



Republic of the Philippines
Tanggapan ng Sangguniang Panlungsod
City of Naga



ORDINANCE NO. 2001-039

AN ORDINANCE PROVIDING FOR A COMPREHENSIVE CODE FOR THE WELFARE OF CHILDREN IN NAGA CITY AND SUPPORT SYSTEMS THEREOF AND OTHER PURPOSES TO PROTECT THE RIGHTS OF CHILDREN:-

Author: Hon. Francisco P. Felizmenio

Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

ARTICLE I - TITLE, POLICY, PRINCIPLES AND DEFINITION OF TERMS

SECTION 1. - TITLE. - This ordinance shall be known as the “Naga City Children’s Welfare Code”;

- a. Reiterates its adherence to the general principles provided for in the 1987 Constitution that lays down in broad stroke the State’s responsibility to the rights and welfare of children in favor of their development, and as such, the local government of Naga City shall give utmost priority for its local execution in terms of programs and projects for that purposes;
- b. Recognizes the primary role of parents or legal guardians in child rearing, and as such, the local government of Naga City shall only provide assistance to the development of children or in cases where it is not possible for the parents and legal guardians to rear their children, they shall be referred to the private and public welfare institutions;

ARTICLE XV, SECTION 3 (2): The State shall defend 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 developments.

ARTICLE II, SECTION 13: The Sate 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 and civic affairs.

- a. Adheres to the general framework the 1989 UN Convention of the Rights of the Child which provides among others four general principles as follows:
 - c.1 In all actions concerning children, whether undertaken by the public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration;

- c. 2 The States parties are required to “assure the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given weight in accordance with the age of maturity of the child”;
- c. 3 The third principle is that of the survival and development of the child. “Survival” is an amplification of the right to life. The term “development” relates to the individual child and should be interpreted in broad sense. It adds a qualitative aspect to the right to life and implies that law, policy and administrative action must look beyond the physical survival of the child to issues of cognitive, emotional, social and cultural development;
- c.4 The fourth principle is the non-discrimination of children.

SECTION 3. - DEFINITION OF TERMS. -

- a. CHILDREN refer to persons below eighteen (18) years of age or persons over eighteen years of age but are unable to fully take care or protect themselves from abuse, neglect, cruelty, exploitation and discrimination because of physical or mental disability or infirmity;
- b. SURVIVAL RIGHTS the rights of the children to demand from the state, their parents or legal guardians for adequate living standard, access to basic health services and social security;
- c. DEVELOPMENTAL RIGHTS pertain to the access of the child to educational opportunities, relevant information, play, leisure, cultural activities and the right to freedom of thought, conscience and religion;
- d. PROTECTION RIGHTS are those rights of children to be protected against all forms of child abuse, exploitation and discrimination in situations where the children are considered in extremely difficult circumstance;
- e. PARTICIPATION RIGHTS are those rights the children asserts as described in the 1989 UN Convention for the Rights of Children which says that the children have the freedom to express themselves on matters affecting his or her life.
- f. CHILD ABUSE refers to the abuse or maltreatment of the child, whether habitual or not, which includes:
 - 1. Psychological, physical and sexual abuse neglect, cruelty and emotional maltreatment;
 - 2. Any act, in words or in deed, which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;
 - 3. Unreasonable deprivation of his or her basic needs of survival such as food, clothing and shelter; or
 - 4. Failure to immediately give medical treatment to an injured child resulting in serious impairment or his or her growth and development, permanent incapability 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 and morals which unduly interfere with their normal development or working without provisions for their education;
 3. Living in or fending for themselves in the streets without the care of parents or guardians 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 lacks or has inadequate access to basic services needed for a normal quality of 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 or calamity;
 7. Being a victim of an illegal transnational union or child trafficking;
 8. Recruitment of children in the Armed Forces of the Philippines, its civilian units NO OTHER ARMED GROUPS;
 9. Circumstances analogous to those above stated circumstances that endanger the life, safety or normal development of children.
- h. Comprehensive Children's Support System Against Child Abuse, Exploitation and Discrimination refers to the coordinated program of services and facilities to protect the children against:
1. Child prostitution and other sexual abuse;
 2. Child trafficking;
 3. Obscene publications and indecent shows;
 4. Exploitation;
 5. Other acts of abuse;
 6. Circumstances that treated or endanger the survival and normal development of children as prescribed in the 1989 UN Convention of 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 Section 3 of RA 6972 and as prescribed by the UN Convention on the Rights of the Child;
- j. Naga City Family and Children Council (NCFCC) or Council refers to the body which shall act as the overall coordinating body for the execution of the programs and projects under this ordinance as such it shall:
- j.1 undertake planning and evaluation sessions on annual and bi-annual bases;

- j.2 undertake quarterly programming and assessments;
- j.3 undertake monthly consultations;
- j.4 provide the local chief executive and the concerned chair or chairs of Sangguniang Panlungsod committees with minutes, plans of action, policy recommendations and other pertinent decisions regarding the projects and programs of this ordinance;
- j.5 closely coordinate with the line agencies and non-government organizations regarding the plans of action and programs approved by the local chief executive and other bodies the law authorized.
- k. Junk Foods are foodstuffs which are processed with artificial flavors, coloring and preservatives which have been found to contain carcinogenic elements harmful for the body or those sold beyond their expiry periods;
- l. Anti-Social Related Activities are those acts against property, chastity and person which include but are not limited to the following:
 1. Petty crimes such as snatching, shoplifting, misrepresentations;
 2. Using and pushing prohibited drugs;
 3. Selling or distribution of lewd/obscene reading materials;
 4. Pimping for young and adult prostitutes, sexual perversions and doing or participating in obscene shows;
 5. Gambling of any form;
 6. Rape and incest; and
 7. All other circumstances as defined in the existing laws.

ARTICLE II - PROTECTION RIGHTS OF CHILDREN

SECTION 4. - Program on Child Abuse, Exploitation and Discrimination shall be implemented after one (1) year from the effectivity of this ordinance.

A comprehensive program shall be formulated, within one (1) year from the effectivity of this Code by the Naga City Family and Children Council and the Naga City Social Welfare and Development Office, after consultation with other government agencies, private sector, non-government organizations and child welfare institutions that are concerned with protection and development of children's rights and welfare.

SECTION 5. - CHILD PROSTITUTION AND OTHER SEXUAL ABUSE. - Children, whether male or female, who for money, profit or any other consideration or due to the coercion or influence of any adult, syndicate or 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 RA 7610 shall be imposed upon the following:

- a. Those engage in or promote, facilitate or induce prostitution which include, but are not limited to the following:
 1. Acting as 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 relationship with or taking advantage of a child as prostitute;
 4. Threatening or using violence towards a child to engage him or her as a prostitute or participants in indecent shows;
 5. Giving monetary consideration, goods or other pecuniary benefit to a child with the intent to engage in child prostitution.
- b. Those persons who commit the act as stated in Article III of republic Act 7610 shall be penalized accordingly as prescribed therein.

SECTION 6. - OBSCENE PUBLICATION AND INDECENT SHOWS. - Any person who shall hire, employ, use, persuade, coerce or force a child, whether live or in video, to pose or model in obscene publications or pornographic materials shall suffer the penalty prescribed in RA 7610 in so far or it is applicable.

SECTION 7. Sanctions for Establishment or Enterprises which Promote, Facilitate or Conduct Activities Constituting Child Prostitution and Other Sexual Abuse, Child Trafficking, Obscene Publications and Indecent Shows.

All establishments or enterprises that promote, facilitate child prostitution and sexual abuse and exploitation, 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 the ordinance. A sign that says: "CHILD RIGHTS VIOLATOR" will be conspicuously posted outside the establishment(s) or enterprise(s) by the Naga City Family and Children Council for such periods as the Council shall determine.

SECTION 7-A. - REQUIREMENT OF ESTABLISHMENT TO POST NOTICES AGAINST CHILD ABUSE. - All establishments such as Hotels, Sauna Baths, Motels and Nightclubs shall be required to post notices against child abuse as requisite to renewal/approval of business license.

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 8 of this Ordinance:

- a. When a child, below 15 years old, travel alone to or from Naga City without clearance issued by the Naga City Family and Children Council or written permit or justification from the child's parents or legal guardian; Written permits issued should be attested by the Punong Barangay.
- b. When a pregnant mother, father or guardian executes an affidavit of consent for adoption for a consideration; or consents, 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 caring institutions who can be offered for the purpose of child trafficking; or
- f. When any person, authority, agency or institution witnesses who have knowledge but fails to report, transactions related to circumstances in child trafficking.

The penalty prescribed in Article IV of Republic Act No. 7610 in so far as it is applicable shall be imposed upon the principals 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 8. Such service shall be defined by the Social Development Committee of the City Development Council.

SECTION 10. - OTHER ACTS AND/OR CONDITIONS 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 the purpose of this ordinance, the penalty for commission of such act as prescribed in Article IV of Republic Act No. 7610 in so far as it is applicable shall be entrusted to the care of the Naga City Family and Children Council.

SECTION 10-A. All establishment selling liquors or cigarettes shall be required to post notices or warning signs that ban selling of liquor and cigarettes to children as a condition for the approval/renewal of their business license.

SECTION 11. - REGULATION ON CHILDREN'S EXPOSURE TO COMMERCIAL VIDEO GAMES. - Commercial establishments which business involved renting of electronic video games are prohibited from catering to children during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon. Business permit(s) concerned commercial establishment(s) who violate the prohibition shall subjected to suspension for fifteen (15) days during the first offense and one (1) month suspension of the same for the second offense.

SECTION 11-A. - MOVIE AND FUN HOUSES ARE PROHIBITED TO ADMIT CHILDREN DURING SCHOOL HOURS. - Sanctions to movie and fun houses admitting children during school days from 7:00 o'clock in the morning to 5:00 o'clock in the afternoon. All movie houses and fun houses admitting children during school days from 7:00-5:00 p.m. shall be subjected to the same penalty imposed on Commercial Video Games catering to children during school days/hours, in so far as the first and second offense is concerned.

Cancellation of the business permit and closure of movie & fun houses shall constitute the penalty for the third offense.

SECTION 12. - CHILDREN INVOLVED IN ANTI-SOCIAL AND RELATED ACTIVITIES. - Children who are involved in anti-social or related activities shall be registered in the rehabilitation program that shall assist the children to rebuild themselves and reintegrate them to the mainstream of society.

SECTION 12-A. - MONITORING OF SUSPENDED CASES OF CHILDREN AND APPROPRIATE ASSISTANCE. - Application for suspension of sentences of children involved in anti-social activities shall be done by the children's concern of the Naga City Family and

Children Council. A special team from such office shall monitor closely case(s) involving children in court to adequately enforce the suspension of sentence(s). Appropriate and responsive rehabilitation program shall be accorded to them under the supervision of the NCFCC.

The NCFCC shall maintain the Bantay Bata Hotline for the round the clock reporting and monitoring of cases against child abuse.

SECTION 12-B. - APPOINTMENT OF CHILD AND YOUTH RELATIONS OFFICER AND POLICE PROCEDURES. - The Naga City Police Station shall assign a Child and Youth Relation Officer, preferably a female police officer, who will be tasked to handle cases involving children. Child-friendly police procedures, which are contained in the Police Handbook on the Management of Cases of Children, shall be followed, even in difficult circumstances. Each police officer shall be provided with a copy of the Police Handbook for guidance.

SECTION 12-C. - SPECIAL COURSES FOR PNP MEMBERS. - A special course that deals with handling child delinquents and abused children shall be designed and obligatorily given to the members of Philippine National Police in Naga City.

The NCFCC, in close coordination with PNP Child Protection Team and interested groups, shall be tasked to design and initiate the conduct of training seminar on the special course.

SECTION 12-D. - Police Brutality being the state or quality of being harsh, ruthless, cruel, or unrelenting to children who are suspected of committing crimes, misdemeanor or anti-social activities during arrest, apprehension, investigation and interrogation or when applied to children-suspects under the custody of police authorities shall be prohibited and dealt with appropriate action from the People's Law Enforcement Board (PLEB)

Case or cases of brutality the police officer(s) committed against children shall be filed in PLEB who will determine the appropriate penalty or penalties without prejudice to the 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 requirement as stated in Section 12 of Republic Act. No. 7610 shall be present; and
- b. the employer shall register the child or children they employed to the NCFCC.

The NCFCC shall provide guidelines, rules and regulations regarding the employment of children in any establishment in Naga City and shall be tasked to implement this provision provided by this ordinance.

SECTION 13-A. - The Naga City government shall prohibit the employment of children in certain advertisements. No person, natural or juridical, shall be allowed to employ a child or children in order to model for commercials or advertisements that promote alcoholic beverages, intoxicating drinks, tobacco and its by-products, junk foods and/or the depiction of violence.

SECTION 13-B. - PENALTIES. - Any person who shall violate this provision of the ordinance shall be imposed with penalty as prescribed in Section 16 of Republic Act. No. 7610 in so far as it is applicable.

SECTION 14. - CURFEW FOR MINORS. - To protect the children from harm, exploitation and criminal elements, a curfew shall be imposed on them from 10:00 p.m. to 4:00 a.m. During these hours, the children are prohibited from loitering around the city or sleeping in public places. Unless justified and accompanied by parents, legal guardian(s) or adults and the condition in which the presence of the children does not constitute child trafficking, prostitution and other unlawful activities, this provision will not apply.

The penalty for violating this provision for the first offense shall be imposed on the parents and legal guardians that will constitute of a one-day seminar on the duties and responsibilities in child rearing and caring.

For second-time offender(s), a 15-day community service or as determined by the court shall be imposed on parents and legal guardians.

ARTICLE III - SURVIVAL AND DEVELOPMENT RIGHTS OF CHILDREN

SECTION 15. - GENERAL FRAMEWORK. - The development and survival of children are determined by both external and internal factors, so that, it is the shared responsibility of the parents, siblings, and relatives which shall be known as the internal factor and the State, civil society, and community which shall be known as the external factor to provide the necessary environment, support, assistance and other initiatives to make children responsive and productive members of the society.

SECTION 16. - The Naga City local government, representing the State, shall ensure, to the maximum extent possible, the survival and development of the child by providing facilities, programs and projects for the purpose and at the same time facilitate and mobilize the civil society and the community to reinforce and strengthen the initiatives for the general welfare of the children.

SECTION 17. - The Naga City local government shall establish the following programs, projects and initiatives to contribute to the survival and development of the children.

- a. Maintain monitoring of registration of births and complete the immunization series for the prevention of tuberculosis, diphtheria, pertusis, tetanus, measles, poliomyelitis and such other diseases for which vaccines have been developed for the administration to children up to six years of age.
- b. Maintain growth and nutritional monitoring among children up to six years of age and provide nutritional feeding and supervision of nutritional intake at home.
- c. Provide facilities where children of working parents can be taken cared of the day, and whenever feasible, a facility where children up to six years of age of parents working at night can be taken cared of during the night.
- d. Establish a community-based program that will build a network of households, develop it into a functional "care giver" mechanism where adult members are mobilized to take care of the children of working parents during the working hours. In this regard, the social welfare development officer of Naga City shall provide supervision, training and seminars to adults mobilized as 'care givers' of working parents. Furthermore, in cases where children are left to the care of paid domestic elderly relative or older children without adequate and competent adult supervision, the social welfare development officer shall provide the same supervision, training and seminars.

- e. Develop a program that will pool intellectual resources through a network of surrogate parents-teachers who will provide intellectual and mental stimulation to the children, supervised wholesome recreation with balanced program of supervised play, mental stimulation activities and group activities with their peers.
- f. Establish a center that will serve as the sanctuary for the abused, neglected or exploited children, which will provide shelter to children in urgent need of protection from imminent danger, cruelty and abuse. The center, which shall be established through the barangay local governments, shall also conduct rescue operations of children in clear danger with law enforcement agencies when the situation merits.
- g. Foster Care Parenting for Abused Children shall be implemented following the provisions of Ordinance 2000-023.
- h. Establish a Reproductive Health Care Center for pregnant mothers for prenatal check-up, neonatal services, delivery of infant under conditions that shall prevent or minimize risk of 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 condition or illness will brought for care; Provided further, that traditional hilot and barangay health workers are provided with the 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.
- i. Organize a barangay children's welfare council that will ensure the protection and development of children, lobby to the barangay council programs, projects and initiatives that will enhance the protection and concerns of the children.
- j. Institute in the children and day care centers learning exercises and modules that raise awareness and respect the participation of children in decision-making processes.
- k. Maintain a pool of trained and specialized day care or child development workers with an upgraded salary scheme commensurate to the tasks assigned.

SECTION 17-A. - EARLY CHILDHOOD CARE AND DEVELOPMENT PROGRAM. - The Naga City local government shall establish a program that will cater to the needs of 0-2 years old children. The Council, City Health Office and the Social Service and Development Office shall outline the program content and beneficiaries according to actual needs and economic standing. Primarily, the program shall be designed to cater for the most needy beneficiaries or the 'poorest of the poor' in Naga City.

SECTION 17-B. - POPULATION-BASED DAY CARE CENTERS. - The Naga City local government shall establish at least one Day Care Center in each barangay which shall implement programs for children, including the Early Childhood Care and Development Program, and other related programs the Council has assigned. The general principles in which the day care centers are to be established shall be based on population ratio the Council and City Social Service Development Office determine.

SECTION 17-C. - ROLE OF PRIMARY HEALTH CARE PROGRAM IN CHILDREN'S HEALTH. - The promotion of primary health care program in the barangays shall give specific emphasis on monitoring the children's health, as such, a barangay child health officer shall be employed of which a salary commensurate to the assigned task will be paid.

To ensure the implementation of the Primary Health Care Program gives specific emphasis on children's health, the following strategies shall be pursued:

17C.1 Apply readily available technology and provide adequate nutritious food and safe drinking water in connection with the health programs intended for the children.

17C.2 Establish a comprehensive Parent's Orientation Development Program which include courses on reproductive health, child health and child rearing practices in the context of Filipino psychology;

17C.3 Monitor the full implementation of the Milk Code of the Philippines and advocate for the prosecution of mil firms that violate the code;

17C.4 Conduct massive information and education campaign on breast-feeding. Whenever possible, the students in all levels shall be required to take breast feeding course which shall be integrated in the curricula.

SECTION 18. - COMPREHENSIVE TRAINING COURSE ON CHILD HEALTH. - All health practitioners employed in government, non-government organizations, private institutions or other institutions shall be required to complete a Comprehensive Training Course on Child Health which shall be designed by a task force headed by the City Health Officer and whose members shall be determined by the local chief executive. No one shall be allowed to practice her or his profession without the updated certificate of completion of the training.

Violation of this provision constitutes a penalty of cancellation of the license to practice their profession in Naga City.

SECTION 19. - DECLARATION OF CHILD FRIENDLY HOSPITAL. - The local government of Naga City shall declare all hospitals here as a child friendly hospital, as such, all hospitals in this city are required to set-up child-friendly units to include rooming-in facilities and pediatric-appropriate mechanism and gadgets.

SECTION 20. - CREATION OF A CHILDREN'S CONCERN UNIT AT THE NAGA CITY HOSPITAL. - A children's concern unit at the Naga City Hospital which shall especially attend to children of poor and indigent families shall be created. The children's concern unit shall ensure pediatric assistance and facilities for the treatment of illness and physical rehabilitation. Such protective and physical placement shall be evaluated regularly by a competent team composed of multi-disciplinal professionals. This multi-disciplinal special hospital shall not however, assume the function of the primary health care available at the barangay level. The Naga City Pediatric Society shall be involved in the final promulgation of programme of the Naga City Hospital under a task force which shall be formed by the City Health Office and the Council within one year from 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 Naga City Child Health Institute, which shall be established by the local government of Naga City within two years from the effectivity of this ordinance.

The Naga City Child Health Institute shall monitor the operations of all private and government owned hospitals' pediatric units to ensure the implementation of child-friendly measures.

SECTION 21. - SPECIAL FOCUS ON DIFFERENTLY ABLE CHILDREN. - The local government of Naga City shall give special focus on differently-able children by implementing programs and projects that will develop and enhance their skills and empower them to be able to participate in the society productively. The city government will make a periodic comprehensive survey on differently-abled children which shall serve as basis for the programs and projects intended for their development.

SECTION 21-A. - Investment in Educators and Health Professional Training Programme for Special Program for Differently-able Children. Training program for educators and health professionals who handle differently able children shall from part of the priority of the local government of Naga City.

SECTION 22. - BARANGAY LEVEL RECREATIONAL AND CULTURAL FACILITIES AND PROGRAM. - A barangay-level program for the revival of indigenous games that reflect the cultural diversity in Naga City shall be installed. The local government of Naga City shall allocate space for recreation and provide recreational facilities appropriate for each children's age-group and gender which shall be designed and informed of the cultural diversity.

SECTION 23. - ADVOCACY PROGRAM FOR LOCAL CHILDREN'S LITERATURE. - The local government of Naga city launch a program that aims to popularize local children's literature that focus on the value formation and touch on the Bicolano culture. The local government of Naga City shall mobilize writers for this purpose and invest in the production of this literature for children and other relevant materials.

SECTION 24. - PARENTING ORIENTATION COURSES A REQUIREMENT FOR MARRIAGE LICENSE. - Marriage license applicants shall be required to attend in the 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 Training Seminar on Reproductive Course Council, in close coordination with the City Health Office and the Civil Registry Office, shall upgrade the Family Planning Seminar in cognizance of this ordinance.

Parent-applicants for birth certificates of their first-born child(ren) shall be required to participate in 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 laws.

Modules for these courses shall be designed by the Council and the City Social Services Development Office in close coordination with an NGO child focused program.

Implementing guidelines for this provision shall be formulated by the Council and the City Social Services and Development Office in close coordination with the Office of the Civil Registrar.

ARTICLE IV - PARTICIPATION RIGHTS OF CHILDREN

SECTION 25. - PARTICIPATION OF CHILDREN IN DECISION-MAKING PROCESS. - In deciding what is in a child's best interests, the child's own views must be considered where the child is able to express these. Thus, this ordinance reiterates the second principle stated in 1989 UN Convention on the Rights of the Child that the State' assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child'. This principle tends to be viewed somewhat simplistically, and it will be important for any new legislation pertaining to children in Naga City to ensure that ample opportunity is given for children to participate meaningfully in decisions affecting them.

SECTION 26. - INSTALLATION OF MECHANISM FOR PARTICIPATION IN POLICY AND PROGRAM FORMULATION IN LOCAL GOVERNANCE. - The Naga City government shall institute the process of consultation as the means of respecting and recognizing the views of children on issues that directly affect them. This Ordinance mandates that children with ages from seven (7) to twelve (12) years old shall be convened to select their children with ages from thirteen (13) to seventeen (17) years old. The children shall be convened annually during the Children's Month in October. The NGOs with children concerns will be mobilized in the preparation and evaluation of the convention. Detailed implementing rules and guidelines shall be drafted by the Sangguniang Kabataaan Secretariat in coordination with the Council.

ARTICLE V - IMPLEMENTING MECHANISM

SECTION 27. - FORMULATION OF IMPLEMENTING RULES AND REGULATIONS. - The Council, the City Prosecutor's Office and the City Social Services and Development shall be tasked to formulate the implementing rules and regulations (IRR) of this ordinance within six (6) months after the approval of this ordinance, after which this ordinance shall take effect.

SECTION 28. - ROLE OF THE SUB-COMMITTEE FOR THE WELFARE OF THE CHILDREN UNDER PD 603. - The Sub-committee for the Welfare of the Children shall become the Consultative-Assembly of the Council for its periodic planning and programming, assessment and evaluation.

ARTICLE VI - FINAL PROVISION

SECTION 29. - APPROPRIATIONS. - To effectively implement this Ordinance, two (2) percent of the Annual Economic Development Fund shall be appropriated annually.

SECTION 30. - 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 31. - REPEALING CLAUSE. - All ordinances, local issuances or rules inconsistent with the provisions of this Ordinance are hereby repealed or modified accordingly.

SECTION 32. - EFFECTIVITY CLAUSE. - This Ordinance shall take effect upon completion of its publication in at least two (2) local newspapers of general circulation, and after the Implementing Rules and Regulations (IRR) has been approved by the Sangguniang Panlungsod.

ENACTED: June 27, 2001

WE HEREBY CERTIFY to the correctness of the foregoing ordinance.

J. ANTONIO A. AMPARADO
Secretary to the
Sangguniang Panlungsod

ESTEBAN R. ABONAL
City Vice Mayor & Presiding Officer

APPROVED:

SULPICIO S. ROCO, JR.
City Mayor