



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Pasig

Ordinance No. 74
Series of 2023

AN ORDINANCE PROVIDING FOR THE 2023 REVISED PASIG CITY CHILDREN'S PROTECTION ORDINANCE.

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WHEREAS, under Section 13, Article II of the 1987 Constitution, the State recognizes the vital role of children and youth in in nation building and shall promote and protect their physical, moral, spiritual, intellectual and social well-being;

WHEREAS, Section 3 (2) Article XV of the 1987 Constitution provides that the State shall defend the right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty and exploitation, and other condition prejudicial to their development;

WHEREAS, Republic Act No. 7610 or the Special Protection of Children against Abuse, Exploitation and Discrimination Act states that "the best interest of children shall be the paramount consideration in all actions concerning them, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities and legislative bodies, consistent with the principles of First Call for Children as enunciated in the UN Convention of the Rights of the Child. Every effort shall be exerted to promote the welfare of children and enhance their opportunities for a useful ad happy life";

WHEREAS, the City Government of Pasig enacted Ordinance No. 55, series of 1999 entitled "the Curfew Ordinance for Minors", Ordinance No. 4, series of 2016 or the Pasig City Children's Protection Ordinance" and Ordinance No. 57, series of 2017 amending Ordinance No. 05, series of 2013 or the Ordinance regulating the establishment and operation of internet café, computer rental shops and computer gaming centers;

WHEREAS, Ordinance No. 40, series of 2020 of the City Government of Pasig provides for the city-wide uniform curfew hours from 10:00 o'clock in the evening to 5:00 o'clock in the morning which, in the interest of safety of children, was enacted to regulate the movement of minor children especially during nighttime as well as to protect them from neglect, abuse, exploitation, cruelty and other circumstances prejudicial to their welfare and development;

WHEREAS, the City of Pasig recognizes the vulnerability of children and the need for measures to protect their rights and ensure their full development of their potentials;



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NOW, THEREFORE, be it ordained, as it is ordained, by the Sangguniang Panlungsod, in regular session assembled, that:

SECTION 1. TITLE. – This Ordinance shall be known as “The 2023 Revised Pasig City Children’s Protection Ordinance”.

SECTION 2. SCOPE. – This Ordinance shall apply to:

- (a) All minors whether or not they are residents of Pasig City, found within the jurisdiction of the City of Pasig;
- (b) All establishments and businesses located in the City of Pasig;

SECTION 3. COVERAGE. – Establishments such as computer shops, internet cafes, gaming centers, billiard halls, amusement centers, videoke/karaoke bars, night clubs, hotels, motels, and other similar business enterprises or establishments are prohibited to accept minors unaccompanied by parents or guardians specifically during curfew hours.

SECTION 4. ROLE OF PARENTS AND GUARDIANS. – It shall be unlawful for any parent, guardian or person having care of the child to abandon, abuse, neglect, exploit or force their children/ward or send them out in the streets to beg or perform any service for a fee.

It shall likewise be unlawful for a parent or guardian to knowingly permit, or by insufficient control, allow the student to loiter, linger or stay in any business establishment or place within the city during school hours while it shall be unlawful for a teacher and school authorities to knowingly permit or by insufficient control, allow the student to loiter, linger or stay in any business establishment or place within the city during the same period.

SECTION 5. PROHIBITED ACTS. – Minors are prohibited to wander, stray, saunter, linger or loiter in the streets, plazas, malls, recreational centers, movie theaters, commercial establishments and any other public places or areas and unsupervised places outside the vicinity of their residence within the curfew hours, except in the following instances:

- (a) When accompanied by their parents, family members of legal age or guardian;
- (b) Those running an errand such as but not limited to buying medicines, or in cases of emergency and similar situations, provided that the minor is not being used for any criminal or illegal activity;
- (c) Those who came from night school or religious-related activity but not beyond 12:00 midnight;



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- (d) Those minors whose school obligation or work requires their presence outside of their residence during curfew hours provided they are equipped with a Certification from their school or a Permit from the DOLE;

SECTION 6. TRUANCY. – It shall be unlawful for any minor to loiter, linger or stay in a public place, internet café, recreational centers, commercial establishments, or business establishments during school hours, except during lunch breaks and under the supervision of their parents or guardians, except in the following instances:

- (a) When minor is accompanied by his or her parent, guardian or other adult person having the care and custody of the minor;
(b) When the minor is in an emergency errand directed by his or her parent, guardian or adult person having the care or custody of the minor;
(c) When the minor is going or coming directly from a medical examination; and
(d) When minor is returning from a public meeting, symposium or assembly and has in his or her possession a school issued permit.

It shall likewise be unlawful for dropouts or out-of-school youth to loiter, linger or stay in a public place or business establishment within one hundred (100) meter radius from any school during school hours considering their influence on in-school students.

SECTION 7. OTHER PUNISHABLE ACTS. – Under this Ordinance, prohibited acts under national laws or City ordinances, among others, committed by business and commercial establishments, community centers, internet cafes, gaming centers, hotels, motels and other similar establishments shall be deemed punishable and subject to the penalties set forth under Section 8 hereof and other child-related protection laws:

- (a) Republic Act No. 9344 or the Juvenile Justice and Welfare Act;
(b) Republic Act No. 7610 or the Special Protection of Children against Abuse, Exploitation and Discrimination Act;
(c) Republic Act No. 9231 or An Act Providing for the Elimination of the Worst Forms of Child Labor;
(d) Republic Act No. 9775 or the Anti-Child Pornography Act;
(e) Republic Act No. 9211 or the Tobacco Regulation Act of 2003;
(f) Presidential Decree No. 1619 or the law penalizing the use, possession or unauthorized sale to minors of volatile substances for the purpose of inducing intoxication;
(g) Republic Act No. 11862 or the Expanded Anti-Trafficking Act of 2022;
(h) Republic Act No. 10175 or the Cybercrime Prevention Law;



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- (i) Republic Act No. 11930 or Online Sexual Abuse or Exploitation of Children
- (j) Ordinance No. 55, Series of 1999;
- (k) Ordinance No 57, Series of 2017; and
- (l) Ordinance No. 05, Series of 2013.

SECTION 8. PENALTIES. – Violators of this Ordinance shall be subjected to the following penalties:

8.1 A minor found guilty of violating any provisions of this Ordinance shall undergo the following intervention programs:

- (a) First Offense – both minor and parent or guardian shall undergo a compulsory counselling to be conducted by the Barangay Council for the Protection of Children (BCPC) of the barangay where the minor is a resident;
- (b) Second Offense – the minor together with his/her parent or guardian shall undergo assessment, counselling and intervention by the City Social Welfare and Development Office; after completion of the assessment, counselling and intervention, the minor shall be released to his/her parent or guardian;
- (c) Third Offense - the parent or guardian shall be penalized with a fine of Three Thousand Pesos (Php3,000.00) and/or community service for five (5) days; the minor shall then be recorded as Children at Risk (CAR) and the social worker in charge shall file a petition for the minor's involuntary or voluntary commitment in the proper court or tribunal; the parent or guardian shall likewise sign a written agreement to attend a Parent's Effectiveness Seminar conducted by the barangay where the minor is a resident;
- (d) Fourth Offense - the parent or guardian shall be penalized with a fine of Five Thousand Pesos (Php5,000.00), and after thorough assessment by the social worker in charge, file a corresponding action with the proper court or tribunal; parents or guardians found guilty shall be penalized with suspension of city-sponsored benefits, if applicable;

8.2 Business establishments mentioned in this Ordinance who are found guilty of violating the provisions set forth herein shall be penalized as follows:

- (a) First Offense – a fine of Three Thousand Pesos (Php3,000.00);
- (b) Second Offense – a fine of Five Thousand Pesos (Php5,000.00) and one (1) month suspension of the business establishment;
- (c) Third Offense – Revocation or cancellation of business permit.

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8.3 Individuals other than parent/guardian or minor as stated in this Ordinance who are found guilty of violating the provisions set for the herein shall be penalized as follows:

- (a) First Offense – fine of One Thousand Pesos (Php1,000.00);
- (b) Second Offense – fine of Three Thousand Pesos (Php3,000.00);
- (c) Third Offense – fine of Five Thousand Pesos (Php5,000.00) and/or imprisonment of not more than six (6) months as may be determined by the proper body or tribunal.

Per Salazar

SECTION 9. IMPLEMENTING AGENCIES AND COUNCILS. – The following agencies and councils shall implement this Ordinance:

- (a) Pasig City Council for the Protection of Children (PCCPC)
- (b) Barangay Council for the Protection of Children (BCPC)
- (c) City Social Welfare and Development Office (CSWDO)
- (d) Women and Children Protection Unit (WCPU)
- (e) Women and Children Protection Desk (WCPD)
- (f) Peace and Order Department
- (g) Local Youth and Development Office (LYDO)
- (h) Business Permit and Licensing Office (BPLD)

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SECTION 10. INTERVENTIONS. – The following guidelines and procedures which, shall be in accordance with law and appropriate protocols shall be followed:

- (a) Minor/Children found in the streets, sidewalks, plazas, premises of malls, parks, recreational centers, movie houses, commercial establishments or any public places shall, not later than eight (8) hours during curfew, be reported to the barangay BCPC who shall immediately notify the children's parents or guardians;
- (b) The BCPC shall conduct validation, recording and if applicable, counselling;
- (c) In cases where children violate the provisions of this Ordinance repeatedly, they shall be turned over to the local City Social Welfare and Development Office(CSWDO) for proper case management, analysis and intervention through its Multi-disciplinary team (MDT) who shall be responsible for the assessment, planning, monitoring, evaluation and after-care programs;
- (d) In cases where children rescued are found to be recidivists, the local CSWDO shall refer the children for proper disposition to the appropriate institution in accordance with the law.

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SECTION 11. IMPLEMENTING RULES AND REGULATIONS. – Within ninety (90) days from the approval of this Code, the PCPC, with the assistance of the CSWDO, shall formulate and issue the appropriate rules and regulations necessary for the effective and efficient implementation of any and all provisions of this Code.

SECTION 12. RULES OF CONSTRUCTION. – Any provision of this ordinance which may be ambiguous or vague shall be reasonably construed in a manner that gives effect to the purpose for which this Ordinance or the specific provision has been enacted and in accordance with the best interests of the child.

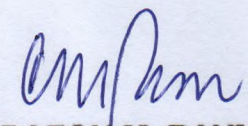
SECTION 13. SEPARABILITY CLAUSE. – If for any reason or reasons, any part or provision of this Ordinance shall be declared or deemed to be unconstitutional or invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 14. REPEALING CLAUSE. – All ordinances, resolutions, rules and regulations or parts hereof which are inconsistent with this Ordinance are hereby deemed repealed or modified accordingly.

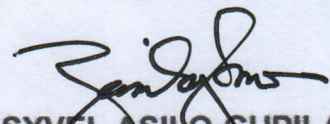
SECTION 15. EFFECTIVITY. – This Ordinance shall take effect thirty (30) days after its publication in the Official Gazette or in a newspaper of general circulation.

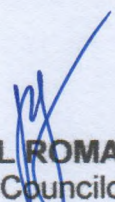
APPROVED this 6th day of **December 2023** at Pasig City.

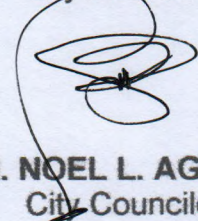

HON. RAYMUND FRANCIS S. RUSTIA
City Councilor

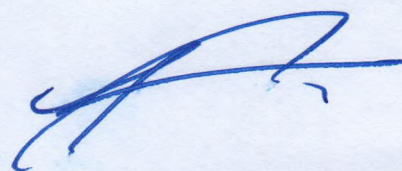

HON. CORAZON M. RAYMUNDO
City Councilor


HON. SIMON GERARD R. TANTOCO
City Councilor


HON. SYVEL ASILO-SUPILAN
City Councilor


HON. PAUL ROMAN C. SANTIAGO
City Councilor


HON. NOEL L. AGUSTIN
City Councilor







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[Signature]
HON. RODERICK MARIO U. GONZALES
City Councilor

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HON. MARION ROSALIO M. MARTIRES
City Councilor

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HON. REGINO S. BALDERRAMA
City Councilor

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HON. KEIL P. CUSTILLAS
SK Fed. President

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HON. MARIA LUISA "ANGELU" M. DE LEON
City Councilor
Minority Floor Leader

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HON. MARK GIL M. DELOS SANTOS
City Councilor
Majority Floor Leader

Attested by:

[Signature]
HON. ROBERT VINCENT JUDE B. JAWORSKI, JR.
City Vice-Mayor
Presiding Officer

APPROVED:

[Signature]
HON. VICTOR MA REGIS N. SOTTO
City Mayor

Attested by:

[Signature]
ATTY. NICOLO JOEL B. GUTIERREZ
Acting City Council Secretary

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