Republic of the Philippines
CITY GOVERNMENT OF MUNTINLUPA
Sangguniang Panlungsod ng Muntinlupa

OFFICE OF THE SECRETARY
TO THE SANGGUNIANG PANLUNGSOD
MUNTINLUPA CITY
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FROM THE ORIGINAL
DATE: 22 APR 2025 BY: Julia Siaboc

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ORDINANCE NO. 2024-280

MUNTINLUPA CITY CHILD PROTECTION POLICY ORDINANCE

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Sponsored by: ***Hon. Coun. Atty. Raul R. Corro***
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LEGAL P. LAW CENTER
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WHEREAS, Article II, Section 13, of the Constitution provides that, "The State recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being. It shall inculcate in the youth patriotism and nationalism and encourage their involvement in public and civic affairs.";

WHEREAS, Article XV, Section 3 (2) of the Constitution provides "The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation and other conditions prejudicial to their development.";

WHEREAS, Article II, Section 12 of the Constitution provides that, **"The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception. The natural and primary right and duty of parents in the rearing of the youth for civic efficiency and the development of moral character shall receive the support of the Government.";**

WHEREAS, Article 19 of the United Nations Convention on the Rights of the Child provides that **"The State shall take all legislative, administrative, social and educational measures for the protection of the child from all forms of physical or mental violence, injury, abuse, neglect, maltreatment or exploitation";**

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WHEREAS, Section 2, par.3 of Republic Act No. 7610 otherwise known as An Act Providing For Stronger Deterrence And Special Protection Against Child Abuse, Exploitation And Discrimination And For Other Purposes, provides that **"The best interests of children shall be the paramount consideration in all actions concerning them, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities and legislative bodies, consistent with the principle of First Call for Children as enunciated in the United Nations Convention on the rights of the Child. Every effort shall be extended to promote the welfare of children and enhance their opportunities for a useful and a happy life.";**

WHEREAS, Section 2, par. 2 of Republic Act No. 9262 otherwise known as the "Anti-Violence Against Women and their Children Act of 2004" provides that " The State shall exert efforts to address violence committed against women and children in keeping with the fundamental freedoms guaranteed under the Constitution and the provisions of the Universal Declaration of Human Rights, Convention on the Rights of the Child and other International Human Rights instruments of which the Philippines is a party.";

WHEREAS, Republic Act No. 11930, otherwise known as the "Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act" provides that, "it is the policy of the state to provide special protection to children from all forms of sexual violence, abuse and exploitation, especially those committed with the use of Information and Communication Technology (ICT)."

WHEREAS, City Ordinance No. 2022-032 otherwise known as The Revised Muntinlupa City Welfare Code for Children has declared the policy "to develop a community that is safe, peaceful, progressive, sustainable and anchored on respect for the rights of its citizens, foremost among which are children";

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WHEREAS, notwithstanding of the said provisions in the Constitution, the United Nations Convention on the Rights of the Child, and in the above-quoted provisions of our laws, children appear to be neglected of the proper care and guidance, education and moral development that made them fall into the trap of exploitation, drug addiction and became an easy prey of abuse and oftentimes at risk of committing various criminal offenses.

WHEREAS, children are susceptible to different forms of social opportunism taking advantage of their credulity and gullibility, oftentimes have no means to speak out against violence, neglect, exploitation and abuse.

WHEREAS, children, especially those who are marginalized, vulnerable and under-represented, must be provided with utmost protection from all forms of violence against children, the best interest of the child in all aspect is foremost the consideration in the promotion of public welfare.

WHEREAS, alongside poverty, hunger, malnutrition and disease, children are vulnerable to and have become victims of various forms of abuse, violence and exploitation and therefore need protection.

WHEREAS, mindful of these circumstances, the City Government of Muntinlupa has set its goals straight to the end of achieving the purposes and objectives herein above set forth, thus, the need to formulate this Muntinlupa Child Protection Policy Ordinance.

NOW THEREFORE, BE IT ENACTED BY THE ***10th*** **SANGGUNIAN PANLUNGSOD OF MUNTINLUPA** in regular session duly assembled.

I. GENERAL PROVISIONS

SECTION 1. Short Title: This Ordinance shall be known as "***Muntinlupa City Child Protection Policy Ordinance***".

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SECTION 2: Declaration of Policy and Principles– It is hereby declared the policy of Muntinlupa City to promote and protect the rights of all children enshrined in the Philippine Constitution and other laws and to adhere to the core principles of the four (4) pillars of children's rights and protection provided in the United Nation's Convention on the Rights of the Child that includes the **right to life**, **survival and development**, **protection**, **non-discrimination and participation**, always having in mind the best interest of the child as the primary consideration. Thus, in pursuit for the preservation, promotion and protection of these rights, it is further committed to the following;

a. **Partnership and Collaboration**-The City Government of Muntinlupa upholds and sustain a truism that holistic protection of children against abuse, violence, neglect and discrimination, can be best achieved through a *strong partnership and collaboration* between and among government agencies, non-government organizations, faith-based and civil society groups and in general the private sector working together with the highest degree of professionalism, diligence, respect and competence in an atmosphere of solidarity and teamwork.

b. **Promotion and Protection of Children's Rights**- The City Government of Muntinlupa recognizes its obligation to respect, protect and promote children's rights, through appropriate legislative, administrative and other measures, to help children realize their potentials and dreams. It also acknowledges the important rights and duties of parents and caregivers in ensuring the well-being of and in providing guidance and support to their children in accordance with child rights principles.

c. **Strengthening Family Relations and Development**. The City Government of Muntinlupa recognizes family as the basic unit of society, accordingly, it shall strengthen its bond and solidarity and actively promote its harmonious relations, social well-being, development and over-all wellness.

SECTION 3. DEFINITION OF TERMS – As used in this ordinance the following terms shall mean:

A. **ABANDONED CHILD**- As defined by Article 1, Section 3.3 of R.A 9523, refers to a child who has no proper parental care or guardianship, or whose parents or guardians have deserted him/her for a period of at least three (3) continuous months.

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B. **SEXUALLY ABUSED CHILDREN**- refers to children who have been used, persuaded and coerced to engage in, or assist another person to engage in sexual intercourse or lascivious conduct or the molestation or prostitution of, or the commission of incestuous acts on a child.

C. **AMUSEMENT CENTER**- refers to any building or edifice or other structure, or portion thereof, which is used for commercial games and/or entertainment which include but are not limited to coin or token operated game machines, billiards, tables, and other activities and facilities designed for commercial amusement and recreation.

D. **BUSINESS ESTABLISHMENTS AND ENTERPRISES**- refers to any establishment doing business within Muntinlupa City that produces or distributes goods or products or performs services and which made their goods or services available to the public.

E. **CHILDREN**- as defined by Republic Act 7610, refers to a person below eighteen (18) years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty exploitation or discrimination because of physical, mental or sensory disability or condition.

F. **CHILD ABUSE** - refers to the maltreatment, whether habitual or not, which may include but not limited to the following:
(a) Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;

(b) Any act by deeds or words which debases, degrades or demeans the intrinsic worth and dignity of a child as a human being;

(c) Unreasonable deprivation of his / her basic needs for survival, such as food, clothing and shelter; and

(d) Failure to immediately give medical treatment to a sick and/or injured child resulting in serious impairment of his or her growth and development or his or her permanent incapacity or death.

G. **CHILD PROTECTION POLICY**- refers to the concrete legislative and executive measures, rules, policies, procedures, structures and regulations espoused by the City Government of Muntinlupa in safeguarding children's rights and welfare regardless of their sexual orientation and gender identity, race, color, language, religion, political belief or opinion, nationality, ethnic or social origin, birth or other status, from all forms of violence, neglect, exploitation and abuse.

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H. **CHILD PROTECTION-** refers to legislative measures programs and services that are intended to forestall and respond to abuse, neglect, exploitation, discrimination and violence.

I. **CHILDREN IN CONFLICT WITH THE LAW-** refers to children who are accused of, or adjudged as, having committed an offense or a crime under the Revised Penal Code, Special Penal Laws, Special Laws and any other laws enacted by congress that prescribes punishment for its commission.

J. **CHILDREN WITH SPECIAL NEEDS** -refers to (a) children with either physical or mental infirmities or disabilities whether congenital or acquired after birth; (b) a child in need of special protection.

K. **CHILDREN WITH DISABILITIES-**refers to children who have long term physical, mental, intellectual or sensory impairments which renders them unable to achieve full and effective participation in society.

L. **CHILDREN AT RISK-** refers to children who are vulnerable to and at risk of committing criminal offenses because of personal, family and social circumstances, such as, but not limited to the following:
(a) being abused by any person through sexual, physical, psychological, mental, economic or any other means and the parents or guardian refuses, are unwilling, or unable to provide protection for the child;
(b) being sexually or economically exploited;
(c) being abandoned or neglected, and after diligent search and inquiry, the parent or guardian cannot be found;
(d) coming from a dysfunctional or broken family or without parent or guardian;
(e) being out of school;
(f) being a street child;
(g) being a member of a gang;
(h) living in a community with a high level of criminality or drug abuse;
(i) living in situations of armed conflict (RA 9344 as amended by RA 10630).
(j) child affected and infected with STD/HIV/AIDS (RA 8504).
(k) Children who are abandoned, neglected and rejected.

M. **CHILD AT RISK UNDER SPECIAL CASES**- Refers to a child who is vulnerable to and at risk of committing criminal offenses because of personal, family and social circumstances, under special cases such as cases with substance abuse referred to Bahay Pag-asa for the processing of their documentary requirements for their referral to the Drug Rehabilitation Center.

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N. **CHILDREN IN NEED OF SPECIAL PROTECTION (CNSP)**- Shall refer to all persons below eighteen (18) years of age or those 18 years old or over but unable to fully take care of themselves because of physical and mental disability or condition and those who are vulnerable to or victims of abuse, neglect, exploitation, cruelty, discrimination and violence (armed conflict/domestic violence) and other analogous conditions prejudicial to their development, they are as follows:

1. Sexually/physically-abused children;
2. Children in commercial sexual exploitation;
3. Children in conflict with the law;
4. Children involved in armed conflict;
5. Working children or victims of child labor;
6. Children in various circumstances of disability whether mentally and physically challenged children;
7. Children directly affected by HIV/AIDS and other sexually-transmitted disease (STD's);
8. Street children;
9. Abandoned children/children without primary caregiver
10. Internally Displaced Children (IDC's)
11. Teenage mother and those who get pregnant at their young age

O. **CHILD LABOR**- refers to a work that deprives children of their childhood, their potential and their dignity, which is harmful to their physical and mental development.

P. **CHILD TRAFFICKING**- refers to 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.

Q. **COMMUNITY DEVELOPMENT WORKER (CDW)** refers to a person who is an expert in community development for children and is in charge for the education, supervision and guidance of children whose age bracket is from three-to-five (3-5) years old.

R. **COMMUNITY REINTEGRATION PROGRAMS** shall refer to the programs established for the purpose of rehabilitation and preparing the child for reintegration into the community.

S. **COUNCIL** shall refer to the Local Council for the Protection of Children.

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T. **DEVELOPMENT RIGHTS** 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, which may also include participation in cultural activities, access to appropriate and relevant information, and opportunities for rest, play and leisure.

U. **DISASTER EMERGENCY** refers to the protection of children, before, during and after a disaster or emergency as provided by the provisions of RA 10821 also known as Children Emergency Relief and Protection Act.

V. **DIVERSION-** refers to an alternative, child appropriate process of determining the responsibility and treatment of a child in conflict of the law on the basis of his/her social, cultural, economic, psychological or educational background without resorting to formal court proceedings.

W. **DIVERSION PROGRAM-** Refers to the program that Children in Conflict with the Law (CICL) shall undergo after the latter has been found to be responsible for the commission of an offense without undergoing court proceedings.

X. **DROP OUT**- refers to children of school age officially enrolled but discontinued attending classes.

Y. **FAMILY**- refers to a group of persons living together by virtue of marriage, blood, adoption, instituted as family by virtue of foster parenting, regarded as the basic unit of society.

Z. **INTERVENTION–** refers to the series of activities which are designed to address issues that caused the child to commit an offense for the child's individualized treatment program.

AA. **INTENSIVE JUVENILE INTERVENTION SUPPORT PROGRAM-** Refers to a special program within the Bahay Pag-asa Muntinlupa to address the needs of the Children in Conflict with the Law below the age of criminal responsibility (Sec. 20, R.A 10630) for intensive intervention programs and services.

BB. **JUVENILE JUSTICE AND WELFARE SYSTEM-** refers to a system dealing with children at risk and children in conflict with the law, which provides child-appropriate proceedings, including programs and services for prevention, diversion, rehabilitation, re-integration and aftercare to ensure their normal growth and development.

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CC. **NEGLECT**– refers to any unreasonable deprivation of a child's basic needs, education, guidance and general care and supervision by parents/guardian and any person entrusted by law to the care and custody of the child.

DD. **NEGLECTED CHILD**- refers to a child whom his or her parent or legal guardian have failed to provide adequate food, clothing, shelter, basic education, moral development or medical care by reasons other than lack of financial resources that seriously hamper the child's physical, mental, social and emotional growth and development.

EE. **ONLINE CHILD SEXUAL VIOLENCE, ABUSE AND EXPLOITATION-** refers to the act of using computer system, including the use of Artificial Intelligence, as a means to abuse and or exploit children sexually which may include, but not limited to grooming, live streaming, consuming child sexual abuse material, coercing and blackmailing children for sexual purposes, the production, dissemination and possession of nude photos or any other form of pornographic materials which are used in an online sexual violence and exploitation of children or any other act or acts defined and punished under Section 4 of Republic Act No. 11930, otherwise known as "Anti-Online Sexual Abuse or Exploitation of Children (OSAEC) and Anti-Child Sexual Abuse or Exploitation Materials (CSAEM) Act.

FF. **OUT-OF-SCHOOL YOUTH**- refers to a child whose age is below eighteen years old who are not enrolled in a formal academic or vocational training in a recognized institution within Muntinlupa city.

GG. **SURVIVAL RIGHTS** refers to the child's inherent right to life and to the needs that are most basic to existence, the right to a name and nationality, the right to identity and those dealing with parental and governmental duties and obligations, adequate and decent standard of living, access to basic health care and medical services, social security, and rehabilitation.

HH. **PROTECTION RIGHTS** refers to those rights protecting the child from all forms of abuses and discrimination such as protection from neglect, violence, 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.

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II. **PARTICIPATION RIGHTS** refers to the child's rights to participate in matters that affect him or her most by providing all appropriate venues where he or she can express his or her opinions freely and to have these opinions counted, involvement in decision-making and a consultative process, freedom of association and peaceful assembly.

JJ. **PSYCHOSOCIAL PROBLEMS-** refers to a condition that indicates the existence of dysfunctions in a person's behavior, thoughts and feelings brought about by sudden extreme, prolonged or cumulative stressors in the physical, mental or social environment.

KK. **RESTORATIVE JUSTICE-** Refers to principle that requires a process of resolving conflicts with the maximum involvement of the victim, the offender and the community. It seeks to obtain reparation from the victim, reconciliation of the offender, the offended and the community and reassurance to the offender that he/ she can be reintegrated to society. It also enhances public safety by activating the offender, the victim and the community in prevention strategies.

SECTION 4. RIGHTS OF THE CHILD. Children shall be entitled to the basic rights herein provided regardless of her/his race, color, sex, language, religion, political, ethnic or social origin, property, disability, birth or other status.

1. ***Right to be born and be given a name***- The City Government of Muntinlupa through the City Local Civil Registrar in accordance with its prevailing programs and services, shall ensure that every child born has a name and nationality constitutive of their identity which shall be registered after birth.

2. ***Right to be strong and healthy***- The City Government of Muntinlupa shall ensure a standard of living attuned for the health and well-being of all children, including food and proper nutrition with access to programs, services and projects of the City Health Office, Gender and Development, City Nutrition Office, Youth Affairs and Sports Development Office, Population Development and other offices and departments in the City Government of Muntinlupa which by law are mandated for the protection and promotion of the health, care, education, livelihood and development of children.

3. ***Right to abode***- The City Government of Muntinlupa shall earnestly venture through the Urban Poor Affairs Office, to provide decent, safe and socialized housing for all.

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MUN Muntinlupa Nakakapagod!

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4. ***Right to live in a clean, peaceful and safe environment-*** The City government of Muntinlupa through the Environmental Protection and Natural Resources Office (EPNRO), Department of Disaster Resilience and Management (DDRM), City Security Office (CSO) , Public Order and Safety Office (POSO) , Muntinlupa Traffic Management Bureau (MTMB), in coordination with the Philippine National Police (PNP)-Muntinlupa, shall recognize the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature and shall ensure that all children enjoy a safe, clean, peaceful and liveable environment conducive to their growth, and development.

5. Right to education- The City Government of Muntinlupa recognizes the paramount right of every child to education. Access to basic education enables the child to gain skills and confidence that capacitate them to think on their own and strengthen their right to participation in local governance on matters affecting their well-being.

Thus, it shall ensure that schools and learning environment are conducive to the education of children. Teachers and learning facilitators of the Early Childhood Education Division (ECED) under the Social Services Department (SSD) and other child learning centers of the City Government of Muntinlupa shall give its best efforts in discharging its functions with the best interest of the child as the primary consideration.

6. Right to play- The right to play is a child's basic right. On account thereof, the City Government shall give highest priority to the formulation and enactment of measures for the creation of public parks and recreation centers, encouraged the private business entities and sectoral cooperation for the full realization of such right.

7. ***Right to enhance talents and interests-*** To help children fully develop their personalities, talents and interests, the City Government of Muntinlupa through its Tourism Culture and Arts Department (TCAD), Youth Affairs and Sports Development Office in coordination with the Department of Education City Division-Muntinlupa City shall establish a system of measures to help children cultivate their talents and interests to enable them to attain their full potential as valuable treasures of the society.

8. ***Right to have a caring family-*** The Social Services Department of the City Government of Muntinlupa through its Family, Life and Enrichment Division (FLED) with the encouraged participation of all sectors, whether private or public, shall formulate and develop programs and services aimed towards a sustenance for a nurturing family for children.

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9. ***Right to learn proper and good behavior***- The City Government of Muntinlupa recognizes the role of parents and caregivers in shaping the proper and good behavior of our children. It shall inculcate in their minds the value of patriotism, service, integrity, excellence, humility and the long outstanding cultural practices and traditions and history of the City and its people.

10. ***Right to be supported by the government***- The City Government of Muntinlupa shall promote an inclusive governmental approach in all matters affecting the well-being of the child. Thus, with the foremost participation of all concerned stakeholders and of the different departments of the City government, aimed towards the advancement of the best interest of the child, shall create programs and services in support of the development and well-being of the child.

SECTION 5. CHILD PROTECTION POLICY PROTOCOLS

The City Government of Muntinlupa hereby adopts a system of protocols and procedures governing child protection policy, to ensure that all stakeholders are active participants in the promotion of children's welfare consistent with the framework of upholding the best interest of the child, with emphasis of building and strengthening a multi-level child protection system of children who are at risk, victims of child trafficking, children with disabilities, children in conflict with the law, disadvantaged and vulnerable to abuse, victims of all forms of abuse, discrimination, violence and neglect.

Thus, to ensure effective coordination of the different departments and offices of government, people's organizations, private enterprises, business establishments and institutions, non-government organizations, faith-based groups and offices of government promoting child's rights, protection and welfare or otherwise mandated by law for the care and protection of children particularly in the areas of *education*, *health*, *labor, recreation*, *moral development*, and wherever the child may be, the following protocols, system and procedures shall be observed;

5.1 Children in School - Children inside school premises/classrooms during school days/hours shall be governed by the Department of Education (DepEd) Order No. 40 series of 2012 otherwise known as the DepEd Child Protection Policy and DepEd Order No. 18, Series of 2015 otherwise known as "the DepEd Guidelines and Procedures on the Management of Children-at-risk (CAR) and Children in Conflict with the Law (CICL) during all time that children are inside school premises/classrooms whether public or private in all primary and secondary schools in Muntinlupa City wherever they may be located. Thus, teachers and learning facilitators shall have a standard system of reporting, referrals, recording and evaluation on all cases of child abuse, violence, exploitation, discrimination, and other acts of child abuse in all primary and secondary schools in Muntinlupa City using as bases the DepEd Circulars.5.

Furthermore, teachers, school administrators and other individuals engaged in childcare are mandated by law to exercise Special Parental Authority over the child while under their custody, instruction and supervision. Accordingly, they shall exercise a rigid stance against all forms of child abuse, violence and discrimination.

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5.2 Children in Business Establishments and Enterprises within Muntinlupa City- Eradication of all forms of child labor, child abuse, discrimination, and violence against children are herein declared policy of the City Government of Muntinlupa, having in mind the best interest of the child. To achieve this aim, children below fifteen (15) years of age shall not be employed, unless such employment is exempt under Section 2 of R. A 9231 otherwise known as "An Act providing for the elimination of the worst forms of child labor and affording stronger protection for the working child".

Relative thereto, owners/officers/managers/administrators of business establishments in Muntinlupa City shall have zero tolerance policy for all forms of child abuse, violence, and exploitation.

Consequently, children shall be discouraged and/or prohibited from entering malls, places of hospitality such as hotels, motels, inns and any other business establishments and Enterprises in Muntinlupa City during all time that they are ***expected*** to be in school or during school hours except ***after school hours,*** in the company of his/her parent/s or legal guardian for the purpose of securing pertinent documents, identification documents, identification cards, and other relevant documents *provided* that such office/s are stationed in malls or in the business or commercial establishments.

Except further, that for the purpose of medical and dental treatment and consultations or for health and dental emergencies, in instances where the health and medical clinics and laboratories are situated or stationed in malls or in said business establishments, may children during school hours, be permitted to enter such places. ***Provided further,*** that children whose classes are held in malls and other business establishments in furtherance of the hybrid learning set up or even those that are fully online classes which are held in such malls or any other business establishments other than those established regular school places, may be permitted.

School administrators and learning facilitators should inform in writing the Local Council for the Protection of Children (LCPC) addressed to the Chairperson of such fact.

Furthermore, to determine whether it has taken proper precautions to prevent all forms of abuse and violence against children in their respective establishments or on what safeguards it has put in place to prevent the occurrence of all forms of abuse and violence against children, quarterly assessment and evaluation report shall be made by the owners/officers/administrators of the business establishments and enterprises, to be submitted and addressed directly to the Chairperson through the Secretariat of the Local Council for the Protection of Children (LCPC).

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5.3 Directing all Business Establishments/Enterprises operating within Muntinlupa City to formulate their own Child Protection Policy. As a policy, all business establishments and enterprises operating and/or doing business in Muntinlupa City shall develop, formulate, and promulgate their own respective child protection policies and protocols in consonance to the policies herein set forth, adaptive to a system of prior risk assessment, referral, reporting, recording and evaluation of all cases of abuse, violence, exploitation and discrimination of children. To ensure its compliance, all business establishments and enterprises shall furnish the secretariat of the Local Council for the Protection of Children (LCPC) addressed to the LCPC Chairperson, a copy of their respective Child Protection Policy, to be submitted on or before the month of June of the year 2025 or before the end of the first quarter. A review panel/team shall then be instituted by the office of the Chairperson to evaluate, lay out guidelines and assess whether the Child Protection Policy of a business establishment/enterprise adheres to or is compliant to the specified requirements and parameters set or prescribed by the reviewing panel/team.

In general, the Child Protection Policy of all business establishments/enterprises shall at least include the following:

a. A declaration that clearly signifies its strong commitment to the Child Protection Policies of the City Government of Muntinlupa;
b. Recruitment and Screening procedures for Children;
c. Reporting and responding mechanisms for suspected cases of child abuse, neglect, violence and exploitation;
d. Employees' comprehensive training program on the promotion of Children's Rights and Child Protection;
e. Regular review of the Child Protection Policy.

5.4 Children in Recreational Facilities and Sports Development and Training Centers within Muntinlupa City- Recreational facilities, and sports development and training centers are herein declared child friendly spaces. Necessary interventions by the City Government of Muntinlupa, through its relevant departments and offices, shall expand children's access to safe environments and promote their psychosocial well-being.

Thus, the Muntinlupa Youth and Sports Development Office (YASDO) and/or Sports Recreation and Management Division shall formulate and promulgate child protection policy protocols and post the same within three (3) conspicuous places in the premises of said recreational facility or training center. Standard policies and protocols, with respect to reporting, referrals, recording and evaluation of all cases of abuse, whether sexual, physical or emotional abuse, violence, exploitation and discrimination of children committed within the recreational and training facilities, shall likewise be posted.

CONCURRED:

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5.5 Children in recreational facilities and training centers operated by private entities– Business entities engaged in the provision of recreational facilities and training centers for children within the City of Muntinlupa shall promulgate its own rules, policies and procedures for safeguards in preventing cases of abuse and violence against children. They shall likewise adopt a system of reporting, referrals and evaluation relative to such cases in the recreational activities and training environment.

Further, recreational facilities and training centers shall furnish the Secretariat of the Local Council for the Protection of Children (LCPC), addressed to the Chairperson, a copy of their duly promulgated Child Protection Policy Protocols.

5.6 Children in Conflict with the Law under the care, rehabilitation and custody of Bahay Pag-asa- Bahay Pag-asa of Muntinlupa shall formulate its own child protection policy for children below fifteen (15) years of age or above fifteen but not more than eighteen (18) years of age who have been charged in court or is undergoing trial for the commission of a crime, and is currently under the rehabilitation and diversion program of the Social Services Department, through the Bahay Pag-Asa, or is otherwise undergoing community intervention program. In such a case, it shall formulate an after care or re-integration program on all cases they handle including livelihood trainings to uplift the children's moral and economic well-being.

5.7 Abused Children – The children under the care of Sagip ng Muntinlupa, rescued under its authority and jurisdiction, shall be governed by its policies, procedures and regulations. The Sagip ng Muntinlupa shall also serve as Repository Authority of all data, gathered and processed in such cases.

5.8 Abandoned, Neglected, Rejected and Surrendered Children- The City Government of Muntinlupa, through the Social Development Center (SDC), under the Social Services Department (SSD), shall develop and formulate child protection policies, including safeguards and mechanisms against abandonment, neglect, rejection and surrender.

5.9 Emergency Relief and Protection for Children Before, During and After Disasters – The City Government of Muntinlupa, through the Department of Disaster Resilience and Management (DDRM) shall formulate a Comprehensive Emergency Protection Program for Children (CEPPC), independent of the declaration of a state of calamity and/or emergency in the aftermath of disasters or calamities. It shall ensure that the program interventions set forth in the CEPPC shall be included in the City's Annual Investment Plan, Disaster Risk Reduction and Management Plan, Local Council for the Protection of Children Plan, and other applicable local plans. They shall be provided with sufficient resources in the annual budget to ensure their implementation.

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5.10 Health Care for Children– The enjoyment of the highest attainable standards of health care is one of the emphases of the City Government of Muntinlupa. As such, health care and nutrition programs for children shall be given highest priority, with foremost participation of the City Health Office, the Social Services Department, in close coordination with the Department of Education - Schools Division Office Muntinlupa. The Barangay Health Centers shall be at the forefront of providing the health care needs of children.

Consequently, the City Health Office shall formulate its own policy and protocols with regard to the prioritization of children in the health care services.

5.11 Protection of children in resettlement sites. The City Government of Muntinlupa, through the Urban Poor Affairs Office (UPAO) and the Social Services Department (SSD), shall initiate measures to:

5.11.1 Ensure that children are safe and protected from all harm and possible abuse, exploitation, neglect and maltreatment during and after resettlement;

5.11.2 Immediately put in place all relief measures, medical facilities, psychosocial services, documentation of evictees to prevent displacement or family separation and similar assistance in partnership with relevant government agencies;

5.11.3 Involve relocated families including children in developing resettlement action plans;

5.11.4 Adopt and enhance the current protocol and code of conduct for all government and non-government front liners for handling children during emergencies and resettlement.

5.12 Other Places. In all places other than those specifically enumerated above, the well-being and best interest of children shall be given the paramount consideration.

I. DUTIES AND RESPONSIBILITIES

SECTION 6. Local Council for the Protection of Children (LCPC)- Pursuant to Executive Order No. 19, Series of 2019, as amended by Executive Order No. 08, Series of 2022-B, the Local Council for the Protection of Children (LCPC) of Muntinlupa City and under the provisions of Republic Act No. 9344 also known as the "Juvenile Justice and Welfare Act of 2006," as amended, shall function as the primary coordinating body responsible for the planning, implementation, monitoring, and evaluation of child protection programs, making the City of Muntinlupa child-friendly. It shall be the main body responsible for coordinating programs with different stakeholders to address child protection issues, discrimination, and violence against children.

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It shall ensure the compliance of the private sector, including business establishments, small and medium and family-owned enterprises, non-governmental organizations and civil society organizations, as well as the public sector, including the City Government and national government agencies operating in the city.

SECTION 7. Barangay Council for the Protection of Children (BCPC) - The BCPC shall be responsible for the planning and implementation of activities on child protection at the barangay level. It shall encourage the performance of duties and responsibilities of parents and provide learning opportunities on the proper rearing of children and harmonious parent-child relationship.

Anent thereto, it shall formulate and develop a referral, monitoring and reporting mechanism of children's situation, and shall keep a logbook for that purpose.

SECTION 8. Child Protection Committees in Schools – The City Government of Muntinlupa, through the Local Council for the Protection of Children (LCPC), shall coordinate with the Child Protection Committee in every school for the prevention and response initiatives. Great effort shall be made to mitigate, lessen, and, if possible, eliminate all cases of child abuse, violence and discrimination.

SECTION 9. Prohibition on the use of physical and humiliating punishment as a form of discipline on children – Positive discipline, as a non-violent approach to help and guide children and develop their positive behaviour, shall be promoted at all times. Respect for the sanctity of the home shall be maintained, and coordinated efforts shall be made to ensure that the basic and primordial duty of parents and/or guardians to shape positive behaviour begins with them.

Corporal and humiliating punishment shall be discouraged at all times.

The City Government of Muntinlupa recognizes the vital role of children and the youth in nation building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. Children have the right to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment and maltreatment or exploitation, as a form of discipline while in the care of parents, legal guardians or any other person who has the care of the children. Such treatment or punishment violate the children's rights and physical integrity.

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As such the LCPC and BCPC shall:

a. Promote positive and non-violent discipline of children at home, in school, in institutions, in alternative care system, and in all other settings and establish the necessary structures and mechanism and mobilize resources to make this possible;

b. Defend the right of children to assistance, including proper care and nutrition and accord them special protection from all forms of neglect, abuse, exploitation and other conditions prejudicial to their development;

c. Promote the best interests of children through measures that will ensure the protection of children;

d. Protect the children from all forms of physical or mental violence, injury from abuse, neglect or negligent treatment, maltreatment or exploitation while in the custody of their parents, guardians, or any other person under whose care the children are entrusted. Such protective measures shall include effective procedures for the establishment of social protection programs to provide necessary support for the children and for those who care for them, other forms of prevention, identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment, and as appropriate, for legal or judicial action;

e. Respect the responsibilities, rights and duties of parents, guardians or other persons legally responsible for the children, including those exercising special or substitute parental authority as those provided for under Presidential Decree No. 603, otherwise known as Child and Youth Welfare Code, and Republic Act No. 7610, as amended, to provide, in a manner consistent with the evolving capacities of the children, appropriate direction and guidance in the exercise of the children's rights; and Family Code of the Philippines or E.O 209 series 1987.

f. Provide an enabling environment for parents to empower themselves and fulfill their parental obligations to discipline their children through positive and non-violent discipline means;

g. Ensure that school discipline is administered in a manner that respects the children's human dignity;

h. Promote the principles of restorative justice in cases involving parents/guardians and other adults caring for children.

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SECTION 10. Child and Gender Sensitivity Training - Public Social Workers, Public Social Welfare and Development Workers, health workers, teachers and parents and other concerned service providers are required to attend *training courses on child and gender sensitivity* to be conducted by Local Council for the Protection of Children in coordination with the Gender and Development Office to enhance and reinforce their knowledge and capability on the protection of children.

SECTION 11.– Capability building for members of the LCPC and BCPC - To enable the LCPC and BCPC to effectively perform their respective duties and responsibilities, the City Government of Muntinlupa shall implement capability building programs and initiatives, which may include trainings, seminars and conferences.

Budget necessary for the implementation of these programs shall be charged against the mandatory allocation of one percent (1%) of the national tax allotment for the LCPC/BCPC. In the event of a shortage, the amount necessary to implement these programs shall be included in the City's Annual Development Plans, programs and budgets.

II. REPORTING, RECORDING AND CONFIDENTIALITY OF RECORDS

SECTION 12. Reporting and Recording- Reports on all cases of abuse and violence against children should be done in a detailed manner using plain language and shall be certified to by the person authorized to prepare it. The certification must contain a statement that he/she has read and understood the contents thereof and that the facts/records therein are true and correct based on his/her own personal knowledge and on authentic records in his/her possession.

All business establishments/enterprises shall then submit such report to the LCPC Secretariat addressed to its Chairperson, within a period of twenty-four (24) hours from the time of the discovery of any crime, violence and abuse committed against children.

The LCPC Secretariat shall thereafter enter the report in the Book of Records, and it shall ensure that the documents attached to the said report are properly kept.

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COUN. RODOLFO W. MOLDEZ, JR.

COUN. ALLEN F. AMPAYA
LPB President

COUN. JONAS ANGELO L. ABADILLA
SK Federation President

N°25-0473

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SECTION 13. Confidentiality of Records- All reports and records submitted to the LCPC Secretariat shall always be kept confidential and may not be released, except for compelling reasons or with the express consent of the data subject or his/her parents or through a court order.

SECTION 14. Seal of Child Friendly Business Establishment, Awards and Recognition – The City Government of Muntinlupa shall give a Seal of Child Friendly Business Establishment/Enterprise Award (SCFBEA) to all business establishments/enterprises operating and/or doing business within Muntinlupa City which had developed, formulated, promulgated and implemented their own Child Protection Policy in accordance with the provisions of this Ordinance as recognition for their steadfast and valuable commitment in making Muntinlupa the most livable City for children.

Business Establishments/Enterprises which are not compliant to the provisions of this Ordinance, shall not be entitled to receive the Award but shall however be directed to comply with the provisions of this Ordinance.

SECTION 15. ***Institution of Mechanisms, Composition of the Audit Team, Criteria and Procedures for the conduct of Muntinlupa City Child Friendly Business Establishment Audit (MCCFEA), Documentation and Modeling of Best Practices.*** -To carry out the purposes of this Ordinance, a mechanism, composition of the Audit Team, criteria and procedures for the conduct of the Child Friendly Business Establishment Audit shall be established. For this purpose, the LCPC-Technical Management Committee, in consultation with any and all members of the Council, shall effect the setting up of the mechanisms, criteria and procedures as well as determine all requirements and perform necessary acts to ensure its effective implementation. If necessary, shall facilitate the issuance of an Executive Order to carry out the objective of this provision.

Moreover, the Local Council for the Protection of Children, through the Audit Team, shall conduct documentation and modeling of the best practices of business establishments which in one way or another has exemplified their unyielding commitment in making the City of Muntinlupa the most livable and child friendly City for children.

SECTION 16. Schedule of Audit- The Muntinlupa City Child Friendly Business Establishment Audit (MCCFBEA) shall be held twice annually. The first schedule of Audit shall be for the period from January to June and the second shall be for the period from July to December of the year and for every year thereafter. Conduct of Audit on Business establishment shall be chosen randomly by the Audit Team.

CONCURRED:

DISTRICT 1:

COUN. ATTY. RAUL R. CORRO

COUN. ALEXSON V. DIAZ

COUN. PATY KATTY C. BONCAYAO

COUN. ATTY. RACHEL C. ARCIAGA

COUN. IVEE RHIA ARCIAGA-TADEFA

COUN. ALLAN REY A. CAMILON

COUN. JEDIDIAH R. PRESNEDI, LPT

COUN. TING D. NIEFES

DISTRICT 2:

COUN. MARK LESTER M. BAES

COUN. FRANCIS IAN T. BAGATSING

COUN. ENGR. MAMERTO T. SEVILLA, JR.

COUN. ENGR. MARISSA C. RONGAVILLA

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SECTION 17. Composition of the Audit Team. Composition of Audit Team shall be chosen from among the heads of the different offices/departments or competent officials or persons of the City Government of Muntinlupa who shall be appointed by the Chairperson of the LCPC through an Executive Order issued for the purpose. The office of the City Attorney shall be chosen as member of the Audit Team.

SECTION 18. Allowance. Members of the Audit Team shall be entitled to at least Two Thousand (Php 2,000.00) Pesos allowance for every Audit conducted, subject to the usual accounting and auditing laws, rules, and regulations."

SECTION 19.Monitoring and evaluation – A mechanism shall be established by the Local Council for the Protection of Children (LCPC) to monitor all offices, agencies and institutions in the implementation of projects, programs and activities related to child welfare and protection. LCPC is hereby given the authority to conduct monitoring and deputize City Government of Muntinlupa offices and personnel, if necessary.

SECTION 20. PENALTY. Any business establishment or enterprise operating and/or doing business within Muntinlupa City, violating or failing to comply with the provision of Section 5.2 under Section 5 hereof, shall be meted out with the following penalty:

FIRST OFFENSE : Fine of FIVE THOUSAND PESOS (Php5,000.00)

SECOND OFFENSE : Imprisonment of not more than 1 year or both fine and imprisonment at the discretion of the court

THIRD AND FINAL OFFENSE : Fine, Imprisonment and Revocation Of Business Permit

SECTION 21. Repealing clause – All other Ordinances, issuances, policies or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed or amended accordingly.

SECTION 22. Separability clause – If any part or provision of this ordinance is declared invalid or unconstitutional, it shall not affect the validity of the remaining provisions and will remain in force and effect unless amended, superseded, or repealed by another Ordinance.

SECTION 23. Effectivity- This ordinance shall take effect upon approval and compliance with the mandatory posting and publication requirements prescribed under Republic Act No. 7160 otherwise known as " The Local Government Code of 1991", without prejudice to the issuance of the Implementing Rules and Regulations to govern non-operational provisions hereof.

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Republic of the Philippines
CITY GOVERNMENT OF MUNTINLUPA
Sangguniang Panlungsod ng Muntinlupa

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MUNTINLUPA, PHILIPPINES
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By: Julia Siaboc

Resolution No. 2024-280

ENACTED, by the **10th *Sangguniang Panlungsod of Muntinlupa*** this **18th** day of ***December, 2024,*** on its ***8th Special Session***.

I HEREBY CERTIFY, as to the correctness of the foregoing ***Ordinance***.

CECILIA C. LAZARTE
Secretary to the Sanggunian

ATTESTED:

ARTEMIO A. SIMUNDAC
City Vice-Mayor/Presiding Officer

APPROVED:

ROZZANO RUFINO B. BIAZON
City Mayor

Date: 20 DEC 2024

Norie/10th SP

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MUN Muntinlupa Nakakaproud!