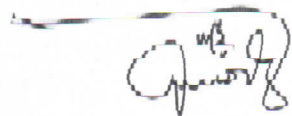
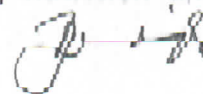


and practices offered during rest and recreation periods for members of the military.

- r) Sexual exploitation refers to participations by persons in prostitution or the production of pornographic materials as a result of being subjected to a threat, deception, coercion, abduction, force, abuse of authority, debt bondage, fraud or through abuse of a victim's vulnerability
- s) Debt Bondage-refers to the pledging by the debtor or his/her personal services or labour or those of a person under his/her control as security or payment of debt, when the length and nature of services is not clearly defined or when the values of the services as reasonably assessed is not applied toward the liquidation of the debt.
- t) Pornography- refers to any presentation, through publication, exhibition, cinematography, indecent show, information technology, or by whatever means, of a person engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a person for primarily sexual purpose.
- u) RA 7610- The Special Protection of Children against Child Abuse, Exploitation, and discrimination penalizes child prostitution and other sexual abuse, child trafficking, obscene publications and indecent shows and other acts of abuse.
- v) RA 8353- reclassifies Rape as an act against persons and provides for sexual assault as a form of rape.
- w) The Convention Rights of the Child (CRC)- the 1859 Declaration of the rights of the Child. It was adopted by the UN General Assembly on 20 November 1989 and ratified GRP on 26 July 1990.
- y) RA 9344- Juvenile Justice Welfare Act of 2006-This maintains that the State shall apply the principles of restorative justice in all its laws, policies and programs applicable to children in conflict with the law.
- z) PD 603- The Child and Welfare Code of the Philippines
a code to secure and rehabilitate the welfare of the youthful offenders, who is a child, minor, or youth , including one who is emancipated in accordance with law, who is over nine years but under eighteen years of age at the time of the commission of the offense.

A child nine years of age or under at the time of the commission of the crime shall be exempt from criminal liability and shall be committed to the care of his or her father or mother, or nearest relative of family friend in the discretion of the court and subject to its supervision. The same shall be done for a child over nine years and under fifteen years of age at the time of the commission of the offense, unless he acted with discernment in which case he shall be proceeded against in accordance with Article 192.

a.a) RA 8980-(ECCD) Early Childhood care & development is comprised of : CARING, for the basic health, nutrition and safety



needs of young children (0-6) and providing for the MULTIDIMENSIONAL growth of their mental, emotional and social DEVELOPMENT.

b.b.) RA 8172- the ASIN LAW required that all salt for human and animal consumption be iodized to eliminate iodine deficiency disorders including mental and physical impairment.

c.c) E.O. 51 of the MILK CODE regulates the marketing of infant formula, follow-on formula, milk products, bottled complementary foods, feeding bottles and teats and other products that substitute or replace breast milk.

d.d RA 6972 -this makes the Day Care center a venue for comprehensive delivery of services for children.

e.e.) RA 8980 provides for comprehensive policy for Integrated ECCD services.

f.f.) RA 9155 of the Governance of Basic Education Act- promotes school-based management, deconcentration of education management to school divisions and schools and sharing of responsibilities with local government units.

g.g.) The Civil Registry Law under the Civil Code of the Philippines provides for the registration of births, deaths, and civil status of persons.

h.h) RA 7875- (National Health Insurance Act) seeks to prioritize and accelerate the provisions of health services to all Filipinos, especially the segment of the population who cannot afford such services

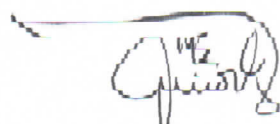
i.i.) Blood Services Act) seeks to promote adequate, safe and affordable and equitable distribution of supply of blood and blood products.

j.j.) PD 96, RA 7846, and Proclamation No. 46 are issuances that promote compulsory immunization of infants and children below eight years that include vaccines, against BCG, DPT OPV, measles, rubella and hepatitis B. The common illnesses and leading causes of death among infants and young children can be prevented by these vaccines.

k.k.) RA 8976- or Food Fortification Law requires the mandatory fortification of staples such as rice, flour, and sugar with iron and Vitamin A.

l.l.) PD 856 or Sanitation Code of the Philippines-consolidated sanitary laws to keep with modern standards of sanitation. There are still children in many parts of the country getting sick or even dying from water-borne diseases.

m.m.) RA 9165- provides for the rehabilitation of minor drug offenders and suspension of sentence of minor drug offenders.



n.n.) RA 8369- establishes Family Courts which have jurisdiction over cases involving minors either the victims or offenders including custody cases.

n.o.) Partners for Children's Welfare Advocacy- Lead agency Convention for the Welfare of Children, UNICEF, Plan Philippines, Save the Children -UK, Open-Heart Foundation, ECPAT Philippines, Consuelo Foundation and DSWD

p.p.) HIV- Human Immuno-Deficiency virus

q.q) AIDS- Acquired Immuno-deficiency syndrome

r.r) RA 6425 as amended- The Dangerous Drugs Act of 1972
This is the Act for the crimes relative to opium and other prohibited drugs.

ARTICLE II PROTECTION RIGHTS OF CHILDREN

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

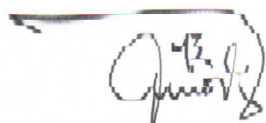
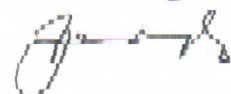
Section 5. Rape as a crime against person is defined by Section 2 of RA 8353.

Rape is committed-

1) By a man who shall have a carnal knowledge of a woman under any of the following circumstances:

- a) Through force, threat or intimidation;
- b) When the offended party is deprived of reason or otherwise unconscious;
- c) By means of fraudulent machination or grave abuse of authority; and
- d) When the offended party is under twelve (12) years of age or is demented, even though none of the circumstances mentioned above be present.

2) By any person who, under any of the circumstances mentioned in paragraph 1, hereof, shall commit an act of sexual assault by inserting his penis into another person's mouth or anal orifice, or



any instrument or object, into the genital or anal orifice of another person.

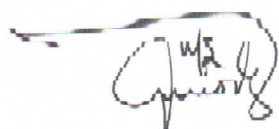
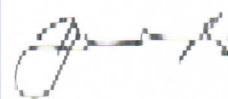
"Article 266-B Penalties. Penalties - Rape under paragraph 1 of the next preceding article shall be punished by reclusion perpetua.

"Whenever the rape is committed with the use of a deadly weapon or by two or more persons, the penalty shall be reclusion perpetua to death.

" When by reason or on the occasion of the rape, the victim has become insane, the penalty shall be reclusion perpetua to death.

"The death penalty shall also be imposed if the crime of rape is committed with any of the following aggravating /qualifying circumstance:

- 1) When the victim is under eighteen (18) of age and the offender is a parent, ascendant, step-parent, guardian, relative by consanguinity or affinity within the third civil degree, or the common law spouse of the parent of the victim;
- 2) When the victim is under the custody of the police or military authorities or any law enforce or penal institution;
- 3) When the rape is committed in full view of the spouse, parent, or any of the children or other relatives within the third civil degree of consanguinity;
- 4) When the victim is a religious engaged in legitimate religious vocation or calling and is personally known to be such by the offender before or at the time of the commission of the crime;
- 5) When the victim is a child below seven (7) years old;
- 6) When the offender knows that he is afflicted with Human Immuno Deficiency Virus (HIV) Acquired Immune Deficiency Syndrome (AIDS) or any other sexually transmissible disease and the virus or disease is transmitted to the victim;
- 7) When committed by any member of the Armed Forces of the Philippines or para-military units thereof or the Philippines National Police or law enforce agency or penal institution, when the offender took advantage of his position to facilitate the commission of the crime;
- 8) When by reason or on the occasion of the rape, the victim has suffered permanent physical mutilation or disability;
- 9) When the offender knew of the pregnancy of the offender party at the time of the commission of the crime; and
- 10) When the offender knew of the mental disability, emotional disorder and/or physical handicap of the offended party at the time of the commission of the crime.



Rape under paragraph 2 of the next preceding article shall be punished by prison mayor;

1. Whenever the rape is committed with the use of a deadly weapon or by two or more persons, the penalty shall be prison mayor to reclusion temporal.

2. Whenever the rape is attempted and a homicide is committed by reason or on the occasion thereof, the penalty shall be reclusion temporal to reclusion perpetua.

3. When by reason or on the occasion of the rape, homicide is committed the penalty shall be reclusion perpetua.

4. Reclusion Temporal shall also be imposed if the rape is committed with any of the ten aggravating/qualifying circumstances mentioned in this article.

Article 266-C Effect of Pardon - The subsequent valid marriage between the offender and the offended party shall extinguish the criminal action or the penalty imposed.

In case it is the legal husband who is the offended, the subsequent forgiveness by the wife as the offended party shall extinguish the criminal action or the penalty: Provided, That the crime shall not be extinguished or the penalty shall not be abated if the marriage is void ab initio.

Article 266-D, Presumptions.-Any physical overt act manifesting resistance against the act of rape in any degree from the offended party, or where the offended party is so situated as to render her/him incapable of giving valid consent, may be accepted as evidence in the prosecution of the acts punished under Article 266-A"

Section 6. This Ordinance also shall adopt RA 8505 which is " An Act Providing Assistance and Protection for the Rape Victims, establishing for the Purpose a Rape Crisis Center in every Province and City or Municipality, authorizing the Appropriation of Funds therefore, and for other Purposes-", altogether with its Implementing Rules and Regulations for the Rape Victims Assistance and Protection Act of 1998. The duties and responsibilities of the investigating police officer, examining physician, prosecutor and social worker or crisis workers shall also be governed by the same Act. The confidentiality and privacy of the Rape survivors shall be strictly observed and maintained by the public officials in charged thereto, subject to penalty prescribed by the same Act.

Section 7. Child and Other Sexual Abuse. Children, whether male or female, who for money, profit or any other consideration or due to the coercion or influence of any adult, syndicate or groups, indulge in sexual intercourse or lascivious conduct, are deemed to be children exploited in prostitution and other sexual abuse.

The penalty as prescribed in Section 5 of Republic Act No. 7610 (Special Protection of Children against Child Abuse, Exploitation and Discrimination Act) shall be imposed upon the following:

