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## OFFICE OF THE SANGGUNIANG PANLALAWIGAN SECRETARY

# CERTIFICATION

### TO WHOM IT MAY CONCERN:

*THIS IS TO CERTIFY that at the regular session duly constituted of the Sangguniang Panlalawigan, Province of Pangasinan, held on March 4, 2024 at the Session Hall, Capitol Building, Lingayen, Pangasinan, the following provincial ordinance was approved:*

Authored by SP Member Rosary Gracia P. Perez-Tababa and co-authored by SP Member Apolonia DG. Bacay and Vice Governor Mark Ronald DG. Lambino

### PROVINCIAL ORDINANCE NO. 319-2024

### AN ORDINANCE REVISING THE 2017 CHILDREN'S WELFARE CODE OF THE PROVINCE OF PANGASINAN

**WHEREAS**, the United Nations Convention on the Rights of the Child which the Philippines signed and ratified recognizes that all children have the right to survival, development, protection and participation;

**WHEREAS**, on May 8, 2017, the Sangguniang Panlalawigan approved Provincial Ordinance No. 210-2017 known as An Ordinance Amending Provincial Ordinance No. 124-2006, Entitled "An Ordinance Adopting a Comprehensive Welfare Code for Children in the Province of Pangasinan";

**WHEREAS**, several developments regarding national and international policies concerning or affecting children have taken place since the enactment of the Pangasinan Child Welfare Code;

**WHEREAS**, new national laws regarding children have been enacted including the following:

- Early Years Act (RA 10410)
- Children's Safety on Motorcycles Act (RA 10666)
- Children's Emergency Relief and Protection Act (RA 10821)
- National Mental Health Policy (RA 11036)
- Masustansiyang Pagkain Para sa Batang Pilipino (RA 11037)
- Kalusugan at Nutrisyon ng Magnanang Act (FIKD, RA 11148)

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- An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child, Amending for this Purpose Republic Act No. 7610, As Amended, Otherwise Known as the “Special Protection of Children Against Child Abuse, Exploitation and Discrimination Act” (RA 9231)
- Special Protection of Children Situation of Armed Conflict Act (RA 11188)
- Safe Spaces Act or Bawal Bastos (RA 11313)
- Expanded Anti-Trafficking in Persons Act of 2022 (RA 11862)
- Foundling Recognition Protection Act (RA 11767)
- Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act (RA 11930)
- Prohibiting the Practice of Child Marriage (RA 11596)
- An Act Providing for Stronger Protection Against Rape and Sexual Exploitation and Abuse, Increasing the Age for Determining the Commission of Statutory Rape (RA 11648)
- Expanded Breastfeeding Promotion Act of 2009 (RA 10028)

**WHEREAS**, in recognition and to further enhance the existing Provincial Ordinance, the Pangasinan Provincial Council for the Protection of Children finds it meritorious and necessary to revise the said Provincial Ordinance to ensure that children’s rights are given priority attention by the government and the community;

**NOW, THEREFORE**, in view of the foregoing, on motion of SP Members Rosary Gracia P. Perez-Tababa and co-authored by SP Member Apolonia DG. Bacay and Vice Governor Mark Ronald DG. Lambino, duly seconded –

**BE IT ORDAINED** by the Sangguniang Panlalawigan in session assembled that:

**ARTICLE 1**  
**GENERAL PROVISIONS**

**SECTION 1. TITLE** – This ordinance shall be known and cited as “**AN ORDINANCE REVISING THE 2017 CHILDREN’S WELFARE CODE OF THE PROVINCE OF PANGASINAN**”.

**SECTION 2. DECLARATION OF POLICY AND PRINCIPLES** –The Provincial Government of Pangasinan 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.



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- (a) It shall hereby be declared the policy of the Province of Pangasinan that the rights of children to their survival, protection, development, and participation be effectively promoted, fully enhanced and institutionalized, within the framework of advancing general welfare in furtherance of integrated, sustainable and equitable development.
- (b) It shall also be the policy of the Province of Pangasinan to serve the welfare of children which shall be the paramount consideration in all actions concerning them consistent with local autonomy and in adherence to the principle of "Best Interest of the Child" as enunciated in the United Nations Convention on the Rights of a Child.
- (c) It shall also be the policy of the Province of Pangasinan to adhere to the generally accepted principles of international law.
- (d) It shall likewise be the policy of the Province of Pangasinan to undertake the holistic protection and development of all children together with national government agencies and non-governmental organizations concerned.
- (e) The Province of Pangasinan shall ensure that the programs aimed at the achievement of goals for the survival, development, protection, and participation of children must be given priority when resources are allocated. Every effort shall be made by the Provincial Government of Pangasinan to ensure that such programs are advanced and allocations are therefore sufficient, even in times of economic austerity and structural adjustments.

**SECTION 3. PURPOSES** – This Code is hereby enacted with the following purposes:

- a) To ensure the protection of children against all forms of abuse and exploitation;
- b) To advocate for children's rights and promote their welfare and development;
- c) To ensure that children's rights are given priority attention both in government and civil society;
- d) To improve the quality of life of children to enable them to fully develop their potential and participate in community life and nation-building.

**SECTION 4. ALL PROCEEDINGS ARE TO BE CONDUCTED IN THE BEST INTEREST OF THE CHILD** - Proceedings before any authority shall be conducted in the best interest of the child. All doubts in the implementation and interpretation of the provisions of this Code shall be resolved by taking into consideration the best interest of the child.



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**SECTION 5. PARTICIPATION OF THE CHILD** – All proceedings before any authority shall be conducted in a manner that allows children to fully participate and to express themselves freely. Participation of children in program and policy formulation and implementation related to children’s concerns shall be ensured by the Province, concerned government agencies, or LGUs, respectively.

**SECTION 6. DEFINITION OF TERMS** – As used in this Code, the following terms shall mean:

- 1) **“ABANDONED CHILD”** refers to a child who has no proper parental care or guardianship, or whose parent(s) have deserted him/her for at least three (3) continuous months which includes a foundling.
- 2) **“BAHAY PAG-ASA”** refers to a 24-hour child-caring institution established, funded, and managed by local government units (LGUs) and licensed and/or accredited nongovernment organizations (NGOs) providing short-term residential care for children in conflict with the law who are above fifteen (15) but below eighteen (18) years of age who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction.
- 3) **“BARANGAY/ LOCAL COUNCIL FOR THE PROTECTION OF CHILDREN”** is the council that ensures the protection and the provision for the proper development of children in the barangay. It ensures that children fully enjoy their rights and are brought up in a society that provides safety, health, a good moral environment, and facilities for wholesome development.
- 4) **“BREASTFEEDING”**– the method of feeding an infant directly from the human breast.
- 5) **“CHILD”** refers to a person below the age of 18 years or over 18 years old who, on account of some physical, psychological, mental, or emotional disability, cannot fully protect themselves against abuse, exploitation, or discrimination.
- 6) **“CHILD ABUSE”** or **“CHILD MALTREATMENT”** refers to physical, sexual, or psychological mistreatment or neglect of a child or children, especially by a parent or other caregiver.
- 7) **“CHILD DEVELOPMENT CENTER OR NATIONAL CHILD DEVELOPMENT CENTER”** serves as the pivotal ground for the implementation of ECCD programs and services, especially the Early Learning Programs and Family Support Program. The Center is envisioned to enrich community engagement in early childhood care and development. It serves as a convergence point for concerted efforts related to ECCD. refers to the provision of substitute parental care and



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stimulating activities for the total development of children zero to five (0-4) years old when their parents are unable to take care of them during part of the day because of work and some other situation.

- 8) **“CHILD-FRIENDLY SPACES (CFS)”**- refers to spaces where communities create nurturing environments for children to engage in free and structured play, recreation, leisure, and learning activities. The child-friendly space may provide health, nutrition, psychosocial support, and other services or activities that will restore their normal functioning;
- 9) **“CHILD LABOR”** refers to any work or economic activity performed by a child that subjects him/her to any form of exploitation or is harmful to his/her health and safety or physical, mental, or psychosocial development.
- 10) **“CHILD TRAFFICKING”** refers to the recruitment, transfer, or deployment of a child, and/or harboring or receipt of a child with or without the victim’s consent or knowledge, through legal or illegal means, fraud or deceit, violence, coercion, intimidation, abuse of position or authority, within or across national borders for purposes of prostitution, work, services, marriage or adoption, and other similar arrangements characterized by forced labor, slavery-like practices of sexual exploitation.
- 11) **“CHILD AT RISK”**- a child who is vulnerable to and at risk of committing criminal offenses because of personal, family, and social circumstances.
- 12) **“CHILD IN CONFLICT WITH THE LAW”** refers to a child who is alleged as, accused of, or adjudged as having committed an offense under Philippine laws.
- 13) **“CHILD WITH DISABILITY”** include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis”.
- 14) **“CHILDREN IN NEED OF SPECIAL PROTECTION”** refers to children living under circumstances that gravely threaten or endanger their survival and normal development as defined to include children in worst forms of child labor, neglected and abandoned children, street children, girl children, victims of commercial and sexual exploitation, victims of child abuse, children in situations of armed conflict, children in conflict with the law, children with various forms of disabilities, and children of indigenous peoples.
- 15) **“CODE/ORDINANCE”** refers to this Provincial Ordinance



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16)“**COMMUNITY REINTEGRATION PROGRAMS**” refers to the programs established for rehabilitation and preparing the child for reintegration into the community.

17)“**COMPREHENSIVE SUPPORT SYSTEM FOR THE DEVELOPMENT OF CHILDREN**” refers to the coordinated program of services and facilities outlined in Section 3 of Republic Act No. 6972 providing for the establishment of a daycare center in every barangay and as prescribed by the UN Convention on the Rights of the Child.

18)“**COUNCIL**” refers to the Pangasinan Provincial Council for the Protection of Children.

19)“**DIVERSION**” refers to an alternative, child-appropriate process of determining the responsibility and identifying ways of managing a child in conflict with the law without resorting to formal court proceedings. Diversion is resorted when the CICL is above 15 but below 18 years old, is assessed to have acted with discernment, and has allegedly committed a crime with an impossible penalty of not more than six years.

20)“**DIVERSION PROGRAMS**” refers to programs that a child in conflict with the law is required to undergo after he/she is found responsible for an offense, without resorting to formal court proceedings.

21)“**EARLY CHILD CARE AND DEVELOPMENT (ECCD) PROGRAM**”- the full range of health, nutrition, early education, and social services programs that provide for the basic holistic needs of young children from birth to age six (6), to promote their optimum growth and development. These programs include:

a) Center-based programs which are services at the community level undertaken in a center, school, or in the workplace such as the Day Care Service established under RA No. 6972, public and private pre-schools, or kindergarten or school-based programs, community or church-based early childhood education programs initiated by non-government organizations, workplace-related child care, and education programs, child-minding centers, health center, and stations.

b) Home-based programs which are services at the family level undertaken at home or in the neighborhood such as neighborhood-based play groups, Parent Effectiveness Services, Family day care programs or child-minding homes, parent education, and home visiting programs.

22)“**JUVENILE JUSTICE**” refers to the legal procedure applied to children in conflict with the law starting from initial contact with the child up to the reintegration of the child into the family and community.



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23)“**JUVENILE JUSTICE SYSTEM**” refers to all proceedings starting from initial contact, including diversion proceedings, court proceedings, and after the filing of the proper information and until disposition of the case involving children in conflict with the law.

24)“**INTERVENTION**” refers to a series of activities that are designed to address issues that caused the child to commit an offense. It may take the form of an individualized treatment program which may include counseling, skills training, education, and other activities that will enhance his/her psychological, emotional, and psycho-social well-being.

25)“**NEGLECTED CHILD**” is a child whose basic needs have been deliberately unattended or inadequately attended to within a period of three (3) continuous months. Neglect may occur in two (2) ways.

a. There is physical neglect when the child is malnourished, ill-clad, and without proper shelter. A child is unattended when left by himself/ herself without proper provisions and/or without proper supervision.

b. There is emotional neglect when the child is maltreated, raped, seduced, exploited, overworked, or made to work under conditions not conducive to good health; or is made to beg in the streets or public places; or when children are in moral danger, exposed to gambling, prostitution, and other vices.

26)“**PROVINCE**” refers to the Province of Pangasinan or the Provincial Government of Pangasinan.

27) “**RIGHTS TO DEVELOPMENT**” refers to the rights of a child to education to develop her or his personality, talents, and mental and physical abilities to the fullest extent. These also include participation in cultural activities, access to appropriate and relevant information, and opportunities for rest, play, and leisure.

28)“**RIGHTS TO SURVIVAL**”– a child’s inherent right to life and to the needs that are most basic to the existence, the right to a name and nationality, the right to identify and those dealing with parental and government duties and obligations, adequate and decent standards of living, access to basic health care and medical services, social security, and rehabilitation.

29)“**RIGHTS TO PARTICIPATION**”- the child’s rights to participate in matters that affect him or her by providing all appropriate venues where he or she can express his or her opinions freely and have these opinions taken into account, involvement in decision-making and a consultative process, freedom of association and peaceful assembly.



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**30) "RIGHTS TO PROTECTION"**-refers to those rights protecting the child from all forms of abuses and discrimination such as protection from cruelty, torture, arbitrary separation from family, abuses in the justice and penal system, involvement in armed conflict, child labor, drug abuse, sexual abuse, and exploitation.

**31) UNIFIED COMPREHENSIVE DATABASE FOR CHILDREN** -It is a database system that provides information and statistics on children's survival, development, protection, and participation rights, making it a comprehensive and inclusive resource for policymakers, advocates, and anyone interested in promoting children's well-being.

**ARTICLE 2**  
**RIGHTS AND OBLIGATIONS OF THE CHILD**

**SECTION 1. RIGHTS OF THE CHILD.**

All children shall be entitled to the rights herein set forth without distinction as to legitimacy or illegitimacy, sex, social status, religion, political antecedents, and other factors.

Every child is endowed with the dignity and worth of a human being from the moment of his conception, as generally accepted in medical parlance, and has, therefore, the right to be born well.

- a. Every child has the right to a wholesome family life that will provide him with love, care and understanding, guidance and counseling, and moral and material security.
- b. The dependent or abandoned child shall be provided with the nearest substitute for a home.
- c. Every child has the right to a well-rounded development of his personality to the end that he may become a happy, useful, and active member of society.
- d. The gifted child shall be given the opportunity and encouragement to develop his special talents.
- e. The emotionally disturbed or socially maladjusted child shall be treated with sympathy and understanding and shall be entitled to treatment and competent care.





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- f. The physically or mentally handicapped child shall be given the treatment, education, and care required by his particular condition.
- g. Every child has the right to a balanced diet, adequate clothing, sufficient shelter, proper medical attention, and all the basic physical requirements of a healthy and vigorous life.
- h. Every child has the right to be brought up in an atmosphere of morality and rectitude for the enrichment and strengthening of his character.
- i. Every child has the right to an education commensurate with his abilities and to the development of his skills for the improvement of his capacity for service to himself and to his fellowmen.
- j. Every child has the right to full opportunities for safe and wholesome recreation and activities, individual as well as social, for the wholesome use of his leisure hours.
- k. Every child has the right to protection against exploitation, improper influences, hazards, and other conditions or circumstances prejudicial to his physical, mental, emotional, social, and moral development.
- l. Every child has the right to live in a community and a society that can offer him an environment free from pernicious influences and conducive to the promotion of his health and the cultivation of his desirable traits and attributes.
- m. Every child has the right to the care, assistance, and protection of the State, particularly when his parents or guardians fail or are unable to provide him with his fundamental needs for growth, development, and improvement.
- n. Every child has the right to an efficient and honest government that will deepen his faith in democracy and inspire him with the morality of the constituted authorities both in their public and private lives.
- o. Every child has the right to grow up as a free individual, in an atmosphere of peace, understanding, tolerance, and universal brotherhood, and with the determination to contribute his share in the building of a better world.

With respect to the duties of the parents, they must likewise know that there are certain rights of the children which they are duty-bound to accord. Thus, Article 356 of the Civil Code of 1950 states that every child:



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- a. is entitled to parental care;
- b. shall receive at least elementary education;
- c. shall be given moral and civic training by the parents or guardian; and
- d. has a right to live in an atmosphere conducive to his physical, moral and intellectual development.

**SECTION 2. RESPONSIBILITIES OF THE CHILD.** – Every child, regardless of the circumstances of birth, sex, religion, social status, political antecedents, and other factors shall:

- a. Strive to lead an upright and virtuous life in accordance with the tenets of his/ her religion, the teaching of his or her elders and mentors, and the bidding of a clean conscience;
- b. Love, respect and obey his/her parents, and cooperate with them in the strengthening of the family;
- c. Extend to his/her brothers and sisters love, thoughtfulness, and helpfulness, and endeavor with them to keep the family harmonious and united;
- d. Exert his/her utmost to develop his/her potentialities for service, particularly by undergoing a formal education suited to his/her abilities, so that he/ she may become an asset to himself or herself and society.
- e. Respect not only his/her elders but also the customs and traditions of his/her people, the memory of his/her people's heroes, the duly constituted authorities, the laws of the country, and the principles and institutions of democracy;
- f. Actively participate in civic affairs and the promotion of the general welfare, recognizing that it is the youth who will eventually be called upon to discharge the responsibility of leadership in shaping the nation's future; and
- g. Help in the observance of individual human rights, the strengthening of freedom everywhere, the fostering of cooperation among nations in the pursuit of their common aspiration for unity and prosperity, and the furtherance of world peace.

**ARTICLE 3**

**PRIMARY RIGHTS AND GENERAL DUTIES OF PARENTS**

**SECTION 1. PRIMARY RIGHTS OF PARENTS-** the parents shall have the right to the company of their children and in relation to all other persons or institutions dealing with the child's development, the primary right and obligation to provide for their upbringing.



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**SECTION 2. GENERAL DUTIES OF PARENTS-** Article 211 of the Family Code provides that the father and the mother shall jointly exercise parental authority over the persons of their common children. In case of disagreement, the father's decision shall prevail, unless there is a judicial order to the contrary. Parents shall have the following general duties towards their children:

- a. To keep them in their company, to support, educate, and instruct them in the right precept and good example, and to provide for their upbringing in keeping with their means;
- b. To give them love and affection, advice and counsel, companionship, and understanding;
- c. To provide them with moral and spiritual guidance, inculcate in them honesty, integrity, self-discipline, self-reliance, industry, and thrift, stimulate their interest in civic affairs, and inspire in them compliance with the duties of citizenship;
- d. To enhance, protect, preserve, and maintain their physical and mental health at all times;
- e. To furnish them with good and wholesome educational materials, supervise their activities, recreation, and association with others, protect them from bad company, and prevent them from acquiring habits detrimental to their health, studies, and morals;
- f. To represent them in all matters affecting their interests;
- g. To demand from them respect and obedience;
- h. To impose discipline on them as may be required under the circumstances and;
- i. To perform such other duties as are imposed by law upon parents and guardians.

**ARTICLE 4**

**GENERAL DUTIES OF THE COMMUNITY**

**SECTION 1. GENERAL DUTIES OF THE COMMUNITY-** To ensure the full enjoyment of the right of every child to live in a society that offers or guarantees him or her safety, health, a good moral environment, and facilities for his or her wholesome growth and development, it shall be the duty of the community to:

- a. Bring about a healthy environment necessary for the normal growth of children and the enhancement of their physical, mental, and spiritual well-being;
- b. Help institutions of learning whether public or private, achieve the fundamental objectives of education;
- c. Organize or encourage movements and activities for the furtherance of the interest of education;



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- d. Promote the establishment and maintenance of adequately equipped playgrounds, parks, and other recreational facilities;
- e. Support parent's education programs by encouraging its members to attend and actively participate therein;
- f. Assist the government in addressing issues relating to children in conflict with the law and design and implement preventive programs;
- g. Aid in carrying out special projects for the betterment of children in remote areas or belonging to cultural minorities or those who are out of school; and
- h. Cooperate with private and public child welfare agencies in providing care, training, and protection to destitute, abandoned, neglected, and abused, children with disabilities and child at risk.

**ARTICLE 5**

**GENERAL ROLES OF VARIOUS SECTORS**

**SECTION 1. FAMILY.** - The family is the basic and autonomous unit of society responsible for the proper caring and rearing of children. The family has the primary responsibility of nurturing and protecting children from infancy to adolescence. Introduction of children to the culture, values, and norms of their society shall begin in the family. The parents shall have the right to the company of their children and, in relation to all other persons or institutions dealing with children's development, the primary right and obligation to provide for their upbringing.

**SECTION 2. ROLE OF EDUCATIONAL INSTITUTIONS.** - Educational institutions shall work together with parents, community organizations, and agencies concerned with the activities of children and youth. Educational institutions shall incorporate into their curriculum a subject on the rights and responsibilities of children, subject to guidelines set by the Department of Education (DepEd), the Commission on Higher Education (CHED), and the Technical Education and Skills Development Authority (TESDA).

**SECTION 3. ROLE OF THE MASS MEDIA.** - The mass media shall be aware of their extensive social role and responsibility, as well as their influence, in communications relating to children. They should use their power to protect the rights of children by relaying consistent messages through balanced and responsible reporting.

Special attention should be given to effective anti-drug awareness campaigns, premarital sex prevention, and delinquency prevention.

Confidentiality must always be observed in the reporting and handling of child abuse and related cases involving children.



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In all publicity concerning children, the best interest of the child shall be the primordial concern. Any undue, inappropriate, and sensationalized publicity of any case involving a child is considered a violation of the rights of the child. Publication of the details regarding the circumstances of the case shall not be reported to prevent the publication of details of violence.

The mass media shall be encouraged:

1. To ensure that children have access to information and material from a diversity of national and international sources;
2. To portray the positive contribution of children to society; and
3. To disseminate information on the existence of services, facilities, and opportunities for children in society.

**SECTION 4. ROLE OF THE PROVINCE AND THE LOCAL GOVERNMENT UNIT.** – The Province and each LGU shall come up with comprehensive programs for children and allocate appropriate budgets to ensure their implementation. The Province and each LGU shall ensure the establishment of childminding and child development centers in their respective locality.

**SECTION 5. ROLE OF LOCAL COUNCIL FOR THE PROTECTION OF CHILDREN.** – A Local Council, in addition to its existing duties and functions, shall coordinate with and assist the Province and the LGU, respectively, in coming up with comprehensive programs for children and shall be the primary body to oversee the implementation of such programs.

**SECTION 6. ROLE OF THE SANGGUNIANG KABATAAN.** – The Sangguniang Kabataan (SK) shall be tapped to actively involve itself in the formulation and implementation of prevention and protection programs in the community. It shall coordinate with the Local Council for the protection of children for this purpose.

**ARTICLE 6**  
**PROGRAMS AND SERVICES FOR CHILDREN**

**A. COMPREHENSIVE PROGRAMS FOR CHILDREN**

The cities, municipalities, and barangays shall formulate a comprehensive program for children covering at least a three-year period or as often as may be appropriate under the circumstances. Such a program shall include the survival, development, participation, protection rights, and prevention programs for children and shall emphasize prevention of children's rights violations including prevention of child abuse, worst forms of child labor, juvenile delinquency, drug addictions, and other children's concerns.



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**B. PROCESS IN FORMULATING COMPREHENSIVE CHILDREN'S PROGRAM**

The process of coming up with a Comprehensive Children's Program shall be participatory and consultative. The Province and the LGUs, in coordination with their respective local council for the protection of children, shall call on all sectors concerned, particularly, child-focused institutions, NGOs, people's organizations, youth organizations, children's councils, educational institutions, and government agencies involved with children's concerns. The Provincial Social Welfare and Development Office and Provincial Health Office shall spearhead and participate in the planning process. The Province and the LGUs should see to it that the children themselves participate in the formulation, development, and implementation of these programs, particularly in the identification of needs.

**C. PERIODIC REVIEW AND ASSESSMENT OF THE COMPREHENSIVE CHILDREN'S PROGRAMS**

The Comprehensive Children's Program of the Province and the LGUs respectively, shall be reviewed and assessed annually in coordination with their respective local council for the protection of children.

**SECTION 1. RIGHTS TO SURVIVAL**

- a. **BIRTH REGISTRATION-** The Provincial Government of Pangasinan shall establish a system to ensure the 100% registration of births in the whole Province to guarantee a child's right to identity.
- b. **EARLY CHILDHOOD CARE AND DEVELOPMENT (ECCD)-** The provincial government of Pangasinan shall adopt and fully implement the provisions of the Early Years Act of 2013 (Republic Act No. 10410) an Act recognizing the age from zero (0) to eight (8) as the first crucial stage of educational development and strengthening the Early Childhood Care and Development System (ECCD).
- c. **CHILD CARE AND MATERNAL HEALTH-** The whole Province of Pangasinan shall promote the health status of pregnant women, mothers, and children consistent with the ECCD policies and program, with the goal that
  - All infants are exclusively breastfed for up to 6 months;
  - All infants undergo expanded newborn screening within 24-28 hours from birth;
  - All infants undergo Newborn Hearing Screening Test after Birth. (all infants born in the hospitals shall be made to undergo Newborn Hearing Loss Screening before4 discharge, while infants born outside hospitals should be screened within the first three months after birth).



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- All infants and children up to five years old shall be immunized by vaccine-preventable diseases like tuberculosis, diphtheria, pertussis, tetanus, polio, hepatitis B, measles, mumps and rubella for which vaccines have been developed for vaccination of up to five years old.
- All 9 to 14 years old female must be vaccinated against human Papilloma Virus (HPV).
- All children are well-nourished and mothers with underweight children should be monitored by the Barangay Health worker for intervention.
- All mothers undergo prenatal and postnatal programs, which shall include at least 4 complete prenatal checkups, immunization against tetanus, sufficient doses of Vitamin A and iron for pregnant/ lactating mothers, and emergency obstetric care for pregnant women who are at risk;
- All birth deliveries are facility-based and attended by skilled birth personnel and;
- All HIV-exposed newborns and HIV-positive mothers are identified and receive enhanced case follow-up, care, and support.

d. **PRIMARY HEALTH CARE.** – The Provincial Government of Pangasinan implements primary health care and nutrition programs for children through the Provincial Health Office in close coordination with all member agencies of the Provincial Nutrition Committee.

e. **PROMOTION OF PRIMARY HEALTH CARE PROGRAMS-** The barangay health centers with the assistance of the Provincial Health Office shall implement the primary health care program and designate a barangay child health officer to monitor children's health at the barangay level.

To ensure the implementation of this Section, the Provincial Government of Pangasinan through the Provincial Health Office shall take appropriate measures:

- To combat disease and malnutrition within the framework of primary health care through the provision of adequate nutritious foods and clean drinking water, taking into consideration the dangers and risks of environmental pollution;
- To establish a comprehensive Parents Orientation Development Program which includes gender-responsive courses on reproductive health, child health, and child-rearing practices in the context of Filipino psychology.
- To monitor the full implementation of the Milk Code of the Philippines, and,
- To conduct massive information and education on infants and young children feeding with emphasis on breastfeeding and complementary feeding strategy.



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**f. CHILD AND GENDER SENSITIVITY TRAINING FOR HEALTH WORKERS-** The city, municipal, and barangay health workers shall be required to attend training courses on child and gender sensitivity to be conducted by organizations duly accredited by the Provincial Council for the Protection of Children.

**g. CHILD AND FAMILY-FRIENDLY HOSPITAL-**All hospitals in Pangasinan shall set up child-friendly units to include rooming-in facilities and pediatric-appropriate mechanisms and gadgets. They shall also not deny husbands/ parents inside the delivery room during the delivery of their wives/partners.

**h. PROGRAM FOR CHILDREN WITH SPECIAL NEEDS-** The provincial government of Pangasinan shall conduct a periodic child-focused and child-specific comprehensive survey on children with disabilities in the Province as a basis for a more systematic coordination of basic services for children with special needs.

**i. MULTISECTORAL STRATEGIES AND APPROACHES TO ADDRESS HEALTH CARE-** Pursuant to the KALUSUGAN AT NUTRITION NG MAGNANAY ACT (RA11148), the Provincial Government of Pangasinan identifies all the services needed for the first 1000 days of life, from prenatal check-ups, immunization of pregnant and children, dietary supplementation programs for the target groups, training of health and nutrition workers, provision of other health and nutrition services, psychosocial stimulation, and provision of other assistance that each stakeholder may offer.

**j. THE COMMUNITY APPROACH**

The community approach shall be given special attention in the comprehensive program for children. This involves addressing community-wide issues and improving the overall environment of the neighborhood in order to prevent violations of children's rights through the mobilization of human resources within the community. Volunteerism among members of the community to assist in the implementation of the programs shall be encouraged.

**SECTION 2. RIGHTS TO DEVELOPMENT**

**a. ACCESS TO QUALITY PRIMARY AND SECONDARY EDUCATION-**The Provincial Government of Pangasinan recognizes the rights of every child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, it shall, in particular;





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- Establish and maintain a system of free education at the Elementary and High School levels;
- Ensures that the children with disabilities are provided with access to quality education and ample opportunities to develop their skills and learning institutions taking into account their special needs with respect to the use of school facilities, class schedules, physical education requirements, provision of auxiliary services, and other pertinent considerations.

b. **BARANGAY CHILD DEVELOPMENT CENTERS-** Pursuant to RA 10410 or the Early Years Act of 2013, Child Development Centers shall be set up in every barangay of the Province of Pangasinan with a total development and protection of children as provided in the Act.

The center-based early childhood care and development shall be accredited using the ECCD Standards and Guidelines for Center-Based Childhood Programs for 0-4-year-old Filipino Children and Guidelines of Permit and Recognition to Public and Private Child Development Centers/ Learning Centers.

c. **PUBLIC LIBRARIES.** The Provincial Government of Pangasinan shall develop a children's section that provides access to appropriate facilities, information, and materials from a diversity of national and international sources, especially those aimed at the promotion of the child's social, spiritual, and moral well-being and physical and mental health. Every barangay shall likewise establish a children's library.

d. **PANGASINAN SCHOLARSHIP PROGRAM.** The Provincial Government of Pangasinan has established a scholarship program that will provide access to scholarship assistance to economically marginalized but deserving college students.

e. **PARENTING ORIENTATION COURSES. –**

- Parenting Orientation Courses shall be integrated into the curriculum of all high schools in Pangasinan subject to DepEd rules and regulations.
- Marriage license applicants shall be required to participate in a Parenting Orientation Course with Gender and Child Sensitivity Modules, among other requirements, prior to issuance of a marriage license by the Office of the Local Civil Registrar. The Provincial Council for the Protection of Children in close coordination with the Provincial Health Office, the Office of the Local Civil Registrars, the Provincial Population Officer, and other local government agencies shall formulate the design of the family planning seminar in compliance with this Code.



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- Such courses may also be incorporated into Parent-Teacher Community Association (PTCA) activities for the school year at the elementary and high school levels.
- 
- f. **EDUCATORS' AND HEALTH PROFESSIONALS' TRAINING FOR THE SPECIAL PROGRAM ON CHILDREN WITH SPECIAL NEEDS.** – A training program for educators and health professionals handling children with disabilities and special needs shall form part of the priority of the provincial government.
- g. **LOCAL CHILDREN'S LITERATURE.** – In support of the thrust for the socio-cultural development of children, the Province of Pangasinan, and concerned LGUs shall invest in the promotion and production of local literature for children and other relevant educational materials.
- h. **OTHER CHILD-FRIENDLY FACILITIES.** – The Province and the LGUs in partnership with NGOs and civic organizations are also encouraged to put up and maintain other child-friendly facilities such as but not limited to learning resource centers, reading centers, libraries, museums, parks, and playgrounds.
- i. **NOVEMBER AS "CHILDREN'S MONTH".** – In keeping with the mandate of R.A. 10661 declaring the month of November as national children's month, the local councils for the protection of children shall conduct child-focused activities for the month promoting the rights and responsibilities of Filipino children as well as the obligations of the people and institutions responsible in ensuring the well-being of Filipino children.

**SECTION 3. RIGHTS TO PROTECTION**

- a. **THE PROVINCIAL GOVERNMENT OF PANGASINAN MAINTAINS A CRISIS INTERVENTION CENTER.** Pursuant to the Republic Act 7610 or "The Special Protection of Children against Child Abuse, Exploitation, and Discrimination Act, the Provincial Government of Pangasinan acknowledges the mandate of the Constitutional provision on the protection against child abuse, exploitation, and discrimination. It likewise recognizes Republic Act 8505 mandating the establishment of a Crisis Intervention Center in every Province, City, and Municipality and the appropriation of funds.

**Objectives of the Crisis Intervention Center.** – The Crisis Intervention Center shall have the following objectives:

- To be able to provide temporary shelter with a minimum of three (3) days and a maximum of seven (7) days stay.



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- To be able to provide short-term counseling services may be provided by PCIC psychologists, social workers, and other support staff to victim-survivors to help them regain their psychosocial well-being.
- To be able to refer client/s to other agencies for medical/legal services.
- To be able to conduct an Information Education Campaign (IEC)- PCIC has IEC programs targeting various members of the community in Pangasinan. to cities/municipalities, schools, and barangays in Pangasinan to raise awareness on women and child-related laws.

**b. ESTABLISHMENT OF BAHAY- PAGASA.** Each province and highly urbanized city (the LGUs) shall be responsible for building, funding, and operating a 'Bahay Pag-asa' within their jurisdiction following the standards that will be set by the DSWD and adopted by the JJWC.

**c. INTEGRATED QUICK RESPONSE SYSTEM TO VIOLENCE AGAINST WOMEN AND THEIR CHILDREN AND CHILD ABUSE-** The Province of Pangasinan has established a 24-hour VAWC Hotline as a quick response mechanism that will provide immediate actions and intervention to Child Abuse and VAWC Cases.

**d. VIOLENCE AGAINST WOMEN CHILDREN DESK-** Ensure that all barangay and police stations have Violence Against Women and Children's Desks that render service 24/7 to handle cases involving women and children, and who are trained in women and children's rights as well as gender and child sensitivity. All LGUs shall prioritize the establishment and functionality of the Barangay Violence Against Women and Children (VAWC) Desks. The VAWC Desk shall serve as one of the key reporting and referral mechanisms for cases of violence, abuse, and exploitation of children in the barangay during all phases of emergency response and recovery.

**e. CHILD PROTECTION POLICY-** All government offices shall adopt a Child Protection Policy that sets standards of conduct and behavior for public officials and employees to ensure that they promote and protect the rights of children. Provided, that all public schools at the elementary and high school levels as well as other relevant agencies, shall abide by the Child Protection Policy.

**f. CREATION OF THE PROVINCIAL COUNCIL FOR THE PROTECTION OF CHILDREN –** In recognition of Article 87 of Presidential Decree (PD) 603, the Provincial Government of Pangasinan has organized a council to assist the LGU in the promotion of the rights of children and the protection of their welfare. The Provincial Government of Pangasinan shall maintain the Council for Children known as the Provincial Council for the Protection of Children (PCPC) and coordinate with NGOs and other concerned agencies in the creation and organization of the City/Municipal Council for the Protection of Children and the Barangay Council for the Protection of Children (BCPC) at the barangay level. This is in keeping with the mandate of the Council for the Welfare of Children



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(CWC) to coordinate the formulation, implementation, and enforcement of all policies, programs, and projects relative to the survival, development, and protection of children of the local councils.

The PCPC shall ensure the effective implementation of the Philippine Government's commitment to the Convention on the Rights of the Child, the World Declaration on the Survival, Development, and Protection of Children, and the Philippine Plan of Action for Children (PPAC). It shall plan and implement programs and services for children by virtue of the Province's and LGU's power and authority to plan and implement local socioeconomic development plans, policies, and programs.

**f. 1 Composition and Functions of the Provincial Council for the Protection of Children (PCPC).** –Members of the PCPC shall include the following agencies/units or offices, and other agencies it deems important depending on the current specific situation/problems of the locality:

- a. The Provincial Governor, as chairperson;
- b. The Chairman of the Sangguniang Panlalawigan's Committee on Children, Women, Senior Citizens, Family Affairs Social Welfare as vice-chairperson;
- c. Provincial Administrator
- d. Provincial Legal Officer
- e. Provincial Social Welfare and Development Officer
- f. Provincial Planning & Development Coordinator;
- g. The Provincial Health Officer/ Provincial Nutrition Officer
- h. Provincial Budget Officer
- i. The Provincial Public Employment and Services Officer
- j. Provincial Disaster Risk Reduction and Management Officer
- k. Provincial Population Cooperative and Livelihood Development Officer
- l. Provincial Agriculture Officer
- m. Provincial LIGA ng mga Barangay President
- n. Provincial Federation of the Sangguniang Kabataan (SK) President;
- o. The Provincial Prosecutor or his representative;
- p. Department of Interior and Local Government -Provincial Field Officer/ Local Government Operations Officer;
- q. Provincial Information Officer
- r. The Schools Division Superintendents of DepEd Pangasinan I and II, Alaminos City, Urdaneta City, San Carlos City and Dagupan City
- s. Provincial Director, Philippine National Police
- t. Provincial Librarian
- u. Child Representative
- v. Three (3) CSO representatives;
- w. Provincial CSO President



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- x. Federation of Parent and Teachers Association of Pangasinan National High School
- y. Federation of STAC Parent Association of Pangasinan Inc. (FSPAPI)
- z. Federation of Child Development Workers and Service Providers of the Philippines, (FCDWSPPI)- Pangasinan Chapter

**The PCPC shall have the following functions:**

1. Formulate, develop, coordinate, monitor, and review all local policies, ordinances, plans, programs, and activities that shall promote the best interest and rights of children and ensure mainstreaming in the local development agenda;
2. Establish, maintain, and update a disaggregated database or local information system on children and their situations;
3. Conduct advocacy activities on the promotion and protection of the rights and welfare of children including the development of information, education, and advocacy materials;
4. Conduct capability-building activities for all stakeholders on children including the barangay -level;
5. Provide assistance to children in need of special protection;
6. Document good practice/s on children;
7. Coordinate and consult with the LCPCs, LGU, and other regional, and national authorities with respect to policies and PPAs on children;
8. Conduct the Child-Friendly Local Governance Audit (CFLGA), through the LCPC Inter-Agency Monitoring Task Force (IMTF), annually; and
9. Assist and support the lower level LCPCs on their PPAs for children;
10. Develop a Technical Assistance and Resource Augmentation (TARA) Plan based on the results of the annual LCPC Functionality Assessment and the CFLGA;
11. Other functions related to its mandate as provided by national laws and policies;
12. Prepare Annual Work and Financial Plan (AWFP) for children for incorporation in the Annual Budget of the Province and the LGUs, respectively;
13. Provide coordinative linkages with other agencies and institutions in the planning, monitoring, and evaluation of plans for children;

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14. Recommend local legislation promoting child survival, protection, participation, and development, especially on the quality of television shows and media prints and coverage, which are detrimental to children, and with appropriate funding support;

15. Monitor and evaluate the implementation of the children's program and submit quarterly status reports to the PCPC Chairperson; and

16. Perform such other functions as provided for in the ECCD Law (R.A. 8980) and other child-related laws.

Secretariat support shall be provided by the Provincial Social Welfare and Development Office. The Secretariat shall be responsible for the documentation of proceedings of meetings and preparation of the reports and other necessary documents as needed by the Council and shall provide administrative and technical support services to PCPC.

**f.2 Representation of Non-Governmental Organizations in the Council for Children.** – The Sangguniang Panlalawigan shall invite NGOs with child-focused programs for membership in the council for the protection of children, provided that these non-government organizations are duly accredited by the Sangguniang Panlalawigan based on its criteria of accreditation.

**f.3 Internal Rules of Councils for the Welfare of Children.** – The Provincial Council for the Protection of Children shall adopt its own internal rules of procedures and regulations to serve as guidelines for the members in the discharge of their official functions such as the organization's structure, parliamentary procedure, order of meetings, and quorums, discipline, and such other rules the council may adopt.

**f.4 Child Representatives.** – Aside from the youth representative from the Sangguniang Kabataan, a seat shall be provided for a child representative in the provincial and municipal councils for the protection of children coming from the Children's Association to represent children below 15 years of age. The local government councils should see to it that the child can genuinely participate in decision-making, particularly in matters involving children's concerns.

**g. CHILD AND GENDER SENSITIVITY TRAINING FOR HEALTH WORKERS.** – The city, municipal, and barangay health workers shall be required to attend training courses on child and gender sensitivity to be conducted by organizations duly accredited by the Provincial Council for the Protection of Children.



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**h. PERIODIC REVIEW AND ASSESSMENT OF THE COMPREHENSIVE CHILDREN'S PROGRAMS.** – The Comprehensive Children's Program of the Province and the LGUs, respectively, shall be reviewed and assessed annually in coordination with their respective local council for the protection of children.

**i. PROGRAMS TO PREVENT VIOLATIONS ON CHILDREN'S RIGHTS** – Prevention programs shall be important components of the Comprehensive Children's Programs to be implemented through the local councils for the welfare of children, schools, youth organizations, and other concerned agencies. These programs shall consist of three levels:

- **Primary prevention** – general measures to promote social justice and equal opportunity that tackle perceived root causes of violations of children's rights such as poverty and other forms of marginalization;
- **Secondary Prevention** – measures to assist children who are identified as being more particularly at risk such as those whose parents are themselves in special difficulty or are not caring appropriately for them; and
- **Tertiary Prevention** – schemes to avoid and prevent children's rights violations from happening again.

**j. ESTABLISHMENT OF CHILD-FRIENDLY SPACES.**

- **Offices-** LGU Offices dealing with sensitive cases of children should allocate specific areas designed to uphold confidentiality. These spaces will serve as sanctuaries where private discussions can take place without the risk of compromising the privacy of those involved. The physical layout and acoustics of these spaces should be carefully considered to prevent eavesdropping and unauthorized access.
- **Hospitals-** hospitals in Pangasinan shall set up child-friendly units to include rooming-in facilities and pediatrics-appropriate mechanisms and gadgets.
- **Evacuation Center-** The concerned LGU shall set up child-friendly spaces in every city or municipality declared under a state of calamity, as needed, based on the guidelines to be promulgated by the DSWD. Child-friendly spaces shall be made available throughout a crisis, from emergencies to recovery.

**k. CHILD AND FAMILY- FRIENDLY HOSPITAL-** All hospitals shall not deny husbands/ parents inside the delivery room during the delivery of their wives/ partners.



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**I. PROGRAM FOR CHILDREN WITH SPECIAL NEEDS.** – The provincial government of Pangasinan shall conduct a periodic child-focused and child-specific comprehensive survey on children with disabilities in the province as the basis for more systematic coordination of basic services for children with special needs. Local Government Units (LGUs) should also establish and maintain Stimulation, Therapeutic, and Activity Centers (STAC) or any similar facility to support and provide for the needs of children with disabilities.

**m. PROGRAMS FRAMEWORK.** – The Provincial Government of Pangasinan shall ensure to the maximum extent possible the survival, growth, and development of the child. This shall include the following:

- The barangay officials and their barangay-level support systems may call upon law enforcement agencies when there is an abused, neglected, and exploited child who needs to be rescued from an unbearable home situation;
- A barangay-level network of assistance from among the adults of the community for the total growth, development, and protection of children;
- Protect and promote the right of all children to quality education and shall take appropriate steps to make such education accessible to all; and
- Ensure that basic education shall prepare children to become mature and responsible members of society; with opportunities for a full and happy life.

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

**o. MAINTENANCE OF UNIFIED COMPREHENSIVE DATABASE SYSTEM FOR CHILDREN-** the Provincial Council for the Protection of Children (PCPC) recognizes the importance of having a reliable and comprehensive database that will provide the necessary information and statistics on children in the province; LGUs should use the common template to gather and store information on the emerging issues on all children in their jurisdictions, in terms of four (4) core rights of children: survival, development, protection, and participation.





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**ARTICLE 7**  
**SPECIAL CONCERNS**

**SECTION 1. PROTECTION MEASURES FOR CHILDREN**– The Provincial Government of Pangasinan adopts the implementation of the following National Laws for the protection of children:

- Early Years Act (RA 10410)
- Children's Safety on Motorcycles Act (RA 10666)
- Children's Emergency Relief and Protection Act (RA 10821)
- National Mental Health Policy (RA 11036)
- Masustansyang Pagkain para sa Batang Pilipino (RA 11037)
- Kalusugan at Nutrisyon ng Magnanay Act (FIKD, RA 11148)
- An Act Providing For The Elimination Of The Worst Forms Of Child Labor And Affording Stronger Protection For The Working Child, Amending For This Purpose the Republic Act No. 7610, As Amended, Otherwise Known As The "Special Protection Of Children Against Child Abuse, Exploitation And Discrimination Act" (RA9231)
- Special Protection of Children in Situations of Armed Conflict Act (RA 11188)
- Safe Spaces Act or Bawal Bastos Law (RA 11313)
- An Act Expanding RA 9208, Entitled an Act to Institute Policies to Eliminate Trafficking in Persons Especially Women and Children, Establishing the Necessary Institutional Mechanisms for the Protection and Support of Trafficked Persons, Providing Penalties for its Violation and for Other Purposes (RA 10364)
- Expanded Anti-Trafficking in Persons Act of 2022 (RA 11862)
- Foundling Recognition Protection Act (RA 11767)
- Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act (RA 11930)
- Prohibiting the Practice of Child Marriage (RA 11596)
- An Act Providing for Stronger Protection Against Rape and Sexual Exploitation and Abuse, Increasing the Age for Determining the Commission of Statutory Rape (RA 11648)
- Anti-Photo and Video Voyeurism Act of 2009 (RA 9995)
- Anti-Child Pornography Act of 2009 (RA 9775)
- Expanded Breastfeeding Promotion Act of 2009 (RA. 10028)
- Juvenile Justice and Welfare and Act of 2009 (RA 10630)
- Mandatory Infant and Children Immunization Act (RA 10152)
- Newborn Screening Act of 2004 (RA 9288) and DOH Administrative Order No. 2014-0045



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**A. RA 9208- Anti-Trafficking in Persons Act of 2003-** This act specifically criminalizes trafficking for the purposes of exploitation. The punished overt acts include trafficking under the guise of arranged marriage, adoption, sex tourism, prostitution, pornography, or the recruitment of children into armed conflict.

**Prohibited Acts**

1. **Illegal Recruitment** – is defined as any act of recruitment undertaken by unlicensed or unauthorized persons.

2. **Child Trafficking** - Any person who shall engage in trafficking 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 Republic Act No. 7610.

3. **Attempt to Commit Child Trafficking** - where there are acts to initiate the commission of a trafficking offense but the offender failed to or did not execute all the elements of the crime, by accident or by reason of some cause other than voluntary desistance, such overt acts shall be deemed as an attempt to commit an act of Trafficking in Person.

- When a child below 15 years old travels alone to or from Pangasinan without valid reason therefore and without clearance issued by the Provincial Council to the Protection of Children or written permission from the child's parents or legal guardians;
  - When a pregnant mother executes an affidavit of consent for adoption for consideration; or consent to, participates, or in any manner causes the registration of the birth of such child in the name of another with or without consideration;
  - When a person, agency, establishment, or child-caring institution recruits women or couples to bear children for the purpose of child trafficking;
  - When a doctor, hospital or clinic official or employee, nurse, midwife, local civil registrar, or any other person simulates birth or assists in the process for the purpose of child trafficking;
  - When a person engages in the act of finding children among low-income families, hospitals, clinics, nurseries, daycare centers, or other child caring institutions that can be offered for the purpose of child trafficking;
- or



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- When any person, authority, agency, or institution fails to report transactions related to circumstances in child trafficking.

**B. RA 7610 also known as the "Special Protection of Children Against Abuse, Exploitation and Discrimination Act"** - provides special protection to children from all forms of abuse, neglect, cruelty, exploitation and discrimination, and other conditions, prejudicial to their development; and provide sanctions for their commission and carry out a program for prevention and deterrence of and crisis intervention in situations of child abuse, exploitation and, discrimination.

**Prohibited Acts**

- All establishments and enterprises that promote or facilitate child prostitution and other sexual abuse, child trafficking, obscene publications and indecent shows, and other acts of abuse shall be immediately closed and their authority or license to operate canceled, provided that the due process of law is observed.
- **Child Prostitution and Other Sexual Abuse.** – Children, whether male or female, who for money, profit, or any other consideration or due to the coercion or influence of any adult, syndicate or group, indulge in sexual intercourse or lascivious conduct, are deemed to be children exploited in prostitution and other sexual abuse.
- **Attempt to Commit Child Prostitution.** –When any person who, not being a relative of a child, is found alone with the said child inside the room or cubicle of a house, an inn, hotel, motel, pension house, apartelle or other similar establishments, vessel, vehicle or any other hidden or secluded area under circumstances which would lead a reasonable person to believe that the child is about to be exploited in prostitution and other sexual abuse.
- **Obscene Publications and Indecent Shows.** – Any person who shall hire, employ, use, persuade, induce, or coerce a child to perform in obscene exhibitions and indecent shows, whether live or in video, or model in obscene publications or pornographic materials or to sell or distribute the said materials shall suffer the penalty of imprisonment of not more than one (1) year and/or a fine of not more than Five Thousand Pesos (P5,000.00) or both in the discretion of the court.
- **Other Acts of Neglect, Abuse, Cruelty or Exploitation and Other Conditions Prejudicial to the Child's Development.** –
  - (a) Any person who shall commit any other acts of child abuse, cruelty, or exploitation or be responsible for other conditions prejudicial to the child's development including those covered by Article 59 of Presidential Decree No. 603, as amended, but not covered by the Revised Penal Code,



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shall suffer the penalty of imprisonment of not more than one (1) year and/or a fine of not more than Five Thousand Pesos (P5,000.00) or both in the discretion of the court.

(b) Any person who shall keep or have in his company a minor, twelve (12) years or under or whom in ten (10) years or more his junior in any public or private place, hotel, motel, beer joint, discotheque, cabaret, pension house, sauna or massage parlor, beach and/or other tourist resort or similar places shall suffer the penalty of imprisonment of not more than one (1) year and/or a fine of not more than Five Thousand Pesos (P5,000.00) or both in the discretion of the court. Provided, That this provision shall not apply to any person who is related within the fourth degree of consanguinity or affinity or any bond recognized by law, local custom, and tradition or acts in the performance of social, moral, or legal duty.

(c) Any person who shall induce, deliver or offer a minor to anyone prohibited by this Act to keep or have in his company a minor as provided in the preceding paragraph or should the perpetrator be an ascendant, stepparent or guardian of the minor, the penalty to be imposed shall be imprisonment of not more than one (1) year and/or a fine of not more than Five Thousand Pesos (P5,000.00) or both in the discretion of the court.

(d) Any person, owner, manager, or one entrusted with the operation of any public or private place of accommodation, whether for occupancy, food, drink, or otherwise, including residential places, who allows any person to take along with him to such place or places any minor herein described shall suffer the penalty of imprisonment of not more than one (1) year and/or a fine of not more than Five Thousand Pesos (P5,000.00) or both in the discretion of the court. The court may impose suspension or revocation of the business permit or franchise to operate as an additional penalty, provided that due process of law is observed.

(e) Any person who shall use, coerce, force, or intimidate a street child or any other child to:

- (1) Beg or use begging as a means of living;
- (2) Act as conduit or middleman in drug trafficking or pushing; or
- (3) Conduct any illegal activities, shall suffer the penalty of prison correctional in its medium period to reclusion perpetua.

**C. RA 9231 "An Act Providing for the Elimination of the Worst Forms of Child Labor and Affording Stronger Protection for the Working Child, Amending for This Purpose Republic Act No. 7610, As Amended, Otherwise Known as the "Special Protection of Children Against Child Abuse, Exploitation, And Discrimination Act- Employment of Children - Children below fifteen (15) years of age shall not be employed except:**



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1) When a child works directly under the sole responsibility of his/her parents or legal guardian and where only members of his/her family are employed: Provided, however, that his/her employment neither endangers his/her life, safety, health, and morals nor impairs his/her normal development: Provided, further, That the parent or legal guardian shall provide the said child with the prescribed primary and/or secondary education; or

2) Where a child's employment or participation in public entertainment or information through cinema, theater, radio, television or other forms of media is essential: Provided, That the employment contract is concluded by the child's parents or legal guardian, with the express agreement of the child concerned, if possible, and the approval of the Department of Labor and Employment: Provided, further, That the following requirements in all instances are strictly complied with:

- (a) The employer shall ensure the protection, health, safety, morals and normal development of the child;
- (b) The employer shall institute measures to prevent the child's exploitation or discrimination taking into account the system and level of remuneration, and the duration and arrangement of working time; and
- (c) The employer shall formulate and implement, subject to the approval and supervision of competent authorities, a continuing program for training and skills acquisition of the child.

In the above-exceptional cases where any such child may be employed, the employer shall first secure, before engaging such child, a work permit from the Department of Labor and Employment which shall ensure observance of the above requirements.

For purposes of this Article, the term "child" shall apply to all persons under eighteen (18) years of age.

**Prohibition Against Worst Forms of Child Labor. - No child shall be engaged in the worst forms of child labor. The phrase "worst forms of child labor" shall refer to any of the following:**

- (1) All forms of slavery, as defined under the "Anti-trafficking in Persons Act of 2003", or practices similar to slavery such as sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including recruitment of children for use in armed conflict; or
- (2) The use, procuring, offering or exposing of a child for prostitution, for the production of pornography or for pornographic performances; or
- (3) The use, procuring or offering of a child for illegal or illicit activities, including the production and trafficking of dangerous drugs and volatile substances prohibited under existing laws; or



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(4) Work which, by its nature or the circumstances in which it is carried out, is hazardous or likely to be harmful to the health, safety or morals of children, such that it:

- a) Debases, degrades or demeans the intrinsic worth and dignity of a child as a human being; or
- b) Exposes the child to physical, emotional or sexual abuse, or is found to be highly stressful psychologically or may prejudice morals; or
- c) Is performed underground, underwater or at dangerous heights; or
- d) Involves the use of dangerous machinery, equipment and tools such as power-driven or explosive power-actuated tools; or
- e) Exposes the child to physical danger such as, but not limited to the dangerous feats of balancing, physical strength or contortion, or which requires the manual transport of heavy loads; or
- f) Is performed in an unhealthy environment exposing the child to hazardous working conditions, elements, substances, co-agents or processes involving ionizing, radiation, fire, flammable substances, noxious components and the like, or to extreme temperatures, noise levels, or vibrations; or
- g) Is performed under particularly difficult conditions; or
- h) Exposes the child to biological agents such as bacteria, fungi, viruses, protozoans, nematodes and other parasites; or
- i) Involves the manufacture or handling of explosives and other pyrotechnic products."

**D. RA 10666 or the Children's Safety Motorcycles Act** This is a proactive and preventive approach to secure the safety of child passengers. The Provincial Government of Pangasinan prohibits anyone to drive a two (2)-wheeled motorcycle with a child on board on public roads.

**Prohibited Acts**

- a) there is a heavy volume of vehicles;
- b) there is a high density of fast-moving vehicles; or
- c) the speed limit imposed is more than 60/kph. Certain conditions must be met to ensure children's safety as passengers, and these are lined up below:
  - The child passenger can comfortably reach his/her feet on the standard foot peg of the motorcycle;



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- The child's arms can reach around and grasp the waist of the motorcycle rider.

**E. RA 11036 National Mental Health Policy** – the Provincial Government of Pangasinan commits itself to promoting the well-being of people by ensuring that; mental health is valued, promoted, and protected; mental health cases are treated and prevented; timely, affordable, high-quality, and culturally-appropriate mental health case is made available to the public; mental health service is free from coercion and accountable to the service users; and persons affected by mental health conditions are able to exercise the full range of human rights and participate fully in society and at work free from stigmatization and discrimination.

To support this act, the Provincial Government of Pangasinan has established a 24-hour hotline to respond to mental health issues.

**F. RA 10821 Children's Emergency Relief and Protection Act** - sets a standard of accountability to children in terms of protection and provision of their needs before, during, and after a disaster.

- Children shall be given priority during evacuation as a result of a disaster or other emergency situation. Existing CSOs in the community 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.
- Delivery of Health, Medical, and Nutrition Services. – Under the Program, the DOH, in coordination with the DSWD, LGUs, and CSOs in the community, shall provide the health, medical, and nutritional needs of children in the areas declared under a state of calamity, including psychosocial interventions for children in different stages of development.
- Establishment of Child-friendly Spaces. – The concerned LGU shall set up child-friendly spaces in every city or municipality declared under a state of calamity, as needed, based on the guidelines to be promulgated by the DSWD. In addition, LGUs shall coordinate with lead agencies and CSOs to effectively respond to the needs of the children in the area. Child-friendly spaces shall be made available throughout a crisis, from emergencies to recovery.



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**G. 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 the company of their parents or guardians, or unless they can produce a written consent from their parents or guardians as to their being outside home premises at such times.

A penalty equivalent of 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 a penalty for second-time offenders.

**H. Control on Exposure to New Technology**

- **Control on Children's Exposure to Video Games.** – Commercial establishments renting out digital/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 the suspension of their business permit for ten (10) days and to pay a fine of Two Thousand Five Hundred Pesos (P2,500.00) during the first offense and, fifteen (15) day suspension of the same and Five Thousand Pesos (P5,000.00) fine for the second offense. Confiscation of computer units and cancellation of the business permit of said establishments shall constitute the penalty for the third offense. The suspension/ cancellation of business permit may be imposed provided that due process of law is observed.

- **Commercial establishments catering to video games** shall not be established within 100 meters from primary and secondary school campuses. Violation of this provision shall lead to the closure of the business establishment with proper observance of due process of law.

- **Control of Children's Exposure to Internet Cafes.** – Internet cafes allowing children to view pornographic sites shall be subjected to suspension of the business permit for ten (10) days and to pay a fine of Two Thousand Five Hundred Pesos (P2,500.00) during the first offense and, fifteen (15) days suspension of the same and Five Thousand Pesos (P5,000.00) fine for the second offense. Confiscation of computer units and cancellation of the business permit of said establishments shall constitute the penalty for the third offense. The suspension/ cancellation of the business permit may be imposed provided that due process of law is observed.





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**I. RA 11188 or the Special Protection of Children in Situations of Armed Conflict.** – Children in situations of armed conflict shall be considered victims and shall be afforded full protection in accordance with the provisions of R.A 7610, Article X.

**J. Children of Indigenous Peoples**

• **Rights of Children of Indigenous Peoples.** –

- a. In addition to the rights guaranteed to children under this Code and the Indigenous Peoples Right Act (Republic Act No. 8371), children of indigenous cultural communities (ICCs) /indigenous peoples (IPs) shall be entitled to protection, survival, and development consistent with the customs and traditions of their respective communities.
- b. The Provincial Council for the Protection of Children in coordination with the local DepEd division office shall encourage and support the integration into the IP curriculum of the Indigenous Knowledge Systems and practices (IKSP) relevant to the needs and interests of ICC/IP children.
- c. The delivery of basic social services on health and nutrition to ICCs/IPs should be given priority. Service providers in hospitals and other health institutions shall be culture-sensitive in dealing with indigenous peoples, especially children. They shall not be subjected to any form of discrimination and verbal abuse that degrade their dignity and self-esteem. Their traditional health knowledge, beliefs and practices should be respected.

**K. Republic Act No. 11908 or the (Parent Effectiveness Service Program Act)-**

It is the declared policy of the State to recognize the sanctity of family life, protect and strengthen the family as a basic autonomous social institution and foundation of the nation, strengthen its solidarity, and actively promote its total development. The right of families or family associations to participate in the planning and implementation of policies and programs that affect them shall be promoted.

**L. Republic Act No. 11767 or the (Foundling Recognition and Protection Act)-**

These IRR shall recognize foundlings as presumed natural-born citizens, provide a streamlined process to expedite the issuance of a Certificate of Live Birth (COLB) under the Act; and to define the roles and functions of the concerned offices such as the NACC, Safe Haven providers, Local Government Units (LGU), and the Philippine Statistics Authority (PSA), in the care and registration of foundlings.



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**M. Republic Act No. 11930 or (Anti-Online Sexual Abuse or Exploitation of Children and (Anti-Child Sexual Abuse or Exploitation Materials Act)-**

The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, emotional, psychological and social well-being. Thus, it is the policy of the State to provide special protections to children from all forms of sexual violence, abuse, and exploitation especially those committed with the use of information and communications technology (ICT), provide sanctions for their commission and carry out programs for the prevention, deterrence, and intervention in all situations of online sexual abuse and exploitation of children in the digital and non-digital production, distribution or possession of child sexual abuse or exploitation material.

**N. Republic Act No. 11596 (Prohibiting the Practice of Child Marriage)-**

Consistent with Section 13, Article II of the 1987 Philippine Constitution, the State recognizes the vital role of the youth in nation-building and promotes and protects their physical, moral, spiritual, and intellectual, and social well-being. In pursuit of this policy, the State shall abolish all traditional and cultural practices and structures that perpetuate discrimination, abuse, and exploitation of children such as the practice of child marriage.

Further, the State recognizes the role of women in nation-building and shall therefore protect and promote their empowerment. This entails the abolition of unequal structures and practices that perpetuate discrimination and inequality.

**O. Children in Conflict with the Law**

**Establishment of 'Bahay Pag-asa'** – As provided for under Section 49 of the Republic Act. No. 9344, as hereby amended under R.A. No. 10630, each province and the LGUs shall be responsible for building, funding, and operating a 'Bahay Pag-asa' within their jurisdiction following the standards that will be set by the DSWD and adopted by the Juvenile Justice Welfare Council (JJWC).

Every 'Bahay Pag-asa' will have a special facility called the International Journal of Information Security and Cybercrime (IJISC). This Center will be allocated for children in conflict with the law in accordance with Section 20, 20-A and 20-B of R.A. No. 9344.

These children will be required to undergo a more intensive disciplinary intervention program. The JJWC in partnership with, but not limited to, the DSWD, the DOH, the DepEd and the DILG, will develop and set the standards for the implementation of the multi-disciplinary intervention program of the IJISC. Upon institutionalization of the IJISC program, the JJWC will continue to monitor and provide technical assistance to the multi-disciplinary teams operating in the said center.



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**Development of a Comprehensive Juvenile Intervention Program.** – A comprehensive juvenile intervention program covering at least a 3-year period shall be instituted in LGUs from the barangay to the provincial level.

The Province and the LGUs shall set aside an amount necessary to implement their respective juvenile intervention programs in their annual budget.

The Province and the LGUs, in coordination with the Licensed Clinical Professional Counselor (LCPC), shall call on all sectors concerned, particularly the child-focused institutions, NGOs, people’s organizations, educational institutions and government agencies involved in delinquency prevention to participate in the planning process and implementation of juvenile intervention programs. Such programs shall be implemented consistent with the national program formulated and designed by the JJWC.

The implementation of the comprehensive juvenile intervention program shall be reviewed and assessed annually by the Province and the LGUs in coordination with the LCPC. Results of the assessment shall be submitted to the JJWC not later than March 30 of every year.

**ARTICLE 8**  
**BUDGETARY APPROPRIATIONS**

**Section 1. Appropriations for Children’s Programs.** – The local government unit shall appropriate funds as part of their annual budget for the implementation of children’s programs.

The amount equivalent to at least one percent (1%) of the internal revenue allotment (IRA) shall be appropriated by the Province and the LGUs to implement the provisions of this Code and programs for children, drafting, and publication of the IRR, training, and orientation of stakeholders and dissemination of this to the general public. Said appropriation cannot be realigned or used for other programs or purposes other than what is herein intended.

**ARTICLE 9**  
**FINAL PROVISIONS**

**SECTION 1. Review of Provisions.** This Code shall be subject to regular review by the Sangguniang Panlalawigan in coordination with the various agencies and organizations who are partners in the promotion and protection of the rights of children, once every five (5) years, or more often as may be necessary.



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

**SECTION 3. Applicability Clause.** – All other matters relating to the impositions or regulations provided in this Code shall be governed by the pertinent provisions of existing laws and other ordinances. This Code shall apply to all the people within the territorial jurisdiction of the Province of Pangasinan as well, and all persons, who may be subject to the provision of this Code.

**SECTION 4. Repealing Clause.** – All ordinances, resolutions executive orders and issuances which are inconsistent with any of the provisions of this Code are hereby repealed and/or modified accordingly.

**SECTION 5. Effectivity Clause.** – This Code shall take effect after its publication for three (3) consecutive issues in a local newspaper of general circulation.

CERTIFIED BY:

**VERNA T. NAVA-PEREZ**  
 Secretary to the Sanggunian

ATTESTED:

**MARK RONALD DG. LAMBINO**  
 Vice Governor  
 (Presiding Officer)

APPROVED:

**RAMON V. GUICO III**  
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