.

The number of beneficiaries will depend upon the recommendation of the SDG FACES Core Team.

SECTION 6. DISQUALIFICATION OF BENEFICIARIES. The disqualification of beneficiaries shall be affected if:

- a. The child stops schooling;
- b. Failure to comply the SDG FACES rules and regulations.

SECTION 7. FUNDING. The City Government shall allocate funds for SDG FACES to support the sustainability of this project. The budget shall be allocated but not limited to the following:

- a. Educational Support of the Children Beneficiaries Scholarship and Assistance which is an ~~avenue~~ for the provision of educational assistance which includes full scholarship grants, uniform allowance and of financial assistance which includes, among others, hospitalization, rice assistance, etc.;
- b. "Land for the Landless, Home for the Homeless" which is a project that provides house and lot to the beneficiaries;
- c. Health and Sanitation Program (Health for Organized Poor families Established in the Slums) HOPES (Health for Organized Poor families Established in the Slums) which is an ~~avenue~~ for the conduct of health and sanitation activities which includes health and nutrition classes, training on personal hygiene, ~~awareness~~ on communicable diseases, campaign against drug abuse, maternal care services;
- d. Capability Building Program Conduct of various training which will strengthen the importance of family, responsible parenthood, moral and spiritual values and other activities that will develop the entire well-being of the children;
- e. Various Activities that promote value formation, sports, culture and arts, moral values; provides ~~avenue~~ for the conduct of environmental activities, e.g., clean-up, backyard gardening, environmental protection awareness, of value clarification activities, e.g., counseling, goal setting, etc., of skills training, of music clinic and of ~~awareness~~ campaign on rights of children;

- f. Family Day SDG-FACES. Family Day where talents of the beneficiaries are showcased and good academic performance of beneficiaries are recognized;
- g. Other programs as may be approved by the Local Chief Executive upon recommendation of the SDG FACES Team.

ARTICLE IX FINAL PROVISION

SECTION 1. APPROPRIATIONS. The amount necessary to carry out the provisions of this Ordinance shall be appropriated in the City Annual Budget under the Gender and Development Fund as mandated by Section 27 of the General Appropriations Act and Republic Act No. 7192 otherwise known as the Women in Nation Building Act.

The City Government shall also allocate one percent (1%) of the Internal Revenue Allotment for children's programs (DILG MEMORANDUM CIRCULAR NO. 2012-120 per Section 15 of Republic Act No. 9344) to carry out the provisions of this Code.

The Barangays shall, likewise, allocate their respective one percent (1%) of the Internal Revenue Allotment for children's program.

SECTION 2. SEPARABILITY CLAUSE. If, for any reason or reasons, any part or provision of this Code shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

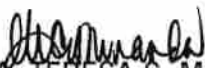
SECTION 3. APPLICABILITY CLAUSE. All other matters relating to the impositions or regulations provided in this Code shall be governed by the pertinent provisions of existing laws and other Ordinances. This Code shall apply to all the people within the territorial jurisdiction of the City of Mandaluyong, and to all persons, who may be subject to the provisions of this Code.

SECTION 4. REPEALING CLAUSE. All Ordinances, Resolutions, Executive Orders and other issuances which are inconsistent with any of the provisions of this Code are hereby repealed or modified accordingly.

SECTION 5. EFFECTIVITY CLAUSE. This Ordinance shall take effect fifteen (15) days after its approval and publication at least once in a newspaper of general circulation in Metro Manila and continuous display in the Bulletin Board of all the Barangays in the City of Mandaluyong.

ENACTED on this 9th day of August, 2018 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE
WAS ENACTED AND APPROVED BY THE SANGGUNIANG
PANLUNGSOD OF MANDALUYONG IN A SPECIAL SESSION
HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:


ANTONIO DLS. SUVA
Vice Mayor &
Presiding Officer

APPROVED:


CARMELITA A. ABALOS
City Mayor

Date: AUG 13 2018