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10th City Council
40th Regular Session
Series of 1994

Republika ng Pilipinas
LUNGSOD NG DABAW
Tanggapan ng Sangguniang Panlungsod
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EXCERPT FROM MINUTES OF THE REGULAR SESSION OF THE
SANGGUNIANG PANLUNGSOD, CITY OF DAVAO, HELD ON FRIDAY,
DECEMBER 2, 1994.

PRESENT:

Councilor Shane L. Dolor, Acting Presiding Officer
Vice Mayor Luis C. Bonguyan
Councilor Aristeo V.R. Albay
Councilor Leonardo R. Avila III
Councilor Antonio H. Vergara
Councilor Bonifacio E. Militar
Councilor Rene V. Galope
Councilor Pilar C. Braga
Councilor Marlene A. Librado
Councilor Danilo C. Dayanghirang
Councilor Tomas Monteverde, Jr.
Councilor Antonio S. Castillo
Councilor Cornelio C. Reta III
Councilor Diosdado A. Mahipus
Councilor Nenita R. Orcullo
Councilor Pedro R. Salvador
Councilor Romanito B. Pilay
Councilor Leonora T. Cascabel
Councilor Paz C. Mata
Councilor Teofilo M. Venus
Councilor Myrna L. Dalodo-Ortiz
Councilor Ceasar C. Cabading

ON OFFICIAL BUSINESS:

Councilor Nilo G. Abellera – Manila

ABSENT:

Councilor Jaime Q. Rodriguez
Councilor Frances A. Robillo
Councilor Nazario K. Navarro

RESOLUTION NO. 7725

The Davao City Children's Welfare Code, providing for a comprehensive children and family support system in Davao City duly indorsed by the Committee on Social Services, was presented for consideration and appropriate action of the Body by Councilor Leonardo R. Avila III, Chairman, Committee on Children's Welfare.

In his preliminary statement, Hon. Avila III manifested that it should be the policy of the Local Government to uphold the rights of children for survival, protection, participation and development and the same shall be given top priority by the Local Government.

Under this ordinance be likewise stated that the said code will also work for the respect for the role of the family in providing the children the necessary support to the parents by providing the mechanics for child care and development from infancy including earliest stages of childhood to adolescence.

And in order to achieve this goal, a partnership with the NGO's and other communities with Local Government of Davao should go hand and hand particularly in the giving of priorities and resources and its allocation.

He further stated that this code is the first of its kind in the entire country.

Councilor Romanito B. Pilay likewise presented an amendment for the inclusion of the Welfare of Pregnant Women and lactating mothers. The proponent assured Councilor Pilay that this problem is likewise being addressed in some provisions of this code.

After careful deliberation, on motion of Councilor Leonardo R. Avila III, duly seconded by Councilors Romanito B. Pilay, Paz C. Mata, Marlene A. Librado, Pilar C. Braga and Antonio H. Vergara, co-sponsored by Councilors Paz C. Mata, Aristeo V.R. Albay, Nanita R. Orcullo, Pilar C. Braga, Antonio H. Vergara, Marlene A. Librado, Shane L. Dolor and Danilo C. Dayanghirang, amended by Councilor Romanito B. Pilay.

RESOLVED, AS IT IS HEREBY RESOLVED, to approve an ordinance entitled:

Ordinance No. 2491

AN ORDINANCE PROVIDING FOR A COMPREHENSIVE CHILDREN AND FAMILY SUPPORT SYSTEM IN DAVAO CITY, AND FOR OTHER PURPOSES.

Be it Ordained by the Sangguniang Panlungsod, City of Davao, that:

Article I

Title, Policy, Principles and Definition of Terms

Section 1. Title. This ordinance shall be known as the “Comprehensive Children and Family Support System in Davao City” otherwise known as “Davao City Children’s Welfare Code.”

Section 2. Declaration of Policy and Principles of the Local Government of Davao City. It is hereby declared to be the policy of the local government of Davao City that the rights of children to their survival, protection, participation and development must be given high priority; it will work for the respect for the role of the family in providing for children and will support the efforts of parents, other child care and development workers, NGOs and communities to nurture and care for children, from infancy including the earliest stages of childhood to adolescence.

It shall be the policy of the local government of Davao City to ensure that the programs aimed at the achievement of goals for the survival, protection, participation and development of children must be given priority when resources are located. Every effort shall be made by the local government of Davao City to ensure that such programs are protected in times of economic austerity and structural adjustments.

Section 3. Definition of Terms.

- a) “Children” refers to persons below eighteen (18) years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of a physical or mental disability or condition;
- b) “Survival Rights” deal with the provision in relation to parental and governmental duties and liabilities, adequate living standard and access to basic health and health services and social security.
- c) “Development Rights” pertain to the access of a child to educational opportunities, access to relevant information, play, leisure, cultural activities and the right to freedom of thought, conscience and religion.
- d) “Protection Rights” cover those which guard children against all forms of child abuse, exploitation and discrimination in the major areas where a child is considered in an extremely difficult circumstances.
- e) “Participation Rights” include the child’s freedom to express oneself in matters affecting his/her as part of preparation for responsible parenthood and to freedom of association.

- f) “Child Abuse” refers to the maltreatment of the child, whether habitual or not, which includes any of the following:
- 1) Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;
 - 2) Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity worth and dignity of a child as a human being;
 - 3) Unreasonable deprivation of his/her basic needs of survival such as food and shelter; or
 - 4) Failure to immediately give medical treatment to an injured child resulting in serious impairment of his/her growth and development or permanent incapacity or death.
- g) “Circumstances which gravely threaten or endanger the survival and normal development of children” include, but are not limited to the following:
- 1) Being in a community where there is armed conflict or being affected by armed conflict-related activities;
 - 2) Working under conditions hazardous to life, safety and normal development or working without provision for their education;
 - 3) Living in or fending for themselves in the streets of urban and rural areas without the care of parents or guardian or any adult supervision needed for their welfare;
 - 4) Being a member of an indigenous cultural community and/or living under conditions of extreme poverty or in an area which is underdeveloped and/or lack or has inadequate access to basic services needed for a good quality life;
 - 5) Being with family members or guardians having psychological problems grave enough for them to commit incest, siblings rape, lascivious acts and other forms of physical and mental abuse;
 - 6) Being a victim of man-made or natural disaster s or calamity;
 - 7) Being a victim of an illegal transnational union; or child trafficking;
 - 8) Circumstances analogous to those above sated which endanger the life, safety or normal development of children.
- h) “Comprehensive Children’s Support Systems Against Child Abuse, Exploitation and Discrimination” refers to the coordinated program of services and facilities to protect children against;
- 1) Child prostitution and other sexual abuse;
 - 2) Child Trafficking;
 - 3) Obscene publications and indecent shows;
 - 4) Other acts of abuse;
 - 5) Circumstances which threaten or endanger the survival and normal development of children or as prescribed in the UN Convention on the Rights of the Child.

- i) “Comprehensive Support System for the Development of Children” also refers to the coordinated program of services and facilities outlined in Sec. 3 of RA 6972 and as prescribed by the UN Convention on the rights of the Child.
- j) “Davao City Special Office for Children’s Concerns” refers to the office which shall be created by the local government of Davao City responsible for the implementation of this Ordinance.
- k) “Junk Food” are foodstuff which are processed with artificial flavors, coloring and preservatives and which have been found to contain carcinogenic elements harmful for the body or those sold beyond their expiry period.
- l) “Anti-Social Related Activities” are those acts against property, chastity and person which include but not limited to the following:
 - 1) Petty crimes such as snatching, shoplifting, misrepresentation;
 - 2) Using and pushing prohibited drugs, selling illegal or lewd reading materials;
 - 3) Pimping for young and old prostitutes and sexual pervisions, doing or participating in obscene shows;
 - 4) Gambling of any form;
 - 5) Rape and incest; and
 - 6) Any other circumstances as defined in the existing laws.
- m) “Benefit Dance” refers to a dance in the locality where young girls and boys in the process are being commodified for fund raising purposes.

Article II

Protection Rights of Children

Section 4. Program on Child Abuse, Exploitation and Discrimination. There shall be a comprehensive program to be formulated by the Davao City Social Services and Development Office and the Davao City Council for the Welfare of Children in coordination with the Special Office for Children’s Concern, other government agencies, and the private sector concerned within one (1) year from the effectivity of this ordinance, to protect children against child prostitution and other sexual abuse; child trafficking; obscene publications and indecent shows and other acts of abuse; and circumstances which endanger child survival and normal development.

Section 5. Child and Other Sexual Abuse. Children, whether male or female, who for money, profit or any other consideration or due to the coercion or influence of any adult, syndicate or groups, indulge in sexual intercourse or lascivious conduct, are deemed to be children exploited in prostitution and other sexual abuse.

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

- a) Those who engage in or promote, facilitate or induce child prostitution which include, but are not limited to the following:
 - 1) Acting as a procurer of a child prostitute by means of written or oral advertisements or other similar means;
 - 2) Inducing a person to be a client of a child prostitute by means of written or oral advertisements or other similar means;
 - 3) Entering into a relationship with, or taking advantage of a child as prostitute;
 - 4) Threatening or using violence towards a child to engage him/her as a prostitute or participant in indecent shows;
 - 5) Giving monetary consideration, goods or other pecuniary benefit to a child with the intent to engage such child in prostitution.

- b) Those other persons who commit the acts as stated in the Article III of Republic Act No. 7610 and shall be penalized accordingly as prescribed in the same.

Section 6. Obscene Publications and Indecent Shows. Any person who shall hire, employ, use, persuade or coerce a child to perform in obscene exhibitions and indecent shows, whether live or in video, pose or model in obscene publications or pornographic materials shall suffer the penalty as prescribed in R.A. 7610

Section 7. Sanctions for Establishment or Enterprises which Promote, Facilitate or Conduct Activities Constituting Child Prostitutions and Indecent Shows. All establishments or enterprises which promote or facilitate child prostitution and sexual abuse, child trafficking, obscene publications and indecent shows, and other acts of abuse shall be immediately closed and their authority or license to operate cancelled, without prejudice to the owner or manager thereof being prosecuted under this ordinance. A sign with words: “ CHILD RIGHTS VIOLATOR” shall be conspicuously displayed outside the establishments or enterprises by the Davao City Special Office for Children’s Concerns for such period as the special office shall determine.

Section 8. Child Trafficking. Any person who shall engage in trading and dealing with children including, but not limited to, the act of buying and selling of a child for money, or for any other consideration, or barter, shall suffer the penalty as prescribed in Article IV of the Republic Act No. 7610.

Section 9. Attempt to Commit Child Trafficking. There is an attempt to commit child trafficking under section 6 of this ordinance:

- a) When a child below 15 years old travels alone to or from Davao City without valid reason therefore and without clearance issued by the Davao City Special Office for Children’s Concerns or written permit or justification from the child’s parents or legal guardians;

- b) When a pregnant mother, father or guardian executes an affidavit of consent for adoption for a consideration; or consent, participates or in any manner causes the registration of the birth of such child in the name of another with or without consideration;
- c) When a person, agency, establishment or child-caring institution recruits women or couples to bear children for the purpose of child trafficking;
- d) When a doctor, hospital or clinic official or employee, nurse, midwife, local civil registrar or any other person stimulates birth for the purpose of child trafficking;
- e) When a person engages in the act of finding children among low-income families, hospitals, clinics, nurseries, day-care centers or other child caring institutions who can be offered for the purpose of child trafficking; or
- f) When a person, authority, agency or institution who are witnesses to and fails to report transactions related to circumstances in child trafficking.

A penalty prescribed in Article IV of Republic Act No.7610 shall be imposed upon the principles of the attempt to commit child trafficking under this Ordinance. In addition, a one-month community service shall be imposed for the commission and omission of acts under Section 7. Such service shall be defined by the Social Development Committee of the City Development Council.

Section 10. Other Act and/or Condition Prejudicial to the Child's Development. It shall be unlawful for any person to sell liquor, cigarette, illegal drugs and other items detrimental to the development of the child.

For purposes of this Ordinance, the penalty for the commission of such act as prescribed in Article VI of Republic Act No. 7610 shall be imposed. The victim of the act committed under this section shall be entrusted to the care of the Davao Special Office for Children's Concerns.

Section 11. Control on Children's Exposure to Commercial Video Games. Commercial establishment catering rental of electronic video games to children during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon shall be subjected to suspension of business permit for fifteen (15) days during the first offense and, one (1) month suspension of the same for the second offense.

Confiscation of all video units of said establishment and cancellation of business permit shall constitute the penalty for third offense.

Section 12. Children Involved in Anti-Social Related Activities. Children who are involved in anti-social or related activities shall be registered in a rehabilitation program that shall assist the children to rebuild themselves and reintegrate in the mainstream of society.

Section 12A. Monitoring of Suspended Cases of Children and Appropriate Assistance. Application for suspension of sentences of children involved in anti-social activities shall

be done by the Davao City Special Office for Children's Concerns. A special team from such office shall monitor closely the cases involving children in court to adequately enforce the suspension of sentences. Appropriate and responsive rehabilitation program shall be afforded to them under the care of the Davao City Special Office for Children's Concerns. The framework of assistance shall be designed by the Davao City Special Office for Children's Concerns in close coordination with the NGOs and professionals with special interests on rehabilitation.

Section 12.B. Appointment of Child and Youth Relations Officer and Police Procedures. Each Police Station in Davao City shall have a Child and Youth Relation Officer tasked to handle cases involving children. Child-friendly police procedures shall be implemented as contained in the Police Handbook on the Management of Cases of Children in Especially Difficult Circumstances. Each PNP elements shall be provided a copy of the said handbook.

Section 12.C. Special Course for PNP Members. A special course for members of the Philippine National Police shall be designed to handle effectively the children involved in anti-social activities. All police officers shall take up the course especially those who are interested to be assigned with the Child and Youth Relations Section (CYRO) and other CYR Officers in each PNP detachments.

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

Section 12.D. Police Brutality. Any brutality committed against children by police authorities shall be subjected to penalty under this Ordinance as determined by the local People's Law Enforcement Board (PLEB) without prejudice to provisions of the Revised Penal Code.

Section 13. Employment of Children. Children as defined in this Ordinance shall not be employed: Provided, that;

- a) The minimum requirements as stated in Section 12 of Republic Act No. 7610 shall be presented; and
- b) The employer shall register the child to the Davao City Special Office for Children's Concerns to enjoy benefits and other special protection as may be provided for by the said special office tasked to formulate rules and regulations.

The Davao City Special Office for Children's Concerns shall promulgate rules and regulations necessary for the effective implementation of this section.

Section 13.A. Prohibition on the Employment of Children in Certain Advertisements. No person shall employ child to model in all forms of commercial or advertisements

promoting alcoholic beverages, intoxicating drinks, tobacco and its by product, junk, and violence.

Section 13.B. Penalties. Any person who shall violate any provision of this Article shall suffer penalty as prescribed in Section 16 of the Republic Act No. 7610.

Section 14. Specialized Team of Educators for Moro and Indigenous People's Children. In addition to the rights guaranteed to indigenous and Moro children under the RA No. 7610 and other existing laws, the Division of City Schools of Davao shall create a team of special educators to look into appropriateness of curriculum for indigenous and Moro children in Davao City and to design training for teachers assigned to their communities which is culture-specific and relevant to the needs and existing situation of their communities.

Section 14.A. Creation of Moro and Indigenous People's Council. A council for Moro and Indigenous communities in Davao City shall be created to facilitate planning, decision making, implementation, and evaluation of all government programs affecting children of indigenous and Moro people's. NGOs focused on these communities shall also be recognized, respected and represented to the Council.

Section 15. Children as Social Indicators of Local Condition. Children are hereby declared as Social Indicators of Local Condition. It shall be the responsibility of the Local Government of Davao City and all other sectors concerned to resolve armed conflicts in order to idealize the UN Convention on the Rights of the Child.

Section 16. Respect for the International Covenants Relevant to Armed-Conflict. The Local Government of Davao City undertakes to respect and to ensure for rules of international humanitarian law applicable to Philippine political armed-conflict which are relevant to the child. Specifically the following policies shall be observed:

- a) Children shall not be the object of attack and shall be entitled to special respect. They shall be protected from any form of threat, assault, torture or other cruel, inhumane or degrading treatment;
- b) Children shall not be recruited to become members of the Armed Forces of the Philippines or its civilian units or other armed groups, nor be allowed to take part in the fighting, or used as guides, or couriers, or spies;
- c) Delivery of basic social services such as education, primary health and emergency relief services shall be kept unhampered;
- d) The safety and protection of those who provide services including those involved in fact-finding missions from both government and non-government institutions shall be ensured. They shall not be subjected to undue harassment in the performance of their work;
- e) Public infrastructure such as schools, hospitals and rural health units shall not be utilized for military purpose such as command posts, barracks, detachments, and supply depots; and

- f) All appropriate steps shall be taken to facilitate the reunion of families temporarily separated due to armed conflict.

Section 16. A. Evacuation of Children During Armed Conflict. Children shall be given priority during evacuations as a result of armed conflict. Existing people's organizations shall be tapped to look after the safety and well-being of children during evacuation operations. Measures shall be taken to ensure that children evacuated are accompanied by persons responsible for their safety and well-being.

Section 16. B. Family Life & Temporary Shelter. Whenever possible, members of the same family shall be housed in the same premises and given separate accommodation from other evacuees and provided with facilities to lead a normal family life. In places of temporary shelter, expectant and nursing mothers and children shall be given additional food in proportion to their physiological needs. Whenever feasible, children shall be given opportunities for physical exercise, sports and outdoor games.

Section 16. C. Children and Family Psycho-Social Program. It is important for the children and their families that they shall be a part of a psycho-social program. The Davao City Special Office for Children's Concerns shall design a comprehensive psycho-social program for both children and their families affected by the armed-conflict.

Section 16.D. Rights of Children Arrested for Reasons Related to Armed Conflict. Any child who has been arrested for reasons related to armed conflict, either as combatant, courier, guide or spy is entitled to the following rights;

- a) Separate detention from adults except where families are accommodated as family rights;
- b) Immediate free legal assistance;
- c) Immediate notice of such arrest to the parents or guardians of the child; and
- d) Release of the child on recognizance within twenty-four (24) hours to the custody of the Davao City Special Office for Children's Concerns or any responsible member of the community as determined by the court.

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

The aforesaid child shall be subjected to visitation and supervision by a representation of the Davao City Special Office for Children's Concerns or any duly-licensed agency or such other officer as the court may designate to such conditions as it may prescribe.

Section 16. E. Monitoring and Reporting of Children in Situations of Armed Conflict. The Chairperson or any designated official of the Barangay affected by the armed conflict shall submit the names of children residing in said barangay to the District Social Welfare and Development Officer within twenty-four (24) hours from the occurrence of the armed conflict.

Section 17. Selective Ban on Benefit Dance in the Barangays. Barangay level fund-raising activities shall not include "benefit dance" as defined in this ordinance.

Culturally relevant activities shall be promoted instead of promoting young women as commodities during "benefit dance". A penalty shall be imposed to the organizers of the benefit dance by the City Court accordingly for the violation of this provision.

Section 18. Curfew on Minors. For the protection of children below 15 years of age, they shall be prohibited from loitering around or sleeping in public places after 10 o'clock in the evening until 4 o'clock in the morning of the following day unless they are in company with their parents or guardians.

A penalty equivalent to a whole day seminar on duties and responsibilities of children and parents shall be imposed to the parents or guardians of the violators of this provision.

A 15-day community service as determined by the local court shall be imposed as penalty for second-time offenders.

Article III Survival and Development Rights of Children

Section 19. Under Six Program Framework. The local government of Davao City shall ensure to maximum extent possible the survival and development of the child. The program on survival and development of the child. The program on survival and development shall include the following:

- a) Monitoring of registration of births and the completion of the immunization series for prevention of tuberculosis, diptheria, pertusis, tetanus, measles, polio myelitis and such other diseases for which vaccines have been developed for administration to children up to six (6) years of age;
- b) Growth and nutritional monitoring with nutritional feeding and supervision of nutritional intake at home;

- c) Care for children of working parents during the day and, where feasible, care for children up to six (6) years of age when parents are working at night: Provided, That the day care center need not take care of the children in a particular place but shall develop network of homes where adults may take care of the children up to six (6) hours, with adequate supervision from the Supervising Social Welfare Officer of the Davao City Special Office for Children's Concerns: Provided, further, that, where young children are left to the care of a paid domestic, an elderly relative or older children without adequate and competent adult supervision, the Supervising Social Welfare Officer shall provide such training and adult supervision until the children's care meets adequate standard whereby the children under their care will develop normally as healthy, happy and loved children, even in the absence of their parents during working hours;
- d) Materials and network of surrogate parents-teachers who will provide intellectual and mental stimulation to the children, as well as supervised wholesome recreation, with a balanced program of supervised play, mental stimulation activities, and group activities with peers;
- e) A sanctuary for abused, neglected or exploited children which will take in children in urgent need of protection due to a situation which endangers the child or which has exposed the child to cruelty and abuse: Provided, That the center, with the help and support of the barangay officials and their barangay-level support systems, may call upon law enforcement agencies when the child needs to be rescued from an unbearable home situation;
- f) A Reproductive Health Care Center for pregnant mothers for prenatal and neonatal care and, in the proper case, for delivery of the infant under conditions which will remove or minimize risk to mother and child: Provided, That high-risk mothers shall be referred to the proper tertiary or secondary care service personnel and children who are at risk from any condition or illness will be brought for care: Provided, Further, that hilots and barangay health workers are provided the needed basic training for normal delivery and are trained to recognize high-risk pregnancies which should be referred to competent obstetrical and pediatric medical care for mother and child who are at risk;
- g) A barangay level network of assistance from among the adults of the barangay for the total development and protection of children.
- h) Unstructured combined with structured learning exercises for children under the early childhood education shall be instituted in the children centers or day care centers respecting the participation right of the child.
- i) A pool of trained day care or child development workers with an upgraded salary scheme commensurate to the tasks assigned.

Section 19. A. Early Childhood Care and Development Program. The Local Government of Davao City shall initiate for the care of 0-2 years old children through the Early Childhood Care and Development Program and that supervision of 0-2 years old is a daily 8-hour programme, if needed, shall be initiated in every day care.

Section 19. B. Population-Based Day Care Center Setting Up. The day care centers shall be set up in every barangay. Number of such centers shall depend on the population level of the children and how depressed the barangay is as determined by the Davao City Special Office for Children's Concerns in coordination with the CSSD Office. Parents Program shall form part of this early childhood education.

Section 19. C. Promotion of Primary Health Care Program. The Barangay Health Centers shall implement the primary health program. Each barangay health center shall have a Barangay Child Health Officer tasked to monitor child health in the barangay level with a salary commensurate to the task assigned.

To further ensure the implementation of Section 19. C of this Ordinance, the local government of Davao City, in particular shall take appropriate measures:

c.1) To combat disease and malnutrition within the framework of primary health care, through inter alia the application of readily available technology and through the provision of adequate nutritious foods and clean drinking water, taking into consideration the dangers and risk of environmental pollution.

c.2) To establish a comprehensive Parents Orientation Development Program which include courses on reproductive health, child health and child rearing practices in the context of the Filipino psychology.

c.3) To monitor the full implementation of the Milk Code of the Philippines and advocate for the prosecution of milk firms which violate the code.

c.4) To conduct massive information education on breast feeding. Utilizing existing reference materials for effective breast feeding education program. And that students in all levels are required to take up breast feeding course which shall be an integral part of all curricula.

Section 20. Comprehensive Training Course on Child Health. All health practitioners dealing with child health in government, NGO or private institutions shall be required to complete a Comprehensive Training Course on Child Health. No one shall practice his or her health profession without the updated Certificate of Completion of this training course which shall be designed by the Task Force on Child Health or as prescribed in the implementing rules and regulations of this ordinance.

Violation of this provision constitutes a penalty of cancellation of license to practice profession.

Section 21. Child-Friendly Hospital in Davao City. All hospitals in Davao City shall set-up child-friendly units to include rooming-in facilities and pediatric-appropriate mechanisms and gadgets.

Section 22. Creation of Children's Hospital. The local government of Davao City shall establish a special hospital for children accessible to, and affordable for the poor families. It shall ensure pediatric assistance and facilities for the treatment of illness and physical rehabilitation. Such protective and developmental placement shall be evaluated regularly by a competent team composed of multi-disciplinary professionals. This multi-disciplinary special hospital shall not however, assume the function of the primary health care available at the barangay level. The Davao City Pediatric Society shall be involved in the final promulgation of programme of the Children's Hospital under the Task Force on Child Health which shall be formed by the City Health Office and the Davao City Special Office for Children's Concerns within one year of the effectivity of this Ordinance.

As part of the support system for child's health, government health practitioners are required to undertake special training on pediatric care through the Davao City Child Health Institute which shall be established by the local government of Davao City within two years after the approval of this ordinance.

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

Section 23. Survey and Active Program for Differently-Abled Children. The Local Government of Davao City shall make a periodic comprehensive survey on the differently-abled in the City which should be Child-focused and specific. It is basic to achieve a more systematic coordination of services (health nutrition and education) for children with special needs.

Section 24. Investment in Educators and Health Professional Training Programme for Special Program with Differently-Abled Children. Training program for educators and health professional handling differently-abled children shall form part of the priority of the local government of Davao City.

Section 25. Barangay-Level Recreational and Cultural Facilities and Program. A barangay-level program for the revival of indigenous games reflective of the cultural diversity in Davao City shall be installed. The Local Government of Davao City shall allocate space for recreation and provide recreational facilities appropriate for children's gender and age. A regular cultural program appropriate for each children's age-group and gender shall be designed with due respect to cultural diversity.

Section 26. Local Children's Literature. In support to the socio-cultural development in Davao City, the local government of Davao City shall invest in the production of local literature for children or other relevant materials.

Section 27. Parenting Orientation Courses. Marriage License applicants shall be required to participate to a Parenting Orientation Course I, among other requirements,, prior to the issuance of marriage license by the Civil Registrar. This course becomes an integral part of existing Family Planning Seminar or Reproductive Health Course. The Davao City Special Office for Children’s Concerns in close coordination with the City Health Office and the Civil Registry Office shall update the family planning seminar in recognizance of this Ordinance.

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

Implementing guidelines for this ordinance shall be formulated by the Davao City Special Office for Children’s Concerns in close coordination with the Office of the Civil Registrar.

Modules for these courses shall be designed by the Davao City Special Office for Children’s Concerns and City Social Services and Development Office and in close coordination with NGO child focused programs.

Article IV – Participation Rights of Children

Participation of Children in decision-making Processes. The children in the family, school, community or other organization or institution shall be heard. Each child regardless of sex, age and tribe has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child. It shall be the responsibility of the adults to provide opportunities for children to express his or her views, obtain information, make ideas or information known, regardless of tribe, rebellion, age and sex.

Section 29. Installation of Mechanism for Participation in Policy and Program Formulation in the Local Government. It is important to consult and provide venue for the expression of views relevant to Davao City Government Policies. It is therefore proper that seven to twelve (7-12) years old and the thirteen to eighteen (13-18) years old are convened through their representatives in a once a year basis, specifically during the children’s month, every October. NGOs concerned with these groups of children shall be part of the process in both preparation and evaluation of the convention. Detailed implementing rules and guidelines shall be Davao City Office for Children’s Concerns.

Article V Implementing Mechanism

Section 30. Creation of the Special office for Children's Concerns. The Davao City Special Office for Children's Concerns shall be created to beef up the capacity of the City Social Services and Development Office in realizing the provisions of this Ordinance. It shall be the special coordinating and implementing arm of the Local Government of Davao City to focus on children specific programs and projects. It shall file complaints on cases of unlawful acts committed against children in the most expeditious process.

Section 31. Components of the Davao City Special Office for Children's Concerns. The special office shall have the following components to orchestrate its various program and projects consistent with the provisions of this Ordinance, national issuances and international covenants:

- a) Reception and Study Center
- b) Psycho-social Rehabilitation Centers for Centers for Children in Extremely Difficult Circumstances
- c) Children's Hospital
- d) Child's Right Advocacy and Campaign
- e) Early Childhood Care and Development Program
- f) Legal Assistance Program

Section 32. Role of the Council for the Welfare of Children. The Davao City for the Welfare of Children shall become the consultative-Assembly of the Davao City Special Office for Children's Concerns for its periodic planning and programming, assessment and evaluation. It shall act as a regulatory body for the operations of all existing programs and projects designed for children. It shall involved in all the processes related to the refinement of the implementing rules and guidelines of the Ordinance.

Article VI Final Provisions

Section 33. Rules and Regulations. Unless otherwise provided in this Ordinance, the City Prosecutor's Office in coordination with the Davao City Special Office for Children's Concerns, shall promulgate rules and regulations for the effective implementation of this Ordinance.

Such rules and regulations shall take effect upon their publication in two (2) local newspapers of general circulation.

Section 34. Appropriations. The amount necessary to carry out the provisions of this Ordinance is hereby authorized to be appropriated in the Annual Implementation Plan, specifically, 5% of the gross income of the Local Government of Davao City and additional 1.5% from each additional fund from other sources.

Section 35. Separability Clause. If any provision of this Ordinance is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue in full force and effect.

Section 36. Repealing Clause. All Ordinances, local issuances or rules inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

Section 37. Effectivity Clause. This Ordinance shall take effect upon completion of its publication in at least two (2) local newspapers of general circulation.

ENACTED: December 2, 1994

A vote of unanimity has been entered into the records.

APPROVED:

SHANE L. DOLOR
City Councilor
Acting Presiding Officer

ATTESTED:

GUILLERMO G. SALDAÑA
Secretary
Sangguniang Panlungsod

APPROVED: December 22, 1994

(Sgd.) RODRIGO R. DUTERTE
City Mayor II
City of Davao

ATTESTED:

(Sgd.) CARMELO T. GEMPESAW
City Secretary

IMPLEMENTING RULES AND REGULATIONS (IRR) OF THE DAVAO CITY CHILDREN'S WELFARE CODE

Pursuant to Section 33 of the ORDINANCE PROVIDING FOR A COMPREHENSIVE CHILDREN AND FAMILY SUPPORT SYSTEM IN DAVAO CITY otherwise known as the DAVAO CITY CHILDREN'S WELFARE CODE, the following rules and regulations are hereby issued to implement the provisions containing the Code.

ARTICLE I. IMPLEMENTING MECHANISM

SECTION 1. SPECIAL OFFICE FOR CHILDREN'S CONCERNS. For purposes of implementation of Ordinance Number 2491, entitled "Comprehensive Children and Family Support System in Davao City," otherwise known as the Davao City Children's Concerns (SOCC) shall be discharged through the City Social Services and Development Office (CSSDO) under a division which shall be known as Children's Concerns Division (CCD) pending its creation pursuant to the provision in the Code.

It shall cover the following components:

- a. RECEPTION AND STUDY CENTER – Facilities screening of cases of walk-in Children for appropriate actions by the different units of the CCD. Serves as centralized data bank of children's conditions in Davao City. The Center shall actively establish a data system which requires all District Social Workers to periodically provide updated data on children and launches appropriate researches and studies related to children's development.
- b. CHILD RIGHTS ADVOCACY AND CAMPAIGN SECTION - It handles projection of issues affecting children and the promotion of children's rights in the context of the Davao City situation. This section designs appropriate trainings for all social workers para-professionals and community-based volunteers in charge of children. The network of agencies under the **Council for the Welfare of Children (CWC)** shall be the main machinery in the campaign and advocacy work. The personnel concerned in this section shall be the regular secretariat of the Council of the Welfare of Children. The Barangay Councils for the Protection of Children (BCPCs) shall become the grassroots structure to sustain the campaign and advocacy for children.
- c. PSYCHO-SOCIAL REHABILITATION CENTERS FOR CHILDREN IN EXTREMELY DIFFICULT CIRCUMSTANCES – All cases of Children in Extremely Difficult Circumstances shall be afforded with appropriate Psycho-Social Program which this Section shall establish with maximum participation of the families and communities concerned with an appointment of at least one (1) Senior Social Worker to handle especial social services on these cases

in every district. Psycho-social is a system approach to condition of children in extremely difficult circumstances which views children's problems in a social context. Psycho-social program interventions shall primarily focus but not limited to the following circumstances:

1. Children surviving on the streets
 2. Child labor
 3. Prostituted children
 4. Children in anti-social activities
 5. Sexually abused and maltreated children
 6. Children in-armed-conflict situations
 7. Children of marginalized cultural communities
 8. Others
- d. CHILDREN'S HOSPITAL – A special children's hospital with multi-disciplinal programme shall be established in Davao City to ensure affordable and accessible pediatric assistance especially to children of indigent families without prejudice to the principles of primary health care instituted at the barangay level.

The CSSDO, City Health Office and the Davao City Pediatric Society shall organize and form part of the Task Force on Child Health shall act as its policy-making body. Management of the hospital shall be directly under the concern of CSSDO in coordination with the City Health Office.

Within the Children's Hospital, a Child Health Institute shall be created to serve as the training arm of Hospital. It shall supervise medical apprentices and conduct regular training courses on pediatric care to all government and private health practitioners and conduct researches to improve local children's health. The Institute shall also monitor the operations of all other government or private hospitals' pediatric units to ensure the implementation of child-friendly measures.

- e. EARLY CHILDHOOD CARE AND DEVELOPMENT PROGRAM – Early Childhood Care and Development Program as a Section shall ensure and monitor comprehensively the health status of children in the communities as it affects their development. It shall conduct holistic health consciousness-raising to children, their families, and community volunteers. In close coordination with the City Health Office through their barangay health program, this section shall facilitate parents' education focusing on scientific child-rearing to ensure healthy growth of Davao City children.

This Section shall also take charge of centralized curriculum development based on Nationalist (as against western oriented), scientific and pro-people orientation for all Day Care Centers and all Pre-School operated by the City Government of Davao. It further manages the whole operations of the Day

Care Centers and government-run Pre-Schools in Davao City. Likewise, all private pre-school centers in Davao City shall secure license to operate subject to curriculum appraisal to be administered by this Section based on the aforementioned orientation on early childhood education.

- f. LEGAL ASSISTANCE PROGRAM – A member of the Bar with at least (3) years of active legal practice and two (2) legal assistance who shall at least have completed three (3) years academic course in Bachelor of Laws shall constitute the legal assistance section of the CCD which shall exercise the following functions:
1. Represents a minor as described under Section 3 (g) of the Children’s Welfare Code as ascertained by the Reception and Study Center, needing legal services;
 2. To initiate complaints and in proper cases, represent such child/minor in any proceedings before a judicial, quasi-judicial or administrative body including but not limited to custodial investigation in the police;
 3. For purposes of the next preceding provisions, the CYRS shall coordinate and render adequate assistance to the legal section to provide expedient service.

SECTION 2. STAFFING PATTERN. The office the City Personnel shall provide the staffing pattern of the CCD in accordance with existing Civil Service Rules and Regulations.

SECTION 3. ROLE OF THE DAVAO CITY COUNCIL FOR THE WELFARE OF CHILDREN. As a Consultative-Assembly to the CCD of CSSDO, *the Davao City Council for the Welfare of Children* (DCCWC) shall be directly involve in its periodic planning, programming, assessment and evaluation processes of all programs and projects related children. It shall also define a clear organizational structure to serve as the City level coordinating body to embrace organizationally both the Barangay Council for the Protection of Children (BCPCs) and the Children’s Congress.

SECTION 4. STRUCTURE. The CSSDO with the Children’s Concerns Division shall, in effect, have its organizational structure as herein illustrated:

ARTICLE II. PROTECTION RIGHTS OF CHILDREN

SECTION 5. COMPREHENSIVE PROGRAM. – The CCD of CSSDO shall initiate fast and accurate reporting and investigation of child abuse cases, provides psycho-social help to victims/survivors and, conduct sustained advocacy and campaign efforts in all barangays within Davao City.

SECTION 6. MONITORING SCHEME OF ESTABLISHMENTS OR ENTERPRISES WHICH PROMOTE, FACILITATE OR CONDUCT ACTIVITIES CONSTITUTING CHILD PROSTITUTION AND OTHER SEXUAL ABUSE, CHILD TRAFFICKING, OBSCENE PUBLICATIONS, INDECENT SHOWS AND COMMERCIAL VIDEO GAMES CATERING TO CHILDREN DURING SCHOOL HOURS. – The CCD of CSSDO in close coordination with the child and Youth Relation Section (CYRS) of the PNP, Barangay Councils for the Protection of Children (BCPCs) and their commissioned Barangay-based volunteers shall organize Barangay-level monitoring team to regularly monitor compliance of Sec. 6 to 11 of the Children’s Welfare Code and recommend appropriate actions against establishments and individuals in case of violation thereof.

SECTION 7. CONTROL ON CHILDREN’S EXPOSURE TO COMMERCIAL VIDEO GAMES. Commercial establishments catering rental of electronic video games to children fifteen (15) years old and below during school days from 7:00 o’clock in the morning to 5:00 o’clock in the afternoon shall be subjected to suspension of the business permit for fifteen (15) days during the first offense and, one (1) month suspension of the same for the second offense.

Confiscation of all video units of said establishment and cancellation of business permit shall constitute the penalty for the third offense.

SECTION 8. MONITORING OF CHILDREN TRAVELLING ALONE. – The CSSDO and the agencies mentioned in Section 6 of these Rules and Regulations shall also be responsible for monitoring children traveling alone or with another or with another minor to and from Davao City without valid reason or without another clearance issued by the corresponding Punong Barangay or written permit from the child’s parents or legal guardians, attested by such Punong Barangay.

SECTION 9. STEPS TO PREVENT CHILDREN FROM TRAVELING ALONE.

A. Bus Operators, airlines, shipping lines shall be required to disseminate information / orientation properly to their drivers, conductors, inspectors and airlines / shipping personnel regarding Section 8 of these Rules and Regulations for its effective implementation.

A.1. Bus operators, airlines/shipping lines personnel shall require juvenile passengers to present their community tax certificates to determine the presence of minors on board in accordance with Section 8 of this IRR.

A.2. Any private individual / entity shall likewise observe the provisions of Section 8 before allowing minors to travel outside of Davao City.

A.3. Any private individual / entity referred to in the preceding step who knowingly conceals the presence of minors traveling alone or in any manner violates any of these provisions shall be prosecuted and penalized in accordance with Section 6 of Article III of R.A. 7610. Provided that if the offender be an officer or employee of bus,

airline, ships, trains and other similar conveyances whether public or private shall be prosecuted under the same section in relation to Sec. 11 Art.VII of R.A. 7610.

A.4. The same sanction shall be imposed on operators of buses whose employees violate the next preceding section.

B. Children traveling without necessary documents as prescribed in Section 8 of this IRR shall be taken under the custody of the CSSDO for appropriate actions.

C. Social Workers shall be assigned at all ports of entry, seaports, land transport and airport terminals in Davao City to ensure efficient implementation of this Section in coordination with officials of the Davao City Overland Transport Terminal (DCOTT), Phil. Port Authority (PPA) and other non-government organizations.

SECTION 10. REPORTING. – A person who learns of facts or circumstances that give rise to the belief that a child has suffered abuse, is suffering from or is in danger of being abused shall report the same, either orally or in writing to the CCD of the CSSDO, to the CYRS of PNP or to other law enforcement agency or to the Barangay Council for the Protection of Children (BCPC).

SECTION 11. OTHER ACTS AND / OR CONDITION PREJUDICIAL TO THE CHILD'S DEVELOPMENT. It shall be unlawful for any person to serve liquors, sell cigarettes and prohibited regulated substance to minors.

The penalty for the commission of such act as prescribed in Article VI of R.A. 7610 shall be imposed. The victim of the act committed under this section shall be entrusted to the care of the CCD of the CSSDO.

All entertainment establishment shall post a notice in conspicuous places within there premises in accordance with the prescribe prohibition.

SECTION 12. APPOINTMENT OF CYRO IN ALL PNP STATION. – The Davao City PNP Command shall ensure appointment of Child and Youth Relation Officer in all police station in Davao City which shall coordinate closely with the Legal Section of the CCD regarding all cases involving children in anti-social activities within its area of responsibility, while strictly observing and enforcing the provision in the Police Handbook on the Management of Cases of Children in Extremely Difficult Circumstances.

SECTION 13. SPECIAL COURSE FOR PNP MEMBERS. – A special course for members of the PNP shall be designed to handle effectively the children involve in anti-social activities. All police officers shall take up the course especially those who are interested to be assigned with the Child and Youth Relation Section (CYRS) in each PNP station.

The course shall be designed and provided by the Campaign and Advocacy Section of the CCD in close coordination with the PNP Child Protection Team per Police Manual and , NGOs and professional organizations focused on child and youth programs.

SECTION 14. MORO AND INDIGENOUS PEOPLE’S CHILDREN ACCESS TO EDUCATION. – The CCD of CSSDO in coordination with the Division of City Schools of Davao / DECS, City Cultural Communities Office (CCCO), Davao City Office of Muslim Affairs (OMA) and concerned NGOs shall develop and / or strengthen programs that will enable indigenous children regardless of tribal origin to attend a school offering elementary education program.

SECTION 15. CULTURE-SPECIFIC EDUCATION PROGRAM. – The CCD through its Early Childhood Care and Development Program (ECCD) in coordination with appropriate government agencies and concerned NGOs shall study and formulate the appropriate curriculum for such indigenous pre-school children in Davao City and to design training for teacher assigned to their communities with culture-specific educational orientation. Whenever practicable, the dialect of the community shall be used as the medium of instruction.

It shall also study and recommend to the DECS the appropriate curriculum fro children over six and under eighteen years of age of such indigenous children.

SECTION 16. COUNCIL OF MORO AND INDIGENOUS PEOPLE’S CHILDREN. – A separate Council for Moro and Indigenous People’s Children shall be created to look after their general welfare. The Councils shall be composed of representative from the Davao City local gov’t., concerned NGOs and from the Moro cultural communities in Davao City.

Both Council shall elect its Chairperson and other officers from among its members while the staff from the Reception and Study Center of CCD in coordination with the City Cultural Communities Office (CCCO) and the office of City Muslim Affairs (OMA) shall act as the convenor of the Councils and shall serve as its secretariat.

SECTION 17. FUNCTIONS OF THE COUNCIL. – In coordination with existing local agencies or structures concerned with the following, the Council shall:

- a. identify the barangays / areas were the Moro / indigenous cultural community resides and prepare a mapping plan there of;
- b. determine the number of Moro / indigenous cultural community households in a Barangay / area and the number of children in each household;
- c. identify, coordinate, monitor and evaluate all programs affecting the children of indigenous cultural community in the area and submit a report to the Reception and Study Center of the CCD which shall submit thereon such report to the City Chief Executive and if necessary, recommend the establishment of other programs to meet the identified needs of children; and

- d. coordinate with existing Tribal Council in resolving disagreements, disputes or difficulties relating to discrimination and the implementation of government and private programs and projects intended to benefit children of said community.

SECTION 18. OTHER PROGRAMS AND PROCEDURES PROTECTING CHILDREN AND PENALTIES FOR THEIR EXPLOITATION.- All programs and procedures protecting children as contained in the Children’s Welfare Code and penalties involving cases of child abuse and exploitation not directly defined and covered in this IRR shall be referred to the Implementing Rules and Regulations of R.A. 7610 which shall be suppletorily applicable.

ARTICLES III. SELECTIVE BAN ON BENEFIT DANCE AND THE IMPOSITION OF THE CURFEW ON MINORS

SECTION 19. SELECTIVE BAN ON BENEFIT DANCE. - “Benefit dance” or disco employing or using minors as performers for purposes of raising funds and in the process tend to commodify said minors, shall be prohibited. License or permit issued to such benefit dance or disco shall explicitly contained such prohibition.

SECTION 20. PENALTY FOR VIOLATORS OF THE SELECTIVE BAN ON BENEFIT DANCE. – Benefit dance organizers launching said activity which shall violate the preceding Section shall be imposed with existing appropriate penalty/ies. Punong Barangay issuing permits to organizers of prohibited form of benefit dance as defined may be held administratively liable.

SECTION 21. WHO MAY FILE A COMPLAINT. – Complaints on cases of unlawful acts committed against children as enumerated herein maybe filed by the following:

- a. Offended party;
- b. Parents or guardians;
- c. Ascendant or collateral relative within the third degree of consanguinity;
- d. Officer, social worker or representative of a licensed child-caring institution;
- e. Punong Barangay; or
- f. At least three (3) concerned, responsible citizens where the violations occurred.

SECTION 22. CURFEW ON MINORS. – It shall be unlawful for children below 15 years of age caught loitering around or sleeping in public places between 10 o ‘clock in the evening and 4 o ‘clock early morning of the following day unless they are in company with their parent or guardians.

SECTION 23. APPREHENSION PROCESS AND DISPOSTION OF CURFEW VIOLATIONS. –

- A. Barangay volunteers, officers of CYRS or any regular members of the PNP who caught curfew violators in their respective Barangay shall escort and turn-over said minors immediately to their respective residences or homes to ascertain their parents as respondent in the citation-order to be issued by the apprehending party.
- B. Apprehended minors who reside from another Barangay shall be turn-over immediately to the nearest PNP CYRS Centers for proper processing, but shall likewise be escorted home by apprehending Barangay volunteers when the proximity of said Barangay warrants it as the case maybe.
- C. Upon turning over the person of the minor-violator to the parents or guardians, the apprehending officer shall issue a citation-order to said parents/guardians.
- D. Parents or guardians of curfew violators shall within 72 hours from receipt of the citation-order be required to appear before their respective Punong Barangay as stated in the citation-order for processing, determination and disposition in accordance with Sec. 22 of this Rule.
- E. Parents or guardians who fail to report to the specified center within the period as stated, or comply with the prescribed sanction shall be proceeded against in accordance with Sec. 515, Book IV, Title 1 in relation to Sec. 389 Chapter 3, Book III of RA 7160, otherwise known as the Local Government Code of 1991.
- F. Parents of first offenders shall be required to attend a whole day Parenting Course to be conducted by the CCD of the CSSDO using the same seminar module as prescribed in Section 27 of the Davao City Children 's Welfare Code.

Parents of Second- time offenders shall be required to complete a total of 15- day community service to be rendered on Saturdays, Sundays or any holidays of their choice. Community service shall include direct participation in the installation of basic amenities, cleanliness drive or in any other community project in depressed areas of one's district. Second time offender minor shall be introduced into psycho-social programs of CCD through its appropriate section.

Subsequent violation of this provision shall warrant the filing of criminal charges against the parents under Art. 59 of PD 603 and its corresponding penalties under Art. 60 of the same Code.

- G. Copies of citation-order issued to parents or guardians of apprehended minors violating the curfew shall be forwarded by the apprehending parties immediately thereafter to their respective BCPC and, during office hours to the Reception and Study Section of the CCD for reference and appropriate actions.

SECTION 24. MONITORING AND ADMINISTRATION OF COMMUNITY SERVICE.- It shall be the duty of the Punong Barangay acting as Chairman of the

Barangay Council for the Protection of Children (BCPC) in every barangay to ensure that penalties prescribed under the preceding Sections to all persons found liable are properly enforced; violators or offenders shall not be discharge from performing the required community service unless issued a Certificate of Completion by BCPC concerned. A copy of which shall be furnished to the Reception and Study Center of the Children's Division of CSSDO for recording and reference purposes.

SECTION 25. APPREHENDING PARTY.- Other than the elements of the PNP Child and Youth Welfare Section (CYRS) or any regular members of the PNP, civilian volunteers sanctioned by the Barangay Council for the Protection of Children (BCPC) shall be commissioned to apprehend curfew violators in their respective barangays provided said volunteers shall have undergone proper orientation- seminar to be conducted by the CCD of CSSDO in coordination with the CYRS.

ARTICLE IV. SURVIVAL AND DEVELOPMENT RIGHTS OF CHILDREN

SECTION 26. UNDER SIX PROGRAM FRAMEWORK.- A comprehensive program to ensure survival and development of children shall be established. While enhancing existing programs, the following shall be pursued to the maximum extent possible:

- a. Care for Children of Working Parents.- The BCPC in every Barangay in coordination with the Early Childhood Care and Development program of the CCD shall put up centers composed of network of homes where adult volunteers shall take care of children of working parents. Volunteer surrogate parents-teachers shall facilitate a balanced program of supervised play, mental stimulation activities and group activities with peers of children in the centers.
- b. Parents-Volunteers Training- A Core of potential parent-volunteer in the network of homes shall undergo trainings be conducted by social workers from the CCD and shall receive honoraria for their volunteer works chargeable to the Barangay Internal Revenue Allocation (IRA) as determined by the Barangay Council.
- c. Sanctuary for abused, exploited and neglected children-The existing network of homes shall be used as sanctuary for abused, exploited and neglected children rescued from an unbearable home situations or those found loitering around the streets. Professional intervention shall be done by the district child welfare's specialist from the CSSDO.
- d. Pre-natal/Neo-natal Care – It shall be the duty of every expectant mothers to undergo pre-natal and neo-natal care in their respective health centers at the onset of pregnancy; Provided that Barangay health workers shall likewise monitor residents of their respective barangays to ascertain such expectant mothers and submit a list thereof to the assigned public health official for proper pre-natal and

neo-natal care; Provided further that medicines and health supplements shall be allotted to the women concerned regularly which allotment shall be duly recorded.

- e. Population-Based Day Care & Pre-School Centers – Day care and pre-school centers shall be established in every Barangay whose numbers (centers) depend on the population level of children and how depressed the barangays as determined by CSSDO. To encourage self-sufficiency in sustaining these centers, the Parents Committee in every government-run Day Care and Pre-School centers shall manage any fund-raising activities by day care workers with supervision from the district social workers. The local government of Davao City shall ensure that professional Day Care/Pre-School Teachers are provided in every population-based centers initiated by the community.
- f. Early Childhood Care and Development Program – The Day Care Center depending on their current capability, shall have a separate eight-hour programme for the care of 0-2 years old children with professionally trained Day Care Workers to ensure wholesome growth of children of working parents.
- g. Barangay Child-health Program – The City Health Office in coordination with the BCPC shall establish primary health care program in the Barangay strongly promoting child health through the appointment of District Child Health Officer who is a medical practitioner. The District Child Health Officer shall be tasked to initiate and monitor Barangay level child health programs.

SECTION 27. SURVEY AND ACTIVE PROGRAM FOR DIFFERENTLY-ABLED CHILDREN. – The City Health Office in coordination with the Reception and Study Center of CCD under CSSDO shall design and conduct a periodic comprehensive survey to establish statistical data on differently-abled children in Davao City. The survey shall facilitate early detection and intervention of physical impairments at birth to prevent its progression into disabilities and deformities during the period of rapid growth and the discharge of other appropriate intervention programs.

SECTION 28. PRODUCTION OF LOCAL CHILDREN’S LITERATURE. – The CCD of CSSDO through its campaign and Advocacy Section shall tap the academe or commission a team of writers from existing child-focused NGOs, individuals, groups or institutions, whether private or public to produce illustrated local literatures that shall promote indigenous socio-political and cultural values as alternative to commercialized western-oriented children’s literatures. Production of children’s literatures shall cater initially for two (2) years to the needs of government-run pre-school centers, after which it shall reach out to the literary needs of children of Davao City in general.

SECTION 29. PARENTING ORIENTATION COURSES. – Parenting Orientation Course – I for marriage license applicants and Parenting Orientation Course – II for parents securing birth certificate of their children in Davao City shall be facilitated jointly by the CCD of CSSDO and the City Health Office in coordination with the Civil Registry

Office. Attendance to these courses shall be the requisite prior to the issuance of marriage license and live birth certificate.

Existing pre-marriage seminar contents as conducted by CSSDO and City Health Office shall be integrated into the modules of these two courses to be designed by the mentioned government offices in consultation with child-focused NGO's and institutions who are members of the Local Council for the Welfare of Children (CWC).

SECTION 30. BARANGAY LEVEL VALIDATION OF DATA ON CHILD-BIRTH. – The Office of the Civil Registrar shall require midwives or “hilots” facilitating home-based natal deliveries to secure written endorsement from the Barangay captains where the mother resides prior to the registration of babies to prevent the possibility of simulating birth.

ARTICLE V. PARTICIPATION RIGHTS OF CHILDREN

Section 31. CHILDREN'S CONGRESS. – An ANNUAL CHILDREN'S CONGRESS IN Davao City shall be held during the national children's month every October. The Congress shall be the venue for children to express their views relevant to Davao City government policies and other issues directly affecting them. The children's Congress shall lodge their recommendations to the Davao City Council for the Welfare of Children for appropriate action. The CCD of CSSDO in coordination with the Sangguniang Kabataan (SK) Secretariate of Davao City shall facilitate the holding of the annual Congress.

SECTION 32. ORGANIZATION. – Children ages nine to fourteen (9-14) shall have a Davao City level organization hereinafter referred to as the Children's Congress. The Congress as an organization shall serve as the structure for them to exercise empowerment and active participation in community building. The children organization shall be the mouthpiece in the campaign and advocacy works to be sustained for children's welfare.

SECTION 33. REPRESENTATION. – Representation to the Congress shall be taken from every District in Davao City, participants to the existing programs of child-focused NGOs and centers catering services to children in extremely difficult circumstances, and children of indigenous and Moro communities. The Congress shall elect among themselves its set of officers which shall hold office annually.

ARTICLE VI. FINAL PROVISIONS

SECTION 34. BUDGET APPROPRIATIONS. The CSSDO shall submit a separate annual budget necessary for the implementation of the programs of the CCD, equivalent to five percent (5%) of the gross income of the city as provided by Section 34 of the Davao City Children's Welfare Code.

The one-and-a-half percent (1.5%) from each additional fund obtained by the City as provided by the same section of the Code shall be earmarked as additional budget for the establishment and operation of the Davao City Children's Hospital.

SECTION 35. EFFECTIVITY. These Rules and Regulations shall take effect upon the approval of the City Chief Executive and after its publication in two (2) local newspaper of general circulation.

Done in the City of Davao this 14th day of February 1996.

Recommending Approval:

(SGD.) Atty. ANTONIO V.A. LLAMAS
City Administrator

Approved:

(SGD.) RODRIGO R. DUTERTE
City Mayor

<http://www.davaocity.gov.ph/Downloads.aspx?cid=4>

February 28, 2011