



REPUBLIC OF THE PHILIPPINES
SANGGUNIANG PANLUNGSOD
CITY OF MANDALUYONG



ORDINANCE NO. 982, S-2024

**AN ORDINANCE AMENDING ORDINANCE
NO. 706, S-2018, OTHERWISE KNOWN
AS THE CHILDREN'S WELFARE CODE OF
MANDALUYONG CITY**

WHEREAS, the Sangguniang Panlungsod of Mandaluyong, in accordance with its mandate to provide ample protection and to promote the welfare and development of children, enacted Ordinance No. 405, Series of 2008, as further amended by Ordinance No. 706, Series of 2018 or the Children's Welfare Code of Mandaluyong ("Code") on 09 August 2018;

WHEREAS, since its enactment, the Code has proven to be an established blueprint across the country, putting the welfare of children at the forefront of the priority areas of the City of Mandaluyong;

WHEREAS, geared towards providing a holistic approach to address pressing concerns relating to children and their families, the Code likewise adopted relevant international and local legislations to strengthen the mettle of the Code and its enforcement;

WHEREAS, through the express will of the National Government, recent local legislations relating to children's rights and welfare have been enacted;

WHEREAS, notwithstanding the explicit adoption of relevant legislations at the time of its enactment, the Sangguniang Panlungsod of Mandaluyong similarly recognizes the importance of updating local ordinances, including the Code, to reflect newly approved national legislations concerning the rights, welfare and protection of children with regard and reference to the Child Friendly Local Governance Audit and its implementing Guidelines which seeks to gauge the performance of the City in terms of the provision of services for the promotion and protection of the welfare of our children in the areas of Development, Survival, Development and Participation;

WHEREAS, the City of Mandaluyong is committed to ensuring that its legal framework for the protection of children is aligned and consistent with the highest standards set forth by national laws;

WHEREAS, the City of Mandaluyong likewise recognizes the need to establish and implement a comprehensive strategic program of action to provide children, pregnant and lactating mothers affected by disaster and other emergency situations with the utmost support and assistance necessary for their immediate recovery and protection;

WHEREAS, the City of Mandaluyong also intends to particularly recognize, protect, and promote the rights of learners with disabilities to education based on equal opportunity and aims to ensure that no learner with a disability is deprived of the right to access inclusive, equitable, and quality education;

WHEREAS, for this purpose, it is imperative to update the Code through the implicit and explicitly incorporation of new legislations designed to safeguard and protect children and ensure their welfare and well-being.

NOW THEREFORE, BE IT ORDAINED AS IT HEREBY ORDAINED BY THE SANGGUNIANG PANLUNGSOD OF THE CITY OF MANDALUYONG, IN SESSION DULY ASSEMBLED THAT:

- SECTION 1. PURPOSE. The purpose of this Ordinance is to incorporate the provisions of new legislations aimed at improving child welfare, protection, and rights, in their entirety, to the existing legislations cited in the Children's Welfare Code of Mandaluyong.
- SECTION 2. IMPLICIT INCORPORATION OF THE PROVISIONS OF NEW LEGISLATIONS IN TOTO. Section 4, Article I of Ordinance No. 706, S-2018 is hereby amended, adding therein the following legislations, to wit:

“SECTION 4. GOVERNING LAWS.

xxx

This Code hereby adopts all relevant and enforceable national laws, rules, and other regulations, and local ordinances governing children, such as but not limited to:

xxx

- REPUBLIC ACT NO. 11313. An Act Defining Gender-Based Sexual Harassment in Streets, Public Spaces, Online, Workplaces, and Educational or Training Institutions Providing Protective Measures and Prescribing Penalties Therefor;
- REPUBLIC ACT NO. 11650 (Development). An Act Instituting a Policy of Inclusion and Services for Learners with Disabilities in Support of Inclusive Education, Establishing Inclusive Learning Resource Centers of Learners with Disabilities in all School Districts, Municipalities and Cities, Providing for Standards, Appropriating Funds Therefor, and for Other Purposes;

- **REPUBLIC ACT NO. 11767 (Protection and Survival).** An Act Promoting the Rights of and Providing Greater Protections to Deserted or Abandoned Children with Unknown Parents, Amending for this Purpose Articles 276 And 277 of the Revised Penal Code and Special Laws, Recognizing their Status as Natural-Born Citizens of the Philippines, Providing Penalties Against Acts Inimical to their Welfare, and for Other Purposes;
- **REPUBLIC ACT NO. 11862 (Protection).** An Act Strengthening the Policies on Anti-Trafficking in Persons, Providing Penalties for its Violations, and Appropriating Funds Therefor, amending for the Purpose Republic Act No. 9208, as amended, Otherwise Known as the "Anti-Trafficking in Persons Act of 2003", and other Special Laws; and
- **REPUBLIC ACT NO. 11930 (Protection).** An Act Punishing Online Sexual Abuse or Exploitation of Children, Penalizing the Production, Distribution, Possession and Access of Child Sexual Abuse or Exploitation Materials, Amending Republic Act No. 9160, otherwise known as the "Anti-Money Laundering Act of 2001", as amended and Repealing Republic Act No. 977, Otherwise Known as the "Anti-Child Pornography Act of 2009";

SECTION 3. Article III of Ordinance No. 706, S-2018 is hereby amended, adding therein the following provision on the healing, recovery, and reintegration program for children-victims of trafficking, sexual abuse, and exploitation and efforts to address online sexual abuse or exploitation of children (OSAEC) and proliferation and use of child sexual abuse exploitation or abuse materials (CSAEM) in the internet and social media platforms, to wit:

"SECTION 19. The City of Mandaluyong, in coordination with the Department of Social Welfare and Development, shall develop and implement a whole-of-government approach of healing, recovery, and reintegration program for children-victims of trafficking, sexual abuse, and exploitation. Services shall include mental health support, rehabilitation, access to judicial services, livelihood training, educational scholarships, and economic reintegration, including their families.

The City of Mandaluyong shall, likewise, strengthen all efforts against online sexual abuse or exploitation of children (OSAEC), and shall prevent the proliferation and use of child sexual abuse exploitation or abuse materials (CSAEM) in the internet and social media platforms through sustainable education and awareness campaign."

SECTION 4. Section 17, Article IV of Ordinance No. 706, S-2018 is hereby amended, adding therein the following provision on the establishment of a Comprehensive Emergency Program for Children, to wit:

"SECTION 17. PROGRAMS FOR CHILDREN BEFORE, DURING, AND AFTER DISASTER. The City Government of Mandaluyong shall adopt policies and programs for children before, during and after disaster which are as follow but not limited to:

xxx

- h. Promotion of children's rights by teaching both children and emergency responders what to remember during disaster situations.

The City Social Welfare and Services Department, in coordination with the City Health Department and other concerned agencies and offices, shall establish a comprehensive emergency program for children during disasters and emergencies.

The program shall include the establishment of evacuation centers, child and women-friendly transitional shelters, and a referral mechanism for orphaned, unaccompanied, and separated children. It shall ensure the immediate delivery of basic necessities and services, stronger measures for the safety and security of affected children, and the provision of health, medical, and nutrition services. It shall also emphasize the importance of resuming educational services for children and the establishment of child-friendly spaces in evacuation centers and transitional sites."

SECTION 5. Article IV of Ordinance No. 706, S-2018 is hereby amended, adding therein the following provision on the establishment of Inclusive Learning Resource Centers (ILRCs), to wit:

"SECTION 18. In cases the case of children learners with disabilities, Inclusive Learning Resource Centers (ILRCs) with adequate personnel shall be established, which are physical or virtual centers, that provide support and related services to facilitate and enhance the learning process of learners with disabilities."

SECTION 6. Section 7, Article IV of Ordinance No. 706, S-2018 is hereby amended, adding therein the following provision on the integration of the rules on the protection foundlings in the existing programs, projects, and activities of the City Government of Mandaluyong, to wit:

"SECTION 7. PROTECTION RIGHTS AND PROGRAMS FOR FOUNDLING.

xxx

In this regard, the City Government of Mandaluyong shall extend such assistance in the most expeditious manner in the interest of full emotional and social development of the abandoned, surrendered, or neglected child. Mandaluyong City shall also provide for social welfare services which include foster care programs. To synchronize these efforts, the provisions of Republic Act No. 11767 shall be integrated into the existing programs, projects, and activities of the Civil Registry Department and in the administration of the City's role in domestic adoption."

SECTION 7. Any and all provisions of the Children's Welfare Code of Mandaluyong, including its related ordinances and local issuances, shall remain effective and enforceable, with the afore-mentioned incorporation being considered as an augmentation of the previously included legislations under Section 4, Article I of the said Code.

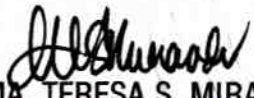
SECTION 8. Notwithstanding the nature of such incorporation, the adoption and interpretation of the afore-mentioned national laws and their provisions vis-à-vis the existing provisions of the Code shall be, as far as practicable, harmonized for its continuous and effective enforcement. Should the same be irreconcilable, the provisions of the corresponding national law shall prevail.

SECTION 9. If, for any reason or reasons, any part or provision of this Ordinance shall be held to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

- SECTION 10. All other ordinances, resolutions, executive Orders, and other relevant issuances which are inconsistent with any of the provisions of this Ordinance are hereby repealed or modified accordingly.
- SECTION 11. Let copy of this Ordinance be furnished to the relevant departments, offices, and agencies concerned for their information, guidance, and reference.
- SECTION 12. This Ordinance shall take effect immediately upon approval.

ENACTED on this 27th day of May 2024, in the City of Mandaluyong.

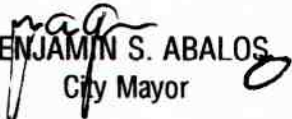
I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE
WAS ENACTED BY THE SANGGUNIANG PANLUNGSOD OF
MANDALUYONG IN A REGULAR SESSION HELD ON THE
DATE AND PLACE FIRST ABOVE GIVEN.


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:

APPROVED BY:


ANTONIO DLS. SUVA
City Councilor &
Acting Presiding Officer


BENJAMIN S. ABALOS
City Mayor
Date: MAY 27 2024

ON OFFICIAL BUSINESS
CARMELITA A. ABALOS
City Vice Mayor

DISTRICT I

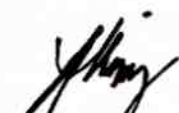
ACTING PRESIDING OFFICER
ANTONIO DLS. SUVA, JR.
Councilor


ANJELO ELTON P. YAP
Councilor


DANILO L. DE GUZMAN
Councilor

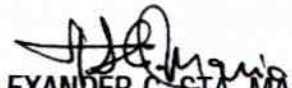

RODOLFO M. POSADAS
Councilor


CARISSA MARIZ S. MANALO
Councilor

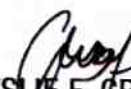

ESTANISLAO V. ALIM III
Councilor

DISTRICT II

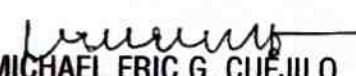

BENJAMIN A. ABALOS III
Councilor


ALEXANDER C. STA. MARIA
Councilor

ON VACATION LEAVE
REGINALD S. ANTIOJO
Councilor


LESLIE F. CRUZ
Councilor


MICHAEL R. OCAMPO
Councilor


MICHAEL ERIC G. CUEJILO
Councilor


DARWIN A. FERNANDEZ
LnB President


CHERYL V. MINA
SK Federation President