



Republic of the Philippines  
Province of Ilocos Norte  
MUNICIPALITY OF NUEVA ERA

**OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPT FROM THE MINUTES OF THE \_\_\_TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF NUEVA ERA, ILOCOS NORTE, HELD AT THE SESSION HALL ON NOVEMBER 25, 2016 AT 9:00 O'CLOCK IN THE MORNING, FRIDAY .

PRESENT:

- |                                |                                |
|--------------------------------|--------------------------------|
| HON. ALDRIN R. GARVIDA         | Vice Mayor & Presiding Officer |
| HON. JOSEPH B. ARZADON         | SB Member                      |
| HON. JERRY D. ALEJANDRO        | "                              |
| HON. ROGER O. ARZADON          | "                              |
| HON. BENABEL A. LALUGAN        | "                              |
| HON. OSIAS O. BUENO            | "                              |
| HON. PETRONIO JR. H. RIQUELMAN | "                              |
| HON. AGRIFINA T. DUMLAO        | "                              |
| HON. JURLANDINO CASTILLO       | "                              |
| HON. EDWIN B. YAGIN            | ABC President                  |

ABSENT: NONE

**MUNICIPAL ORDINANCE NO. 09**  
Series 2016

**AN ORDINANCE ADOPTING & IMPLEMENTING THE PROVISIONS OF RA 9344 SPECIFICALLY ON THE PRESCRIBED LOCAL JUVENILE INTERVENTION AND DIVERSION PROGRAMS, PROVIDING FUNDS THEREFORE AND FOR OTHER OTHER PURPOSES.**

WHEREAS, 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.

WHEREAS, 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 LGUs in the preparation of their respective intervention and diversion programs for Children at Risk (CAT) and for children in Conflict with the Law (CICL);

WHEREAS, Section 18, of RA 9344 requires LGUs to develop a Comprehensive Juvenile Intervention Program and set aside an amount necessary to implement the said program;

WHEREAS, pursuant to Section 23 of the said Act; children in conflict with the law shall undergo diversion programs without undergoing court proceedings subject to condition as provided by the Act;

Now, therefore, on motion duly seconded, it was...

BE IT ORDAINED by the Sangguniang Bayan of Nueva Era, Ilocos Norte, in session assembled:

**ARTICLE 1**

SECTION 1. TITLE OF THE ORDINANCE. This ordinance shall be known as "AN ORDINANCE ADOPTING AND IMPLEMENTING THE PROVISIONS OF RA 9344 SPECIFICALLY ON THE PRESCRIBED LOCAL JUVENILE INTERVENTION AND DIVERSION PROGRAMS, PROVIDING FUNDS THEREFORE, AND FOR OTHER PURPOSES.

## SECTION 2. GUIDING PRINCIPLES.

This ordinance is in pursuit to the United Nations Convention on the Rights of the Child (UNCRC), principles of Restorative Justice and other applicable laws on the child and youth welfare and protection.

## ARTICLE II

## SECTION 3. ESTABLISHMENT AND STRENGTHENING OF THE LOCAL COUNCIL FOR THE PROTECTION OF CHILDREN as provided for under Section 15 of RA 9344.

3.1. The Municipality of Nueva Era shall organize/re-organize the Local council for the Protection of Children:

Chairman: Hon. CAROLINE A. GARVIDA, Municipal Mayor

Co-Chairman: HON. AGRIFINA T. DUMLAO, SB Chairman, Committee on Women & Family

Members: MRS. LYDIA S. AQUINO, Elementary School Principal  
 MS. LAVIN B. BASILIO, DILG Officer  
 ENGR. RAYNOLD L. SINFUEGO, Municipal Assessor  
 MR. SEGUNDINO O. URBANO, Mun. Treasurer/OIC Budget Officer  
 DR. RICKSON R. BALALIO, Municipal Health Officer  
 MRS. PAZ B. ACOSTA, MSWDO  
 MRS. JOSIE V. VALERA, Mun. Nutrition Action Officer  
 P/INSP. GERARDO MABINI, Chief of Police  
 HON. EDWIN B. YAGIN, ABC President  
 HON. JOSEPH B. ARZADON, SB Member/PTA President  
 MRS. PORFEDA CORPUZ, NGO Representative

Secretariat: MRS. PAZ B. ACOSTA, MSWDO  
 DR. RICKSON BALALIO, MHO

3.2. The Local council shall serve as the primary agency to coordinate with and assist the LGU concerned for the adoption of a comprehensive plan on delinquency prevention and to oversee its proper implementation.

## ARTICLE III

SECTION 4. FORMULATION OF THE MUNICIPAL JUVENILE INTERVENTION PROGRAM. The Municipal Mayor through the Municipal Social Welfare and Development Officer and in coordination with the Local Council for the Protection of Children shall formulate a 3-yea comprehensive Municipal Juvenile Intervention Program.

SECTION 5. IMPLEMENTATION OF THE MUNICIPAL JUVENILE INTERVENTION PROGRAMS. The Municipal Government of Nueva Era, Ilocos Norte shall implement the Municipal Juvenile Intervention Program through the collaborative undertaking between and among the Sangguniang Bayan, Municipal Mayor, community -based youth and school organizations, NGOs, and other concerned agencies to address the causes of offending, 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 STAKEHOLDERS. The Municipal Social Welfare and Development Officer shall formulate the Municipal Juvenile Intervention program for the following intervention levels:

6.1. Primary intervention which include general measures to promote social justice and equal opportunity which will indirectly tackle perceived root causes of offending.

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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 re-offending.

#### SECTION 7. MOBILIZATION OF CONCERNED SECTORS/INSTITUTIONS

The Municipal Mayor through the Local Council for the Protection of Children 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 LCPC shall provide:

8.1.1. Intervention programs for children below 15 years old and below who have committed an offense;

8.1.2. Intervention programs for children more than 15 years old but less than 18 years old who acted without discernment;

8.1.3. Diversion programs for children more than 15 years old but less than 18 years old who acted with discernment and who have committed an offense with an imposable penalty of not more than 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 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 to 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 at the barangay, law enforcement, and prosecution levels (Part VIII, IRR of RA9344)

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 with appropriate agencies such as TESDA, DepEd, DOH and CHED in the formulation of intervention and diversion programs;

8.4.3. Monitor compliance of CICL to intervention or diversion programs.

SECTION 9. ESTABLISHMENT OF A YOUTH FACILITY. The Municipal Government of Nueva Era, Ilocos Norte shall establish a youth facility for CICL in the following situations:

9.1. CICL with pending trial and with commitment order;

9.2. CICL with voluntary commitment

9.3. CICL with involuntary commitment.

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Provided that the LGU shall provide appropriate programs for CICL and the MSWDO shall treat each category for CICL differently.

#### SECTION 10. 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 or 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 shall pay one third (1/3) of the said expenses; Provided, further that in the event that the CICL is not a resident of the city where the offense was committed, the court, upon determination, may require the municipality where the CICL resides to shoulder the cost.

#### SECTION 11. AFTER-CARE SUPPORT SERVICES.

The LGU through 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 of the DSWD (MSWDO) AND /OR ANY ACCREDITED ngo Youth Rehabilitation Center.

### ARTICLE IV

#### SECTION 12. APPROPRIATION OF FUNDS

There is hereby appropriated the amount of FIVE HUNDRED THOUSAND PESOS (Php500,000.00) which shall be incorporated in the annual appropriation ordinance fund 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. In addition, the LGU shall appropriate 1% of its annual IRA share for strengthening and implementation of the programs as provided for in Section 15 of RA 9344. The above appropriations shall be subject to the usual accounting and auditing rules and regulations.

### ARTICLE V

#### SECTION 13. MONITORING, REPORTING AND EVALUATION SYSTEM

The Municipality of Nueva Era through the LCPC and MSWD shall monitor the implementation Of the Comprehensive Juvenile Intervention and diversion Programs and submit report to the Juvenile Justice and Welfare Council through the DILG.

### ARTICLE VI

SECTION 14. PENAL PROVISION. Any person who violates any provision of this ordinance shall upon conviction for each act or omission. Be punished by a fine of not less than One thousand pesos (Php1,000.00) but not more than two thousand five hundred pesos (php2,500.00) or imprisonment of not less than 10 days (10) but not more than thirty days (30) or both fine and imprisonment at the discretion of the court.

### ARTICLE VII OTHER PROVISIONS

SECTION 15. SEPARABILITY CLAUSE. If for any reason or 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 16. REPEALING CLAUSE. All ordinances, rules, 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 17. **EFFECTIVITY.**

This ordinance shall take effect upon approval and after posting in conspicuous places of the Municipal Hall for three consecutive weeks.

ADOPTED this 25<sup>th</sup> day of November 2016.

Voting Profile:


In Favor: Members J. Arzadon, J. Alejandro, R. Arzadon, B. Lalugan, O. Bueno, P. Riquelman Jr., A. Dumlao, J. Castillo, and E. Yagin.

Against: None


Abstained: None

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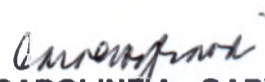
**CERTIFIED CORRECT:**

  
**LILY U. DALAG**  
Secretary to the Sangguniang Bayan

**ATTESTED:**

  
**ATTY. ALDRIN R. GARVIDA**  
Vice Mayor & Presiding Officer

**APPROVED:**

  
**CAROLINE A. GARVIDA**  
Municipal Mayor  
DEC 29 2016