



Republic of the Philippines
Province of Oriental Mindoro
MUNICIPALITY OF ROXAS

OFFICE OF THE SANGGUNIANG BAYAN

EXERPTS FROM THE MINUTES OF THE 21st REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ROXAS, ORIENTAL MINDORO HELD ON 22 JUNE 2009, 9:30 A.M. AT THE SANGGUNIANG BAYAN SESSION HALL.

Present:

Vice Mayor Violeta L. Dimapilis	- Presiding Officer
Councilor Jocelyn G. Solabo	- Member
Councilor Angeles D. Bautista	- Member
Councilor Hernan C. Erorita	- Member
Councilor Bernabe S. Mortel	- Member
Councilor Napoleon M. Dimapilis	- Member
Councilor Mary Jamaica Jeigh Q. Sarmiento	- Member, MSKF President

Absent:

Councilor Agustin L. Cusi	- Member
Councilor Cesar T. Baticos	- Member
Councilor Edren Y. Faderon	- Member
Councilor Rufino D. Lumbres	- Member, Liga President

RESOLUTION NO. 034
Series of 2009

RESOLUTION ENACTING MUNICIPAL ORDINANCE NO. 01 SERIES OF 2009 AN ORDINANCE PROVIDING FOR A COMPREHENSIVE CHILDREN AND FAMILY SUPPORT SYSTEM IN THE MUNICIPALITY OF ROXAS, ORIENTAL MINDORO AND FOR OTHER PURPOSES.

WHEREAS, it is the policy of the Local Government to uphold the rights of children for survival, protection, participation and development:

WHEREAS, the Code shall work for the respect for the role of the family by providing the children the necessary support by providing the mechanics for child care and development from infancy including earliest stages of childhood to adolescence.

NOW THEREFORE on motion of Councilor Jocelyn G. Solabo duly seconded by Councilors Angeles D. Bautista, Hernan C. Erorita, Bernabe S. Mortel, Napoleon M. Dimapilis and Mary Jamaica Jeigh Q. Sarmiento -

BE IT RESOLVED to enact as it hereby enacts Municipal Ordinance No. 01 series of 2009 of the Municipality of Roxas, Oriental Mindoro, to wit:

MUNICIPAL ORDINANCE NO. 01
Series of 2009

**AN ORDINANCE PROVIDING FOR A COMPREHENSIVE CHILDREN
AND FAMILY SUPPORT SYSTEM IN THE MUNICIPALITY OF
ROXAS, AND FOR OTHER PURPOSES.**

Be it Ordained by the Sangguniang Bayan, Municipality of Roxas, that:

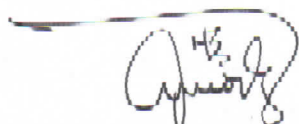
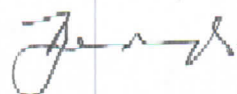
Section 1. Title. This ordinance shall be known as the "The Comprehensive Children and Family Support System in the Municipality of Roxas, Oriental Mindoro otherwise known as "The Children's Welfare Code of the Municipality of Roxas, Oriental Mindoro."

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

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

The Children's Welfare Code of Roxas shall also envision that every Roxaseno child be:

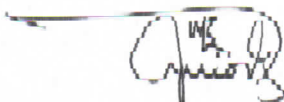
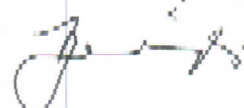
1. born healthy and well with an inherent right to life, endowed with human dignity;
2. happy, loved and nurtured by a strong, stable and God-loving family;
3. living in a peaceful, progressive, gender-fair and child friendly society;
4. growing safely in a healthy environment and ecology;
5. free and protected by a responsive and enabling environment;
6. reaching his/her full potential with the right opportunities and accessible resources;



7. imbued with Filipino values steeped in his/her indigenous heritage;
8. assertive of his/her rights as well as those of others;
9. actively participating in decision-making and governance in harmony and solidarity with others, and sustaining the Filipino nation.

Section 3. Definition of Terms.

- a) "Children" refers to persons below eighteen (18) years of age or those over but are unable to fully take care of themselves or protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of the physical or mental disability condition;
- b) "Survival Rights" deal with the provision in relation to parental and governmental duties and liabilities, adequate living standard and access to basic health and health service and social security.
- c) "Development Rights" pertain to the access of a child to the educational opportunities, access to relevant information, play, leisure, cultural activities and the right of freedom of thought, conscience and religion.
- d) "Protection Rights" cover those which guard children against all forms of child abuse, exploitation and discrimination in the major areas where a child is considered in extremely difficult circumstances.
- e) "Participation Rights" include the child's freedom to express oneself in matters affecting his/her as part of preparation for the responsible parenthood and to freedom of association.
- f) "Child Abuse" refers to the maltreatment of the child, whether habitual or not which includes any of the following:
 - 1) Psychological and physical abused , neglect, cruelty, sexual abused and emotional maltreatment;
 - 2) Any act by deeds or words which debases, degrades, or demeans the intrinsic worth and dignity of a child as a human being;
 - 3) Unreasonable deprivation of his/her basic needs of survival such as food and shelter; or
 - 4) Failure to immediately give medical treatment to an injured child resulting in serious impairment of his/her growth and development or permanent incapacity of death.
- g) "Circumstances which gravely threaten or endanger the survival and normal development of children" include, but not limited to the following:



- 1) Being in the community where there is armed conflict or being affected by armed conflict-related activities;
 - 2) Working under conditions hazardous to life, safe and normal development or working without the provision for their education;
 - 3) Living or in fending for themselves in the street of urban and rural areas without the care of parents and guardian or any adult supervision needed for their welfare;
 - 4) Being a member of an indigenous cultural community and/or living under condition of extreme poverty or in an area which is under developed and/or lack or has inadequate access to basic services needed for a good quality life;
 - 5) Being with family member of guardians having psychological problems grave enough for them to commit incest, siblings rape, lascivious acts and other forms of physical and mental abuse.;
 - 6) Being a victim of man-made natural disaster or calamity;
 - 7) Being a victim of an illegal transnational union or child trafficking;
 - 8) Circumstances analogous to those above stated which endanger the life, safety or normal development of children.
- h) "Comprehensive Children's Support Systems Against Child Abuse, Exploitation and Discrimination" refers to the coordinated program of services and facilities to protect children against;
- 1) Child prostitution and other sexual abuse;
 - 2) Child Trafficking;
 - 3) Obscene publications and indecent shows;
 - 4) Other acts of abuse;
 - 5) Circumstances which threaten or endanger the survival and normal development of children or as prescribed in the UN Convention on the Rights of the Child.
- i) "Comprehensive Support System for the Development of Children" also refers to the coordinated programs of services and facilities outlined in Section 3 of RA 6972 and as prescribed by the UN Convention on the rights of the Child.
- j) "Municipality of Roxas Special Office for Children's Concerns"(MRSOCC) refers to the office which shall be created by the local government of the Municipality of Roxas responsible for the implementation of this Ordinance.
- k) Junk food" are foodstuffs which are processed with artificial flavors, coloring and preservatives and which have been found to contain carcinogenic elements harmful for the body or those sold beyond their expiry period

l) "Anti- Social Related Activities" are those acts against property, chastity and person which include but not limited to the following:

- Petty crimes such as snatching, shoplifting, misrepresentation;
- Using the child for pushing prohibited drugs or abusive substances selling illegal or lewd reading materials;
- Pimping for young and old prostitute and sexual perversions, doing or participating in obscene shows;
- Gambling of any form;
- Rape and incest;
- Alliance with or membership to any fraternity, gang or any illegal organization purposely taking part in the commission of illegal acts;
- Leaders/organizers of any illegal organization who violates anti-hazing law and practices;

• Any other circumstances as defined in the existing laws.

m) "Benefit Dance" refers to a dance in the locality where young girls and boys in the process are being commodified for fund raising purposes.

n) Prostitution- refers to any act, transaction, scheme, or design involving the use of a person by another, for sexual intercourse or lascivious conduct in exchange for money, profit or any other consideration.

o.) RA 9208-Anti- Trafficking in Persons Act of 2003- trafficking in persons- refers to the recruitment, transportation, transfer or harbouring, or receipt of persons across or without the victim's consent or knowledge, within or other forms of coercion, abduction, fraud, deception, abuse of power or of position, taking advantage of the vulnerability of the person, or, giving or receiving of payments or benefits to achieve the consent of a person for the purpose of exploitation which includes at a minimum, the exploitation or the prostitution of others or other forms of sexual exploitation or the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery, servitude or the removal or sale of organs.

The recruitment, transportation, transfer, harboring or receipt of a child for the purpose of exploitation shall also be considered as " trafficking in persons" even if it does not involve any of the means set forth in the preceding paragraph.

p) Forced Labor or Slavery refer to the extraction of work or services from any person by means of enticement, violence, intimidation or threat, use of force or coercion, including deprivation of freedom, abuse of authority, or moral ascendancy, debt bondage or deception.

q) Sex Tourism-refers to a program organized by travel and tourism-related establishments and individuals which consists of tourism packages or activities, utilizing and offering escort and sexual services as enticement for tourists. This includes sexual services

