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CITY COUNCIL  
City of Manila

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REGULAR SESSION NO. 41

12<sup>TH</sup> CITY COUNCIL

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Begun and held in the City Council on Tuesday,  
the seventh day of February, Two Thousand Twenty-Three

**ORDINANCE NO. 8944**

**AN ORDINANCE AMENDING SEVERAL PROVISIONS OF CITY ORDINANCE NO. 8182, ENTITLED: "AN ORDINANCE PROVIDING FOR COMPREHENSIVE WELFARE FOR THE CHILDREN OF THE CITY OF MANILA, AND FOR OTHER PURPOSES", ENACTED BY THE SANGGUNIANG PANLUNGSOD NG MAYNILA ON DECEMBER 16, 2008 AND APPROVED BY THE CHIEF EXECUTIVE OF THE CITY ON MARCH 13, 2009, AND INSERTING SEVERAL PROVISIONS THERETO, TO ATTUNE TO THE DEMANDS OF THE CHANGING TIMES**

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### **EXPLANATORY NOTE**

The 1987 Philippine Constitution recognizes the importance of our children as stated in the following Articles and sections:

Section 13, Art II, Rights of Children, The State 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 public or civic affairs.

Section 3, Art XV. The state shall defend: (2) The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development.

Pursuant to this mandate, several laws and policies were enacted to uphold the rights of children and emphasize the importance of the role of the community. Among of the noteworthy laws and policies are RA 7610, known as "An Act providing for stronger deterrence and special protection against child abuse, exploitation and discrimination, and for other purposes"; RA 9344 "An Act Establishing a Comprehensive Juvenile Justice and Welfare System, Creating the Juvenile Justice and Welfare Council under the Department of Justice, Appropriating Funds Therefor and for other purposes"; and Executive Order No. 53 Strengthening the Committee for the Special Protection of Children, Committee Resolution No. 1, Series of 2013, Resolution Approving the Protocol for Case Management of Child Victims of Abuse, Neglect and Exploitation.

The Department of the Interior and Local Government (DILG) have issued several memorandum circulars that established mechanisms to ensure effective and appropriate implementation of laws and policies on children, such as MC 90-04, MC 91-56, MC 91-57, MC 92-70, MC 94-14, MC 96-139, MC 02-121, MC 02-126 and MC 2021-039, that focus on the strengthening of the City Council for the Protection of Children through local policies and ordinance. Hence, in March 13, 2009, the City of Manila passed City Ordinance No. 8182, An Ordinance Providing for the Comprehensive Welfare for the Children of the City of Manila and For Other Purposes, in consonance to the national laws and policies.

As stated in DILG Memorandum Circular No. 2021-039, "Comprehensive Guidelines for the Establishment, Strengthening, and Monitoring of the Local Council for the Protection of Children (LCPC) at All Levels and For Other Purposes, it is stated under the LCPC Functionality Indicator on Governance that the Local Children's Code should be updated, contextualizing or adopting recently issued National Laws on Children. Since the creation of the first Comprehensive Welfare for the Children in 2009, the City Ordinance has not been updated to respond to the current needs of the children. This resulted to low functionality rating of the Local Council for the Protection of Children, which covers 85% of the rating system (Policies and Plans for Children, Budget and Service Delivery Monitoring and Management for Children) and low rating on the Seal of Child Friendly Local Governance which covers 40% of the rating system under the Governance Indicator.

Over the years, the City of Manila has not even reached the Ideal LCPC Functionality or at least be included in the Top Five (5) Cities among NCR for the Seal of Child Friendly Local Governance despite the efforts and innovations of Departments and Offices involved in programs, projects and activities for our children and youth. Moreover, only 1% out of 896 barangays have reached the Ideal Functionality of the Barangay Council for the Protection of Children (BCPC).



The Manila Council for the Protection of Children since 2019 has exerted its full efforts to review and update the Children's Welfare Code of the City, and introduce innovations in cognizance with the dream of Magnificent Manila, achieving the First among 17 LGUs of the National Capital Region to be the Seal of Child Friendly Local Governance Hall of Famer.

The Manila City Children's Welfare Code has thirteen (13) Articles and thirty-six (36) pages, with updated politically correct terms used in identifying cases of children, establishing strong mechanisms as the foundation of this code, significant provisions responsive to the current issues on children such as pandemic, natural disasters, cyber-related crimes, emphasis on parental and community responsibilities and active involvement of the private sectors.

Consistent with this state policy, the City envisions that "All Batang Maynila" lives in a wholesome and caring environment by upholding their rights for survival, development, protection and participation strengthened by policies, institutions, programs, projects and activities.

This dream will only be achieved by taking serious efforts in investing to the future citizens and leaders of the City of Manila, our "Batang Maynila". While our national hero, Dr. Jose Rizal quoted "Ang mga Kabataan ang Pag-asa ng Bayan", the Manila Council for the Protection of Children believes that, "Nasa kamay natin nakasalalay ang kinabukasan ng ating mga Kabataan".

In this view that the approval of this Ordinance is earnestly sought.



**HON. ROMA PAULA S. ROBLES-DALUZ**  
City Councilor  
3<sup>rd</sup> District, Manila

Be it ordained by the City Council of Manila, in session assembled, *THAT*:

**ARTICLE I  
GENERAL PROVISIONS**

**SECTION 1. Short Title.** – This Ordinance shall be known as the “**Manila City Children’s Welfare Code of 2023**”.

**SEC. 2. Territorial Jurisdiction.** – This Code shall be applicable within the territorial jurisdiction of the City of Manila. Likewise, this code shall apply to all persons who sojourn to the City of Manila, resident or not. This also covers all juridical persons including all the government and private entities which have as its residence the City of Manila or which operates or performs any activities within the territorial jurisdiction of the City of Manila.

**SEC. 3. Declaration of Policies and Principles.** –

1. The city recognizes that children have fundamental rights under international and national laws. It recognizes the vital role of youth in nation building and encourages their involvement in public and civic affairs. Pursuant to this, it is hereby declared to defend and promote the rights of the children; to render and provide a child with proper care, nutrition, equal access to quality education and assistance.
2. The child’s best interests shall be the primary consideration at ensuring both the full and effective enjoyment of all the rights recognized in this Code of the child. All the rights provided for herein are in the child’s best interests and no right should be compromised by a negative interpretation of the child’s best interests.
3. Mainstreaming rights of the children. Children’s rights are universal, indivisible and interconnected. The city and all its departments shall ensure that in all its programs, projects and activities the rights of the children and the best interests of the child is mainstreamed. Furthermore, it is the policy of the city to mainstream the rights of the children in all its structure, processes and policies.
4. In cases where children are involved in a conflict, the city shall endeavor to apply restorative justice principles.

**SEC. 4. Purpose.** – This Code is enacted as a response to the felt problems, risks and threats confronting the children of Manila. The Code shall ensure that all the children of Manila are able to enjoy their survival, development, protection and participation rights. Specifically the Code aims to:

1. Ensure the protection of children against all forms of abuse and exploitation;
2. Ensure that children of Manila are able to grow and develop their full potentials and participate in community and nation building;
3. Facilitate the implementation of national and local laws on children; and
4. Ensure the full participation of civil society organizations and the private sector in the promotion of children’s rights and implementation of programs and projects for children.



## SEC. 5. Definition of Terms. –

1. **Adolescent** – refers to persons whose ages are 10-19 years old.
2. **Aftercare program** – Follow-up program designed for recovering after completion of structured treatment with intensive assessment and monitoring.
3. **Barangay Council for the Protection of Children (BCPC)** – refers to the body established in the barangay of the local government units which subsumes the ECCD Coordinating Committee.
4. **Barangay Disaster Risk Reduction and Management Council** - responsible for setting the direction, development, implementation and coordination of DRRM programs.
5. **Bahay Pag-Asa** – refers to a 24-hour residential care facility which provides care, treatment and rehabilitation services for Children in Conflict with the Law.
6. **Bahay Sandigan** – an institution in the City of Manila which caters lost, abandoned, and neglected children, known as the Manila Boys Town Complex located at Parang, Marikina.
7. **Children** – refer to persons below 18 years of age and those over but are unable to fully take care of themselves from abuse, neglect, cruelty, exploitation and/ or discrimination because of physical or mental disability or condition; provided that for purposes of implementing the Juvenile Justice and Welfare Act of 2006 as amended (RA 9344 as amended), children shall refer to persons below 18 years of age only.
8. **Child Abuse** – refers to the maltreatment of the child, whether habitual or not, which includes any of the following:
  - a. Psychological and physical abuse, neglect, cruelty, sexual abuse, emotional maltreatment and prejudice morals.
  - b. Any act by deeds or words that debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;
  - c. Unreasonable deprivation of his/ her basic needs for survival, such as food and shelter; and
  - d. Failure to immediately give medical treatment to an injured child resulting in serious impairment of his or her growth and development or in his/her permanent incapacity or death.
9. **Child Abuse Prevention and Intervention Network (CAPIN)** – a program which seeks to promote child-friendly practices in the community, specifically by strengthening collaboration and systemizing coordination among the different individuals, whether representatives of mandated organizations and agencies or as volunteers, who are involved in child abuse prevention and intervention.
10. **Child exploitation** – refers to the use of children for someone else's advantage, gratification or profit often resulting in unjust, cruel and harmful treatment of the child, which are detrimental to the child's physical and mental health, education, moral, social and emotional development. These include but not limited to situations of manipulation, misuse, abuse, victimization, oppression or ill-treatment.
11. **Child friendly space** – refers to safe spaces for children to play and learn.



**12. Children at Risk (CAR)** – "Children-at-risk" or "CAR" refers to children who are vulnerable or 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 living in situations of armed conflict.
- i. those children who violate the ordinances enacted by local governments, concerning juvenile status offenses enumerated in Section 57-A of the Act, such as, but not limited to, curfew violations, truancy, parental disobedience, anti-smoking and anti-drinking laws, as well as light offenses and misdemeanors against public order or safety such as, but not limited to, disorderly conduct, public scandal, harassment, drunkenness, public intoxication, criminal nuisance, vandalism, gambling, mendicancy, littering, public urination, and trespassing;
- j. those who commit any of the following:
  - i. Status offenses under Section 57 of the Act; Prostitution under Section 202 of the Revised Penal Code, as amended;
  - ii. Mendicancy under Presidential Decree No. 1563; and
  - iii. Sniffing of rugby under Presidential Decree No. 1619.
- k. A child who submits or surrenders to a person-in-authority in connection with the anti-illegal drug campaign of the government for allegedly using dangerous drugs.
- l. Those identified as children-at-risk by the Juvenile Justice and Welfare Council.

**13. Children In Conflict with the Law (CICL)** – refers to a child, who is alleged as, accused of, or adjudged as having committed an offense under Philippine laws.

**14. Child labor** – refers to children working under conditions hazardous to life, safety and morals which unduly interfere with their normal development or working without provision for their education.

**15. Children with disability or with special needs** – children with either physical or mental infirmities whether congenital or acquired after birth.

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- 16. Child trafficking/Trafficking in Persons** – refers to the recruitment, obtaining, hiring, providing, offering, transportation, transfer, maintaining, harboring, or receipt of persons with or without the victim's consent or knowledge, within or across national borders by means of threat, or use of force, or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery, servitude or the removal or sale of organs.

The recruitment, transportation, transfer, harboring, adoption or receipt of a child for the purpose of exploitation or when the adoption is induced by any form of consideration for exploitative purposes shall also be considered as trafficking in persons.

- 17. Child Development Center** – is a facility where early childhood care services are provided by an accredited day care worker particularly for children in the 3-4 year age bracket.
- 18. Child Development Teachers** – also known as childcare teachers, are responsible for sparking creativity within their young students. They help to build the foundation for a strong education through play and formal teaching.
- 19. Child Development Workers** – refers to persons who provide intellectual and mental stimulation to the children, as well as supervise wholesome recreation, with a balanced program of supervised play, mental stimulation activities and group activities with peers.
- 20. Child Minding Center** – a day care service for employees' children under 5 years old. A substitute parenting and protection from all forms of neglect, abuse, and exploitation while the parents are at work.
- 21. Child Pornography** – refers to any representation of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.
- 22. Circumstances which gravely threaten or endanger the survival and normal development of children** – include, but are not limited to the following:
- Being in a community where there is armed conflict or being affected by armed conflict-related activities;
  - Working and/or exposed under conditions hazardous to life and safety which unduly interfere with their normal development;
  - Living or fending for themselves in the streets of Manila without the care of parents or a guardian and basic services needed for a good quality of life;
  - Being a member of an indigenous cultural community and/or living under conditions of extreme poverty or in slums which is highly congested, underdeveloped and/or lacking adequate access to basic services needed for a good quality of life;
  - Being a victim of a man-made technological or natural disaster or calamity; or
  - Any child within the jurisdiction of the City of Manila exposed to or being exposed to the current technological gadgets and facilities used by sexual predators such as but not limited to the websites or those that we refer to as "cybersex" or "child pornography" and cybercrimes.

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23. **City State of the Children Report** – refers to a report executed by the Local Chief Executive about the situation of children in the locality; this would also include all accomplishments, programs and services provided for children within a year. The LSCR is done annually with the participation of stakeholders including children.
24. **Civil Society Organizations (CSOs)** – refers to non- state actors whose aims are neither to generate profits nor to seek governing power such as non-government organizations professional associations, foundations, independent research institutes, community-based organizations, people's organizations, social movement, and labor unions which are organized based on ethical, cultural, scientific, religious or philanthropic considerations.
25. **Community service** – consists of any actual physical activity which inculcates civic consciousness, and is intended towards the improvement of a public work or promotion of a public service.
26. **Corporal punishment** – refers to punishment or penalty for an offense or imagined offense, and or acts carried out for the purpose of discipline, training or control, inflicted by an adult or by another child, who has been given or has assumed authority or responsibility for punishment or discipline.
27. **Custody** – the protective care or guardianship of someone.
28. **Dependent, abandoned, neglected, abused** – a vulnerable sector who shall be under the parental authority of a suitable or accredited institution that is caring for him/her after the child has been declared abandoned by either the court or the Department of Social Welfare.
29. **Diversion** – Refers to an alternative process of managing children in conflict with the law (CICL) without resorting to formal court system.
30. **Drug Dependent Children** – Refers to children who have a strong desire or a sense of compulsion to take the substance and the difficulties in controlling substance-taking behavior in terms of its onset, termination, or levels of use.
31. **Early Childhood Care and Development (ECCD)** – the holistic development of children including physical, cognitive, language, social and emotional development from conception to age 4 as established by MDSW, CHD and Health Centers.
32. **Exploited Children** – refers to minors or mentally incapacitated individuals as runners, couriers and messengers, or in any other capacity directly connected to the dangerous drugs and/or controlled precursors and essential chemical trade.
33. **Exposed Children** – refers to children who were exposed to any phase of the manufacturing process of any illegal drugs, trade of the illegal drugs, and activities in relation to illegal drugs.
34. **Fetal Death** – means death prior to the complete expulsion or extraction from its mother of a product of human conception, irrespective of the duration of pregnancy and which is not an induced termination of pregnancy.
35. **Fetus** – an unborn offspring, in particular an unborn human baby more than eight weeks after conception.
36. **Home Based Service** – child development service, community or church based Early Child Education (ECE), workplace related, child minding centers and health centers and stations.
37. **Informal Education (InfEd)** – help individuals learn to react to and control different situations and settings.
38. **Integrated Education (ItEd)** – provide balance education and allowing the opportunity to understand and respect all cultural and religious background.

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39. **Integrated Maternal and New Born Care Health (I- MNCHN)** – refer to a package of services for women, mothers and children covering the spectrum of (1) known appropriate clinical case management service including emergency obstetric and new born care in preventing direct causes of maternal and neonatal deaths which are or will be within the capacity of the health system to routinely provide; and (2) known cost-effective public health measures capable of reducing exposure to and the severity of risks for maternal and newborn deaths that are routinely being provided by LGUs.
40. **Intervention** – refers to a series of activities which are designed to address issues that caused the child to commit an offense. It may take the form of an individualized treatment program which may include counselling, skills training, education and other activities that will enhance his/her psychological, emotional and psychosocial well-being.
41. **Katarungang Pambarangay** – refers to Sections 400-422 of the Local Government Code of 1991 as amended.
42. **Micro nutrient deficiency** – refers to a medical condition where a person, usually a child, manifests lack of essential vitamins and minerals required in small amount by the body for proper growth and development. Micronutrients include but not limited to, vitamins A, B, C and D, Calcium and folate.
43. **Multi-Disciplinary Team (MDT)** – representatives of government agencies and private organizations which play a key role in child protection (in child protection) and intervention, (others) including volunteers at various levels comprise a second layer of partners.
44. **Manila Council for the Protection of Children (MCPC)** – it is the council that serves as the umbrella organization for all children's concerns. It is a council fully harnessed to be an efficient and effective advocate of child's rights that implements all children's programs at the local levels.
45. **Network of Duty Bearers** – an organization of government and private organizations composed of Government, Non-Government, Faith-Based, Academe and Socio-Civic Organizations working together in addressing the concerns of children in-street situations (CISS), and the issue of homelessness of the City.
46. **Non-Formal Education** – any organized educational system that takes place outside the formal educational system. Usually it is flexible, learner-centered, contextualized and uses a participatory approach.
47. **Out-of-school youth** – refers to a portion of the nation's population between the ages of twelve to seventeen years who are not regularly enrolled and undergoing formal academic or vocational training in an institution recognized by the government as defined in R.A 5462 of 1969.
48. **Parent Effectiveness Sessions (PES)** – an important component of early childhood development and an expansion of knowledge, skills and appropriate attitudes on parenting.
49. **Pre-natal period** – refers to the time between conception and birth of a child. This period is divided into three (3) stages: (1) germinal stage, (2) embryonic stage and (3) fetal stage.
50. **Positive discipline** – refers to a way of thinking and a holistic, constructive, pro-active approach to parenting or teaching that helps children develop appropriate thinking and behavior in the short and long term and fosters self-discipline. It is based on the principles of children's rights and child development on the respect for the child's dignity and physical integrity, and the principles of effective teaching.
51. **Post-partum period** – refers to the period beginning immediately after the birth of a child and extending for about six weeks.

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52. **Service Delivery Network (SDN)** – refers to the network of facilities and providers within the city-wide health system offering the MNCHN-FP HIV core package of services in an integrated and coordinated manner.
53. **Special Education (SpEd)** – are programs designed for those students whose mental, physical, social and/ or emotional development are delayed.
54. **Syndicated Rings** – are well-structured organizations involving the recruitment of children, the production of pornographic images of children, the delivery of direct sexual services, and the establishment of an extensive network of customers.
55. **Task Force On Children For Protection And Reach-Out** – refers to an inter-agency team established under the MCPC/BCPC who shall perform rescue operations for cases involving children.

The membership, which shall comprise of national and local government agencies and non-governmental organizations, as well as the responsibilities and functions of which shall be provided in the Implementing Rules and Regulations hereinafter promulgated.

56. **Teenage pregnancy** – is pregnancy in females under the age of 20.
57. **Women and Children Protection Desk (WCPD)** – in charge in the investigation of Gender-Based Violence cases likewise, to administer and attend to cases involving crimes against chastity, sexual harassment, abuses committed against women and children and other similar offenses.
58. **Women and Child Protection Unit (WCPU)** – a one-stop-shop investigation and processing center for abused women and children.
59. **Water Sanitation and Hygiene (WaSH)** – refers to three core public health issues of water, sanitation and hygiene that are grouped together to represent a growing sector.
60. **Youth Organization** – a public organization or association, registered in the manner prescribed by laws and other legal acts, in which young people or public youth organizations comprise.

## **ARTICLE II RIGHTS AND RESPONSIBILITIES OF THE CHILD**

**SEC. 6. Rights of the Child.** – Every child shall be entitled to the rights herein set forth without distinction as to legitimacy, sex, social status, creed, religion, political antecedents, and other factors.

Every child shall possess the following rights which are classified into Survival, Development, Protection and Participation Rights:

- a. Survival Rights include the inherent right to life, the right to health, the right to be cared for by parents or guardians or to be in alternative family care placements, the right to adequate food, shelter and clothing, and the right to be adopted if it is for the child's best interest.
- b. Development Rights include the right to education, the right to freedom of thought, conscience and religion, the right to useful and wholesome information to prepare the child for responsible adulthood, the right to rest, the right to play, and the right to enjoy a full and decent life even when mentally or physically handicapped.

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- c. Protection Rights include the right to a name and nationality, the right to be protected from discrimination, the right to be protected from abduction and sale, the right to be protected from war, the right to be protected by law from drug abuse, the right to be protected by law from physical abuse and degrading treatment, the right to be protected by the law from all forms of sexual abuse, the right to dignity and worth even when in conflict with law, and the right to be protected from economic abuse.
- d. Participation Rights include the right to freedom of expression and the right to freedom of association and peaceful assembly.

**SEC. 7. Responsibilities of the Child.** – Every child, regardless of the circumstances of birth, sex, religion, social status, political antecedents and other factors shall:

1. Strive to lead an upright and virtuous life in accordance with the tenets of his religion or belief, the teachings of his/her elders and mentors, and the biddings of a clean conscience;
2. Love, respect and obey his/her parents, and cooperate with them in the strengthening of the family;
3. Extend to their brothers and sisters their love, thoughtfulness, and helpfulness, and endeavor with them to keep the family harmonious and united;
4. Exert their utmost to develop his/her potentialities for service to the country and fellowmen, particularly by undergoing a formal education suited to his/her abilities, in order that they may become an asset to themselves and to society;
5. Respect not only their elders but also their teachers and mentors, and also the customs and traditions of the City, Divine Laws, the memory of our heroes, the duly constituted authorities, the laws of our country and the ordinances of the city;
6. Participate actively in civic affairs and in the promotion of the general welfare, always bearing in mind that it is the youth who will eventually be called upon to discharge the responsibility of leadership in shaping the nation's future; and
7. Help in the observance of individual human rights, the strengthening of freedom everywhere, the fostering of cooperation among nations in the pursuit of their common aspirations for programs and prosperity, and the furtherance of world peace.

### **ARTICLE III PLANS, PROGRAMS AND PROJECT FOR CHILDREN**

**SEC. 8. Local Development Plan for Children.** – Within one hundred eighty (180) days from the effectivity of this Code and every six (6) years thereafter, the MCPC shall formulate the City's Local Development Plan for Children (LDPC) which shall cover a period of six (6) years. The plan shall be approved by the Sangguniang Panlungsod and shall be integrated in the City Development Plan and shall include at a minimum,

1. the city's vision for children;
2. an analysis of the situation of children in the City, and in the succeeding plans a detailed evaluation and assessment of the previous plan;
3. ways to promote and protect the survival, development, participation and protection rights of children;
4. ways to improve the conditions of children in need of special protection;
5. a comprehensive local juvenile intervention plan for CAR and CICL;
6. ways to ensure the participation of children in activities that relate to them;
7. ways to integrate the LDPC with the other plans of the city such as the peace and order plan, the City Disaster Risk And Reduction Management Plan, etc.;
8. resource mobilization plan of the MCPC;
9. capacity building and training plan for duty bearers in the city and the barangay;



10. MCPC strengthening plan;
11. a communications plan to ensure the residents of the city are aware of the content of this code; and
12. a monitoring and evaluation plan.

**SEC. 9. Programs and Projects for Children.** – Based on the development plan and investment program for children, the city and barangays, shall formulate a comprehensive program for children within one (1) year from the effectivity of this Code and every three (3) years thereafter, along the four major rights of the children such as survival, development, protection and participation and by life cycle using the integrated approach.

**SEC. 10. Process of Plan, Program and Project Formulation.** – The MCPC with the assistance of the City Planning and Development Office (CPDO) shall spearhead the plan preparation, identification and formulation of programs and projects, responsive to the needs of children in the City of Manila. To the widest extent possible, participation of various stakeholders from the government, the civil society groups and children's representatives shall be ensured. The MCPC shall draw-up criteria for prioritizing programs in order to ensure that the interventions are responsive to the needs of the communities. The MCPC shall see to it that the children and youth themselves participate in the formulation, development and implementation of these programs, particularly in the identification of needs.

**SEC. 11. Periodic Review and Assessment of the Comprehensive Children's Programs.** – At the minimum, quarterly monitoring of the status of programs and project implementation shall be conducted by the MCPC and BCPCs, while the effectiveness of programs in addressing the needs of children shall be done annually. The monitoring and evaluation reports shall form part of the state of children report to be delivered by the Local Chief Executive (LCE).

**SEC. 12. Program Strategies.** – The core strategy for addressing the various concerns of children shall be focused on the creation of a Child Friendly Movement (CFM) in the City of Manila, whereby all actors at all levels and structures work together to fulfill the rights of the child- the rights to live and live well. CFM aims to make the Convention on the Rights of the Child (CRC) a reality for the children of the city by creating child-friendly families, communities, schools, agencies, institutions, local and national governments.

This movement shall create and maintain a momentum of active and fruitful involvement among the members of the civil society organizations at the barangay and city levels toward realizing the rights of the child. CFM shall mean massive advocacy, public-consciousness raising, capacity building and working with families, communities, city and barangay officials, as well as private sectors, NGOs, religious communities, and media to form a network of support to meet children's needs and realize their rights.

**SEC. 13. Networking.** – The MCPC and the DCPCs shall strengthen its network and linkages with different government agencies, non-government agencies, health facilities, academe, professional associations, individual professionals and experts and other stakeholders in order support the implementation of this Ordinance and the City's Plans, Programs and Project for Children.

**SEC. 14. Resource Development.** – The MCPC shall establish a resource development system that will enhance the funding support and expand the human resource base for the implementation of this Code, including but not limited to public-private partnerships and collaboration with international and local donor organizations.



## **ARTICLE IV SURVIVAL RIGHTS**

**SEC. 15. Survival Rights.** – All children whether resident of the city or not, whether registered or not shall enjoy the services of the city's health facilities including hospitals and health centers to ensure the maximum extent possible the survival of the child.

**SEC. 16. Registration of Child at Birth.** – The City Civil Registrar in coordination with the Philippine Statistics Authority (PSA) shall ensure that all children in the city are registered to guarantee their rights and identity.

The City Civil Registrar in coordination with the MCPC, the DCPCs and the BCPCs shall develop and implement a comprehensive program on birth registration which shall include barangay-based advocacy and monitoring to ensure that every child in Manila is accorded the right to a name and nationality.

**SEC. 17. Integrated Maternal Neonatal Child Health and Nutrition Services.** – The Manila Health Department shall institutionalize the maternal, neonatal, child health and nutrition program and integrate it in the local nutrition action plans and investment plans for health. Implementation will be at the barangay level through the rural health units and barangay health centers.

**SEC. 18. Primary Health Care.** – The City through the MHD shall formulate and implement a primary health care program for children and youth. To further ensure the implementation of this Section, it shall take appropriate measure to support the program on health under the framework of primary health and preventive care. All Manila Health Department Centers and Lying in Clinics shall provide the preventive, primitive and curative health services in coordination with the Department of Health.

**SEC. 19. Mother and Child Care.** – The Manila Health Department (MHD) in coordination with the MCPC, the BCPC and other relevant departments of the City shall ensure the implementation of programs and services aimed towards the improvement of the health status of pregnant women, mothers and their children consistent with R.A. No. 11148, the First 1000 Days Ordinance of the City and other relevant laws and ordinances.

**SEC. 20. Establishment of Lactation Stations.** – All health and non-health facilities, establishments or institutions in the City of Manila through the MHD shall establish lactation stations.

The lactation stations shall be adequately provided with the necessary equipment and facilities, such as: lavatory for hand-washing, unless there is an easily-accessible lavatory nearby; refrigeration or appropriate cooling facilities for storing expressed breastmilk; electrical outlets for breast pumps; a small table; comfortable seats; and other items, the standards of which shall be defined by the Department of Health. The lactation station shall not be located in the toilet.

In addition, all health and non-health facilities, establishments or institutions shall take strict measures to prevent any direct or indirect form of promotion, marketing, and/or sales of infant formula and/or breastmilk substitutes within the lactation stations, or in any event or circumstances which may be conducive to the same.

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**SEC. 21. Service Delivery Network: Referral and Support System for Pregnant Mothers for Prenatal and Neonatal Care.** – An effective referral support system for pregnant mothers for prenatal and neonatal care and, in the case, for delivery of the infant under conditions which will remove or minimize risk to mother and child shall be put in place by the Manila Health Cluster.

**SEC. 22. Child and Adolescent Friendly Hospital.** – The MHD shall ensure that all hospitals in the City of Manila shall set up child friendly policies, services and units to include rooming facilities and pediatric appropriate mechanisms, equipment, tools and gadgets. All Health Facilities within the City of Manila shall provide a package of services for adolescents and youth, as well as strategies to render these services across all levels of the health sector starting with Primary Health Care up to hospital care. Adolescent and youth health services should have distinctive features so that they will attract, meet the needs of, and retain young people as clients.

**SEC. 23. Growth and Nutritional Monitoring.** – The Manila Health Department shall establish and sustain a growth and nutritional monitoring with the Operation Timbang Plus (OPT+) and vigorously pursue supplementary nutritional feeding and supervision of nutritional intake at home and school. The program on nutrition shall include monitoring and evaluation system which shall be established by the said office.

**SEC. 24. Universal Newborn Hearing Screening Program for the Prevention, Early Diagnosis and Intervention of Hearing Loss.** – All infants born in the City of Manila owned hospitals shall be made to undergo newborn hearing loss screening before discharge, unless the parents or legal guardians of the newborn object to the screening. In case the newborn is born at home or anywhere outside birthing facilities, the attending health care practitioner shall refer the newborn to the city health center of the barangay having jurisdiction over the area for newborn hearing loss screening and audiologic diagnostic evaluation for the first three (3) months after birth. It shall be the joint responsibility of the parents or legal guardian, and the healthcare practitioner to ensure that hearing screening is performed.

**SEC. 25. Integrated Management of Childhood Illnesses (IMCI).** – The City of Manila, through the MHD and in coordination with the MCPC, shall establish a strategy for child survival, healthy growth and development and is based on the combined delivery of essential interventions at community, health facility and health systems levels which includes elements of prevention, as well as curative and addresses the most common conditions that affect young children.

**SEC. 26. Salt Iodization and Food Fortification.** – The city, through the MHD, shall ensure the strict implementation of R.A. No. 8172 or Act Promoting Salt Iodization Nationwide (ASIN) to be supervised by the Manila Health Department.

**SEC. 27. All City Owned Hospitals.** – must have at least two (2) competent and/or specialist personnel that can handle child victims of any forms of abuse.

**SEC. 28. Role of Local Health Board.** – The Local Health Board (LHB) shall actively advocate for the adequate delivery of health services for all children in the locality. It shall conduct periodic monitoring and evaluation of children's health vis-a-vis health services available.

**SEC. 29. Adolescent Sexual and Reproductive Health Program.** – The MHD in coordination with the Manila Department of Social Welfare (MDSW) and MCPC shall formulate an adolescent- friendly sexual and reproductive health program involving access to information and services related to prevention of early pregnancies, sexually-transmitted diseases and infections, and HIV/AIDS and with services for teenage mothers, pregnant girls, as well as promotion of sexual health and rights.

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**SEC. 30. HIV-AIDS.** – The Manila Health Department in coordination and cooperation with concerned government agencies, NGOs, persons with HIV/AIDS and groups most at risk of HIV infection shall support and implement Republic Act No. 8504, An Act Promulgating and Prescribing Measures for the Prevention and Control of HIV/AIDS in the Philippines, Instituting a Nationwide HIV/AIDS Information and Educational Program, Establishing a Comprehensive HIV/AIDS Monitoring System, Strengthening the Philippine National AIDS Council, and Republic Act 11166 or the Philippine HIV and AIDS Policy Act. The city shall improve access to and use of quality data and information on HIV/AIDS by conducting a situation assessment and analysis of young people and HIV/AIDS; fostering young people's access to youth-friendly, gender-sensitive health services that provide community based voluntary and confidential HIV testing and counselling; and essential health services and treatment for sexually transmitted infections.

**SEC. 31. The Responsible Parenthood and Reproductive Health Act of 2012 (Republic Act No. 10354).** – The City of Manila guarantees universal access to methods of contraception, fertility control, sexual education, and maternal care that will contribute to reproductive health and well-being of Manila residents.

**SEC. 32. Access of Children to School and Community Water Sanitation and Hygiene (WaSH) Facilities.** – All barangays shall establish WaSH facilities in their jurisdiction which includes but not limited to safe water resources, safe drinking water, hand-washing and toilet facilities. The Manila Health Department (MHD), the City Sanitary Inspector (CSI) the MCPC and the BCPC shall monitor and provide the appropriate technical assistance to ensure the proper implementation of this program.

**SEC. 33. Protection of the Child from Exploitation (Commercial Sexual Exploitation, Child Sexual Exploitation and Abuse Material, Online Sexual Exploitation and Abuse and other forms of Exploitation of Children).** – The MCPC in coordination with SK and BCPC shall conduct programs that will educate children on the possible abuses that may be committed against them by their parents, legal guardians, head of the foster home or the head of the institution. The child must be informed of how he/she can report such acts when committed against him/her.

**SEC. 34. Regulating Ambulant Vendors of Junk Food in School Vicinities of Sanitation Purposes and Establishing Monitoring System.** – The City Government shall protect the school children from unsanitary food and junk food. In furtherance of this mandate, all vendors within the vicinity of all school campuses within the city shall be subjected to safety and sanitation standards.

## **ARTICLE V DEVELOPMENTAL RIGHTS**

**SEC. 35. Developmental Rights.** – The City Government of Manila in coordination with the Department of Education (DepEd) and Manila Department of Social Welfare shall ensure the rights of a child to education to develop his/her personality, talents, mental and physical abilities to the full extent possible.

**SEC. 36. Early Childhood Care and Development (ECCD).** – The City of Manila through the MCPC, DCPC, BCPC and MDSW shall ensure the implementation of the National ECCD Program at the barangay level which includes early education and social services programs that provide for the basic holistic needs of young children from birth to age six (6), to promote their optimum growth and development according to Early Years Act (EYA) of 2013.

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**SEC. 37. Access to schools and educational institutions.** – The MCPC specifically the Committee on Development shall ensure the implementation of programs to improve children's access to quality formal, non-formal and alternative basic education especially the most deprived and marginalized, such as children with disabilities, LGBT children, young children, Muslim children, IP children, children in conflict with the law, children in prostitution, working children, out-of-school children, street children, children in poor communities, children relocatees, children in disaster-prone and conflict-affected areas, unregistered/undocumented children, children of PDLs among others. The following are the programs to be implemented, but not limited to:

1. Home Based
2. Integrated Education (ITED)
3. Child Minding Center
4. Elementary and High School Program, Arabic Language Islamic Values and Education (ALIVE)
5. Special Education (SpED)
6. Alternative Delivery Mode (ADM)
7. Open High School
8. Kariton Klasrum, Alternative Learning System, Informal Education (InfEd)
9. Indigenous People Education (IPEd)
10. SPEd ALS

**SEC. 38. Child-Friendly School System (CFSS).** – The City of Manila shall ensure that all basic educational institutions are child-friendly. CFSS is a school system which recognizes and respects children's rights and responsibilities, provides the conducive learning environment to realize children's rights in the school, and helps ensure that such an environment extends beyond the school into children's homes and communities.

**SEC. 39. Access to scholarship and financial aid opportunities.** – It is the policy of the City to support the education of Manila constituents from non-formal, basic to higher education. The City of Manila shall ensure that economic aids such as scholarship programs and subsidies are available to deserving children and facilitate the provision of financial aid by benefactors to student-beneficiaries in consultation with the Local School Board and the Development Committee of MCPC.

**SEC. 40. Promoting schools as safe space.** – The City of Manila shall, in coordination with the DepEd shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment based on the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

**SEC. 41. Training and capacity building of teacher and school personnel.** – Relevant trainings and capacity building among day care workers, teachers and school personnel that include application of children's rights shall be initiated and supported by the City of Manila through the MCPC and DepEd. Trainings shall include children's rights, positive discipline and recent trends in handling children.

**SEC. 42. Access to quality education during a pandemic and other natural calamity.** – The City of Manila, in coordination with Department of Education and the MCPC, shall ensure the provision of quality education to children during temporary stoppage of on-site schooling during a pandemic or other natural calamities.

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**SEC. 43. Special program for employment of students.** - The City of Manila through the Public Employment Service Officer (PESO) shall assist and help students to look for appropriate work for their situation. The PESO shall consider all the necessary factors including but not limited to student's schedule, financial need to match the student to a proper job.

**SEC. 44. Special Education Program (SPED).** - All public schools shall be equipped with SPED facilities and provided with SPED teacher specialists. The private schools shall be encouraged to provide SPED services. Regular conduct of training for teachers and health personnel handling children with special needs shall be part of the major activities of the Local School Board and the MCPC. Surveys on the number and location of potential SPED beneficiaries will be conducted regularly to guide program planners and implementers. Moreover, all public schools should accept children with special needs even if the latter do not have birth certificate and temporarily admit them.

**SEC. 45. Alternative Mode of Education for Out-of-School Youth.** - All public basic education learning centers, government agencies and private institutions shall provide alternative mode of education for out-of-school youth (ages 13 years old and above) in the City of Manila. The program aims to produce completers who are not only able to catch up with basic academic education, but have also acquired technical competencies suitable for immediate employment.

**SEC. 46. Other programs for the development of the children.** - The following programs related to development rights shall be retained and incorporated with the programs/projects provided in this Ordinance in coordination with MCPC. The following programs are:

1. Child Development Centers (CDC)/National Child Development Center
2. Child Friendly City Library, Barangay Child Friendly Space/Room
3. School handbook Child Protection, Parents Education Session
4. Family and Community Welfare Support System
5. Child Youth Welfare and Development Program and Women's Welfare and Development Program.

**SEC. 47. Establishment of Recreational Facilities and Playground.** - The City of Manila through the MCPC, Department of Engineering and Public Works and the Parks Development Office shall exert all efforts to identify safe and child-friendly spaces for the construction of child friendly facilities such as playground where children can play and enjoy their right to develop; Provided that, the city shall ensure that playgrounds and child-friendly spaces can cater to the needs of children of all ages, gender and culture; Provided further that the city shall ensure that the playgrounds and child-friendly spaces are accessible to children with disabilities and children with multiple vulnerabilities.

Every barangay in the city shall allocate a space for the establishment of Recreational Facilities and Playground. Non-government organizations, civil society organizations and faith-based organizations are also encouraged to put up and maintain other child-friendly facilities such as but not limited to libraries, museums, parks and playgrounds.

**SEC. 48. Conduct of Year-Round Cultural and Sports Program for Children.** - The Sangguniang Kabataan in coordination with the MCPC shall design and implement a year-round cultural and sports program appropriate to every age group; Provided that, the SK and the MCPC shall ensure that the program is inclusive, culture sensitive and provides equal opportunities for children to participate especially those children with disabilities and those with multiple vulnerabilities. Programs and activities shall include but not limited to free summer performing and visual arts summer workshop, free sports clinic, and other activities.

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**SEC. 49. Spiritual Development.** – The spiritual and moral upliftment of children shall be the responsibility of the parents, schools, teachers, different churches and religious groups in the city. Every family shall admonish their children to heed the teachings of their church, attend actively and get involved in their respective religious church activities such as mass, catechism, worship, bible studies, retreats, seminars, family day, prayer meeting and the like to ensure a strong family relationship and God fearing community. Religious education of children in all public and private schools is a legitimate concern of the church to which the student 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. The MCPC shall coordinate with various faith-based organization within the city to implement this provision.

## **ARTICLE VI PARTICIPATION RIGHTS**

**SEC. 50. Participation rights.** – The rights of the child to participate in matters that affect him/ her most by providing all appropriate venues where he/she can express his/her opinions freely and to have these opinions taken into account in decision-making and in a consultative process, freedom of association and peaceful assembly are necessary.

**SEC. 51. Participation in decision making processes.** – The City of Manila through the MCPC and the DepEd shall encourage parents 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. The City of Manila through the MCPC shall support the formation of pupil/student organizations, their projects and activities, and their active participation in school governance.

**SEC. 52. Installation of mechanism for participation in policy and program.** – The City of Manila through the MCPC shall institute mechanisms for meaningful participation by children in policy-making processes on issues that directly affect them. The MCPC shall ensure that children are given the opportunity to participate, through consultations, in designing and implementing the City's Local Development Plan for Children, as well as other relevant plans that affect them.

**SEC. 53. Designating every Month of November as Children's Month.** – November shall be declared as a Children's Month for the City of Manila while the last Monday of November will be the culminating activity. The MCPC shall plan and coordinate the conduct of child-focused activities for the Children's Month with programs highlighting the rights, role, and responsibilities of children. Part of the celebration of the Children's Month will be the issuance of the State of the Children Report by the Local Chief Executive (LCE).

**SEC. 54. Annual Children's Congress.** – The City of Manila through the MCPC shall conduct an annual children's summit every November in celebration of Children's Month to review, express opinion and share insights instruments on child rights and welfare sector in Manila in coordination with SK Federation, the DCPC and the BCPCs.



**SEC. 55. Creation of Young Leaders of Manila.** – The City of Manila shall create the Young Leaders of Manila, a program which allows children leaders of respective schools and accredited youth organizations, 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. This program shall be supervised by the MCPC in coordination with the Division of City Schools Manila, Human Resource & Management Office, various local and national department heads together with partner NGOs and civic groups. The program shall provide for leadership training, seminars and programs.

**SEC. 56. Learning Resource Center for Children.** – A state of the art learning resource center for children shall be established in all city-owned libraries. It shall serve as the main repository of data and information on children to include adequate child friendly materials and other paraphernalia.

**SEC. 57. Summer Camps.** – The MCPC shall organize a Summer Camp for children with special needs to be held during April or May of every year to be participated in by said Children of the city.

**SEC. 58. Child and Gender Sensitivity Training.** – A comprehensive child and gender sensitivity orientation shall be developed and implemented in the city. All employees of the City Government and National Government working in the city and stakeholders working for the children are required to undergo the orientation and training courses annually.

**SEC. 59. Right of Children to Information.** – The MCPC shall disseminate information relating to all rights mentioned in this Code in a child friendly manner through but not limited to schools and communities. Awareness raising and information drive on the provisions of this Code shall be intensified through the use of mainstream and social media; and other awareness raising activities in coordination with the BCPC, SK, DepEd and other NGOs. The City of Manila shall maintain a child-friendly website through its Information Technology Division to provide truthful and timely information to children.

**SEC. 60. National Children's Broadcasting Day.** – The MCPC shall avail of the free airtime allocated by Republic Act No. 8296, otherwise known as "An Act Declaring Every Second Sunday of December as the National Children's Broadcasting Day".

## **ARTICLE VII PROTECTION RIGHTS**

**SEC. 61. Protection rights.** – The protection and best interests of the child or children shall be the first and paramount consideration against conditions or circumstances prejudicial to his physical, mental, emotional, social and moral development.

**SEC. 62. Children's Desk.** – All police stations within the City of Manila shall ensure that a police officer trained to handle and manage children's cases is available twenty-four (24) hours a day and seven (7) days a week.

**SEC. 63. Social Welfare Officer for Children.** – The City of Manila through the MDSW shall ensure that in every district office of the MDSW, at least two (2) social workers are devoted to children's concerns.



**SEC. 64. Child Friendly Justice System.** – The City of Manila through the MCPC shall support the judicial system in creating and maintaining an environment that will allow children to give reliable and competent evidence, minimize trauma to children, encourage children to testify in legal proceedings, and facilitate the ascertainment of truth. In pursuit thereof, it shall endeavor to:

1. Train members of the Katarungang Pambarangay on children's rights and child protection to ensure child-sensitive Katarungang Pambarangay System. The trained members of the Katarungang Pambarangay shall automatically be a member of their respective BCPCs;
2. Support the setting up of child-friendly courtroom facilities in all family courts in the city;
3. Establish a program for training and utilizing court-appointed special administrators/guardians ad litem (CASA-GAL) to uphold and protect the best interests of the child in cases where the child is a witness, victim, or accused in a criminal case, as well as child witnesses in non-criminal proceedings; and
4. Provide access to free interpretation services for speech and/or hearing-impaired children who are witnesses, victims, or accused in a criminal case or witnesses in non-criminal proceedings, provided that such services shall be extended whenever the child is present at any stage of the proceedings, regardless of whether the child is on the witness stand.

**SEC. 65. Child Protection Policy.** – All government offices shall adopt a child protection policy that sets standards of conduct and behavior for public officials, employees and volunteers to ensure that they promote and protect the rights of children.

**SEC. 66. Protection from hazing and related violence.** – The City Government of Manila shall adopt a program to facilitate the protection of children against violence from hazing and/or initiation rites. The MCPC in coordination with the POC shall formulate plans to coordinate with the city's public or private schools, universities, or institution to ensure effective implementation of said program.

This program shall also cover the prohibition on any initiation rites which where a person undergoes physical, emotional, psychological violence before being accepted into fraternity, sorority, organization as a full-fledged member. The local government shall see to it that any form of hazing shall not be performed within the jurisdiction of Manila City.

All child victims of the violation of Anti-Hazing Law shall be subject to mental health program of the City of Manila in coordination with Committee for the Mental Health of Young People.

**SEC. 67. Protection from discrimination.** – The City of Manila through MDSW shall adopt a program ensuring children's protection against all forms of discrimination or punishment on the basis of sex, gender, religion, disability, or other status.

In relation to this, the local government shall also work to abolish all forms of sexual and gender-based violence such as, but not limited to, physical, sexual, and psychological violence against children at school practices and student handbook, legislated City Ordinances and Resolutions, community practices and resolutions.

The program shall support to work for an environment which enables to change discriminatory behaviors that are barriers to gender equality. The program shall implement best-practice solutions for overcoming inequalities and focus on holistic approaches in order to fulfill equal rights for children.



**SEC. 68. Children's rights hotline.** – The City of Manila through the MCPC shall establish a Hotline specific for children's complaints and concerns including but not limited to emergencies, suicide prevention, mental health and etc.

**SEC. 69. Positive discipline.** – The MCPC in coordination with the DCPCs, the BCPCs and other relevant agencies shall formulate and implement a comprehensive program to promote positive and non-violent discipline instead of physical, humiliating or degrading acts as a form of discipline of children. The comprehensive program shall include, among others, the following components:

1. Information dissemination to parents and the community;
2. Capacity building for BCPC members;
3. Reporting and Case Management Protocol; and
4. Other components necessary for the successful implementation of positive discipline in the city.

**SEC. 70. Establishing to Post Notices and Information at Entry or Front Desks Regarding Child Protection.** – All hotels, sauna baths, inns, motels, night clubs and information about child protection to serve as deterrent to committing child trafficking, prostitution and other sexual abuse. The notices and information to be posted shall be developed by the MCPC with technical assistance of the MDSW. To ensure the compliance of the said establishments to this Section of this Ordinance, the Office of the City Mayor through the License Division shall require these establishments to post such information or notices before their respective licenses shall be renewed and/or approved.

**SEC. 71. Child-friendly buildings.** – The Department of Engineering and Public Works shall ensure that all commercial buildings in the city is child-friendly, CWD-friendly and hazard-free, pursuant to the Disaster Risk Reduction measures of the city. In approving commercial building plans, the following specifications shall be observed:

1. Balusters in staircases must be spaced in a manner that their distance from each other would not exceed six (6) inches to avoid children from accidentally falling through.
2. In case of buildings having more than one storey, railings or balusters acting as horizontal or vertical barriers must be likewise spaced in a manner that their distance from each other must not exceed six (6) inches and said railings or balusters must have a height of not less than five (5) feet.
3. Child-friendly lavatories and urinals must be installed in commercial buildings.
4. Lactations stations should be provided in commercial buildings.

**SEC. 72. Child Bullying and Cyber Bullying.** – The MCPC through the DepEd shall ensure that all elementary and secondary schools whether public or private within the City of Manila shall adopt policies to prevent and address the acts of bullying and cyber bullying under by RA 10627 or Anti-Bullying Act of 2013.

**SEC. 73. Children and Family Psychosocial Program.** – It is important for the children and their families that they shall be part of the psychosocial program. The MCPC through the MHD and the MDSW shall design a comprehensive psychosocial program for both children and their families affected by disasters.

**SEC. 74. Establishment of Rehabilitation Center for Substance Abuses.** - There shall be centers to be established within the City to rehabilitate the children who are victims of substance or solvent abuse.

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**SEC. 75. Establishment of a Total Child Care Center.** – The City Government through the MHD, MDSW and the MCPC shall establish and operate a Total Child Care Center (*Child Protection Unit in the six (6) City Owned Hospitals*). The center shall provide the following services for the children:

1. Medical-legal examination of children;
2. Psychosocial services;
3. Joint interview facilities; and
4. Other services that would prevent multiple victimization and retraumatization to the child while he/she is undergoing a judicial or non-judicial proceedings.

#### **ARTICLE VIII CHILDREN IN NEED OF SPECIAL PROTECTION**

**SEC. 76. Programs for Children in Need of Special Protection.** – The program shall focus on the following:

1. Responsible and effective parenting education through community, people's organizations and other Civil Society Organizations (CSO);
2. Educational and vocational skills training by instituting CNSP-friendly school policies and developing alternative modes of basic education;
3. Livelihood, micro-credit and employment assistance by linking with existing initiatives such as Enhancing Social and Economic Opportunities for Out-of-School Youth and organizing community livelihood and credits groups;
4. Youth health and development promotion through life skills education in and outside of school to equip the youth with skills necessary to deal and cope with life; and
5. The use of mobile library and off-campus reading center shall likewise be accessible to all children within the City of Manila.

**SEC. 77. Foster Care.** – It is the policy of the city to provide every child who is neglected, abused, surrendered, dependent, abandoned, under sociocultural difficulties, or with special needs with an alternative family that will provide love and care, as well as opportunities for growth and development. To this end, the MDSW in coordination with the MCPC shall ensure that the laws on foster care are properly implemented in the City of Manila.

**SEC. 78. Residential Facilities for Children.** – The city through the MDSW shall provide shelter to children who have no home. For this purpose the MCPC shall ensure that the city establishes and maintains short-term and long term residential facilities for children who need shelter. The MCPC shall ensure that the city upgrades and expands its existing facilities including the Manila Youth and Reception Center (MYRC), Reception and Action Center (RAC) and Manila Boy's Town Complex (MBTC), which includes the Boy's Home, Girl's Home and Kid's Home shall be upgraded and expanded. Centers/Homes managed by NGOs and other private organization may also be tapped for this purpose.

The MCPC shall ensure that all shelters for children in the City of Manila both comply with the standards set out by the national government by providing technical assistance and support.

The MCPC shall train the houseparents and the staff of the city-owned residential facilities for children on children's rights, positive discipline, first-aid, psychological first aid, anger management and recent trends in handling children.

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**SEC. 79. Rescue, Recovery and Reintegration Assistance/Program.** – The MCPC in coordination with the MDSW, the PNP, the MHD the Liga ng mga Barangay and the BCPC Federation shall develop a city protocol and referral system in rescuing children in need of special protection. The protocol shall depend on the vulnerability of the children to be rescued, and shall be child sensitive, gender sensitive and culture appropriate.

The MCPC in coordination with the MDSW, the MHD, the Liga ng mga Barangay and the BCPC Federation shall also develop a comprehensive Recovery and Reintegration Program. It shall also extend psychological services to traumatized children and developing approaches in establishing community-based crisis intervention, recovery and reintegration systems. It shall also extend psychosocial intervention and establish an alternative family care program for children without families or those deprived of a family environment.

**SEC. 80. Exercise of protective custody.** – In cases where the best interest of the child requires, the city through the MDSW shall exercise protective custody over children in need of special protection; provided that the MDSW shall immediately process the voluntary or the involuntary commitment of the child.

**SEC. 81. Children in Street Situations (CISS).** –

- 1. Program for CISS.** The City of Manila through the MDSW, the MCPC and other related agencies shall provide a comprehensive protection program for the street children found within its territorial jurisdiction. It must include among others appropriate and immediate intervention in relation to the child's mental and physical health and basic needs. Both the home barangay of the CISS and the barangays where they are found are responsible for providing the necessary intervention; provided that if the CISS is not a resident of the city, the MDSW shall coordinate and refer the case to the City or Municipality where the child is residing.
- 2. Rescue Operation Protocol.** – The MCPC through the MDSW and in coordination with the PNP, Liga ng mga Barangay, BCPC Federation, the NGO community and other stakeholders shall develop a uniform protocol in rescuing CISS.
- 3. Rescue Operation.** – The MDSW and the PNP Manila shall ensure that rescue operations to take street children away from the streets are conducted with respect to the dignity of the child and in accordance with child-friendly protocols. The rescue shall be a reaching out process where the children know that there is assistance available to them and its ultimate purpose is to enable them to come to a decision towards a better option and a clear direction in life. Every effort shall be exerted to reconcile street children who are separated from their families unless circumstances require otherwise as provided by law.

**SEC. 82. Out of School Youth.** – The City of Manila through MCPC, DepEd, MDSW, and the PESO shall provide and support programs to improve access to quality education to working children and out-of- school youth including but not limited to financial and economic aid in connection to Section 43 hereof.

**SEC. 83. Children Deprived of Families.** – The City of Manila with MCPC, DCPC and BCPC shall ensure that children deprived of families be placed in the care of their relatives; Provided that after exhaustive effort by the authorities to locate any of the child's relatives, there is a prima facie evidence that the child is an orphan, the child may be placed under foster care; Provided further that in the absence of available foster parents, the child shall be placed under the care of an appropriate city facility.

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**SEC. 84. Working Children.** – The Bureau of Permits shall ensure that all businesses in the city are not engaged in any form of Child Labor or Worst Forms of Child Labor. The Bureau of Permits in coordination with the MCPC shall provide applicants with information about laws against Child Labor. The Bureau of Permits shall immediately initiate proceedings for the permanent cancelation and revocation of the business permit/license of establishments if they are found to engage children in any kind of Child Labor or Worst Forms of Child Labor.

**SEC. 85. Regulation of Internet Cafes.** – The Bureau of Permits shall ensure that all internet cafes, kiosks and similar establishment in the city do not violate R.A. No. 9775 or the Anti-Child Pornography Act of 2009.

**SEC. 86. Children who survive abuse; Mandatory services.** – To ensure recovery, rehabilitation and reintegration into the mainstream of society, the MDSW shall ensure that emergency shelters or appropriate housing is available to victims of any form of abuse and exploitation. A system for sustained supervision and a follow through mechanism shall be implemented in order to track the progress of recovery, rehabilitation and reintegration of the child victims.

**SEC. 87. Children who are victims of trafficking in persons.** – Trafficked children shall be recognized as victims of the act or acts of trafficking and as such, shall not be penalized for unlawful acts committed as a direct result of, or as an incident or in relation to, being trafficked based on the acts of trafficking enumerated in this Act or in obedience to the order made by the trafficker in relation thereto.

The city through the MDSW shall be ready to provide temporary or permanent shelter and other essential services to trafficked children.

**SEC. 88. Children in emergency or disaster situations.** – The Manila Disaster and Risk Reduction Management Office in coordination with the MCPC shall:

1. Ensure that the needs of children during emergency and disaster situations are properly considered and integrated in the City and Barangay Disaster Risk Reduction and Management Plans;
2. Ensure that during emergency or disaster situations, children are given first priority in the delivery of services. All efforts shall be exerted to ensure that children are not separated from their parents/family. In case of separation, the reunification of children with their parents/family shall be given utmost priority and immediate attention;
3. Child-friendly spaces and protocols are setup in evacuation centers in order to ensure that the rights of children are protected;
4. Ensure that children are properly informed.

**SEC. 89. Children with Disabilities (CWD).** – The city through MDSW shall establish a Children with Disabilities Office (CWDO) that shall create a comprehensive health program for children with disabilities.

The following programs shall be established by the CWDO:

1. Assessment for prevention of disability through immunization, nutrition, environmental protection and genetic counseling; medical treatment and rehabilitation; and early detection.
2. There shall be a mechanism that will make training programs on the care of children with special needs available and accessible to social workers, teachers, health workers, parents and their care givers.
3. Livelihood, training programs and employment for children with different disabilities in coordination with PESO.





4. Provide for affordable and accessible aids for CWD through subsidies and/or free distribution of aids.
5. Ensure that CWDs are equipped of proper and necessary education in accordance with what they need through flexible learning strategies in coordination with DepEd and City Health Office.

**SEC. 90. Illegitimate Children.** – The rights of illegitimate children shall be protected as provided in R.A. No. 9255. The schools shall not discriminate illegitimate children by refusal to accept in the enrollment and requiring the marriage contract of parents as requirement for enrollment.

**SEC. 91. Children involved in Drugs.** –

1. The City of Manila through the PNP Manila and MDSW shall ensure the protection of children who are involved with and/or affected by illegal drugs.
2. The PNP Manila and law enforcement agencies shall ensure that children shall not be harmed in the conduct of their illegal drug operations.
3. Children who are victims of and exploited by syndicates and drug cartels should be properly rescued and be protected according to existing laws.
4. Drug Dependent Children and Exposed Children shall be provided with the necessary medical treatment and interventions in order to address their needs.

**SEC. 92. Children at Risk and Children in Conflict with the Law.** – The MCPC and the DCPCs shall ensure that all barangays have a comprehensive juvenile intervention plan integrated in their barangay development plan.

The MCPC shall provide trainings to BCPC members, focal persons, members of the Lupong Tagapamayapa in handling CAR and CICL especially providing the appropriate intervention programs to children and their families.

The PNP and law enforcement agencies shall ensure that children shall not be harmed in the conduct of their duty.

The MCPC through the MDSW and in coordination with the PNP, Liga ng mga Barangay, BCPC Federation, the NGO community and other stakeholders shall develop a uniform protocol in handling CAR and CICL.

**SEC. 93. Children of Persons Deprived of Liberty (PDL).** – The City of Manila in coordination with PNP Manila shall establish a Center for the children of PDLs, regardless of the penalty imposed to such PDLs. The said Center shall:

1. Create projects and programs that will help to ease the financial and/or economic burden to children of the PDLs in coordination with PESO and PNP;
2. Provide for psychological assistance and mentoring to children of PDLs in coordination with Committee for the Mental Health of Young People;
3. Provide the necessary protection of these children from bullying and discrimination in their community; and
4. Prepare a list of children of PDLs that must be updated regularly.

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**ARTICLE IX**  
**INSTITUTIONAL MECHANISMS IN THE CITY OF MANILA**

**SEC. 94. Creation of MCPC.** – The Manila City Council for the Protection of Children is hereby established with the City Mayor as the chairperson, the Committee on Children's Affairs of the Sangguniang Panlungsod Chairperson as the co-chairperson for Policy and Administration, the Head of the Manila Department of Social Welfare as the co-chairperson for Program Implementation and the Head Secretariat. It shall consist the following members:

1. DILG City Director;
2. Division Superintendent of DepEd;
3. City Administrator
4. City Planning and Development Officer;
5. City Budget Officer;
6. City Health Officer;
7. City PNP Director;
8. City Treasurer;
9. City Engineer;
10. City Liga ng mga Barangay President;
11. District Liga ng mga Barangay Presidents;
12. City SK Federation President;
13. District SK Federation Presidents;
14. Chief, City Prosecutor's Office;
15. Executive Judge, Regional Trial Court or a Family Court Judge;
16. President of a Parent-Teachers Association Federation;
17. President of the Manila BCPC Federation;
18. President of the District BCPC Federation;
19. District Child Representatives; and
20. At least (4) representatives of non-government organizations (NGOs).

Provided that the representatives of the NGOs shall be nominated by the MCPC, for the appointment by the City Mayor for a term of five (5) years;

Provided finally that the City Mayor upon the recommendation of the MCPC may appoint additional members to the MCPC.

**SEC. 95. Functions.** – The functions of the MCPC shall:

1. Formulate plans, programs and policies for children that are gender and culture sensitive, and responsive to the needs of diverse groups of children;
2. Prepare the AWWP for children and recommend appropriations to the Sangguniang Panlungsod;
3. Provide coordinative linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
4. Provide technical assistance by coaching and mentoring to the Barangay Councils for the Protection of Children and the BCPC Federation;
5. Establish and maintain database on children in the city;
6. Foster education of every child;
7. Recommend the establishment and maintenance of facilities which are necessary for the development of children in the city;
8. Recommend policies and local legislations promoting the rights of children and with appropriate funding support;
9. Assist children in need of special protection;
10. Conduct capability building programs to enhance knowledge and skills in handling children;

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11. Document barangay best practices on children;
12. Monitor and evaluate the implementation of the programs for children and prepare a quarterly status report;
13. Oversee the running and maintenance of all facilities for children within the city; and
14. Oversee the implementation of this Ordinance.

**SEC. 96. Creation of DCPC.** – There shall be created a District Council for the Protection of Children (DCPC) in every district in Manila City. The MCPC, the Liga ng mga Barangay, the MDSW and the DILG shall ensure that the DCPC is established, strengthened and maintained.

**SEC. 97. Composition of the DCPC.** – The District President of the Liga ng mga Barangay shall be the chairperson of the DCPC, the District Chief of the Manila Department of Social Welfare as the co-chairperson and Secretariat. It shall consist the following members:

1. A City councilor from the district;
2. Representative from Manila Barangay Bureau
3. Representative of DepEd within the District;
4. City Planning and Development Officer;
5. District Chief of the City Health Department;
6. District Chief of the PNP;
7. District SK Federation President;
8. District President of a Parent-Teachers Association Federation;
9. President of the District BCPC Federation;
10. District Child Representatives; and
11. A representative of non-government organizations (NGOs);  
Provided that the representatives of the NGOs shall be nominated by the DCPC, for the appointment by the City Mayor for a term of five (5) years;  
Provided finally that the City Mayor upon the recommendation of the MCPC may appoint additional members to the DCPC.

**SEC. 98. Functions of the DCPC.** – The following shall be the functions of the District Council for the Protection of Children in each respective barangay:

1. Formulate and submit to the MCPC plans, programs and policies for children in the district that are gender and culture sensitive, and responsive to the needs of diverse groups of children;
2. Provide coordinative linkages with other agencies and institutions in the planning, monitoring and evaluation of plans for children;
3. Provide technical assistance by coaching and mentoring the Barangay Councils for the Protection of Children and the BCPC Federation;
4. Ensure that the BCPCs within the district are functional;
5. Establish and maintain a database on children in the district;
6. Foster education of every child in the district;
7. Recommend to the MCPC the establishment and maintenance of facilities which are necessary for the development of children in the district;
8. Recommend to the MCPC policies and local legislations promoting the rights of children within the district;
9. Assist children in need of special protection;
10. Conduct capability building programs to enhance knowledge and skills in handling children;
11. Document best practices on children within the district;
12. Monitor and evaluate the implementation of the programs for children and prepare a quarterly status report;
13. Oversee the implementation of this Ordinance within the district;



14. Assist the barangays and the BCPCs in properly handling children and providing them with the appropriate intervention;
15. Assist the barangay in referring children and their families to appropriate agencies, organization and professionals to address their needs;
16. Such other functions that may be given by the MCPC; and
17. Submit quarterly accomplishment report to the MCPC.

**SEC. 99. Creation of BCPC.** – There shall be created a Barangay Council for the Protection of Children (BCPC) in every barangay in Manila City. The Barangay Captains of the respective barangays are hereby mandated to spearhead the creation and strengthening of the said Council with the support of the Liga ng mga Barangay, Manila Barangay Bureau, Manila Department of Social Welfare, and the Department of the Interior and Local Government and other concerned government and non-government agencies in the area.

**SEC. 100. Composition of Barangay Council for the Protection of Children.** – The barangay council of each barangay shall establish and constitute a barangay council for the welfare for children (BCPC), the composition of which shall be determined by the former depending on the needs and circumstances in the area.

**SEC. 101. Functions of the BCPC.** – The following shall be the functions of the Barangay Council for the Protection of Children in each respective barangay:

1. Foster education of every child in the barangay;
2. Encourage the proper performance of duties of parents, and provide learning opportunities on the adequate rearing of children and on positive parent-child relationships;
3. Protect and assist abandoned, maltreated and abused children and monitor cases filed against child abusers and report the same;
4. Protect working children from abuse and exploitation;
5. Take steps to prevent juvenile delinquency and assist parents and children with behavioral problems so that they can get expert advice;
6. Adopt measures for the promotion of good health and nutrition status of children;
7. Promote the opening and maintenance of playgrounds and day care centers and other services that are necessary for child and youth welfare;
8. Coordinate the activities of organizations devoted for the welfare of children and secure their cooperation;
9. Promote wholesome entertainment in the community especially in the movie houses;
10. Assist parents whenever necessary in securing expert guidance counseling from the proper governmental or private agencies;
11. Advocate for the passage of barangay and city plan of actions for children which addresses the needs of children in the community and ensure its integration into the Barangay Development Plan and implementation by the barangay; and
12. Submit quarterly barangay accomplishment report of the implementation of the plan to the Manila Council for the Protection of Children.

**SEC. 102. Committees.** – The LCPCs of Manila shall have the following committees:

1. Survival Right Committee – to ensure that the children's right to life and physical integrity is upheld.
2. Development Rights Committee – to ensure the holistic development of the children for them to reach their full potential

3. Protection Rights Committee – to ensure that children are adequately protected from any form of abuse and exploitation. The committee shall also have the following sub-committees:
  - a. District Council for the Protection of Children
  - b. Barangay Council for the Protection of Children
  - c. Network of Duty Bearers
4. Participation Rights Committee – to ensure that children and young people are able to freely express their views and participate in all matters that affect them.
5. Multi-Disciplinary Case Management Committee – to ensure that a child abuse survivor, victim or any child in need of special protection is provided the assistance she needs at different stages of the investigative, medico-psychological, and legal processes pertinent to his or her case;
6. Committee for the Mental Health of Young People (SCMHYP) – which shall be responsible for the creation of policies that will provide a consistent, rational and unified response to mental health problems, concerns and efforts through the formulation of the City Mental Health Care Delivery System consistent with Mental Health Act.

Provided that, the MCPC, DCPCs and the BCPCs may constitute additional committees to assist in the performance of its functions; Provided further, that each committee shall have at least one (1) child representative; Provided finally, that the MCPC, DCPCs and the BCPCs may call upon other offices/departments of the city, other agencies both private and public and individual residents to be a member of the committees.

**SEC. 103. Children Representatives to the LCPCs.** – Each LCPC in the City of Manila shall have child representatives who shall be aged 12 to 15 years old.

BCPCs shall choose their child representatives from members of youth and children organizations operating within their barangay. The youth and children's organizations shall include, but are not limited to school organization, out of school organizations, sectoral organization, hobby-based organization and faith-based organizations.

The DCPCs shall choose their child representatives from among the child representatives of the BCPCs within the district.

The DCPC shall choose a child representative who will represent their DCPC in the MCPC.

Child representatives shall have a term of three (3) years and shall not be eligible for reappointment to give chance to other children to be part of the LCPC. Child representatives who turn eighteen years of age during his or her term shall be allowed to finish his or her term.

The MCPC and the DCPCs shall provide the appropriate capacity building, leadership trainings and mentoring for the child representatives of the LCPCs.

The MCPC through the CCRAO and the DCRAOs shall ensure that each LCPC in the City of Manila comply with this provision.



**SEC. 104. NGO Representatives.** – NGO representatives shall be chosen from among the NGOs who had been catering to the needs of children within the jurisdiction of the LCPC; Provided that, NGO representatives to the MCPC shall come from an NGO who had implemented programs for children in the City of Manila for at least five (5) years. The NGO representatives shall act as a representative of the NGO or the organization that he or she represents and are not members of the LCPCs as an individual member.

**SEC. 105. Duties of NGO Representatives.** – The NGO representative with the assistance of the NGO they represent, and in coordination with the LCPC concerned shall be take the lead in implementing the LCPC's mandate of coordinating, consulting and liaising with other NGOs and Civil Society Organizations working within the city.

**SEC. 106. Internal Rules of the Council.** – The MCPC and the DCPCs shall adopt their own rules of procedures and regulations to serve as guidelines for the members in the discharge of their official functions such as the organizational structure, parliamentary procedure, order of meetings, quorum, discipline, and such other rules that the council may adopt.

**SEC. 107. Funds for the LCPCs.** – The city shall regularly appropriate funds of not less than 1% from the Internal Revenue Allotment (IRA) for the strengthening and implementation of the programs, projects and activities of the Manila Council for the Protection of children as stated in Sec. 15 of Republic Act 9344, known as the "Juvenile Justice and Welfare Act of 2006", DILG Memorandum Circular No. 2012-120.

Each Barangay shall regularly appropriate funds of not less than 1% from its annual and/or supplemental budgets to support the administrative and operational needs of the Barangay Council for the Protection of Children to support the Projects, Plans and Actions for children

**SEC. 108. Identification of BCPC Workers & their Functions.** – The City of Manila through the Manila Department of Social Welfare and the Manila Health Department shall identify BCPC workers among its existing personnel to assist the DCPC and BCPC in its duties and functions. The BCPC Workers shall have the following functions:

1. Provide access to social services for children in especially difficult circumstances. This includes access to medical assistance, educational and legal assistance;
2. Provide initial intake for the report of abused children in the absence of area social worker;
3. Coordinate for the conduct of information-dissemination campaigns or activities, fora or symposia on the responsibilities and liabilities of parents, and rights and responsibilities of children;
4. Provide assistance in the information-dissemination of laws for the protection of children; and
5. Maintain a confidential record of CNSP, child survivors or victims, CAR and CICLs within the barangay.

**SEC. 109. Maintain a BCPC bulletin board posting statistics of children served in the barangay, and minutes of the meeting of the BCPC.** –

1. Provide technical assistance to the BCPC Action Officer to regularly conduct meetings and suggest issues to be undertaken on the meeting;
2. Provide street education to street children; and
3. Submit semi-annual plan and accomplishment reports to the Office of the Barangay Captain and DCRAO concerned and furnish copies to the MDSW.

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**SEC. 110. Qualifications of the BCPC worker.** – The BCPC Worker shall have the following qualifications:

1. At least College level;
2. Has a sincere concern for children as determined;
3. NO past derogatory police records;
4. Has undergone psychological test;
5. Good in oral and written communication in the vernacular; and
6. Preferably a bonafide resident of the barangay where he intends to serve.

#### **ARTICLE X BCPC FEDERATION**

**SEC. 111. Manila BCPC Federation.** – There shall be an organization of BCPC members in Manila to be known as the Manila BCPC Federation for the following purposes:

1. To determine the representation of the BCPC Federation to the DCPC and the MCPC;
2. To provide a space for ventilating, articulating and crystallizing issues affecting the BCPCs and the implementation of their mandate;
3. To provide a mechanism for member BCPCs to convey their suggestions and recommendations in addressing issues affecting children and the promotion of their rights.

**SEC. 112. Representation and Organization.** – Every BCPC shall be represented in the BCPC Federation by their BCPC Focal Person, or in his absence or incapacity, by any BCPC member, who shall attend all meetings or deliberations called by the different chapters of the Federation.

The BCPC Federation shall have a district chapter. The district chapters of the federation shall be composed of the BCPC Focal Persons within the district.

The members of the district BCPC federations shall elect from among themselves a president, a vice president, a treasurer, a secretary and such other officers as they may deem necessary. The District Child Rights Action Officer shall facilitate the conduct of the elections which shall be conducted two months after a barangay election.

The presidents of the district BCPC federations shall elect from among themselves the officers of the City BCPC Federation. The CCRAO shall facilitate the conduct of such election which will be conducted within a month after the election of the district officers.

**SEC. 113. Membership in the LCPC.** – The duly elected presidents of district chapters shall represent the BCPC Federation in their respective DCPC and in the MCPC.

**SEC. 114. Powers and Functions of the BCPC Federation.** – The BCPC Federation shall:

- (a) Give priority to programs designed for the total development of the BCPCs in the City of Manila;
- (b) Assist in the capacity building and the mentoring of BCPC members in order to promote united and concerted action to promote and protect the rights of all children in the city;
- (c) Adopt measures to promote the welfare of BCPC members;
- (d) Serve as a forum of the BCPCs in order to forge linkages with government and non-governmental organizations;



- (e) Exercise such other powers and perform such other duties and functions which will bring about stronger ties between LCPCs and promote the welfare of children.

**ARTICLE XI**  
**REGULATED AND PROHIBITED ACTS AND THEIR PENALTIES**

**SEC. 115. Punishable Acts.** – In addition to all acts defined and penalized under pertinent laws, the following acts shall be prohibited and penalized according to Section 117 and Section 118 below:

1. **Discrimination** – It shall be unlawful for any person, establishment, organization, or educational institution to discriminate a child based on factors such as actual or perceived ethnicity, race, religion or belief, political inclination, social class, sex, gender, sexual orientation, gender identity, gender expression, civil status, legitimacy status, disability, HIV status, health, medical, pregnancy, criminal records, language, physical features or other status including, but not limited to the following:
  - a. Refusal to admit or allow the entry of the child
  - b. Refusal to accept enrollment on the grounds aforementioned
  - c. Refusal to provide services on the grounds aforementioned
  - d. Requiring the marriage certificate of parents
  - e. Expulsion on the basis of any grounds aforementioned
  - f. Refusal to graduate or issue clearance to a child who has complied with all the academic requirements without prejudice to the right of educational or training institutions to determine the academic qualifications of the students or trainee
  - g. Or any other similar acts
2. **Computer/Internet and Gaming** – It shall be unlawful for any computer shop and/or internet cafes;
  - a. to allow children to use the facility for gaming after 8 o'clock in the evening until 7 o'clock of the following morning.
  - b. to allow children to use the facility for gaming during school days from 7 o'clock in the morning to 5 o'clock in the afternoon.  
A computer shop or internet café may allow children to do research during this time provided the child is permitted in writing by their teachers or parents/guardians; *provided* that they shall be closely supervised by the staff of the computer shop or internet café.
  - c. Fail to post a signage of City Ordinances and IEC Materials on Prevention and Reporting of Child Abuse and Exploitation. Failing to post such signage is likewise punishable.
3. **Anti-Child Pornography** – Notwithstanding the penalties provided in Section 117 below, any computer shop or internet café that commits the prohibited acts specified in Republic Act No. 9775 or the Anti-Child Pornography Act of 2009, shall be immediately closed for being a nuisance. Its business permit and/or license shall immediately cancelled and revoked permanently. Its computer units shall be confiscated in favor of the City of Manila and shall be distributed to residential facilities for children, to public libraries and to the BCPC offices.
4. **Selling and/or giving liquor or cigarettes** – It shall be unlawful for any person to sell or give liquor and/or cigarettes to a child.
5. **Prohibiting the Selling of Intoxicating Liquors, Cigarettes, Rugby, Solvents and Other Similar Products to Minors or Sending Such Errands To Minors** – It is unlawful for any person to send minors on errands to purchase cigarettes and

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other tobacco products, beer, liquor, and other alcoholic beverages, rugby, solvents, and other similar products to minors.

It is likewise, unlawful for owners and operators of retail and convenience stores to sell any cigarette and other tobacco products, beer, liquor and other alcoholic beverages, rugby, solvents and other similar products detrimental to the development of the child.

6. Prohibition of minors in bars, beerhouses, and/or other adult entertainment venues – It shall be unlawful for any bar, beerhouse and other similar venues providing mature/adult entertainment to admit any minor.

The owner or operator of these establishments is required to conspicuously post a notice at the entrance of the establishment stating that *"Minors are not allowed"*. Failing to post such notice is likewise punishable.

7. Entering cockpits, casinos and other similar gambling facilities – It shall be unlawful for cockpits, casinos and other similar gambling facilities to allow children to enter the premises of their facilities, with or without the company of an adult.

Operators of these establishments to post signages or notices as a condition for the renewal of their licenses. Failing to post such signage is likewise punishable.

8. Prohibition on Allowing Minors to Drive – It shall be unlawful for any person to allow or encourage a minor to drive any drive tricycles, trisikads and motorcycles and other motor vehicles in the jurisdiction of the city.

9. Prohibition on Tricycle and Pedicab Overloading – It shall be unlawful for any tricycle or pedicab utilized as school service for children to be overloaded with children. Both the driver and the operator shall be liable.

It shall likewise be unlawful to allow children to ride outside of any public utility vehicle. Both the driver, the conductor and the operator shall be liable.

10. Prohibiting the Selling of Firecrackers to Minors – It shall be unlawful for any person to sell firecrackers other pyrotechnic devices to minors.

11. Violation of Confidentiality – It shall be unlawful for any person handling a case involving children to disclose confidential information to anyone excluded by law or by Section 119 of this Ordinance.

**SEC. 116. Additional Acts Prohibited for Parents.** - In addition to all acts defined and penalized under pertinent laws, the following acts shall be prohibited and penalized according to Section 117 and Section 118 below:

1. Corporal punishment – It shall be unlawful for any parent or guardian to engage in acts which involve force and humiliating or degrading acts imposed upon a child as punishment for an alleged or actual offense, such as:

- a. Blows, including beating, kicking, slapping, lashing on any part of the child's body without the use or with the use of belts, sticks or other similar objects;
- b. Pulling the hair or ear of the child, twisting joints, cutting or piercing skin, dragging or throwing a child;
- c. Forcing the child through use of power to perform physically painful or damaging acts such as squatting, kneeling on stones, salt or other granular object, or lifting weights for an extended period of time;
- d. Use or exposure to substances that threaten the child's health such as fire, heat, pepper, alcohol, excrement, urine or other dangerous chemicals;



- e. Tying up the child, locking him or her up in any enclosed structure or otherwise detaining him/her for a long period of time;
  - f. Intentionally neglecting the child's basic needs;
  - g. Verbally assaulting, threatening or intimidating the child;
  - h. Verbally abusing, yelling, swearing, ridiculing and degenerating;
  - i. Other acts by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being including homophobic remarks;
  - j. Unreasonable deprivation of basic needs or any legally mandated stated support stated in the Title IX of the Civil Code; and
  - k. Other similar acts.
2. Forcing/Enticing Minors to live-in arrangement - It shall be unlawful for parents or any person to entice, encourage and/or force their children to live together with any person as husband or wife in exchange for money or any other consideration.
  3. Refusal to Subject a Child to Healthcare Services and/or Social Services – It shall be unlawful for parents or guardians to refuse, without valid reason, healthcare services, such as medical, dental and mental healthcare services and/or social services which the child is entitled to.
  4. Refusal to undergo or allowing the child to undergo intervention programs – It shall be unlawful for parents or guardians to refuse, without valid reason, to undergo intervention program as required by the Barangay, BCPC, DCPC or the by the MDSW as required by the Juvenile Justice and Welfare Act as amended.  
It shall likewise be unlawful for parents or guardians to refuse, without valid reason, their child to undergo intervention program as required by the Barangay, BCPC, DCPC or the by the MDSW as required by the Juvenile Justice and Welfare Act, as amended.
  5. Failing to honor agreements of intervention – It shall be unlawful for parents or guardians to fail, without valid reason, to comply with agreements of intervention including a diversion contract that they voluntarily signed as required by the Juvenile Justice and Welfare Act, as amended.
  6. Negligence during Protection and Discipline Hours for Children and Minor Wards – It shall be unlawful for any parent to allow to or to fail, without justifiable reason, to prevent their children from loitering around or sleeping in public places from 10 o'clock in the evening until 4 o'clock in the morning of the following day unless they are in the company of other parents or guardians.
  7. Allowing Children to use their Skateboard, Roller Blades, Bikes, E-Bikes and Any Other Sports Equipment and Vehicle with Wheels along Major Thoroughfares. It shall be unlawful for any parent to allow or to fail, without justifiable reason, to prevent their children to use their skateboard, roller blades, bikes, e-bikes and any other sports equipment and vehicle with wheels along major thoroughfares.

**SEC. 117. Penalties for Juridical Persons.** – Juridical persons and establishments who violate the provision of this article shall be punished as follows:

- |                   |   |   |
|-------------------|---|---|
| 1. First Offense  | : | a fine of PhP. 1,000.00   |
| 2. Second Offense | : | a fine of PhP. 3,000.00   |
| 3. Third Offense  | : | a fine of PhP. 5,000.00 and revocation of business permit and license to operate, and closure of establishment. |

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**SEC. 118. Penalties for adults.** – The penalties stated under City Ordinance No. 8243, entitled: *“An Ordinance penalizing any person who abandons or exposes minors or allows said minors to be abandoned or exposed to a perilous situation that endangers human life, health or well-being”* and City Ordinance No. 8547, *“An Ordinance Establishing Protection and Discipline Hours for Minor Children and Wards from Ten o’clock in the evening (10:00 P.M.) to Four o’clock in the morning (4:00 A.M.), providing guidelines thereon, and consolidating herein City Ordinance 8243)* are hereby adopted and shall be imposed on any adult who violate Sections 120 and 121 of this Code and shall be penalized as follows:

1. First Offense : Admonition and Community service for a period exceeding sixteen (16) hours.
2. Second Offense : Counseling and Community service for a period exceeding twenty-four (24) hours.
3. Third Offense : Community service for a period not exceeding forty (40) hours or imprisonment for a period not exceeding one (1) year both.

#### **GRADUATED PENALTIES**

- I. A fine of Two Thousand Pesos (PhP. 2,000.00) or imprisonment of one (1) month, if the minor is 15 years old to 17 years old
- II. A fine of Three Thousand Pesos (PhP. 3,000.00) or imprisonment of one (1) month, if the minor is 13 years old to 14 years old
- III. A fine of Five Thousand Pesos (PhP. 5,000.00) or imprisonment of one (1) month, if the minor is 15 years old to 17 years old

Provided that, in all cases, the violator shall undergo trainings, seminars and counseling to be provided by the MDSW in partnership with the Barangay Officials and DCPC; Provided further that the violator is the parent of the child, additional trainings, seminars and counseling relating to good and responsible parenting shall be provided.

In requiring community service, the proper authority imposing the same shall consider the welfare of the society and the reasonable probability that the person sentences shall not violate the law while rendering the service.

#### **ARTICLE XII MISCELLANEOUS PROVISIONS**

**SEC. 119. Confidentiality.** – All records and proceedings involving children from initial contact until final disposition of the case or proceeding shall be considered privileged and confidential. The public shall be excluded during the proceedings and hearings and the records shall not be disclosed directly or indirectly to anyone by any of the parties or the participants in the proceedings for any purpose whatsoever, except as provided by national laws, ordinances and regulations.

The component authorities shall undertake all measures to protect this confidentiality of proceedings and hearings, including non-disclosure of records to the media, maintaining a separate reports involving children and adopting a system of coding to conceal material information which will lead to the child’s identity. Records of a child in conflict with the law shall not be used in subsequent proceedings for cases involving the same offender as an adult, except when beneficial for the offender and upon his/her written consent.

A person who has been in conflict with the law as a child shall not be held under any provision of law, to be guilty of perjury or of concealment or misrepresentation by reason of his/her failure to acknowledge the case or recite any fact related thereto in response to any inquiry made to him/her for any purpose.

**ARTICLE XIII  
FINAL PROVISIONS**

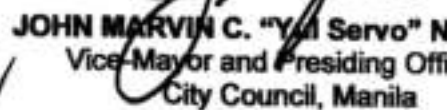
**SEC. 120. Separability Clause.** – If, for any reason or reasons, any part of this Code shall be held unconstitutional or invalid, other remaining provisions shall not in any way be affected or impaired thereby and shall be considered to be in full force and in effect.

**SEC. 121. Repealing Clause.** – This Ordinance supersedes City Ordinance No. 8182, and all other ordinances, resolutions, local executive orders and other issuances inconsistent with any provisions of this Code are hereby repealed, revoked and/or modified accordingly.

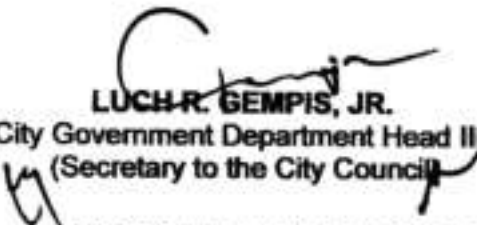
**SEC. 122. Effectivity.** – This Ordinance shall take effect immediately upon approval.

This Ordinance was finally enacted by the City Council of Manila on March 23, 2023.

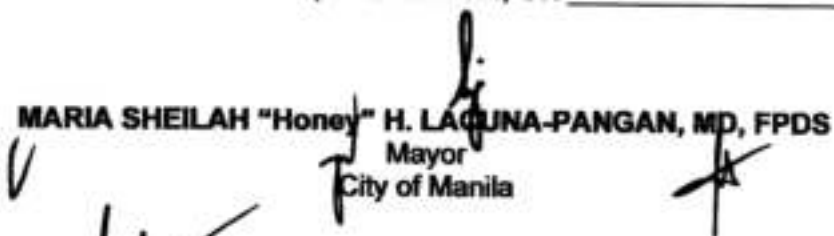
PRESIDED BY:

  
**JOHN MARVIN C. "Yul Servo" NIETO**  
Vice-Mayor and Presiding Officer  
City Council, Manila

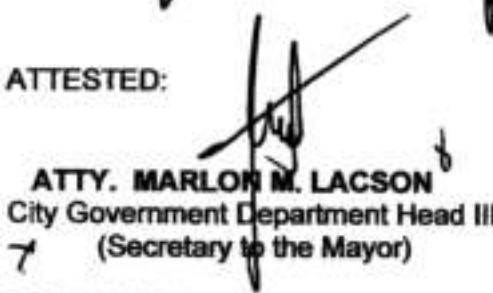
ATTESTED:

  
**LUCH R. GEMPIS, JR.**  
City Government Department Head III  
(Secretary to the City Council)

APPROVED BY HIS HONOR, THE MAYOR, ON JUN 01 2023

  
**MARIA SHEILAH "Honey" H. LACUNA-PANGAN, MD, FPDS**  
Mayor  
City of Manila

ATTESTED:

  
**ATTY. MARLON M. LACSON**  
City Government Department Head III  
(Secretary to the Mayor)

RRB: acf/jok/cpl/ebn/avn