

Republic of the Philippines
Province of Bohol
MUNICIPALITY OF LOON

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE 28TH REGULAR SESSION OF THE 13TH SANGGUNIANG BAYAN OF LOON, PROVINCE OF BOHOL HELD ON THE 31ST DAY OF JANUARY 2017 AT THE SANGGUNIANG BAYAN (SB) OFFICE, LOON, BOHOL-

PRESENT:

Hon. Lloyd Peter M. Lopez, M.D.	Vice Mayor, Presiding Officer
Hon. Pedro M. Literatus, Jr.	SB Member
Hon. Timoteo L. Legitimas	SB Member
Hon. Emerson S. Relampagos	SB Member
Hon. Lydia L. Almasa	SB Member
Hon. Zaide Y. Coritico	SB Member
Hon. Nilo P. Branzuela	SB Member
Hon. Judy Marie H. Veloso	SB Member
Hon. Kristel P. Tecson	SB Member
Hon. Cesar R. Pedrigal	Ex-Officio Member

ABSENT:

NONE

MUNICIPAL ORDINANCE NO. 17-001
Series of 2017

AN ORDINANCE ADOPTING AND IMPLEMENTING THE PROVISIONS OF REPUBLIC ACT (RA) 9344 SPECIFICALLY ON THE PRESCRIBED LOCAL JUVENILE INTERVENTION AND DIVERSION PROGRAMS, PROVIDING FUNDS THEREOF AND FOR OTHER PURPOSES

Be it enacted by the 13th Sangguniang Bayan of Loon, Bohol in session duly assembled:

SECTION 1- Rationale

The Local Government Code of 1991 mandates all local government units to promote the general welfare of their inhabitants, provide basic services for their constituents, and enact ordinances which shall ensure the effective and efficient delivery of such services.

The Juvenile Justice and Welfare Council created by virtue of RA 9344 provides for a Comprehensive National Juvenile Intervention Program Framework to ensure the effective implementation of the Act and to serve as guide for local government units in the preparation of their respective intervention and diversion programs for children at risk (CAR) and for children in conflict with the law.

Section 18 of RA 9344 requires LGUs to develop a Comprehensive Juvenile Intervention Program covering at least a 3-year period and set aside an amount necessary to implement the said program pursuant to Section 23 of the said Act. The children in conflict with the law shall undergo diversion programs without undergoing court proceedings subject to condition as provided by the Act.

SECTION 2- Guiding Principles

This Ordinance is in pursuit of the Philippine Government's commitment to the United Nations Convention on the Rights of the Child (UNCRC) embodying the principles of Restorative Justice and other applicable laws on child and youth welfare and protection.

SECTION 3- Strengthening Of Municipal Council for the Protection of Children (MCPC) as provided for under Section 15 of RA 9344

Section 3.1 The Municipality of Loon shall strengthen the Municipal Council for the Protection of Children chaired by the Municipal Mayor and the membership of which shall be in accordance with Rule 15c. (2) of the IRR of RA 9344.

Section 3.2 The Council shall serve as the primary body to coordinate with and assist the city government in the formulation of comprehensive juvenile intervention and diversion programs and shall set policies for their implementation and for providing services for CICL.

Section 3.3 The Municipal Planning and Development Council shall convene its members within fifteen (15) days from the effectivity of this Ordinance and every quarter thereafter. It shall render a report to the Office of the Municipal Mayor; copy furnished the DILG and the Municipal Social Welfare and Development Office.

Section 4- Formulation of the Municipal Juvenile Intervention Program (MJIP) - The Municipal Mayor through the Municipal Social Welfare and Development Officer and in coordination with the Municipal Council for the Protection of Children (MCPC), shall formulate a 3-year Comprehensive Municipal Juvenile Intervention Program (MJIP).

Section 5- Implementation of the Municipal Juvenile Intervention Program (MJIP) – This LGU shall implement the MJIP, through a collaborative undertaking between and among the Sangguniang Bayan, Municipal Mayor, community-based youth and school organizations, NGOs, and other concerned agencies, to address causes of offenses/crimes, provide assistance to CICL and alternative modes to avoid the child’s contact with the formal justice system.

Section 6- Levels of Intervention and Roles of Stockholders – The Municipal Social Welfare and Development Officer shall formulate the Municipal Juvenile Intervention Program for the following intervention levels:

6.1 Primary Intervention, which includes general measure to promote social justice and equal opportunity, which will indirectly tackle perceived root causes of offending.

6.2 Secondary Intervention, which includes measures to assist children at risk and to prevent them from offending.

6.3 Tertiary Intervention, which includes measures to address the needs of children who have committed an offense to prevent them from re-offending and to avoid unnecessary contact with the formal justice system and other measures to prevent commission of another offense.

Section 7- Mobilization of Concerned Sectors/Institutions

The Municipal Mayor, through the MCPC, shall mobilize or call upon the participation of all sectors concerned, particularly the child-focused institutions, NGOs, people’s organizations, educational institutions and government agencies involved in delinquency prevention, in the planning process and implementation of juvenile intervention and diversion programs.

Section 8- Implementation of Intervention and Diversion Programs

8.1 The Municipal Mayor, through the MSWDO and the MCPC, shall provide:

8.1.1 intervention programs for children fifteen (15) years old and below who have committed an offense;

8.1.2 intervention programs for children more than fifteen (15) years old but less than eighteen (18) years old who acted with discernment and who have committed an offense with an imposable penalty of not more than six (6) years.

8.1.3 diversion programs for children more than fifteen (15) years old but less than eighteen (18) years old who acted with discernment and who have committed an offense with an imposable penalty of more than six (6) years

8.2 The MSWDO shall ensure that the intervention programs shall address the causes of juvenile delinquency. Intervention programs shall include any or a combination of, but not limited to the following (Part VII, IRR of RA 9344)

8.2.1 Counseling

8.2.2 Peer counseling and life skills training and education;

8.2.3 Provision of support services to the family, e.g. parent effectiveness, service, livelihood programs, skills training, etc.;

8.2.4 Referral of other agencies for appropriate services, e.g. education, health, skills training, etc.; and

8.2.5 Access to child and youth organizations in the community, such as, but not limited to the Sangguniang Kabataan.

8.3 The MSWDO shall provide assistance in the conduct of diversion programs the barangay, law enforcement, and prosecution levels (Part VII, IRR of RA 9344).

8.4 The MSWDO shall also:

8.4.1 develop policies and programs to ensure that children in conflict with the law are not subjected to discrimination in schools, both private and public;

8.4.2 coordinate will appropriate agencies such as TESDA, DepEd, DOH and CHED in the formulation of intervention and diversion programs

8.4.3 find ways to promote and replicate good practices of intervention and diversion programs

8.4.4 monitor compliance of CICL to intervention or diversion programs

Section 9- Care and Maintenance of CICL (Section 50 of RA 9344)

The expenses for the care and maintenance of a CICL under institutional care shall be borne by his/her parents of those persons liable to support him/her. Provided, that in case his/her parents or those persons liable to support him/her cannot pay all or part of said expenses, the LGU where the offense was committed shall pay one third (1/3) of said expenses or part thereof, the province where this municipality belongs shall pay one third (1/3) of said expenses and the remaining one third (1/3) shall be borne by the national government.

Section 10- After-Care Support Services

The MSWDO shall provide after-care services for a period of six (6) months to the CICL who have been dismissed by the proper court because of good behavior as per recommendation by the DSWD and/or any accredited NGO Youth Rehabilitation Center.

Section 11- Appropriation of Funds

There shall be incorporated in its Annual Appropriation Ordinance funds for the immediate development of information and education campaign (IEC) materials on the procedures and levels of intervention, implementation of intervention programs, and conduct of diversion programs in accordance with Section 24, 26, 27, 30, 31 and 50 of the law. This LGU shall appropriate 1% of its annual IRA share for the strengthening and implementation of the programs of the MCPC as provided for in Section 15 of RA 9344. The above appropriations shall be subject to the usual accounting and auditing rules and regulations.

Section 12- Monitoring, Reporting and Evaluation System

The Municipal Council for the Protection of Children shall monitor the implementation of the Comprehensive Municipal Juvenile Intervention and Diversion Programs and submit report to the Juvenile Justice and Welfare Council (JJWC), through the DILG, not later than March 30 of every year.

Section 13- Appropriations. There shall be allocated funds to carry out the provisions of this Ordinance with an initial budget of Two Hundred Thousand Pesos (P200,000.00) subject to the usual accounting and auditing rules and regulations.

Section 14- Separability Clause. If for any reasons, any section of this Ordinance shall be held unconstitutional or invalid, other sections which are not affected thereby shall continue to be in full force and effect.

Section 15- Repealing Clause. All ordinances, rules and regulations or parts thereof in conflict with this Ordinance are hereby repealed; provided that the rights that are vested upon the effectivity of this Ordinance shall not be impaired.

Section 16- 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 occurs later.

UNANIMOUSLY APPROVED.

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I hereby certify to the correctness of the above-quoted ordinance.

FIDELINO P. CORITICO, LLB
Secretary to the Sanggunian

ATTESTED:

LLOYD PETER M. LOPEZ, M.D.
Vice Mayor
Presiding Officer

APPROVED:

ELVI PETER L. RELAMPAGOS
Municipal Mayor

Date: _____,

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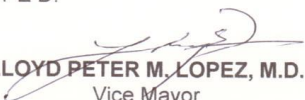
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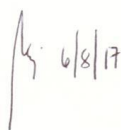
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FIDELINO P. CORITICO, LLB
Secretary to the Sanggunian

ATTESTED:


LLOYD PETER M. LOPEZ, M.D.
Vice Mayor
Presiding Officer

Mayor -  6/8/17

APPROVED:


ELVI PETER L. RELAMPAGOS
Municipal Mayor

Date: 06/08/17