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Republic of the Philippines Province of Zamboanga del Sur **MUNICIPALITY OF BAYOG** 7011

OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 13-219-17 THE CHILD AND YOUTH WELFARE CODE OF THE MUNICIPALITY OF BAYOG, ZAMBOANGA DEL SUR

BE IT ENACTED, by the 13thSangguniang Bayan of Bayog, Zamboangadel Sur on its 64TH Regular Session held at the Municipal Session Hall on November 6, 2017 at 9:00 a.m.

WHEREAS, it is a declared state policy under the Philippine Constitution to recognize the vital role of the youth in nation building and to promote their physical, moral, spiritual, intellectual, and social well-being;

WHEREAS, consistent with the state policy, the Municipality envisions the children of Bayog to be happy, loved and God-centered, with sound mind and healthy body, living in a child-responsive environment, actively participating in nation building, empowered, and intellectually at par to be globally competitive;

WHEREAS, the municipality also recognizes the vulnerability of children/youth sector and the need for measures to protect their rights and to ensure the full development of their potentials; thus, this code;

NOW THEREFORE, it was unanimously agreed by all the members present, there being a quorum, it was

RESOLVED AND APPROVED the CHILD AND YOUTH WELFARE CODE OF THE MUNICIPALITY OF BAYOG, ZAMBOANGA DEL SUR THAT:

CHAPTER 1 GENERAL PROVISIONS

Article 1. POLICY AND APPLICATION

SECTION 1. TITLE. This Ordinance shall be known as the "The Child and Youth Welfare Code of the Municipality of Bayog, Zambaongadel Sur".

SECTION 2. DECLARATION OF POLICY AND PRINCIPLES. It is the policy of Municipality of Bayog, Province of Zamboanga del Sur to give high priority to the promotion of the total growth and development of children. It shall ensure that the rights of children are fully protected and respected with the active support and participation and/or concerted efforts with the parents, families, communities, people's organization (PO), non-governmental organization (NGO) and other sectors of the society.

- a) The Municipality of Bayog, Province of Zamboanga del Sur shall give priority to education of children/youth, especially the deserving and underprivileged, as a strategy to free them and their families from the bondage of poverty;
- b) The Municipality of Bayog, Province of Zamboanga del Sur shall exert its best efforts to inculcate in children/youth positive values, genuine love for God and country and sense of identity and pride as Bayoganon and Filipinos;
- c) The Municipality of Bayog, Province of Zamboanga del Sur shall mold its youth to become model and responsible citizens. Towards the above ends, the Municipality of Bayog, Province of Zamboanga del Sur shall:
 - 1. Protect the child from all forms of maltreatment by parents or other responsible for the care of the child and to establish appropriate social programs for the prevention of abuse and the treatment of victims;

- 2. Provide special protection for child deprived of the family environment and to ensure that appropriate alternative family care of institutional placement is available in such cases. Efforts to meet this obligation shall pay due attention to the child's cultural background
- 3. Protect children from sexual exploitation and abuse, including prostitution and involvement in and/or exposure to pornography or any form of violence.
- 4. Exert every effort against the sale, trafficking and abduction of children.
- 5. Ensure that primary education is free and compulsory, to encourage different forms of secondary education accessible to every child and to make higher education available to all on the basis of capacity. School discipline shall be consistent with the child's rights and dignity.

SECTION 3. RULES OF CONSTRUCTION. In case of doubt, the interpretation of any of the provisions of this Code, including its implementing rules and regulations, shall be construed liberally in favor of the child/youth.

SECTION 4. DEFINITION OF TERMS:

- a) ABANDONED CHILD is one who has poor or no proper parental care of guardianship, or whose parents or guardians have deserted him for a period of at least six (6) months.
- b) ANTI-SOCIAL RELATED ACTIVITIES are those acts committed against chastity and person which include, but not limited to, the following: petty crimes, such as snatching, shoplifting, misrepresentation; using and pushing prohibited drugs, selling illegal or lewd reading materials; pimping for young and old prostitutes and sexual perversions, doing or participating in obscene shows and gambling of any form.
- c) BAIL refers to the security given for the release of the person in custody of the law, furnished by him/her or a bondsman, to guarantee his/her appearance before any court. Bail may be given in the form of corporate security, property bond, cash deposit, or recognizance.
- d) **BCPC –** Barangay Council for the Protection of Children.
- e) BEST INTEREST OF THE CHILD refers to the totality of the circumstances and conditions which are most congenial to the survival, protection and feelings of security of the child and most encouraging to the child's physical, psychological and emotional development. It also means the least detrimental available alternative for safeguarding the growth and development of the child.
- f) CENTER Holding Center refers to a room or holding area in the Municipal hall where minors or minor students violating this ordinance are held. This term includes barangay hall in every barangay or room designated by the Sangguniang Barangay as Holding Center.
- g) CHILD refers to a person below eighteen (18) years of age, or those over 18 years but is unable to fully take care of himself or protect himself/herself from abuse, neglect, cruelty, exploitation or distribution or discrimination because of a physical or mental disability or condition.
- h) **CHILD ABUSE –** refers to the maltreatment, whether habitual or not, of the child which includes any of the following:
 - (1) Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;
 - (2) Any act which tends to debase, degrade or demean the intrinsic worth and dignity of a child as a human being;

- (3) Unreasonable deprivation of his/her basic needs for survival, such as food and shelter;
- (4) Failure to immediately give medical treatment to an injured children resulting in serious impairment of his growth and development of in his permanent incapacity or death.
- CHILD AT RISK refers to a child who is vulnerable to and at the risk of committing criminal offenses because of personal, family and social circumstances, such as, but not limited to, the following:
 - Being abused by any person through sexual, physical, psychological, mental, economic or any other means and the parents or guardian refuse are unwilling, or unable to provide protection for the child;
 - (2) Being exploited including sexually or economically;
 - (3) Being abandoned or neglected, and after diligent search and inquiry, the parent or guardian cannot be found;
 - (4) Coming from a dysfunctional or broken family or without a parent or guardian;
 - (5) Being out of school;
 - (6) Being a streetchild;
 - (7) Being a member of a gang;
 - (8) Living in a community with a high level of criminality or drug abuse; and
 - (9) Living in situations of armed conflict.
- j) CHILD IN CONFLICT WITH THE LAW refers to a child who is alleged as, accused of, or adjudged as, having committed an offense under this Code and/or Philippine laws.
- k) CHILDREN IN NEED OF SPECIAL PROTECTION (CNSP) refer to children living under circumstances which gravely threaten or endanger their survival and normal development as defined under Section 4(ii) hereof to include children in worst forms of child labor, neglected and abandoned children, street children, victims of commercial and sexual exploitation, victims of child abuse, children in situations of armed conflict, children in conflict with law, children in various forms of disability and children of indigenous people.
- I) **CHILDREN'S PROTECTION DESK** is a section in police stations specifically manned by police officers trained in dealing with child cases.
- m) COMMITMENT is the legal act of entrusting a child to the care of the Municipal Social Welfare and Development Office or any duly licensed similar child placement agency or individual.
- n) COMMUNITY-BASED PROGRAMS refers to the programs provided in a community setting developed for purposes of intervention and diversion, as well as rehabilitation of the child conflict with the law, for reintegration into his/her family and/or community.
- o) **COURT –** refers to a family court or any trial court.
- p) DEVELOPMENT RIGHTS pertains to the access of a child to educational opportunities, access to relevant information, play, leisure, cultural activities and the right to freedom of thoughts, conscience and religion.

- q) DEPRIVATION OF LIBERTY refers to any form of detention or imprisonment, or to the placement of a child in conflict with the law in a public of private custodial setting, from which the child in conflict with the law is not permitted to leave at will by order of any judicial or administrative authority.
- r) DIVERSION refers to an alternative, child-appropriate process of determining the responsibility and treatment of a child in conflict with the law on the basis of his/her social, cultural, economic, psychological or educational background without resorting to formal court proceedings.
- s) DIVERSION PROGRAM refers to the program that the child in conflict with the law is required to undergo after he/she is fond responsible for an offense without resorting to formal court proceedings.
- t) INITIAL CONTACT WITH THE CHILD refers to the apprehension or taking into custody of a child in conflict with the law by law enforcement officers or private citizens. It includes the time when the child alleged to be in conflict with the law receives a subpoena under Section 3 (b) of Rule 112 of the Revised Rules of Criminal Procedure or summons under Section 6(a) or Section 9(b) of the same Rule in cases that do not require preliminary investigation or where there is no necessity to place the child alleged to be in conflict with the law under immediate custody.
- u) INTERVENTION refers to a series of activities which are designed to address issued that cause 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.
- v) 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.
- w) **LAW ENFORCEMENT OFFICER** refers to the person in authority or his/her agent as defined in Article 152 of the Revised Penal Code, including a barangay tanod.
- x) MSWDO Municipal Social Welfare and Development Office
- y) MCPC Municipal Council for the Protection of Children
- z) **BMPS** Bayog Municipal Police Station
- aa) **NEGLECTED CHILD** is one whose basic needs have been deliberately unattended or inadequately attended.
 - (1) Emotional neglect exist when children are maltreated, raped or seduced, when children are exploited, overworked or made to work under conditions not conducive to good health, or are made to beg in the streets or public places.
 - (2) Physical neglect exist when the child is malnourished, ill clad and without proper shelter.
- bb) **OFFENSE –** refers to any act or omission whether punishable under special laws or the Revised Penal Code, as amended.
- cc) **PARTICIPATION RIGHTS** include the child's freedom to express oneself in matters affecting his/her life as part or preparation fro responsible parenthood and to freedom of association.

- dd) **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 an extremely difficult circumstance.
- ee) PNP Philippine National Police
- ff) RECOGNIZANCE refers to an undertaking in lieu of a bond assumed by a parent or custodian who shall be responsible for the appearance in court of the child in conflict with the law, when required.
- gg) **STATUS OFFENSES** refers to offenses which discriminate only against a child, while an adult does not suffer any penalty for committing similar acts. These shall include curfew violations; truancy, parental disobedience and the like.
- hh) **STREETCHILDREN –** The following person are considered streetchildren:
 - Those below eighteen (18) years old who are found loitering within the streets of the Municipality of Bayog, Province of Zamboanga del Sur without any purpose or visible means of support;
 - (2) Those engaged in selling sampaguita, cigarettes, newspapers, and any other products or commercial items in the municipal streets; or
 - (3) Those found begging, sniffing rugby and other solvent products, pick pocketing, and doing other illegal activities.
- ii) **SURVIVAL RIGHTS** are those which relate to parental and governmental duties and liabilities, adequate living standards and to basic health and health services and social security towards the interest and welfare of children.
- jj) YOUTH DETENTION HOME refers to a 24-hour child-caring institution managed by accredited local government units (LGU's) and licensed and/or accredited care for children in conflict with the law who are awaiting court disposition of their cases or transfer to other agencies or jurisdiction.
- kk) **YOUTH REHABILITATION CENTER –** refers to a 24-hor residential care facility managed by the Department of Social Welfare and Development (DSWD), LGUs license and/or accredited NGOs monitored by the DSWD, which provides care, treatment and rehabilitation services for children in conflict with law. Rehabilitation services are provided under the guidance of a trained staff where residents are cared for under a structured therapeutic environment with the end view of reintegrating them into their families and communities as socially functioning individuals. Physical mobility of residents of said centers may be restricted pending court disposition of the charges against them.
- II) VICTIMLESS CRIMES refers to offenses where there is no private offended party.

CHAPTER II CHILDREN'S RIGHTS

SECTION 5. RIGHTS OF CHILDREN. All children in the Municipality of Bayog, Province of Zamboanga del Sur shall be entitled to the rights hereinafter set forth, as provided in the Convention on the Rights of Children (CRC), in addition to those rights espoused in the 1987 Constitution, Child and Youth Welfare Code (P.D. 603) and The Special Protection Act (R.A. No. 610), Juvenile Justice and Welfare Act of 2006 (R.A. No. 344) and other related laws, irrespective of the child's race, color, sex, language, religion, ethnic or social origin, property, disability, birth or other status.

- (a) The inherent right to life, and the State, as ParensPatriae, as well as the Municipality, has an obligation to ensure every child's survival and development;
- (b)The right to express his view freely or without fear of rejection in all matters which affects his or her left and his opinion should be given due weight depending on his or her age and maturity.
- (c) To freedom of expression, except if it will violate or jeopardize the rights of reputation of other or for the protection of national security, public order, public health of morals;
- (d)No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, not to unlawful attacks on his/her honor and reputation;
- (e) To freedom of thought, conscience and religion, subject to proper guidance by his parents or legal guardians;
- (f) To avail himself or herself of information and materials aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health;
- (g)To leisure, and to participate freely in recreational, cultural and art activities appropriate for his or her age.
- (h)The child shall be registered immediately after birth and shall have the right from birth to name, the right to acquire a nationality, name and family relations as recognized by law without unlawful interference.
- (i) To preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.
- (j) To live with his or her parents unless this is deemed to be incompatible with the child's best interests. The child has also the right to maintain contact with both parents, if separated from one or both.
- (k) Children and their parents have the right to leave any country and to enter their won for purpose of reunion or the maintenance of the child-parent relationship.
- (I) To meet with others, and join or reform associations.
- (m) A disabled child has the right to special care, education, and training to help him or her enjoy a full and decent life in dignity and achieve the greatest degree of selfreliance and social integration possible.
- (n) To the highest standard of health and medical care attainable. The Municipal Government shall place special emphasis on the provision of primary and preventive health care, public health education and the reduction of infant mortality.
- (o)A child who is places by the Municipal Government for reasons of care, protection or treatment is entitled to have that placement evaluated regularly.
- (p)To benefit from social security including social insurance.
- (q)To a standard of living adequate for his or her physical, mental, spiritual, moral and social development. Parents have the primary responsibility to ensure that the child has an adequate standard of living. The Municipal Government's duty is to ensure that this responsibility can be fulfilled. The government can include material assistance to parents and their children.
- (r) Education shall aim at developing the child's personality, talents, and mental physical abilities to the fullest extent. Education shall prepare the child for an active adult life in a free society and foster respect for the child's parents, his or her own cultural identity, language and values, and for the cultural background and values of others.

- (s) Children of minority communities and indigenous populations have the right to enjoy their own culture and to practice their own religion and language.
- (t) To be protected from work that threatens his or her health, education and development.
- (u)To protection from the use of narcotics and psychotropic drugs, and from being involved in their production or distribution.

SECTION 6. RIGHTS OF THE CHILD IN CONFLICT WITH THE LAW. Every child in conflict with the law shall have the following rights, including but not limited to:

- (a) The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment;
- (b) The right not to be imposed a sentence of capital punishment or life imprisonment, without the possibility of release;
- (c) The right not to be deprived unlawfully or arbitrarily, of his/her liberty; detention or imprisonment being a disposition of last resort, and which shall be for the shortest appropriate period of time;
- (d) The right to be treated with humanity and respect, for the inherent dignity of the person, and in a manner which takes into account the needs of a person of his/her age. In particular, a child deprived of liberty of liberty shall be separated from adult offenders at all times. No child shall be detained together with adult offenders. He/she shall be conveyed separately to or from court. He/she shall await hearing of his/ her own case in a separate holding area. A child in conflict with the law shall have the right to maintain contact with his/her family through correspondence and visits, save in exceptional circumstances;
- (e) The right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his/her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on such action;
- (f) The right to bail and recognizance, in appropriate cases;
- (g) The right to testify as a witness in his/her own behalf under the rule on examination of child witness;
- (h) The right to have his/her privacy respected fully at all stages of the proceedings;
- (i) The right to diversion if he/she is qualified and voluntarily avails of the same;
- (j) The right to be imposed a judgment in proportion to the gravity of the offense where his/her best interest, the rights of the victim and the needs of society are all taken into consideration by the court, under the principle or restorative justice;
- (k) The right to have restrictions on his/her personal liberty limited to the minimum, and where discretion is given by law to the judge to determine whether to impose fine or imprisonment, the imposition of fine being preferred as the more appropriate penalty;
- (I) In general, the right to automatic suspension of sentence;
- (m) The right to probation as an alternative to imprisonment, if qualified under the Probation Law;
- (n) The right to be free from liability for perjury, concealment or misrepresentation; and
- (o) Other rights as provided for under existing laws, rules and regulations.

Page 8....MO13-219A-17

The Municipality further adopts the provisions of the United Nations Standard Minimum Rules for the Administration of Juvenile Justice of "Beijing Rules", United Nations Guidelines for the Prevention of Juvenile Delinquency or the "Riyadh Guidelines", and the United Nations Rules for the Protection of Juvenile Deprived of Liberty.

SECTION 7. PARTICIPATION RIGHTS OF CHILDREN.

a) Participation rights of children in decision-making processes:

The children in the family, school, community or their organization or institution shall be heard. Each child regardless of sex, age and tribe has the right to express his or her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child. It shall be the responsibility of the adults to provide opportunities for children to express his or her views obtain information, make ideas or information known, regardless of tribe, religion, age and sex.

b) Installation of mechanism for participation in policy and program formulation in the Municipal Government.

It is important to consult and provide venue for the expression of views relevant to the Municipal Government's policies. It is therefore proper that children seven to twelve (7-12) years old and thirteen to eighteen (13-18) years old are convened to a meeting through their representatives, on a once a year basis, specifically during the children's month, which is December. Non-government organizations (NGO's) concerned with these groups of children shall be part of the process in both preparation and evaluation of the convention. Detailed implementing rules and guidelines shall be drafted by the SangguniangKabataan Municipal Federation (SKMF) in coordination with the Municipal Council for the Protection of Children.

CHAPTER III BASIC HEALTH, NUTRITION AND WELFARE

SECTION 8. EARLY CHILDHOOD CARE AND DEVELOPMENT PROGRAM. The Municipality of Bayog, Province of Zamboanga del Sur government shall initiate for the care of 0-4 years old children through the early childhood care and development program which shall be supervised and implemented by the MSWDO.

SECTION 9. PROMOTION OF PRIMARY HEALTH CARE PROGRAM. The Barangay Health Center shall impellent the primary health care program. Each barangay health center shall have a Barangay Child Health Officer who shall monitor child health in the barangay level with a salary/honorarium commensurate to the task assigned. To further ensure the implementation of Section 12 of this Ordinance the Municipal Government, through the Municipal Health Office, in particular, shall take appropriate measures:

- 1) To combat disease and malnutrition within the framework of primary health care, through the application of readily available technology and through the provision of adequate health care services;
- To establish a comprehensive Parent Orientation Development Program which include course on reproductive health, child health and child rearing practices in the context of Filipino psychology.
- 3) To conduct massive information and education on breastfeeding utilizing existing reference materials for effective breastfeeding edification program.

SECTION 10. CHILD FRIENDLY EMERGENCY CLINIC IN THE MUNICIPALITY OF BAYOG, PROVINCE OF ZAMBOANGA DEL SUR. The Municipal Health Office shall set-up child-friendly units to include rooming-in-facilities and pediatric-appropriate mechanisms and gadgets. Page 9....MO13-219A-17

SECTION 11. LOCAL CHILDREN LITERATURE. In support of the socio-cultural development of children in the Municipality of Bayog, Province of Zamboanga del Sur, the Municipal Government shall invest in the production of local literature of other relevant materials for children.

CHAPTER IV PROHIBITED ACTS AGAINST CHILDREN

SECTION 12. PROHIBITED ACTS. The following are prohibited acts punishable under existing laws, rules and regulations:

- a) All acts and activities of streetchildren defined under Section 4 (hh) hereof, are hereby considered as prohibited acts.
- b) Any person who shall coerce , force or intimidate a streetchild or any other child to:
 - 1) Beg or use begging as a means of living;
 - 2) Act as middlemen in drug-trafficking or drug pushing; or
 - 3) Conduct any illegal activities.
- c) Parent/s, guardian/s or family member/s who encourage their children to engage in the above-mentioned prohibited acts, without legal and moral jurisdiction.

CHAPETR V REGULATORY PROVISIONS ON LEISURE AND CULTURAL ACTIVITIES

ARTICLE 1

REGULATING THE PLAYING/SELLING DISTRIBUTION OF VIDEO GAMES CONSOLES AND SOFTWARE, MACHINES, FAMILY COMPUTERS AND OTHER SIMILAR ITEMS/MACHINES FOUNDF IN AMUSEMENT/GAMING CENTERS, INTERNET CAFES, MALLS AND OTHER SIMILAR ESTABLISHMENTS.

SECTION 13. The operation of billiard hall or any kind of video machine, arcade, family/personal computer used for games and other similar contraption within the radius of two hundred (200) meters from any education or religious institution is prohibited.

SECTION 14. All minors, particularly school children, are absolutely restricted to play in billiard halls or the above mentioned devices found in amusement centers, malls and other similar establishments located in Municipality of Bayog, Province of Zamboanga del Sur, during school hours from 7:00 A.M. to 5:00 P.M. Mondays to Fridays. Operators and owners of these machines must strictly implement this prohibition, under penalty of law.

SECTION 15. Minors may be allowed play in billiard halls and/or videogames, pisonet machines and other similar equipment at the above mentioned establishments only during Saturdays and Sundays, Legal Holidays, summer and Christmas vacations. However, minor may be allowed to enter the said establishments from Mondays to Fridays even during school hours solely for the purpose of conducting a research for school assignments or projects, provided that, the minor must present a valid school ID and permission slip duly signed by his/her teacher-adviser, school officials or parent/guardian or is accompanied personally by the teacher or parent/guardian.

The owner/operator/proprietor of the computer rental establishment must enter in a record book the name of the minor, the time and day of entry and the name of person who issued the permission slip or accompanying the minor. The records book must be maintained for inspection by the authorized representative of the Office of the Mayor.

Page 10.....MO13-219A-17

SECTION 16. CATEGORIZATION AND RATING OF VIDEO GAMES

- A) Video games shall be categorized into:
 - (1) Puzzle
 - (2) Sports
 - (3) Fighting/combat
 - (4) Action
 - (5) Racing
 - (6) Adventure
 - (7) Strategy
 - (8) Simulator
 - (9) Space combat

B) Video games shall be rated into:

- (1) KF-Kid-Friendly (non-violent)
- (2) LV-Less Violent
- (3) V-Violent
- (4) UV- Ultra-violent (including all violent games)

SECTION 17. Children below 14 years of age may play video games rated as Kid-Friendly or non-violent under the category of puzzle, sports, adventure, racing, strategy, fight simulator ad the likes, during the hours/day allowed under this ordinance.

SECTION 18. Children 15-18 years of age may play video games rated as less violent games under any of the categories listed during the hours/days allowed under this Code.

SECTION 19. Ultra-violent games are those games that reveal an audio or video graphics as profanity, bestiality and brutality such as the throwing of invectives, slandering, the breaking of limbs, mutilation or dismemberment, spewing or blood, blasting of limb/body with high powered guns or equipment.

SECTION 20. Ultra-violent games, pornographic videos and animation, nudity, video cameras and other similar form which corrupt the child's intellectual, spiritual, social and emotional growth are prohibited from being operated, sold or distributed.

SECTION 21. The Bayog Video/Videogame Regulatory Board, as may be created under the Business Permit and Licensing Office under an appropriate Executive Order, shall monitor and screen all video games and animation and to rate or categorize a particular game or video, and to implement the provisions of this Code.

ARTICLE II PROHIBITING THE USE AND SALE OF CIGARETTE, AND ANY OTHER TOBACCO PRODUCTS, AND LIQUOR TO MINORS

SECTION 22. The use and sale of any brand of cigarettes, tobacco products including vape cigarette or any kind of liquor or intoxicating drinks to persons below eighteen (18) years of age is strictly prohibited.

Likewise prohibited is the act of instructing, ordering, sending to an errand or coopting a minor to buy or acquired any of the prohibited articles, including parent/s and guardian/s of a minor without legal and moral justification.

SECTION 23. Any person, whether manufacturer wholesaler or retailer, found to be selling cigarettes, tobacco products or any kind of liquor or intoxicating drinks to minors shall be held liable under this Code.

Page 11.....MO13-219A-17

SECTION 24. Owners, proprietors or operators of retail, sari-sari, convenience stores, groceries, bars and similar establishments are required to post the following notice in a conspicuous spot in establishment:

"Selling of beer, liquor and other intoxicating beverages, cigarettes and other tobacco products to minors is strictly prohibited by law."

SECTION 25. SALE OF TOBACCO PRODUCTS AND/OR LIQUOR/ INTOXICATIING DRINGKS WITHIN THE PERIMETERS OF CENTERS OF YOUTH ACTIVITY. The sale or distribution of cigarettes or any tobacco products and/or liquor/intoxicating drinks is prohibited within one hundred (100) meters from any point of the perimeter of a school, public playground or other facility requested by minors, except from 6:00 o'clock in the evening until 6:00 o'clock in the morning.

ARTICLE III CURFEW FOR MINORS

SECTION 26. It is hereby prohibited for minors or persons below eighteen (18) years of age to be loitering outside their homes, residences, or in any public places between 10:00 P.M. and 4:00 A.M. except:

- a) Minor found outside their home/residence during emergency situations.
- b) Minors who are found outside their home/residence between 10:00 P.M. and 4:00 A.M. to run errand for the purpose of saving lives during emergency situations or any other legitimate purpose;
- c) Minors found outside their home/residence between 10:00 P.M. and 4:00 A.M. and accompanied by their parents.
- d) Minors attending an activity beyond 10:00 P.M. and while on their way from such activity;
- e) Minors attending family celebrations or parties held outside the home/residence during nighttime and while on their way from such celebration or parties.
- f) Minor students doing group studies outside their home/residence or staying in internet cafes doing school-sanctioned research work, projects or assignments beyond 10:00 P.M. Provided, that the minor student must bring with him/her a valid school ID. Minor student below thirteen (13) years old is not exempt under this paragraph.
- g) Minor may be found in such places due to causes beyond his or her control upon excusable reasons.
- h) Minors attending activities in connection with barangay and municipal patronal fiestas, Bayog Day Celebration and other official activities sanctioned and/or sponsored by the Bayog Municipal Government, and while on their way from such activities.

SECTION 27. It shall be unlawful for owners, proprietors, operators, possessors, managers, or administrators of bars, night clubs, restaurants, cafes, refreshments, convenient stores, computer or video establishments or places of similar in nature to allow minor/s to stay in their premises beyond 10:00 o'clock in the evening.

The owners, proprietors, operators, possessors, managers, or administrators of the aforementioned establishments are required to display at least one (1) eligible and visible sign posted within their premises saying:

"MINORS ARE PROHIBITED FROM STAYING BEYOND 10:00 P.M."

ARTICLE IV SALE OF RUGBY OR SOLVENTS

SECTION 28. Hardware stores and other establishments operating in the Municipality of Bayog, Province of Zamboanga del Sur are hereby prohibited from selling rugby and/or solvents to minors or to persons under eighteen (18) years of age. Furthermore, said establishments are required to maintain a log where the name, address and purpose of the customer in buying the substance shall be recorded.

ARTICLE V PROHIBITION OF MINORS IN BARS, BEERHOUSE AND/OR OTHER ADULT ENTERTAINMENT VENUES

SECTION 29. It is hereby prohibited the entry of minors in bars, beerhouse and other venues providing mature entertainment and/or catering to adults. The owner or operator of these establishments is required to conspicuously post a notice at the entrance of the establishment stating that:

"MINORS ARE NOT ALLOWED".

CHAPTER VI DETERMINATION OF AGE

SECTION 30. MINIMUM AGE OF CRIMINAL RESPONSIBILITY. A child fifteen (15) years of age or under at the time of the commission of the offense shall be exempt from criminal liability. However, the child shall be subjected to an intervention program pursuant to Section 20 of Republic Act No. 9344.

A child above fifteen (15) years but below eighteen (18) years of age shall likewise be exempt from criminal liability and be subjected to an intervention program, unless he/she has acted with discernment, in which case, such child shall be subjected to the appropriate proceedings in accordance with Republic Act No. 9344.

The exemption from criminal liability herein established does not include exemption from civil liability, which shall be enforced in accordance with existing laws.

SECTION 31. DETERMINATION OF AGE. The child in conflict with the law shall enjoy the presumption of minority. He/she shall enjoy all the rights of a child in conflict with the law until he/she is proven to be eighteen (18) years old or older. The age of a child may be determined from the child's birth certificate, baptismal certificate or any other pertinent documents. In the absence of these documents, age may be based on information from the child himself/herself, testimonies of other persons, the physical appearance of the child and other relevant evidence. In case of doubt as to the age of the child, it shall be resolved in his/her favor. In all proceedings, law enforcement officers, prosecutors, judges and other government officials concerned shall exert all efforts at determining the age of the child in conflict with the law.

In case of doubt as to the real age of the

- (a) person, the owners, proprietors, operators, possessors, managers or administrators of bars, night clubs, restaurants, cafes, refreshments, convenient stores, computer or video establishments or places of similar nature, shall:
- (b) buyer, the vendor/retailers of cigarettes or any tobacco products, liquor/intoxicating drinks and/or rugby or solvents, shall:
- (c) customer who wishes to buy rugby or solvent at their stores, the owners, operators, sales clerks, employees/representative of the concerned establishment, shall:

Page 13....MO13-219A-17

verify, by means of any valid form of identification paper containing both at the photograph and the date of birth of the bearer, such as, but not limited to valid school identification card, passport, driver's license, Social Security System identification card, postal identification card and the like, that the person is at least eighteen (13) years old.

SECTION 32. IGNORANCE OF REAL AGE OF MINOR NOT A DEFENSE.

- (a) As implied in Article 1, 3 and 5, Chapter V of this Code. It shall bot be defense for the owners, proprietors, operators, possessors, managers, or administrators of bars, night clubs, resorts, restaurants, cafes, refreshments, convenient stores, computer or video establishments or places or similar in nature, that he/she did not know or was not aware of a real age of the minor who stayed in their business beyond 10:00 P.M.
- (b) As applied to Article 2, Chapter V of this Code. Likewise, it shall not be a defense for the person selling, distributing or purchasing cigarettes or any tobacco products, rugby or solvent and/or liquor/intoxicating drinks that he/she did not know was or not aware of a real age of the minor to whom said cigarettes or any tobacco products, rugby or solvent and/or liquor/intoxicating drinks was sold or distributed, or from whom they were purchased, as the case may be. Neither shall it be a defense that he/she did not know nor had any reason to believe that the cigarette or any tobacco product, rugby or solvent and/or liquor/intoxicating drinks was for the consumption of the minor to whom it was sold.

CHAPTER VII PENAL PROVISIONS

SECTION 33. Violation of the provisions of this Code shall be penalized as follows:

- (a) Any person found guilty of violating the provisions of Chapter IV, Section 12(b) shall be punished with a fine of Two Thousand Five Hundred Pesos (P2, 500.00) or imprisonment of six (6) months, or both, at the discretion of the Court without prejudice to the filing of appropriate charges against the offender under Republic Act No. 610 and other related laws.
- (b) For violation of the provisions of Chapter V.
- (1) Article 1 by any operator, owner, seller, or distributor of video games and machines:
- (2) Article 2 by any person instructing, ordering, sending to an errand or coopting a minor to buy or acquire cigarettes, tobacco products or any kind of liquor or intoxicating drinks except parent/s guardian/s and/or family members od such minor/s (second paragraph, Section 22); by any person, whether manufacturer, wholesaler or retailer, found to be selling cigarettes, tobacco products or any kind of liquor or intoxicating drinks to minors (Section 23); and
- (3) Article 4 by the owners, operators, sales clerks, employees/representative of hardware stores and other establishments selling/distributing rugby and other solvents;

First Offense: Fine of One Thousand Pesos (P1, 000.00) or an imprisonment of not more than one (1) month, or both, at the discretion of the Court, including the confiscation/destruction of video machines and other related paraphernalia/materials and merchandise (i.e. cigarettes, tobacco products, liquor/intoxicating drinks, rugby and solvents) and suspension of business permit for a period of one (1) month.

Second Offense: Fine of One Thousand Five Hundred Pesos (P1, 500.00) or an imprisonment of not more than three (3) months, or both, at the discretion of the Court, including the confiscation/destruction of video machines and other related paraphernalia/materials and merchandise (i.e. cigarettes, tobacco products, liquor/intoxicating drinks, rugby and solvents) and suspension of business permit for a period of three (3) month.

Page 14....MO13-219A-17

Third Offense: Fine of Two Thousand Five Hundred Pesos (P2, 500.00) or an imprisonment of not more than six (6) months, or both, at the discretion of the Court, including the confiscation/destruction of video machines and other related paraphernalia/materials and merchandise (i.e. cigarettes, tobacco products, liquor/intoxicating drinks, rugby and solvents) and the automatic cancellation/revocation of business permits or licenses and closure of the business establishments.

- (c) Violation of the provisions of Article 3 and 5, Chapter V, the owners, proprietors, operators, possessors, managers or administrators of bars, night clubs, restaurants, cafes, refreshments, convenient stores, computer or video establishments or places of similar in nature shall be liable if found:
 - (1) Violating the first paragraph of Section 27 and Section 29 of this Code.

First Offense: Fine of Three Hundred Pesos (P300.00) for every minor caught inside their establishment;

Second Offense: Fine of Five Hundred Pesos (P500.00) for every minor caught inside their establishment and three (3) months suspension of business/license; and

Third and Subsequent Offense: Fine of One Thousand Pesos (P1, 000.00) for every minor caught inside their establishment and revocation of business permit and permanent closure of business.

(2) Failure to post signs as provided under Section 24 (Article 2), second paragraph of Section 27 (Article 3), and Section 29 (Article 5), Chapter V, of this Code:

First Offense: Fine of Three Hundred Pesos (P300.00)

Second Offense: Fine of Five Hundred Pesos (P500.00) and three (3) months suspension of business permit/license; and

Third and Subsequent Offense: Fine of One Thousand Pesos (P1, 000.00) and revocation of business permit and permanent close of business.

SECTION 34. Any parent or guardian found to be grossly negligent in the performance of the duties and obligations imposed by this Code shall be penalized, as follows:

First Offense: Admonition by the MSWDO;

Second Offense: Counseling by the MSWDO and with a notice of the imposition of criminal liability for subsequent apprehension;

Third and Final Offense: The filing by any responsible person of the appropriate criminal charges against the parent or guardian of the minor who shall be punished by a fine of One Thousand Pesos (P1, 000.00), or imprisonment of more than ten (10) days, or both, at the discretion of the Court. The penalty imposed by this ordinance shall be without prejudice to the filing of other charges against the offender under Republic Act No. 7160 (An act providing for stronger deterrence and special protection against child abuse, exploitation and discrimination).

SECTION 35. In addition to the penalties imposed by the foregoing Section 34, the parent/nearest relative/s or guardian/s of minor/s children found violating the provisions of Section 12 (c), Chapter IV, second paragraph of Section 22, Article 2 and Section 26, Article 3 of Chapter V of this Code must pay the fine of Two Hundred Pesos for the first offense, Three Hundred Pesos (P300.00) for the second offense and Five Hundred Pesos (P500.00) for the third and subsequent offenses.

Page 15.....MO13-219A-17

SECTION 36. Any minor caught violating the provisions of this Code shall be processed as provided for in the following Chapter.

CHAPTER VIII

TREATMENT OF CHILDREN/MINORS BELOW THE AGE OF CRIMINAL RESPONSIBILITY

SECTION 37. MONITORING/REPORTING. Barangay Officials, including the Bayog Municipal Peace and Order Council (BMPOC), are authorized to monitor and report the commission of prohibited acts, and, if necessary, to take into custody streetchildren and children/minors in conflict with the law.

SECTION 38. CHILDREN/MINORS BELOW THE AGE OF CRIMINAL RESPONSIBILITY. If it has been determined that the child/minor taken into custody is fifteen (15) years old or below, the authority which will have an initial contact with the child/minor has the duty to bring thechild/minor to thenearestCenter.

The law enforcers shall notify the child/s minor's parent/s, nearest relative/s or guardian/s on the whereabouts of the child/minor. The child/minor shall be released immediately to the parent/s, nearest relative/s or guardian/s on recognizance who shall be responsible for the child's/minor's appearance whenever required. The parent/s nearest relative/s or guardian/s shall execute an undertaking that he/she shall take custody of the child/minor and surrender the said child/minor whenever required by the Court or competent authorities.

Said law enforcers shall likewise give notice to the MSWDO who will determine the appropriate programs in consultation with the child and to the person having custody over the child.

Children/minors who have not been claimed by their parents after 4:00 A.M. shall be committed to the care of the MSWDO within a reasonable time of the same day. The MSWDO shall commit such child/minor to the custody or care of the Department of Social Welfare and Development in accordance with P.D. 603 otherwise known as the Child and Youth Welfare Code.

If the parent/s, guardians or nearest relative/s cannot be located, or if they refuse to take custody, the child/minor may be released to any of the following:

- (1) A duly registered non-governmental or religious organization;
- (2) A barangay official or a member of the Barangay Council for the Protection of Children (BCPC);
- (3) MSWDO, if the child/minor referred to herein has been found by the MSWDO to be abandoned, neglected or abused by his parents, or in the event that the parents will not comply with the prevention program, the proper petition for involuntary committed shall be filed by the MSWDO pursuant to Presidential Decree No. 603, otherwise known as "The Child and Youth Welfare Code".

In case where the child/minor falls within the provision of Section 4(hh)(2 & 3), Article 1, Chapter 1, said child/minor shall not be released. Instead, the case shall be immediately endorsed to the MSWDO who shall immediately undertake the necessary steps for the determination of the appropriate measures and/or intervention or diversion program.

CHAPTER IX INITIAL CONTACT WITH THE CHILD/MINOR

SECTION 39. PROCEDURE FOR TAKING THE CHILD INTO CUSTODY. From the moment a child is taken into custody, the law enforcement officer shall:

(a) Explain to the child in simple language and in dialect that he/she can understand why he/she is being placed under custody and the offense that he/she allegedly committed;

Page 16....MO13-219A-17

- (b) Inform the child of the reason for such custody and advise the child of his/her constitutional rights in a language or dialect understood by him/her.
- (c) Properly identify himself/herself and present proper identification to the child;
- (d) Refrain from using vulgar or profane words and from sexually harassing or abusing, or making sexual advances on the child in conflict with the law;
- (e) Avoid displaying or using firearm, weapon, handcuffs or other instruments of force or restraint, unless absolutely necessary and only after all other methods of control have been exhausted and have failed;
- (f) Refrain from subjecting the child in conflict with the law to greater restraint than is necessary for his/her apprehension;
- (g) Avoid violence or unnecessary force;
- (h) Determine the age of the child pursuant to Section 7 of this Act;
- (i) Immediately but not later that eight (8) hours after apprehension, turn over custody of the child to the Social Welfare and Development Office or other accredited NGOs, and notify the child's apprehension. The Social Welfare And Development Officer shall explain to the child and the child's parent/guardians the consequences of the child's act with a view towards counseling and rehabilitation, diversion from the criminal justice system, and reparation, if appropriate;
- (j) Take the child immediately to the proper medical and health officer for a thorough physical and mental examination. The examination results shall be kept confidential unless otherwise ordered by the Family Court. Whenever the medical treatment is required, steps shall be immediately undertaken to provide the same;
- (k) Ensure that should detention of the child in conflict with the law be necessary, the child shall be secured in quarters separate from that of the opposite sex and adult offenders;
- (I) Record the following in the initial investigation:
 - 1. Whether handcuffs or other instruments of restraint were used, and if so, the reason for such;
 - 2. That the parent or guardian of a child, the DSWD, and the PAO have been informed of the apprehension and the details thereof; and
 - 3. The exhaustion of measures to determine the age of a child and the precise details of the physical and medication examination or the failure to submit a child to such examination; and
- (m) Ensure that all statements signed by the child during investigation shall be witnessed by the child's parents or guardian, social worker, or legal counsel in attendance who shall affix his/her signature to the said statement.

A child in conflict with the law shall only be searched by a law enforcement officer of the same gender and shall not be locked up in a detention cell.

SECTION 40. DUTIES DURING INITIAL INVESTIGATION. The law enforcement officer shall his/her investigation, determine where the case involving the child in conflict with the law should be referred.

The taking of the statement of the child shall be conducted in the presence of the following:

- (1) Child's counsel of choice or in the absence thereof, a lawyer from the Public Attorney's Office;
- (2) The child's parents, guardian, or nearest relative, as the case may be; and
- (3) The MSWDO. In the absence of the child's parents, guardian, or nearest relative, and the local social welfare and development officer, the investigation shall be conducted in the presence of a representative of an NGO, religious group, or member of the BCPC.
- (4) After the initial investigation, the social worker conducting the same may do either of the following:
- (a) Proceed accordance with Section 37 hereof if the child/minor is fifteen (15) years or below or above fifteen (15) but below eighteen (18) years old, who acted without discernment; and

Page 17....MO13-219A-17

(b) If the child is above fifteen (15) years old but below eighteen (18) and who acted with discernment, he/she must undergo diversion programs without undergoing court proceeding subject to the conditions provided for under Chapter 2, Title V of the Juvenile Justice and Welfare Act of 2006.

CHAPTER X THE MUNICIPAL COUNCIL FOR THE PROTECTION OF CHILDREN

SECTION 41. CREATION AND ESTABLISHMENT AND STRENGTHENING OF THE MUNICIPAL COUNCIL FOR THE PROTECTION OF CHILDREN. Pursuant to Section 15, Chapter I of Title III of R.A. N. 344, the Municipal Council for the Protection of Children (MCPC) shall be created and established which shall be strengthened within one (1) year from the effectivity of this Code.

SECTION 42. COMPOSITION. Membership in the MCPC shall be chosen from among the responsible members of the community, including a representative from the youth sector, as well as representatives from government and private agencies concerned with the welfare of children, as follows:

- a. Municipal Social Welfare Development Officer;
 - b. Chairperson of the Sangguniang Bayan Committee on Women and Family;
 - c. Representative of the Municipal Development Council;
 - d. Municipal Legal Officer;
 - e. PNP Women's and Children's Protection Council (PNCO);
 - f. Representative from among the accredited non-government organizations; and
 - g. Representative from the private sector;

The MCPC shall adopt rules and regulations necessary to govern its proceedings.

SECTION 43. PURPOSE. The MCPC shall serve as the primary agency to coordinate with and assist the municipality for the adoption of a comprehensive plan on delinquency prevention, to oversee its proper implementation.

SECTION 44. POWERS AND FUNCTIONS OF THE MCPC

The MCPC shall have the following powers and functions:

- 1. To assist the municipal government in the implementation of programs and projects on delinquency prevention and the development of a municipal comprehensive juvenile intervention program and community-based juvenile justice and welfare system;
- To assist the municipal government in the monitoring and evaluation of the municipal comprehensive juvenile intervention and community-based juvenile justice and welfare system programs;
- 3. To assist the municipal government in the conduct of public hearings and community consultations, in aid of the formulation of plans, policies and proposed ordinances and regulations;
- 4. To coordinate with law enforcement agencies in the enforcement of this Code.
- 5. To perform such other functions the Municipal Mayor and the Sangguniang Bayan may authorize and delegate, as provided by ordinance or resolution.

SECTION 45. FUNDING. As provided for under Section 15, Chapter 1 of Title III of R.A. No.9344, one percent (1%) of the internal revenue allotment of the municipality and the barangays shall be allocated for the strengthening and implementation of the programs of the MCPC, provided, that the disbursement of the fund shall be made by the LGU concerned.

SECTION 46. THE ROLE OF THE SANGGUNIANG KABATAAN. The SangguniangKabataan Municipal Federation (SKMF) shall coordinate with the MCPC in the formulation and implementation of juvenile intervention and diversion programs in the community.

CHAPTER XI COMPREHENSIVE JUVENILE INTERVENTION PROGRAM

SECTION 47. DEVELOPMENT OF A COMPREHENSIVE JUVENILE INTERVENTION PROGRAM. A comprehensive juvenile intervention program covering at least a three-year period shall be instituted in this municipality starting from the barangay level. The municipality in coordination with the Municipal Council for the Protection of Children (MCPC), shall call on all sectors concerned, particularly the child-focused institutions, NGOs, people's organizations, education 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 Juvenile Justice Welfare Council. The implementation of the municipal comprehensive juvenile intervention program shall be reviewed and assessed annually by the municipality in coordination with the MCPC.

SECTION 48. COMMUNITY-BASED PROGRAMS ON JUVENILE JUSTICE AND WELFARE. Community-based programs on juvenile and welfare shall be instituted by the municipality through the MCPC, school, youth organizations and other concerned agencies. The Municipality shall provide community-based services which respond to the special needs, problems, interests and concerns of children and which offer appropriate counseling and guidance to them and their families. These programs shall consist of three levels:

- (a) Primary intervention includes general measures to promote social justice and equal opportunity, which tackle perceived root causes of offending;
- (b) Secondary intervention includes measures to assist children at risk; and
- (c) Tertiary intervention includes measures to avoid unnecessary contact with the formal justice system and other measures to prevent-re-offending.

CHAPTER XII MISCELLANEOUS PROVISIONS

SECTION 49. CREATION OR DESIGNATION OF HOLDING CENTERS. The Municipal Mayor is hereby authorized to create or designate a Holding Center for minors taken into custody. The Sangguniang Barangay may create or designate in their barangay a Holding Center for minors taken into custody aside from the Barangay Hall.

SECTION 50. SPECIAL PROVISIONS FOR PNP MEMBERS. The Bayog Municipal Police Station (BMPS) shall have a Children's Desk manned by a child and youth relations officers tasked to handle cases involving children. Child-friendly police procedures shall be followed/implemented as contained in the Police Handbook on the management of cases of children in difficult circumstances. Each PNP element shall be provided with a copy of the handbook.

A special course for members of the PNP/SPDC elements shall be designed to handle effectively children involved in anti-social activities. All police officers shall take up the course, especially those who are interested to be assigned with the Children's Desk in the police stations.

The course shall be designed and provided by the MSSD in close coordination with the PNP/SPDC child protection team, if any, and concerned professional organizations and non-government organizations focused on child and youth programs.

SECTION 51. DEPUTATION, POLICE VISIBILITY AND RECORDING. The Barangay Officials and Barangay Tanods/Police are hereby deputized as law enforcement officers to take into custody minors or minor students or persons violating this Code. The members of the Philippine National Police (PNP) shall conduct roving patrols and police visibility between 10:00 P.M. and 4:00 A.M. to ensure the strict compliance of this Code, particularly Article 3 of Chapter V hereof.

SECTION 52. The apprehending officer, official or Tanod is required to record in the police blotter book or barangay blotter logbook, as the case may be, the incident of apprehension of minor or persons violating this Ordinance. The apprehending officer, official or Tanod who fail to comply with this provision shall be administratively liable.

SECTION 53. CONFIDENTIALITY OF RECORDS. Records of apprehension and proceedings against the minors shall be considered privileged and may not be disclosed in accordance with Article 200 of the Presidential Decree No. 603 otherwise known as the Child and Youth Welfare Code, as amended and Section 43, Chapter 5 of the Juvenile Justice and Welfare Act of 2006 (R.A. No. 9344).

CHAPTER XIII FINAL PROVISIONS

SECTION 54. REPEALING CLAUSE – All ordinances, rules and regulations or parts thereof inn conflict or inconsistent herewith are hereby repealed or modified accordingly.

SECTION 55. SEPARABILITY CLAUSE – In the event that any provision of this Code is declared illegal, the validity of other provisions shall not be affected by such declarations which shall continue to be in full force and effect.

SECTION 17- EFFECTIVITY CLAUSE - This Ordinance shall be posted in prominent places at the Municipal Hall for a period of three (3) consecutive weeks and shall take effect on the day following its publication in a newspaper of general circulation or at the end of the period of posting, whichever occur later.

ADOPTED this 6TH day of November 2017, on motion of Hon. Norelyn B. Rodriguez, duly seconded.

AYES: Hon. Horace Paul T. Anlap, Hon. Ernesto C. Yagos, Hon. Ronilo A. Yamaro, Hon. Cerilo B. Carcueva, Hon. Junel P. Bacbac, Hon. Lucenio M. Manda, Hon. Teofisto B. Deocades, Jr., Hon. Norelyn B. Rodriguez and Hon. Godofredo T. Compacion. NAYS: NONE

CERTIFIED CORRECT:

VERIFIED CORRECT:

RAMONITO E. MATALINES Secretary to the Sanggunian

CELSO A. MATIAS

Municipal Vice Mayor-Presiding

APPROVED:

ATTESTED:

EONARDO L. BABASA, JR. Municipal Mayor

HORACE P UL T. ANLAP SB Member Floor Leader