

Republic of the Philippines  
Province of Ifugao  
Municipality of Hungduan

**OFFICE OF THE SANGGUNIANG BAYAN**

**EXTRACT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF HUNGDUAN, IFUGAO HELD AT THE SANGGUNIANG BAYAN SESSION HALL ON FEBRUARY 12, 2007, AT 9:00 IN THE MORNING.**

**Municipal Ordinance No. 2007-22**  
**Sponsored by Honorable Maura B. Himmiwat**

**AN ORDINANCE ENACTING THE HUNGDUAN CHILD AND YOUTH WELFARE PROTECTION AND DEVELOPMENT CODE AND PROVIDING FUNDS THEREOF.**

**PREAMBLE**

**WHEREAS**, the Philippine Government is a signatory to the United Nations Conventions on the Rights of the Child (UNRC) , World Declaration on the Survival, Development and Protection of Children;

**WHEREAS**, our country formulated and adopted the Philippine Plan of Action for Children (PPAC).

**WHEREAS**, there is a need to codify the laws relating to children's rights to apply particularly to the municipality of Hungduan, province of Ifugao.

**WHEREAS**, the Municipality of Hungduan recognizes that children are important assets of the nation and shall take appropriate legislative measures for the implementation of the rights of children as contained in the CRC, Philippine laws and RPAC;

**WHEREAS**, there is a need for the municipality of Hungduan to enact a Code for a children to coordinate the various existing government agencies and non-government agencies (NGOs) in providing services for children.

**NOW THEREFORE**, be it ordained by the Sangguniang Bayan of Hungduan duly assembled, that:

**Article 1**

**TITLE, SCOPE, POLICIES, DEFINITIONS AND STATE OBLIGATIONS**

**SECTION 1. TITLE.** This ordinance shall be known and cited as the "Municipal Children and youth welfare, Protection and Development Code"

**SECTION 2. DECLARATION OF POLICY AND PRINCIPLE.** It is hereby declared to be the policy of the municipality of Hungduan that the rights of children to their survival, protection, participation and development must be given priority, it will work for 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 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 Hungduan to ensure that the programs aimed at the achievement of goals for survival, protection, participation and development allocated. Every effort shall be made by the Local Government of Hungduan to ensure that such programs are protected in times of economic austerity and structural adjustments;

It believes in the holistic protection and development of all children through a strong partnership between and among government agencies, NGOs and the private sector, serving with the highest degree of professionalism and competence in an atmosphere of unity, solidarity and teamwork;

**SECTION 3. SCOPE OF APPLICATION.** This code shall apply to all the Nine (9) Barangay of the Municipality of Hungduan, Ifugao

**SECTION 4. PURPOSES. THIS CODE IS ENACTED WITH THE FOLLOWING PURPOSES:**

- a. To protect the child from all forms of maltreatment by parents or others responsible for the care of the child and to establish appropriate social programs for the prevention of abuse and treatment of victims.
- b. To provide special protection for child deprived of the family environment by parents or other responsible for the care of the child and to establish appropriate alternative family care or institutional placement is available in such cases. Efforts to meet this obligation shall be due to the child's cultural background.
- c. To protect children from sexual exploitation and abuse, including prostitution and involvement in and/or exposure to pornography or any forms of violence.
- d. To exert every effort against the sale, trafficking and abduction of children.
- e. To ensure that primary Education is free and compulsory, to encourage the different forms of secondary accessible to every child and to make higher education available to all on the basis of capacity. School shall be consistent with the child's rights and dignity.

**SECTION 5. BEST INTEREST OF THE CHILD.** All doubts in the implementation and interpretation of the provisions of this code, including its implementing rules and regulations, shall be resolved taking into consideration the best interest of the child.

**SECTION 6. PARTICIPATION OF THE CHILD.** All proceedings pertaining to children's concerns shall be conducted in manner which allows children to participate and to express themselves freely. Participation of children in program and policy formulation and implementation related with children's concerns shall be ensured by the concerned department/units in the Municipality.

**SECTION 7. DUTIES AND RESPONSIBILITIES OF THE STATE.** In accordance with section 3 paragraphs 2 of Article XV of the Philippine Constitution, it is the duty of the state to defend 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.

In accordance with the United Nations Convention on the Rights of Child (UN CRC) to which the Philippines is a State party, the state shall:

- a) Under take all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the (UN CRC). With regards to economic, social and cultural rights, the state undertake such measures to the maximum extent of its available resources and, where needed, within the framework of international cooperation;
- b) Ensure to the maximum extent the possible survival, development, protection and participation rights of a child ;
- c) Take all appropriate legislative, administrative, social and educational measures to protect children from all forms of physical or mental violence, injury of abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent/s, legal guardian/s or any person/s who has the care of the child ;
- d) Assure to the child who is capable of his/her age and maturity;
- e) Render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

**SECTION 8. DEFINITION OF TERMS.** The following used in this ordinance shall be defined as follows:

- A) “Child” refers to a person under the age of 18 years or those over but unable to fully take care of themselves to protect themselves from abuse, neglect, cruelty, exploitation or discrimination because of physical and mental disability condition.
- B) “Child abuse” refers to the maltreatment, whether habitual or not, of the child which includes the following:
  1. Psychological and physical abuse, neglect, cruelty, sexual abuse and emotional maltreatment;
  2. Any act by deeds of 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 for survival ,such as food and shelter, or
  4. Failure to give medical treatment to and injure child resulting in serious impairment of his or her growth and development or in his or her permanent incapacity or death.
- C). “Special concerns” are circumstances that gravely threaten or endanger the survival and normal development of children including but not limited to the following:

1. Being in a community where there is armed conflict or being affected by armed –conflict –related activities;
  2. Working under conditions hazardous to life, safety and morals which unduly interfere with the normal development;
  3. Living in or fending for themselves in the street of urban or rural areas without the care of parents or guardian or any adult supervision needed for their welfare;
  4. Being children of indigenous peoples and /or living under conditions of extreme poverty or in an area which is underdeveloped and/or lacks or has inadequate access to basic services needed for a good quality of life ;
  5. Being a victim of human made or natural disaster or calamity, or;
  6. Analogous circumstances which endanger the life, safety or normal development of children;
- D) “Day care” is the provision of substitute parental care and stimulating activities for the total development of children zero to five (0-5) years ld when their parents are unable to take care of them during the part of the day because of work some other situation.
- E) “Day Care Center” is a facility where day care services are provided by an accredited day care worker particularly to children in the three to five (3-5) year age brackets.
- F) “Diversion” refers to an alternative child –appropriate process of determining the responsibility and treatment of a child in conflict with law (CICL) on the basis of his/her social ,cultural, economic and psychosocial or educational background without resorting to formal proceedings.
- G. “Diversion Program” shall refer to the programs that children in conflict with the law are required to undergo after they are found responsible for an offense without resorting to formal court litigation.
- H. Community Reintegration Programs” shall refer to the program established for the purpose of rehabilitation and preparing the child for reintegration to the community.
- I. “Katarungang Pambarangay” shall refer to Sec. 408-422 of the Local Government Code of 1991 which is commonly known as the Katarungang Pambarangay Law.
- J. “Differently Abled Children” “children with disabilities “or “children” with special needs” either physical or mental infirmities whether congenital or acquired after birth.
- K. “Children’s Protection Desk” is a section in police stations specially manned by police officers trained in dealing with child cases.
- L. Commitment is the legal act of entrusting a child to the care of the Social Services Development Office or any duly licensed similar child placement agency or individual.
- M. “Neglected Child” is one whose basic need have been deliberately unattended or inadequately attended.
1. Emotional neglect exist when are maltreated , raped or seduced 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 exists when the child is malnourished, ill clad and without proper shelter.

- N. Abandoned child is one who has no proper parental care or guardianship, or whose parents or guardians have deserted him for a period of at least six (6) months. Culturally Relevant Activities refer to activities show-casing Filipino culture such as but not limited to the indigenous ethnic dances, game music and drama.
- O. “Survival Rights” are those which relate to parental and governmental duties and liabilities adequate living standard and access to basic health and health services and social security towards the interest and welfare of children.
- 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 thought, conscience and religion.
- Q. “Protection Rights” cover those which guard children against all forms of child abuse, exploitation and discrimination in the major areas where a child is concerned in an extremely difficult circumstance.
- R. “Participation Rights “ includes the child freedom to express one self in matters affecting his/her life as part of preparation for responsible parenthood and to freedom of association.
- S. 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.

## **Article 2**

### **RIGHTS AND OBLIGATION OF THE CHILDREN**

**SECTION 9. THE FAMILY.** The family is the central unit responsible for the primary socialization of children which is important in the prevention of children’s rights violations. All efforts to preserve the integrity of the family shall be pursued by the Municipal Government of Hungduan.

**SECTION 10. RIGHTS OF CHILD.** All children in Hungduan shall be entitled to the rights hereinafter set forth, as provided in the convention on the Rights of Child (CRC), in addition to those rights espoused in the 1987 constitution, and child and Youth Welfare Code (PD.603) ,The Special Protection Act (RA7610) , 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 state as the guardian of the people, as well as the Municipality, has an obligation to ensure every child’s survival and development;
- b) The right to express his views freely or without fear of rejection in all matters which affects his or her opinion should be given due weight depending on his or her age and maturity ;
- c) To give them the freedom of expression, except if it will violate or jeopardize the rights or reputation of others or for the protection of national security, public order, public health or morals ;
- d) No child shall be subjected to arbitrary or 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 rights to acquire a nationality, name, the right acquire a nationality, name, the right acquired a nationality, name and family relations as recognized by law without unlawful inference.
- 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 interest. 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 own, for purposes of reunion or the maintenance of the child –parent relationship.
- l) To meet with others, and joints or reform associations.
- m) A disable child has the right to special care, education, and training to help him or her enjoys a full and decent life in dignity and achieves the greatest degree of self-reliance and social integration possible.
- n) To the highest standard of health and medical attainable, the Hungduan Government shall place special emphasis on the provisions of primary and preventive health care, public health education and the reduction of infant morality.
- o) A child who is placed 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 insurance.
- q) To a standard way 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 way of living. The Hungduan Government's duty is to ensure that this responsibility can be fulfilled. The government can include materials assistance to parents and their children.
- r) Education shall aim at developing the child's personality, talents and mental, physical abilities to the fullest extend. 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) A protection from the use of narcotics and psychotropic drugs, and from being involved in their production distribution.
- v) A child in conflict with law has the right to treatment which promotes he child's sense of dignity and worth takes the child's age into account and aims at his or her reintegration into society. The child is entitled to basic guarantees as well as legal or other assistance for his or

her defense. Judicial proceedings and institutional placements shall be avoided wherever possible.

## **SECTION 11. PARTICIPATION RIGHTS OF CHILDREN**

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

The children in the family, school, community or their organization or institutional shall be head. 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 view obtain information, make ideas of information known, regardless of tribe, religion, age and sex.

- b) Installation of mechanism for participation in policy and program formulation in the Hungduan Government:

It is important to consult and provide venue for the expression of views relevant to the Hungduan 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, specially during children's month, which is in October. 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 Sangguniang Kabataan Secretariat in coordination with the Hungduan Council for the protection of Children.

## **CHAPTER 111**

### **PROHIBITED ACTS AGAINST CHILDREN, PROCEDURES OF APPREHENSION, MANNER OF INVESTIGATION.**

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

- a) All acts and activities of street children under Section 4 (g) hereof, are hereby considered as prohibited acts.
- b) Any person who shall use coercion, force or intimidate child to:
1. Beg or use of begging as a means of living
  2. Act as middlemen in drug trafficking or drug pushing or
  3. Conduct any illegal activities
- c) Parents or family member who encourages their children to engage in the above –mentioned prohibited acts, without legal and moral justification.

## **SECTION 13. RULES OR PROCEDURE IN:**

- A) MONITORING /REPORTING.** Barangay Officials, including the Barangay tanod, Municipal Council for the Protection of Children, are authorized to monitor and report the

commission of prohibited acts, and, if necessary, to take into custody children found to have been loitering unaccompanied by their parents or legal guardian and deliver them in their homes.

- B) APPREHENSION.** Children failing with the definition of Sec. 4 (2-3) shall be brought immediately to the Municipal Social welfare and Development Office. The law enforces shall notify the child's parents or guardian on the whereabouts of the child. The may be released to his family after being counseled on the liability of the parents , and guardian pursuant to P.D. 603 and this ordinance .Claimants should present evidence that he is the parent or guardian, and they shall be made to sign a complete information release slip.

In case the apprehended child falls with the provision of sec.4 (f-2 and 3) hereof, said child shall not be released. Instead, the case shall be immediately endorsed by the MSWDO to the special Prosecutors Office, who shall immediately undertake the necessary steps for the prosecution of the apprehended minor in accordance with the provisions of the revised penal code, and R.A 6425, otherwise known as the Dangerous Drugs Act. However, a child nine years of age under at the time of the violation of this ordinance shall be exempt from liability, but it shall be the parent or guardian concerned who shall be liable therefore.

All apprehending officers shall observe maximum tolerance in dealing with apprehended children.

- C) MANNER OF INVESTIGATION.** Investigating Officers shall observe child-friendly procedures in conducting investigations in the presence of a registered social worker.

- D) CUSTODY.** The MSWDO shall accept custody of apprehended children and shall make proper evaluation of each child for proper referrals to their family and concerned agencies. During such temporary custody; the MSWDO shall provide all necessities for the child's welfare.

- (1) Grounds** – The MSWDO shall make proper recommendation if there is strong evidence that the child is neglected or abandoned. The recommendation must be in the form of a verified petition for the involuntary commitment of said child to the care of any duly licensed child placement agency. The petition shall be filed with the Regional Trial Court of the place where the parents or guardian reside or where the child is found.

**E) COMMITMENT.**

- 1. Grounds** – The MSSD shall make the proper recommendation if there is strong evidence that the street child is neglected or abandoned. The recommendation shall be in the form of verified petition for the voluntary commitment of the said child to the care of any duly licensed child placement agency. The petition shall be filed with the Regional Trial Court of the place where the parents or guardian or where the child is found.

**2. Contents of the Petition.**

- a. The facts showing that the child is abandoned or neglected.
- b. The name of the parent or parents, if known, and their residence. If the child has no parent or parents living, then the name and residence of the guardian, if any;



c. The name of the duly child placement agency or individual in whose care or custody the commitment of the child is sought.

**3. The judicial proceedings** that will be conducted with the prosecution of the petition shall be in conformity with the prosecution of the petition shall be in conformity with articles 144,145,146,147,148,149, and 150 of the P.D. 603, otherwise known as the Child and youth Welfare Code.

**SECTION 14. SPECIAL COURSE FOR PNP/SPDC MEMBERS.** The police station in Hungduan shall have a children's desk manned by a child and youth relations officer tasked to handle cases involving children. Child-friendly police procedures shall be followed/ implemented as contained in the police Handbook on the management cases of children in difficult circumstances. Each PNP/COPDC element shall be provided with a copy of the handbook.

A special course for members of the PNP/SPDC elements shall be followed/ 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 PSSDC 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 15. LIABILITY OF PARENTS/PENAL PROVISIONS:**

A) Any parent or guardian found to be grossly negligent in the performance of the duty imposed by this ordinance shall be punished as follows :

B)

1. For the first offense, admonition by the MSSD
2. For the second offense, counseling by the MSSD and with a notice of the imposition of criminal liability for subsequent apprehension;
3. For the 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 with a fine of One Thousand Pesos (1,000.00) , or imprisonment of not more than ten (10) days , or both, at the discretion of the court. The penalty imposed by this ordinance shall be with out prejudice to the filling of other charges against the offended under R.A. 7610 (An act providing for stronger deterrence and special protection against child abuse, exploitation and discrimination.

C) Any person found guilty of violating Section 7 (b), of this article, shall be punished with imprisonment of one year with out prejudice to the filling of appropriate charges against the offended under R.A. 7610 and other related laws.

**CHAPTER V**

**REGULATORY PROVISIONS ON LEISURE AND CULTURAL ACTIVITIES**

**Article 1**

**REGULATING THE PLAYING /SELLING /DISTRIBUTION OF VIDEO GAMES, MACHINES, FAMILY COMPUTERS AND OTHER SIMILAR ITEMS/MACHINES FOUND IN AMUSEMENT CENTERS , MALLS AND OTHER SIMILAR ESTABLISHMENTS.**

**SECTION 20.** The operator of the billiard hall or any kind of video machine, arcade, family/personal computer used for games and other similar contraption within the radius of five hundred (500) meters from any educational or religious institution is prohibited.

**SECTION 21.** All minors, particularly school children , are totally restricted to stay in billiard halls or the above –mentioned devices found in amusement centers , malls and other similar establishments located in Hungduan, during school hours from 8:00 AM to 5:00 P.M Mondays to Fridays . Operators and owners of these machines are enjoined to strictly implement this prohibition.

**SECTION 22.** Minors may be allowed to play in billiard halls and /or video games machines and other similar equipment at the above –mentioned establishments only during weekends (Saturdays and Sundays) from weekends (Saturday and Sundays) from 8:00 A.M. to 8:00 Pm. Subject to the limitations /conditions herein provided.

**SECTION 23. 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

**D) Video shall be rated into:**

1. KF- friendly (non-violent)
2. V- Violet
3. UV- Ultra-Violet

**SECTION 24.** Children below 14 years of age may play video games rated as non-violent games under the category sports, adventure, racing, flight simulator and the like, during the hours/days allowed under this ordinance.

**SECTION 25.** Children 15-18 years of age may play video games rated as less violent games under the category of sports, action, racing, adventure, strategy, flight simulator and the likes, during the hours/days allowed under this ordinance.

**SECTION 26.** Ultra-Violet games are defined as those that reveal on audio of video graphics profanity, bestiality and brutality such as the throwing of invectives, slandering, the breakings of limbs, mutilation or dismemberment, spewing of blood, blasting of limb/body with high powered guns or equipment.

**SECTION 27.** Ultra violent video games, pornographic 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 28.** The (Video Regulatory Board), as may be created under the Business permits and licensing office , 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 Article BV, chapter 1 of this ordinance.

**SECTION 29. PENAL PROVISION.** Violation of any provision of this ordinance by any operator, owner, seller, or distributor of video games and machines shall be penalized with the following:

**First Offense:** Fine of One Thousand Pesos (P1, 000.00) or an imprisonment of not more than four (4) months at the discretion of the court.

**Second Offense:** Fine of Two Thousand pesos (P2, 000.00) or an imprisonment of more than four months but not more than six months.

**Third Offense:** Fine of Two Thousand Five Hundred Pesos (P2, 500.00) with an imprisonment of not more than twelve months at the discretion of the court including the confiscation/destruction of video machines and other related paraphernalia/materials and the automatic cancellation /revocation of permits or licenses. However, in the case of a corporation, partnership or association, the case of a corporation, partnership or association, the case of a corporation, partnership or association the penalty shall be imposed upon the officials responsible for such violations.

#### **Article 2**

### **PROHIBITING THE SALE OF CIGARETTES AND LIQUOR TO MINORS.**

**SECTION 30.** The sale of any brand of cigarettes or kind of liquor or intoxicating drinks to persons below eighteen years of age is strictly prohibited is the act of instructing , ordering, sending to an errand or cooping of minor to buy or acquire any of the prohibited Articles.

**SECTION 31.** Any person whether manufacturer, wholesaler or retailer found to selling cigarettes or liquor to minors shall be held liable under this ordinance. Likewise, the person found sending a minor to an errand to buy any of the article prohibited in this chapter shall be liable.

**ARTICLE 32.** For violation of this article, the schedule of fine or term of imprisonment provided under chapter V, article 1, section 24 shall apply.

**SECTION 33.** Owner's proprietors or operators of retail, sari-sari, convenience stores, groceries, bars and similar establishments are required to post the following notices in a conspicuous spot in the establishment:

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

“Ang pagbebenta ng beer, alak at iba pang nakakalasing na inumin, sigarilyo at iba pang produkto mula sa tabako sa menor de edad ay mahigpit na ipinagbabawal ng batas”

**SECTION 34.** The officials and employees of the Business Permits and Licensing Office (BPLO) and the department of Public Safety (MAPSA) shall implement the provisions of this chapter.

#### **Article 3**

### **CURFEW FOR MINORS.**

**SECTION 35.** It is hereby prohibited for minors or persons below eighteen years of age to be loitering their homes or in any Public place between 9:00 p.m. to 4:00 a.m. accept:

- a. When minor is accompanied by his parent/ guardian or other adult person having the care and custody of the minor.
- b. When a minor whose nature is upon an emergency errand by his parent/guardian or any adult having the care and custody of the minor.
- c. Those minors whose nature of work necessitates their stay in the streets during curfew hours provided they register with the police department which shall issue to them, free of charge, identification card exempting them from the implementation of this ordinance.
- d. On Saturdays, Sundays and Holidays when minor is directly returning home from a meeting, entertainment, recreational and other social activities, provided, however that they shall be allowed to stay in the street after one a.m.

**SECTION 31.** A minor who shall be apprehended for violation of this article shall be immediately committed to MSWDO for appropriate action. The parent/s and or guardian shall immediately notify of the detention of the minor and summoned at the MSWDO.

For second and succeeding violators, the parents/ Guardian of the minor shall be liable to pay a fine of one thousand pesos for failure/ negligence to rein or discipline to minor. However, in case of failure to pay the fine, the parents/ guardian shall serve a subsidiary penalty of imprisonment at the rate of P200.00 per day.

#### **Article 4**

#### **SALE OF RUGBY OR SOLVENT**

**SECTION 36.** Hardware stores and other establishments operating in Hungduan are hereby prohibited from selling rugby and / or by solvent to minors or to persons under eighteen 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.

**SECTION 37.** In case of doubt as to the age of the customer who wishes to buy rugby or solvent at their stores, the owner, operators, sales clerks, employees/ representative of the concerned establishment shall require the production of adequate identification as to ascertain the true age of the customer.

**SECTION 38.** For violation of this article, the schedule of fine and / or term of imprisonment provided under chapter V, Article 1, Section 24 shall apply.

#### **ARTICLE 5**

#### **PROHIBITATION OF MINORS IN BARS, BEERHOUSE AND/ OR OTHER ADULT ENTERTAINMENT VENUES.**

**SECTION 39.** 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 that “Minors are not allowed”

**SECTION 40.** For violation of this article, the schedule of fine and / or of imprisonment provided under Chapter V, Article 1, and Section 24 shall apply.

**ARTICLE 6  
FUNDS AND TRETMENT OF FINES COLLECTED**

**SECTION 41. FUNDS.** An amount of fifty Thousand Pesos (Php50, 000.00) shall be appropriated from the general fund for the implementation of this ordinance.

**SECTION 42. TREATMENT OF FINES COLLECTED.** Fines collected from the violation of this ordinance shall be treated as TRUSH FUND for child- related activities of the Municipality.

**ARTICLE 7  
MISCELANEOUS PROVISIONS**

**SECTION 43. SEPARABILITY CLAUSE.** If for any reason, any provision of this ordinance is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in full legal force and effect.

**SECTION 44. EFFECTIVITY.** This ordinance shall take effect immediately after review from higher authority.

**ADOPTED and APPROVED** this 20<sup>th</sup> day of February 20, 2006.

**CERTIFIED CORRECT:**

**(Sgd)PABLO M. CUYAHON**  
*Vice Mayor/ Presiding Officer*

**ATTESTED:**

**(Sgd)JULIUS A. PUGON**  
*SB Member*

**(Sgd) JOHN D. HANGDAAN**  
*SB Member*

**(Sgd)PEDRO B. BUTALE**  
*SB Member*

**(Sgd) FELIMON B. ANANAYO**  
*SB Member*

**(Sgd)MAURA B. HIMMIWAT**  
*SB Member*

**(Sgd) JIMMY A. YOGYOG**  
*SB Member*

**(Sgd)JOSE B. MAGAYA**  
*SB Member*

**(Sgd) JULIO G. BAHATAN**  
*Liga ng mga Brgy. President*

**(Sgd)RANIA G. BASILIO**  
*SK Federation President*

**APPROVED:**

**(Sgd)HILARIO T. BUMANGABANG**  
*Municipal Mayor*

I hereby certify to the correctness of the foregoing resolution.

**(Sgd)JUANITA M. PUGONG**  
*SB Secretary*