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SENATE

SB No. 2612

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INTRODUCED BY SENATOR RISA HONTIVEROS

**AN ACT
PROVIDING FOR THE MAGNA CARTA OF CHILDREN**

EXPLANATORY NOTE

At least 129 children were killed in various drug operations during the course of the previous administration's war on drugs. More than six years after witnesses heard Kian Delos Santos' last words, "Tama na po! May exam pa ako bukas!" before he was brutally gunned down by police operatives, it remains a stark reminder of the vulnerabilities faced by our young. In a more recent incident unrelated to drugs, 17-year old Jemboy Baltazar was also gunned down by authorities in a supposed case of mistaken identity. While these incidents may be among those extreme of cases, many other instances involving the safety and well-being of children prompt us to do more for their protection.

The 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, exploitation and other conditions prejudicial to their development." It is in view of this obligation that the passage of the Magna Carta of Children is sought.

The Magna Carta of Children (MCC) is a comprehensive children's human rights law that seeks to advocate for all children in the Philippines and all Filipino children, through the recognition, protection, fulfillment, and promotion of their rights, especially those belonging to the marginalized sectors of society. It is the singular, most comprehensive, and cohesive legal framework for children's right to protection and development.

As a signatory to the United Nations Convention on the Rights of the Child (UNCRC) after its ratification in 21 August 1990, the MCC establishes the Philippine government's commitment to the convention to take all appropriate measures to respect and ensure the rights of children. It embodies the four basic principles of the UNCRC: children's right to non-discrimination, the best interest of children, their

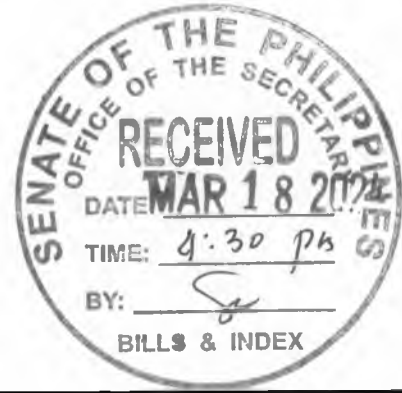
right to life and development, and their right to participation in all matters that affect them.

The UNCRC defines a child as a person under 18 years of age. It acknowledges the primary role of parents and the family in the care and protection of children, as well as the obligation of the State to help them carry out these duties. It contains different types of rights and is not ranked in order of importance but they interact with one another to form one integrated set of rights. The MCC shall adopt a child's rights approach and shall group these articles under the following themes: **RIGHT TO LIFE AND SURVIVAL, RIGHT TO DEVELOPMENT, RIGHT TO BE PROTECTED,** and **RIGHT TO PARTICIPATE.**

The MCC codifies existing legislation and harmonizes it with the provisions of UNCRC to protect the rights of children. This shall serve as a guide to the policies of the government to protect and fulfill the rights of children with the same general human rights as adults and rights that recognize their special needs. This shall also strengthen the child-serving institutions of the government and enable all levels of the Philippine government to act in the best interests of all Filipino children.

The MCC mandates all government offices, including local government units to adopt a comprehensive and integrated strategy through the development and implementation of laws, policies, regulatory instruments, administrative guidelines, and other appropriate measures to implement the provisions of the MCW and other related laws and policies and uphold the rights of Filipino children and create an environment that would steer their growth and well-being in all aspects of life.


RISA HONTIVEROS
Senator



SENATE

SB No. 2612

INTRODUCED BY SENATOR RISA HONTIVEROS

**AN ACT
PROVIDING FOR THE MAGNA CARTA OF CHILDREN**

Be it enacted by the Senate and the House of Representatives in the Philippines assembled:

**CHAPTER 1
General Provisions**

1 **SECTION 1. Short Title.** – This Act shall be known as “The Magna Carta of
2 Children”.

3
4 **Sec. 2. Declaration of Policy.** It is hereby declared the policy of the State
5 that:

- 6 a. The State recognizes children as bearers of human rights and values the dignity
7 of every child and guarantees respect for the human rights of the child. The
8 State shall exert every effort to protect, respect, and fulfill the rights of every
9 child as a unique and valuable human being with an individual personality,
10 distinct needs, interests and privacy.
- 11 b. The State recognizes that the child is entitled to special safeguards and care
12 because of their significant vulnerability, evolving capacity and psychological
13 maturity.
- 14 c. The State recognizes the vital role of children in nation-building and shall
15 promote and protect their physical, moral, spiritual, intellectual, and social well-
16 being. It shall inculcate patriotism and nationalism and encourage their
17 responsible involvement in public and civic affairs.
- 18 d. The State shall ensure that the institutions, services, and facilities responsible
19 for the care or protection of children shall conform to the standards established
20 by competent authorities.
- 21 e. As a State Party to the Convention on the Rights of the Child, the State shall
22 undertake all appropriate legislative, administrative, and other measures for
23 the implementation of the civil and political rights of the child.

1 With regard to economic, social, and cultural rights, the State shall undertake
2 such measures to the maximum extent of available resources and, where
3 needed, within the framework of international cooperation.

- 4 f. The State shall respect the responsibilities, rights, and duties of parents, the
5 members of the extended family or community, as provided by local custom,
6 legal guardians or other persons legally responsible for the child.
- 7 g. Consistent with Section 13, Article II of the Philippine Constitution, the State
8 recognizes the vital role of the youth in nation-building and promotes and
9 protects their physical, moral, spiritual, intellectual, and social well-being. In
10 the pursuit of this policy, the State shall abolish all traditional and cultural
11 practices and structures that perpetuate discrimination, abuse and exploitation
12 of children such as the practice of child marriage. The State also affirms that
13 marriage shall be entered into only with the free and full consent of capacitated
14 parties, and child betrothal and marriage shall have no legal effect. Pursuant to
15 these policies, the State thus views child marriage as a practice constituting
16 child abuse because it debases, degrades, and demeans the intrinsic worth and
17 dignity of children.

18
19 **Sec. 3. Guiding Principles of the Rights of the Child.** – As a State Party
20 to the Convention on the Rights of the Child, the State shall at all times seek to ensure
21 the realization of the Convention by **respecting** children’s rights and avoiding acts or
22 omissions that would result in a breach of the Convention, **protecting** children’s rights
23 by taking steps to prevent acts or omissions which would result in a breach of the
24 Convention and **fulfilling** children’s rights by taking steps to fully implement the
25 Convention.

26 The State shall adopt a child rights-based approach to child care and protection
27 whereas a child shall be viewed as a rights holder and not merely a beneficiary of
28 adults’ benevolence or others’ charity. [CRC GC No. 13, par. 72 (a)]

29 Further, the State is guided by the following principles:

- 30 a. **Non-discrimination.** The State shall respect and ensure the rights of every
31 child without discrimination of any kind, irrespective of the child's or their
32 parent's or legal guardian's ethnicity or social origin, sexual orientation, gender
33 identity, gender expression, color, sex, language, religion, political views or
34 opinion, nationality, membership in indigenous cultural communities or
35 indigenous peoples (ICC/IPs) property, disability, birth, and other status.
- 36 b. **Life, survival, and development.** The child has the inherent right to life and
37 the State shall ensure to the maximum extent possible the survival and holistic
38 development of the child, including the child’s physical, mental, spiritual, moral,
39 psychological, social and cultural development.
- 40 c. **Participation.** Children are capable of forming their own views and have the
41 right to express those views freely in all matters affecting them. The views of

1 the child shall be given due weight in accordance with the evolving capacity of
2 the child.

- 3 d. **Best interest of the child.** In all actions concerning the child, whether
4 undertaken by public or private social welfare institutions, courts of law,
5 administrative authorities, or legislative bodies, the best interests of the child
6 shall be a primary consideration.

7
8 **CHAPTER II**
9 **Definition of Terms**

10
11 **Sec. 4. Definitions** – For purposes of this Act, the following terms shall mean:

- 12 a. **AIDS** refers to Acquired Immune Deficiency Syndrome, a health condition
13 where there is a deficiency of immune system that stems from infection with
14 the Human Immunodeficiency Virus, making an individual susceptible to
15 opportunistic infections.
- 16 b. **Child** means every human being below the age of eighteen years.
17 However, existing laws expanding this definition to beyond eighteen shall
18 be accepted.
- 19 c. **Child in Conflict with the Law** refers to a child who is alleged as, accused
20 of, or adjudged as, having committed an offense under Philippine laws.
- 21 d. **Child at Risk** refers to a child who is vulnerable to and at risk of committing
22 criminal offenses because of personal, family, and social circumstances.
- 23 e. **Child in Need of Special Protection** refers to a child who is abandoned,
24 neglected, abused, exploited, with disability, a victim of prostitution and
25 pedophilia and other sexual violence, a runaway, engaged in worst forms of
26 labor, at risk or in conflict with the law, a child offender, affected by the use
27 of illicit drugs, living in street situations, in situations of armed conflict, in
28 ICCs/IPs, a child of a person deprived of liberty, affected by the war on
29 drugs, living with HIV & AIDS or other sexually-transmitted infections, a
30 victim of nature or human-induced disasters, abandoned children or
31 abandoned Filipino children in foreign countries, or experiencing any other
32 analogous condition prejudicial to their development.
- 33 f. **Child in Street Situations (CISS)** refers to: (a) child who depends on the
34 streets to live and/or work, whether alone, with peers or with family; and
35 (b) a wider population of children who have formed strong connections with
36 public spaces and for whom the street plays a vital role in their everyday
37 lives and identities.
- 38 g. **Children as Zones of Peace** - shall extend beyond territorial or
39 geographical boundaries and shall focus on the person of the child whose
40 rights shall be promoted and protected at all times, especially in situations
41 of armed conflict or violence.

- 1 h. **Child sexual abuse or exploitation material or child sexual abuse**
2 **material** refers to any representation, whether offline, or by, through or
3 with the use of ICT, by means of visual, video, audio, written, or any
4 combination thereof, by electronic, mechanical, digital, optical, magnetic or
5 any other means, of a child engaged or involved in real or simulated sexual
6 activities, or depicting acts of sexual abuse or exploitation of a child as a
7 sexual object. It shall also include materials that focus on the genitalia or
8 other private body parts of a child.
- 9 i. **Comprehensive Newborn Screening System** refers to a newborn
10 screening system that includes, but is not limited to, education of relevant
11 stakeholders; collection and biochemical screening of blood samples taken
12 from newborns; tracking and confirmatory testing to ensure the accuracy of
13 screening results; clinical evaluation and biochemical/medical confirmation
14 of test results; drugs and medical/surgical management and dietary
15 supplementation to address the heritable conditions; and evaluation
16 activities to access long term outcome, patient compliance and quality
17 assurance.
- 18 j. **Convention** means those articles of the United Nations Convention on the
19 Rights of the Child.
- 20 k. **Emergency** refers to unforeseen or sudden occurrence, especially in
21 danger, demanding immediate action.
- 22 l. **HIV** refers to Human Immunodeficiency Virus, the virus, of the type called
23 retrovirus, which infects cells of the human immune system, and destroys or
24 impairs the cells' function, infection with HIV results in the progressive
25 deterioration of the immune system.
- 26 m. **Legal guardian** shall be the father and the mother who jointly exercise
27 legal guardianship over the person and property of their unemancipated
28 common child without the necessity of a court appointment. In the absence
29 of the father or mother, those who have been appointed by the court as the
30 legal guardian.
- 31 n. **Social media** refers to forms of media utilizing new information and
32 communication technologies. This includes digital platforms, online
33 applications, and social networking sites, among others.
- 34 o. **Parent-substitute** refers to a person other than the biological parent who
35 has custody over a child and is primarily responsible for his/her care, and
36 physical, moral and intellectual development, such as foster care parents,
37 legal guardians and care providers: Provided, that surrogate parents shall
38 secure a certification from the proper office of the Department of Social
39 Welfare and Development (DSWD) confirming them as a parent-substitute;
- 40 p. **Surrogate parent** refers to any adult member of the family or extended
41 family or a caregiver who chose to act as a substitute parent to a child not
42 legal under his/her parental authority or care.

- 1 q. **Traditional media** refers to forms of communication used before the
2 internet age including newspapers, radio, television and billboards among
3 others.
- 4 r. **Violence** refers to any act against children that causes harm, injury, abuse,
5 neglect or negligent treatment, maltreatment, and/or exploitation, whether
6 accepted as tradition or discipline, including hindering child development.
- 7 s. **Violence against children** refers to physical maltreatment, emotional
8 abuse, sexual abuse, neglect or negligent treatment, or commercial and
9 other forms of exploitation, resulting in actual or potential harm to the child's
10 health, survival, development or dignity in the context of a relationship or
11 responsibility, trust or power. VAC can happen in settings including home,
12 school, the community, workplace, public spaces and cyberspace.

13
14 **CHAPTER III**
15 **Duties Related to the Human Rights of Children**

16
17 **Sec. 5. The State as the Primary Duty-Bearer.** – The State is the primary
18 duty-bearer of child rights. It shall:

- 19 a. Respect the rights of the child and refrain from interfering with the child's
20 rights.
- 21 b. Protect the rights of the child and prevent violations and abuses.
- 22 c. Fulfill the rights of the child and take positive actions to realize children's rights.

23 This includes that the State shall endeavor to take the necessary steps, in
24 accordance with the law and with the provisions of the present Magna Carta, to adopt
25 such legislative or other measures as may be necessary to give effect to the provisions
26 of this Magna Carta.

27 Nothing in this Magna Carta shall affect any provisions that are more conducive
28 to the realization of the rights and well-being of the child contained in other laws or
29 in any other policies in force. Any custom, tradition, cultural or religious practice that
30 is inconsistent with the rights, duties and obligations contained in this Magna Carta
31 shall to the extent of such inconsistency be discouraged.

32 The duties of the State shall extend to all state agencies, offices, and
33 instrumentalities at all levels and government-owned and -controlled corporations,
34 subject to the Constitution and pertinent laws that define specific duties of state
35 agencies and entities concerned.

36
37 **Sec. 6. Role of the Parents, Surrogate Parents and Parent-Substitutes.**
38 – The parents or, where applicable, the surrogate parents, parent-substitutes, legal
39 guardians or other persons legally responsible for the child shall provide, in a manner
40 consistent with the evolving capacities of the child, appropriate direction and guidance
41 in the exercise by the child of their rights.

1 **Sec. 7. Role of the Private Sector.** – The private sector shall respect the
2 rights of the child and act with due diligence to avoid infringing on those rights. The
3 private business sector shall assess and identify its impact on child rights, conduct its
4 core business in a manner that respects, protects, and advances those rights and
5 address any adverse impacts.

6
7 **Sec. 8. Role of the Media.** Traditional and social media, whether public or
8 private, shall disseminate information and material for the social, cultural, spiritual,
9 moral well-being, physical, and mental health benefit and development of the child
10 and shall undertake international cooperation in the production, exchange, and
11 dissemination of information and material. It shall take due regard to the linguistic
12 needs of the child who belongs to a minority group, or who is a member of ICCs/IPs
13 or those with disabilities. It shall develop appropriate guidelines for the protection of
14 the child from information and material injurious to their well-being. It shall, likewise,
15 respect the child’s dignity and privacy and provide a platform that enables children to
16 freely participate. The best interests of the child shall be of primary importance and
17 shall be taken into account before posting, publishing, airing any material or data
18 about the child.

19
20 **Sec. 9. Role of Civil Society Organizations.** Civil society organizations play
21 an important role in promoting and safeguarding children’s rights and the State shall
22 respect their independence. As far as practicable, civil society organizations may work
23 together with the State in fulfilling this role. This includes organizations formed by and
24 composed of children and young adults.

25
26 **Sec. 10. Role of the Education Sector.** The education sector shall ensure
27 that the education given shall be inclusive and conform to the minimum standards set
28 by the State and shall be directed to the development of the child’s personality, talents,
29 and mental and physical abilities to their fullest potential, the development of respect
30 for human rights and fundamental freedoms, respect for the child’s parents, their own
31 cultural identity, language and values of the country in which the child is living, or may
32 originate from, and for cultures different from their own, preparation of the child for
33 responsible life in a free society, in the spirit of understanding, peace, tolerance,
34 equality of sexes, and friendship among all peoples, ethnic, national and religious
35 groups and persons of indigenous origin, and respect for the natural environment.
36 Further, school discipline shall be administered in a manner consistent with the child’s
37 human dignity and in conformity with the Convention.

38
39 **Sec. 11. Supplementary Effect.** - This chapter shall be deemed integrated into
40 and be supplementary to other provisions of this Act, particularly those that guarantee
41 specific rights to children and define specific roles and require specific conduct of state
42 organs.

1
2 **CHAPTER IV**
3 **THE RIGHT TO LIFE AND SURVIVAL**

4
5 **TITLE I**
6 **General Principles**
7

8 **Sec. 12.** Every child has the inherent right to life, survival and development
9 irrespective of their background and where they live. Respecting the right to life shall
10 include the non-deprivation of life. The death sentence shall not be imposed for crimes
11 committed by children.
12

13 **Sec. 13.** Every child has the right to be registered immediately after birth and
14 shall have the right from birth to a name, acquire a nationality, and, as far as possible,
15 the right to know and be cared for by their parents and family. Should circumstances
16 cause late birth registration, the State shall respect and fulfill the child's right to be
17 registered in accordance with their best interests and shall ensure the prompt
18 registration of the child.
19

20 **Sec. 14.** Every child has the right to the highest attainable standard of
21 healthcare and facilities for the treatment of illness and rehabilitation of health
22 regardless of age, social status, relationships, gender, sexual orientation, identity,
23 expression. The child's capacity to consent to medical procedures in accordance with
24 their evolving capacities shall be respected and shall be in accordance with the law.
25 Should the child's parent/s or legal guardian/s not be able to give consent or if
26 attaining their consent is not in the child's best interest, the State shall intervene as
27 *parens patriae* taking into account the child's best interests at all times.
28

29 **Sec. 15.** Every child has the right to an adequate standard of living, and
30 equal opportunities from the earliest stage of life for the child's physical, mental,
31 spiritual, moral, and social development.
32

33 **Sec. 16.** Every child has the right to the highest quality of education.
34

35 **Sec. 17.** Every child shall have the right to rest and leisure, to engage in play
36 and recreational activities appropriate to the age of the child, and to participate
37 freely in cultural life and the arts.
38

39 **Sec. 18.** Every child shall have the right to a clean, healthy and sustainable
40 environment.
41

42 **Sec. 19.** The State shall:

- 1 a. Ensure that the institutions, services, and facilities responsible for the care or
2 protection of children shall conform to the standards established by competent
3 authorities and shall provide intervention and support. Parents and family
4 members shall be the primary and preferred carers for their children.
5 Institutionalization shall only be used as a last resort and if it is in the best
6 interests of the child. The State shall provide aid to parents to better support
7 their children’s upbringing and well-being through family strengthening
8 programs.
- 9 b. Protect children from violence in State institutions and by State actors including
10 in schools, care centers, youth or residential homes, police custody and justice
11 institutions, armed groups and State military forces.
- 12 c. Respect the right of the child to preserve their identity, nationality, name, and
13 family relations as recognized by law without unlawful interference. The State
14 shall ensure the implementation of these rights according to national law.
- 15 d. Provide appropriate assistance and protection where a child is illegally deprived
16 of some or all of the elements of their identity, with a view to re-establishing
17 speedily their identity.
- 18 e. Ensure that child shall not be separated from their parents against their will,
19 except when competent authorities determine, subject to judicial review, in
20 accordance with applicable law and procedure, that such separation is
21 necessary for the best interests of the child.

22
23 **TITLE II**
24 **Health and Health Care**
25

26 **Sec. 20.** The State shall provide an integrated child-friendly healthcare
27 approach to the development of the full range of child health activities considering
28 their family and social environment.

29
30 **Sec. 21.** A child-friendly healthcare approach is a rights-based approach based
31 on child-specific developmental needs and evolving capacities, ensuring children’s
32 participation at every level of decision-making, in accordance with their age and
33 degree of maturity.

34
35 **Sec. 22.** The State shall endeavor a child-friendly healthcare approach in its
36 health services delivery by providing the necessary conditions to ensure that mothers
37 and infants receive medical and healthcare services.

38
39 **Sec. 23.** The State shall ensure the following:

- 40 a. Access to safe, nutritious, and sufficient food.
41 b. End all forms of malnutrition, stunting in the first 1,000 days of the child, and
42 wasting in children under five years of age.

- 1 c. Address the nutritional needs of adolescent girls, pregnant and lactating
2 women.
- 3 d. Reduce maternal mortality rate, end preventable deaths of newborns and
4 children under five years of age, and reduce neonatal mortality.
- 5 e. Universal access to sexual and reproductive healthcare services including family
6 planning, information and comprehensive sexuality education, and the
7 integration of reproductive health.
- 8 f. Universal health coverage including quality essential health care services and
9 access to safe, effective, quality, and affordable essential medicines and
10 vaccines for all, particularly access to routine immunization and to eradicate
11 vaccine preventable diseases.
- 12 g. Universal and equitable access to safe and affordable drinking water for all.
- 13 h. Adequate and equitable sanitation and hygiene for all.
- 14 i. Improvement of water and sanitation management by the inclusion of local
15 communities.
- 16 j. Adoption of programs, plans and policies preventing and reducing non-
17 communicable diseases and its risk factors particularly tobacco, alcohol and
18 illicit drug use.
- 19 k. Integration of road safety education in the curriculum as a public health issue.
20

21 **Sec. 24.** The State shall take all necessary measures to ensure the full
22 enjoyment by children with disabilities of all rights defined herein on an equal basis
23 with other children. Children with disabilities shall also have the right to be given
24 measures of protection in keeping with their physical and moral needs and under
25 conditions which ensure their dignity, promote their self-reliance and active
26 participation in the community such as the right to reasonable accommodation.
27

28 **Sec. 25.** The State shall protect solo parents, especially their children, against
29 discrimination and provide for their inclusion in the development of their competence
30 through policies and practices, particularly in employment, finances, government
31 benefits, and housing, always taking into consideration the best interests of the child.
32

33 **Sec. 26.** The State shall enact policies and practices that promote and remove
34 barriers to breastfeeding and lactation.
35

36 **Sec. 27.** The State shall promulgate a comprehensive newborn screening to
37 identify those at increased risk for certain genetic and congenital disorders for which
38 early identification treatment may prevent disability and death.
39

40 **Sec. 28.** The State shall enact a child's rights-based approach in the policies
41 and programs for the prevention, care, and treatment of HIV and AIDS, ensure
42 confidentiality, non-discrimination and non-stigmatization, and the best interests of

1 the child shall be the primary consideration. This includes making access to treatment
2 and care readily and easily accessible.

3
4 **Sec. 29.** Children should be included in decision-making processes about
5 proposed treatment affecting them as well as the effects and outcomes of such
6 treatment. This should be done in a manner consistent with the child’s evolving
7 capacities; in case of children with disabilities, the information should be translated in
8 formats appropriate and accessible to them. When a child can demonstrate their
9 capacity to express an informed view on their treatment, this view shall be given due
10 weight.

11
12 **Sec. 30.** Children shall be provided by physicians and health-care facilities clear
13 and accessible information on their rights concerning their participation in pediatric
14 research and clinical trials. Measures enabling children to contribute their views and
15 experiences to the planning and programming of health services affecting them shall
16 be put in place. Their views shall be sought on all aspects of health provision, including
17 what services are needed, how and where they are best provided, discriminatory
18 barriers to accessing services, quality and attitudes of health professionals, and how
19 to promote their capacities to take increasing levels of responsibility for their own
20 health and development.

21
22 **Sec. 31.** In keeping with existing laws, children should have access to
23 confidential medical counselling and advice without parental consent, irrespective of
24 the child’s age, where this is needed for the child’s safety or well-being. Children may
25 need such access where they are experiencing violence or abuse at home, or in need
26 of reproductive health education or services, or in case of conflicts between parents
27 and the child over access to health services. The right to counseling and advice is
28 distinct from the right to give medical consent and should not be subject to any age
29 limit.

30
31 **CHAPTER V**
32 **RIGHT TO PROTECTION**

33
34 **TITLE I**
35 **General Principles**

36
37 **Sec. 32.** Every child shall have their best interests as a primary consideration
38 in all matters involving or affecting them, especially when they need special protection,
39 as well as in all measures of prevention.

40
41 **Sec. 33.** The State shall:

- 1 a. Protect children in need of special protection and shall provide intervention and
2 support when they become victims of hardship and distress.
- 3 b. Take all appropriate legislative, administrative, social and educational measures
4 to protect the child from all forms of violence against children, including sexual
5 abuse, while in the care of parent/s, legal guardian/s or any other person who
6 has the care of the child.
- 7 c. Take such protective measures and should, as appropriate, include effective
8 procedures for the establishment of child protection systems to provide
9 necessary support for the child and for those who have the care of the child,
10 as well as for other forms of prevention and for identification, reporting,
11 referral, investigation, treatment and follow-up of instances of child
12 maltreatment described heretofore, and, as appropriate, for judicial
13 involvement.
- 14 d. Protect the child against all other forms of exploitation prejudicial to any aspects
15 of the child's well-being.
- 16 e. Take all appropriate measures to promote physical and psychological recovery
17 and social reintegration of a child victim of: any form of neglect, exploitation,
18 abuse, cruelty or discrimination; torture or any other form of cruel, inhuman or
19 degrading treatment or punishment; environmental harm and climate change;
20 or armed conflicts. Such recovery and reintegration shall take place in an
21 environment which fosters the well-being, self-respect and dignity of the child.
- 22 f. Grant children in conflict with the law procedural rights and to facilitate the
23 exercise of these rights by ensuring that children are, themselves or through
24 other persons or bodies, adequately informed, represented, and allowed to
25 participate in proceedings affecting them before any judicial or administrative
26 authority.

27
28 **TITLE II**
29 **Child Labor**
30

31 **Sec. 34.** The State shall recognize the right of the child to be protected from
32 economic exploitation and from performing any work that is likely: to be hazardous or
33 to interfere with the child's education, or to be harmful to the child's health or physical,
34 mental, spiritual, moral or social development. To this end, it shall promote the
35 dissemination of information on the hazards of child labor to all sectors of the
36 community.

37
38 **Sec. 35.** Children working at younger ages than permitted by laws and
39 International Labour Organization Conventions have to be heard in child-sensitive
40 settings in order to understand their views of the situation and their best interests.
41

1 **Sec. 36.** Children should be included in the search for a solution, which
2 respects the economic and socio-structural constraints as well as the cultural context
3 under which these children work. They should be heard when policies, programs, and
4 interventions are being developed to eliminate the root causes of child labor, in
5 particular regarding education.
6

7 **Sec. 7.** Children who are already part of the labor force have the right to be
8 heard in drafting labor laws and policies to ensure that their best interests and unique
9 disposition are considered.
10

11 **TITLE III**
12 **Children and Drugs**

13
14 **Sec. 38.** The State shall:

- 15 a. Take all appropriate measures, including legislative, administrative, social and
16 educational measures, to protect children from the illicit use of narcotic drugs
17 and psychotropic substances as defined in the relevant international treaties,
18 and to prevent the use of children in the illicit production and trafficking of such
19 substances.
- 20 b. Take a public health approach in any intervention on illicit drugs.
- 21 c. Protect children actually or alleged as being involved in drug use and
22 distribution from being included in the Drug Watch List and subjected to all
23 forms of torture, cruel and degrading treatment and punishment, coercion,
24 forced admission/confession, arbitrary detention or used as "assets" in
25 intelligence or operations.
- 26 d. Develop age-appropriate, child-sensitive and responsive intervention,
27 rehabilitation, and reintegration programs for children who are drug users or
28 dependents.
- 29 e. Develop a program to meet the needs of children left behind or orphaned
30 because of the anti-illegal drug campaign.
- 31 f. Mandate LGUs to form Child Protection Technical Working groups in Anti-Drug
32 Abuse Councils (ADACs) to coordinate and cooperate with Local Councils for
33 the Protection of Children (LCPCs), which shall oversee the implementation of
34 anti-drug abuse programs.

35
36 **TITLE IV**
37 **Sexual Exploitation of Children**

38
39 **Sec. 39.** The State shall undertake to protect the child from all forms of sexual
40 exploitation and sexual abuse. For these purposes, in particular, take all appropriate
41 national, bilateral, and multilateral measures to prevent:

- 1 a. The inducement or coercion of a child to engage in any unlawful sexual
2 activity;
3 b. The exploitative use of children in prostitution or other unlawful sexual
4 practices;
5 c. The exploitative use of children in the development and production of child
6 sexual abuse or exploitation material or child sexual abuse material and
7 performances.
8

9 **Sec. 40.** The State shall take all appropriate national, bilateral and multilateral
10 measures to prevent the abduction of, the sale of, or traffic in children for any purpose
11 or in any form.
12

13 **Sec. 41.** Child marriage and the betrothal of children shall be prohibited and
14 effective action, including legislation, shall be taken to specify that the minimum age
15 of marriage shall be eighteen years and make registration of all marriages in an official
16 registry compulsory. Child marriage is deemed as a practice constituting child abuse
17 as it debases, degrades, and demeans the intrinsic worth and dignity of children.
18

19 **TITLE V**

20 **Children Affected by Armed Conflict and Displacement**

21 **Sec. 42.** The State shall:
22

- 23 a. Recognize children as zones of peace.
24 b. Undertake to respect and to ensure respect for rules of international
25 humanitarian law applicable to them in armed conflicts which are relevant to
26 the child.
27 c. Take all necessary measures to ensure that persons who have not attained
28 the age of eighteen years do not take a direct part in hostilities.
29 d. Ensure that persons who have not attained the age of eighteen years are not
30 compulsorily nor voluntarily recruited into the armed forces or any armed
31 groups.
32 e. Protect the civilian population in armed conflicts in accordance with its
33 obligations under international humanitarian law and shall take all feasible
34 measures to ensure the protection and care of children who are affected by
35 an armed conflict.
36 f. Lodge safeguards to ensure the security and safety of children in times of
37 conflict, and to provide means of adequate psycho-social support during and
38 afterwards.
39 g. Ensure that schools, day care facilities, child caring facilities, and educational
40 institutions shall not be used for any purposes in relation to armed conflict.
41

1 **Sec. 43.** Armed forces and armed groups should not, under any circumstances,
2 recruit or use in hostilities persons under the age of 18 years. The State shall take all
3 feasible measures to prevent such recruitment and use, including the adoption of legal
4 measures necessary to prohibit and criminalize such practices. The application of the
5 present section shall not affect the legal status of any party to an armed conflict.

6
7 **TITLE VI**
8 **Children Affected By Displacement**
9

10 **Sec. 44.** The State shall ensure that:

- 11 a. In instances where displacement becomes inevitable, authorities, pursuant to
12 their respective mandates and functions, prioritize the provision of adequate
13 accommodation in conditions that ensure safety, nutrition, water and
14 sanitation, as well as health and hygiene for children affected by displacement
15 to the highest extent possible.
- 16 b. Children affected by displacement, especially those who are unaccompanied,
17 shall be entitled to protection and assistance tailored to their needs, with due
18 consideration given to their unique circumstances.
- 19 c. Children affected by displacement, regardless of whether they are located
20 within or outside evacuation centers, shall have secure access to humanitarian
21 support, including mother-and-child-sensitive and disability-inclusive facilities
22 such as sanitary breastfeeding stations, temporary educational facilities, and
23 places of worship, among others.
- 24 d. Measures shall be taken to protect children affected by displacement from all
25 forms of violence, exploitation, trafficking, forced labor, slavery and
26 contemporary forms of slavery, including sale into marriage, and other
27 violations against children's rights.
- 28 e. Immediate efforts shall be made to reunite children separated from their
29 families due to displacement, with appropriate measures taken to expedite the
30 process.
- 31 f. Education for children affected by displacement shall be both free and
32 compulsory for early and basic education. Special efforts shall be made to
33 facilitate the full and equal participation of all children, including those with
34 disabilities, in educational programs, while respecting their cultural identity,
35 language, and religion. Educational and training facilities shall be made
36 available to them whether or not they are living in evacuation facilities,
37 encampments, or other settlements, as soon as circumstances permit.
- 38 g. Children affected by displacement have the right to actively engage in the
39 planning and management of their displacement situations, as well as decisions
40 regarding return, local integration, or resettlement elsewhere. Their voices and
41 perspectives shall be incorporated into decision-making processes concerning
42 their well-being and future.

1
2 **TITLE VII**
3 **Children in Conflict with the Law**
4

5 **Sec. 45.** The State shall ensure that:

- 6 a. No child shall be subjected to torture or other cruel, inhuman or degrading
7 treatment or punishment. Neither capital punishment nor life imprisonment
8 without possibility of release shall be imposed for offences committed by
9 persons below eighteen years of age.
- 10 b. No child shall be deprived of their liberty unlawfully or arbitrarily. The arrest,
11 detention or imprisonment of a child shall be in conformity with the law and
12 shall be used only as a measure of last resort and for the shortest appropriate
13 period of time.
- 14 c. Every child deprived of liberty shall be treated with humanity and respect for
15 the inherent dignity of the human person, and in a manner which takes into
16 account the needs of persons of their age. In particular, every child deprived
17 of liberty shall be separated from adults unless it is considered in the child's
18 best interest not to do so and shall have the right to maintain contact with their
19 family through correspondence and visits, save in exceptional circumstances.
- 20 d. Every child deprived of their liberty shall have the right to prompt access to
21 legal and other appropriate assistance, as well as the right to challenge the
22 legality of the deprivation of their liberty before a court or other competent,
23 independent and impartial authority, and to a prompt decision on any such
24 action.
- 25 e. Recognize the right of every child alleged as, accused of, or recognized as
26 having infringed the penal law to be treated in a manner consistent with the
27 promotion of the child's sense of dignity and worth, which reinforces the child's
28 respect for the human rights and fundamental freedoms of others and which
29 takes into account the child's age and the desirability of promoting the child's
30 reintegration and the child's assuming a constructive role in society.
- 31 f. In consideration to the relevant provisions of international instruments, shall,
32 in particular, ensure that:
- 33 1. No child shall be alleged as, be accused of, or recognized as having
34 infringed the penal law by reason of acts or omissions that were not
35 prohibited by national or international law at the time they were
36 committed.
- 37 2. Every child alleged as or accused of having infringed the penal law has
38 at least the following guarantees:
- 39 i. To be presumed innocent until proven guilty according to law;
40 ii. To be informed promptly and directly of the charges against
41 him or her, and, if appropriate, through their parents or legal

- 1 guardians, and to have legal or other appropriate assistance in
2 the preparation and presentation of their defense;
- 3 iii. To have the matter determined without delay by a competent,
4 independent and impartial authority or judicial body in a fair
5 hearing according to law, in the presence of legal or other
6 appropriate assistance and, unless it is considered not to be in
7 the best interest of the child, in particular, taking into account
8 their age or situation, their parents or legal guardians;
- 9 iv. Not to be compelled to give testimony or to confess guilt; to
10 examine or have examined adverse witnesses and to obtain the
11 participation and examination of witnesses on their behalf
12 under conditions of equality;
- 13 v. If considered to have infringed the penal law, to have this
14 decision and any measures imposed in consequence thereof
15 reviewed by a higher competent, independent and impartial
16 authority or judicial body according to law;
- 17 vi. To have the free assistance of an translator if the child cannot
18 understand or speak the language used in judicial and
19 administrative proceedings;
- 20 vii. To have their privacy fully respected at all stages of the
21 proceedings.
- 22 g. Provide a variety of dispositions, such as care, guidance and supervision orders;
23 counselling; probation; foster care; education and vocational training programs
24 and other alternatives to institutional care to ensure that children are dealt with
25 in a manner appropriate to their well-being and proportionate both to their
26 circumstances and the offence.

27 28 **TITLE VIII**

29 **Children of Indigenous Cultural Communities and Indigenous Peoples**

30
31 **Sec. 46.** Every child belonging to ICCs/IPs or of indigenous origin shall have
32 the right, in community with other members of their group, to enjoy their own culture,
33 to profess and practice their own religion, or to use their own language. The right
34 established is conceived to be both individual and collective.

35
36 **Sec. 47.** The State shall take all appropriate measures to eliminate harmful
37 social and cultural practices affecting the well-being, dignity, normal growth and
38 development of the child and in particular: (a) those customs and practices prejudicial
39 to the health or life of the child; and (b) those customs and practices discriminatory
40 to the child on the grounds of sex or other status.

41 42 **TITLE IX**

Children In Street Situations

Sec. 48. The State shall:

- a. Ensure that CISS are safe to move in the streets without fear of repressive efforts to prevent begging, loitering, vagrancy, running away or survival behavior such as criminalization of status offences, street sweeps or "roundups" "rescue" or "reach out", and targeted violence, harassment, and extortion.
- b. Ensure that CISS have access to public areas, spaces and facilities that cater to the diverse needs and capacities of children in street situation, including areas for economic activities of children and their families, learning, recreation, social interaction, and essential services.
- c. Ensure that safeguarding policies are adopted and implemented for the prevention and response to exploitation, abuse, harm, and violence that permeates the lives of children in street situations.

Sec. 49. The State shall:

- a. Adopt holistic and long-term strategies and make the necessary budget allocations for children in street situations.
- b. Assess laws and policies that can be improved to reflect the recommendations of the present general comment.
- c. Develop strategies to address multiple causes, ranging from structural inequalities to family violence.
- d. Introduce or review an act on child protection or children based on a child rights approach and that specifically addresses children in street situations.
- e. Enhance systems to provide a continuum of care across all relevant contexts, including prevention, early intervention, street outreach, helplines, drop-in centers, day-care centers, temporary residential care, family reunification, foster care, independent living or other short- or long-term care options.
- f. Invest in good quality initial and in-service basic training on child rights, child protection and the local context of children in street situations for all professionals who may come into direct or indirect contact with children in street situations, in such areas as policymaking, law enforcement, justice, education, health, social work and psychology.
- g. Support local-level, partnership based, specialized interventions on the basis of a child rights approach, small and flexible, with adequate budgets, often led by civil society organizations with local expertise.
- h. Access of children in street situations who have been victims or are survivors of human rights violations have the right to effective legal and other remedies, including legal representation.
- i. Development of systematic, rights-respecting, participatory mechanisms to collect data and share disaggregated information about children in street situations.

- 1 j. Participation of children in setting the aims and agendas of research and in
2 gathering information, analyzing and disseminating research to inform
3 policymaking, and designing specialized interventions.
4

5 **TITLE X**
6 **Emergencies and Calamities**
7

8 **Sec. 50.** The State shall secure a response and evacuation plan that will
9 continuously cater to the development of the children in such state of emergency and
10 after.
11

12 **Sec. 52.** The State shall ensure the emergency plans and protocols are also
13 made available in child-friendly versions for children to make informed views and
14 decisions concerning his/her safety.
15

16 **Sec. 53.** The State shall ensure that child-friendly spaces are set up when
17 children and their families are in temporarily living arrangements due to emergencies
18 and calamities.
19

20 **Sec. 54.** The State shall ensure that the child's right to be heard and to express
21 his/her views freely concerning their best interest shall not be compromised and
22 continue to be given due weight even in emergency situations – either natural or
23 human-induced disasters
24

25 **TITLE XI**
26 **CHILDREN SEEKING REFUGEE STATUS**
27

28 **Sec. 55.** The State shall take appropriate measures to ensure that a child who
29 is seeking refugee status or who is considered a refugee in accordance with applicable
30 international or domestic law and procedures shall, whether unaccompanied or
31 accompanied by his or her parents or by any other person, receive appropriate
32 protection and humanitarian assistance in the enjoyment of applicable rights set forth
33 in the Convention on the Rights of the Child and in other international human rights
34 or humanitarian instruments to which the State is party to.
35

36 **Sec. 56.** The State shall provide, as it considers appropriate, cooperation in
37 any efforts by the United Nations and other competent intergovernmental
38 organizations or non-governmental organizations cooperating with the United Nations
39 to protect and assist such a child and to trace the parents or other members of the
40 family of any refugee child in order to obtain information necessary for reunification
41 with his or her family. In cases where no parents or other members of the family can
42 be found, the child shall be accorded the same protection as any other child

1 permanently or temporarily deprived of his or her family environment for any reason,
2 as set forth in the CRC.

3
4 **TITLE XII**
5 **Identity**

6
7 **Sec. 57.** Every child has a right to identity including a name, nationality and
8 family relations.

9
10 **Sec. 58.** The State has an obligation that the best interest of the child shall
11 be the paramount consideration in any modification to the child's identity.

12
13 **Sec. 59.** The State shall ensure that full records are kept of any modification
14 to the child's identity and that they are accessible in perpetuity.

15
16 **Sec. 60.** The State has a responsibility in the speedy restoration of the child's
17 incomplete and falsified identity in matters relating to adoption, child brides, child
18 soldiers, child trafficking, child in street situations and in other situations.

19
20 **Sec. 61.** The State shall ensure that the best interests of the child and their
21 right to identity have been met in cases of Inter-Country Adoption.

22
23 **Sec. 62.** The State shall take positive steps in addressing discrimination under
24 the law against a child born to parents who are not married to each other.

25
26 **CHAPTER VI**
27 **THE RIGHT TO DEVELOPMENT**

28
29 **TITLE I**
30 **General Principles**

31
32 **Section 63.** Every child has the right to education on the basis of equal
33 opportunity and content that reflects the inherent right and dignity of the child. It
34 shall be child-centered, child-friendly, and empowering and shall comprise a wide
35 range of life experiences and learning experiences to develop their personalities,
36 talents, and abilities to live a full and satisfying life within the social order that goes
37 past formal schooling.

38
39 **Section 64.** The State shall:

- 40 a. Empower the child by developing their skills, learning and other capacities,
41 human dignity, self-esteem, and self-confidence.

- 1 b. Establish, maintain, and support a complete, adequate, and integrated system
2 of education relevant to the needs of the people and society.
- 3 c. Establish and maintain a system of free early childhood care and development,
4 and elementary and high school levels. Without limiting the natural right of
5 parents to rear their children, elementary and high school education are
6 compulsory for all children of school age.
- 7 d. Establish and maintain a system of scholarship grants, student loan programs,
8 subsidies, and other incentives which shall be available to deserving students
9 in both public and private schools, especially to the underprivileged.
- 10 e. Take measures to encourage regular attendance at schools and the reduction
11 of drop-out rates and ensure that school discipline is administered in a manner
12 consistent with the child's human dignity and in conformity with the
13 Convention.
- 14 f. Promote and encourage international cooperation with a view to contributing
15 the elimination of ignorance and illiteracy and facilitating access to scientific
16 and technical knowledge and modern teaching methods.
- 17
- 18 g. Encourage non-formal, informal, and indigenous learning systems, as well as
19 self-learning, independent, and out-of-school study programs and provide the
20 child life skills to strengthen the child's capacity to enjoy the full range of human
21 rights.
- 22 h. Promote a culture infused by appropriate human rights values through a
23 balanced approach that reconciles diverse values through dialogue and respect
24 for differences in values to overcome the boundaries of religion, nationality and
25 culture.
- 26 i. Respect and promote the right of the child to participate fully in cultural and
27 artistic life and shall encourage the provision of appropriate and equal
28 opportunities for cultural, artistic, recreational, and leisure activities.
- 29 j. Ensure that a child who is subjected to schools or parental discipline shall be
30 treated with humanity and with respect for the inherent dignity of the child and
31 in conformity with the UN CRC and this Magna Carta.
- 32

33 **Section 65.** Education of the child shall be directed to the development of
34 respect for human rights and fundamental freedoms and for the principles enshrined
35 in the Charter of the United Nations, the Department of Education shall include human
36 rights education in its curriculum at all grade levels.

37

38 **Section 66.** The curriculum shall cover the UN Convention on the Rights of
39 the Child and its Optional Protocols, as well as other international human rights
40 instruments that the Philippines may have or have not yet ratified.

41

1 **Section 67.** Human rights education shall also be integrated in the alternative
2 learning system for children.

3
4 **Section 68.** Teachers and child development workers shall be provided with
5 pre-service and continuous in-service Teacher Education Programs to develop
6 knowledge and skills to teach human rights education.

7
8 **Section 69.** Education authorities shall take all appropriate measures to ensure
9 that children who become pregnant before completing their education shall have an
10 opportunity to continue with their education on the basis of their individual ability.

11
12 **CHAPTER VII**
13 **THE RIGHT TO PARTICIPATE**

14
15 **TITLE I**
16 **General Principles**

17
18 **Section 70.** Every child is a right holder and has a right to participate according
19 to their evolving capacities, to express their views, to have them heard and given due
20 weight in accordance with their age and maturity.

21
22 **Section 71.** The State shall provide children a supportive and enabling
23 environment to carry out their own initiatives to fully participate at national and local
24 levels in the conceptualization, design, implementation, coordination, monitoring, and
25 review of policies and programs that affect them.

26
27 **Section 72.** The State shall recognize the right of the child to freely and safely
28 participate in all matters concerning their best interest by ensuring the availability of
29 platforms and capacity-building mechanisms, and the establishment of a safe and
30 enabling environment.

31
32 **Section 73.** Children with disabilities shall be provided with reasonable
33 accommodation. They shall be equipped with, and enabled to use, any mode of
34 communication, including sign language, Braille, Easy Read, or other alternative and
35 augmentative modes of communication necessary to facilitate the expression of their
36 views.

37
38 **Section 74.** Efforts must also be made to recognize the right to expression of
39 views for minority, indigenous and migrant children and other children who do not
40 speak the majority language.

1 **Section 75.** Non-verbal forms of communication including play, body
2 language, facial expressions, and drawing and painting, through which very young
3 children demonstrate understanding, choices and preferences, should be recognized
4 and respected.

5
6 **Section 76.** Children’s participation in safe and wholesome recreational and
7 cultural activities shall be ensured by providing the means and infrastructure necessary
8 for all children, regardless of ethnicity, age, gender, physical and mental states, social
9 class, and geographical location.

10
11 **Section 77.** Institutional support and capacity development must be provided
12 to service providers/professionals working with children on how to ensure
13 implementation of child participation principles and strategies consistent with the
14 National Framework on Child and Youth Participation as well as the Guidebook on
15 Child Participation.

16
17 **Section 78.** Children shall be given the opportunity to be heard directly, or
18 through a representative or an appropriate body, in a judicial or administrative
19 proceeding. A child-appropriate and accessible environment shall be provided wherein
20 procedures are employed to protect the best interests of the child. Children also have
21 the right to remain silent and no adverse inference should be drawn when they elect
22 not to make statements. Children should be completely aware of the processes
23 involved and the stages they will have to go through.

24
25 For children in conflict with the law, the State shall consider the developmental age of
26 the child and the desirability of the child's reintegration in the assumption of a
27 constructive role in society in accordance with the principles of balanced and
28 restorative justice.

29
30 **Section 79.** In cases affecting family relations or where the child is an
31 interested party, the child shall be given opportunity to express their views. These
32 views shall be considered in the decision-making process of the court.

33
34 The right to be heard, in this case, applies both to proceedings which are initiated by
35 the child, such as complaints against ill-treatment and appeals against school
36 exclusion, as well as to those initiated by others such as parental separation or
37 adoption.

38
39 **Section 80.** The Rules on Examination of a Child Witness shall be applied to
40 accommodate the right to be heard of the child victim or witness. Procedural rules
41 under RA 9344 or Juvenile Justice Welfare Act, as amended, shall also be strictly
42 adhered in dealing with a child in conflict with the law, taking into account their distinct

1 circumstances, while assuring all parties of a fair hearing with each party's
2 constitutional and statutory rights recognized and respected. Appropriate disposition
3 measures shall be implemented by law enforcers, social services and the court.
4

5 **Section 81.** The child shall be heard with regard to all matters affecting them
6 such as education, health, environment, living conditions, or protection.
7

8 **Section 82.** Safe spaces shall be created in order to allow the child to express
9 their needs, wishes, or concerns, particularly as regards to what should be deemed
10 their best interests and how such interests can be protected. The special
11 circumstances surrounding the child shall be likewise taken into account and that he
12 or she shall have primary involvement in any decision or plan concerning their future.
13 The child shall be given the opportunity to communicate their experiences and shall
14 be provided with all relevant information tailored in a language understood by him or
15 her.
16

17 **Section 83.** No restrictions shall be placed that curtail the children's freedom
18 of expression, except in the interest of national security, public safety, or public health,
19 as may be provided by law. The restriction should not undermine or jeopardize the
20 essence of the right; they should not be arbitrary or unreasonable; and they should
21 be proportionate and kept under review.
22

23 **Section 84.** Children shall be protected from harm, such as bullying, arising
24 from the expression of their views.
25

26 **Section 85.** Government agencies, LGUs, civil society organizations and the
27 private sector must provide sufficient time, skills and child-friendly information for
28 children to provide their inputs and recommendations.
29

30 **Section 86.** Government agencies, LGUs, civil society organizations and the
31 private sector must ensure that children with disabilities, children from ICCs/IPs, and
32 other children in vulnerable sectors are consulted.
33

34 **TITLE II**
35 **Family and Alternative Care**
36

37 **Section 87.** Evidence-based positive parenting programs for young children
38 and adolescents shall be provided to strengthen parent-child relationships, promote
39 positive parenting practices and sustain nurturing relationships between parents or
40 caregivers and their children and thereby preventing and reducing the risk of violence
41 against children and child maltreatment at home and in the community.
42

1 **Section 88.** Positive parenting programs and interventions shall be designed
2 to promote young people’s mental health and their active participation must be elicited
3 to promote a child-friendly environment to support and sustain parent/parent-
4 substitute/surrogate parent-child relationships at home and in temporary child-care
5 facilities and foster homes. This shall be guided by the National Parenting Framework
6 that will be developed by the DSWD.

7
8 **Section 89.** The DSWD, LGUs and other government agencies and civil society
9 organizations, guided by the National Parenting Framework, shall promote and
10 support age appropriate interventions and active consultations with children in the
11 design and implementation of positive parenting interventions and practices towards
12 building positive parent-child relationships and in the promotion of alternatives to
13 violent discipline to contribute to the prevention and management of disruptive child
14 behaviors, and the reduction of parental stress and depression in all home settings
15 and residential care facilities and the facilitation of Family Reunification and
16 Reintegration.

17
18 **Section 90.** Children in residential facilities shall be included in the formulation
19 of policies and monitoring and evaluation of programs, services and activities to ensure
20 that these are responsive to their needs.

21
22 **Section 91.** The Department of Education and the Early Childhood Care and
23 Development Council,, in partnership with the Local School Board, LGUs, and the
24 Barangay Council for the Protection of Children, guided by DepEd’s Child Protection
25 Policy shall promote and sustain age-appropriate interventions and active
26 consultations with children in designing and implementing positive parenting
27 interventions and practices towards building positive teacher-parent-child
28 relationships and in promoting alternatives to violent discipline to contribute to the
29 prevention and management of disruptive child behaviors, the increase of school
30 performance and achievement, the prevention of school drop-outs and the reduction
31 of parent-teacher stress and depression in the context of blended education setting.

32
33 **TITLE III**
34 **Education and School**
35

36 **Section 92.** Children, whether in schools or out of school and regardless of
37 ethnic or social origin, color, sex, language, religion, political or other opinions,
38 national, property, disability, birth, or status, shall be given the space to freely express
39 their views on matters affecting the fulfillment of their right to education. These views
40 shall be given due weight in the decision-making processes.
41

1 shall be given the space to freely express their views on matters affecting the
2 fulfillment of their right to play, recreation, sports, and cultural activities. These views
3 shall be given due weight in the decision-making processes.
4

5 **Section 100.** LGUs and government agencies such as, but not limited to, the
6 Department of the Interior and Local Government, Department of Education,
7 Department of Environment and Natural Resources, Department of Public Works and
8 Highways, Department of Transportation and Communications, Department of
9 Tourism, Department of Trade and Industry – shall require the private sector to
10 conduct consultations with children on the planning, implementation, and evaluation
11 of urban and rural development proposals/projects; the development and
12 maintenance of educational environments, such as public libraries; and the
13 development and maintenance of public parks including freedom parks, playgrounds,
14 and sports facilities and equipment, and other similar facilities.
15

16 **Section 101.** Children shall be consulted about the accessibility and
17 appropriateness of urban and rural development proposals/projects as well as their
18 impact on children’s access to nature, exposure to unsafe and hazardous
19 environments, and conservation of their culture.
20

21 **Section 102.** Children shall enjoy their freedom of expression, freedom of
22 association, and freedom of peaceful assembly in voicing out their dissent against
23 urban and rural development proposals/projects that they deem to curtail the
24 enjoyment of their right to play, recreation, sports, and cultural activities.
25

26 **TITLE V**
27 **Media**
28

29 **Section 103.** Children shall be given the space to freely express their views
30 on matters affecting the fulfillment of their rights in traditional and social media. These
31 views shall be given due weight in the decision-making processes.
32

33 **Section 104.** Children shall have access to information and material from a
34 diversity of national and international sources, especially those aimed at the promotion
35 of their social, spiritual, and moral well-being and physical and mental health.
36

37 **Section 105.** Children should have access to information conveyed in a
38 culturally-sensitive manner and in a language that they understand, including sign
39 language and Braille.
40

1 **Section 106.** Children shall be consulted by traditional media companies in
2 the development of programs, programming, or publications subject to the principles
3 of child participation.

4
5 **Section 107.** Children shall be consulted by social media companies in the
6 development of policies subject to the principles of child participation.

7
8 **Section 108.** Children have the freedom to seek, receive and impart
9 information and ideas of all kinds, regardless of frontiers, either orally, in writing or in
10 print, in the form of art, or through any other media of the child's choice.

11
12 **Section 109.** Children shall be made aware of how to make complaints should
13 their freedom of expression using traditional and social media is violated.

14
15 **Section 110.** Children shall have an absolute right to privacy. The highest
16 ethical and professional
17 standards in reporting and covering cases of children must be observed such that in
18 all publicity concerning children, the best interests of the child shall be the primary
19 concern.

20
21 **TITLE VI**
22 **Situation of Violence**
23

- 24 **Section 111.** The State shall ensure that:
- 25 a. All children regardless of gender, ethnicity, religion, educational background,
26 disability, or nationality, most especially the marginalized and disadvantaged,
27 are included in consultations and enabled to genuinely participate in drafting
28 laws and policies, implementation plans, and evaluation concerning violence
29 against children.
 - 30 b. Children should be fully informed of any policies, laws, or programs designed
31 to protect them from any form of violence.
 - 32 c. All efforts must be taken to ensure that children are not excluded from
33 consultations concerning the creation of legislations and formulation of policies
34 aimed towards their protection.
 - 35 d. Support be given to child-led initiatives made to address and combat violence
36 against children.
 - 37 e. Child-led organizations must be included in the establishment and evaluation
38 of anti-violence programs to ensure that children play a key role in the
39 advancement of their own protection.
 - 40 f. All children are aware of and understand their right to be protected from all
41 forms of violence.

- 1 g. Provide effective and child-friendly mechanisms that allow children in situations
2 of violence to reach out and be heard and enable them to report instances of
3 violence committed against them.
4

5 **TITLE VII**
6 **Child Participation**
7

8 **Section 112.** The State shall ensure that genuine children’s participation is
9 recognized and enabled in national and international platforms by establishing
10 appropriate structures in the government and through bilateral and multilateral
11 international cooperation.
12

13 **Section 113.** The State shall establish and maintain linkages with international
14 child and child-serving organizations, institutions, and counterpart agencies of foreign
15 governments through the Philippine National Children’s Conference (PNCC) to ensure
16 the participation of Filipino children in international functions and affairs.
17

18 **TITLE VIII**
19 **Federation of Local Children’s Associations**
20

21 **Section 114.** All LGUs at the municipal, city, and provincial levels shall
22 recognize and institutionalize their Federation of Local Children’s Associations (FLCAs)
23 as the primary mechanism to ensure children’s participation in the planning,
24 budgeting, monitoring, evaluation, and child-led advocacy at the local level. The FCLA
25 will also serve as a body that provides inputs and recommendations to ensure a child-
26 centered lens in the development of plans, programs, and activities of the LGU as
27 guided by the Council for the Welfare of Children’s Guidelines on the Establishment of
28 Local Children’s Associations.
29

30 **Section 115.** The functions of the FCLA include the following:

- 31 a. Review and provide strategic inputs to the development plans and budgets of
32 the LGU.
33 b. Develop their own sectorial and strategic plan to be integrated on the sectorial
34 and development plans of LGUs based on consultations conducted by the LCA
35 representatives.
36 c. Present challenges and recommendations related to children’s issues and
37 concerns to be considered in the plans of the LGU and responded to and acted
38 upon by the relevant LGU councils and offices such as Local Development
39 Council, Local Council for the Protection of Children, and Local Youth
40 Development Council.
41 d. Review Comprehensive Development Plans and other local plans to check if
42 their recommendations are properly integrated.

- 1 e. Conduct children-led advocacies and children conferences together with LCPC
- 2 and in partnership with children’s civil society organizations and relevant LGU
- 3 offices.
- 4 f. Facilitate children-led consultations on the issues that affect children which
- 5 should be considered in the plans, programs, and activities of the LGU.
- 6 g. Conduct children-led monitoring of the status and progress of the plans and
- 7 commitments of the LGU.
- 8 h. Participate in the evaluation and assessment to ensure the effectiveness of LGU
- 9 plans, programs, and activities to address children’s concerns.

10
11 **Section 116.** In the creation and composition of the FLCAs, the LGU shall
12 ensure:

- 13 a. Inclusion of children with age ranging from 10-17 years old.
- 14 b. That FLCAs shall be created only upon the desire and determination of the
- 15 children to assemble and create an association to be led by them. No child shall
- 16 be compelled to establish, lead or become a member of an FLCA. LGUs and
- 17 CSOs may encourage and assist in the establishment of FLCAs but shall, in no
- 18 way, compel children to create such an organization in exchange of any
- 19 consideration.
- 20 c. That the FCLA shall be composed of child representatives from all LCAs
- 21 registered and recognized in the LGU.
- 22 d. That every child shall be entitled to membership in any FLCA without
- 23 discrimination of any kind, regardless of the child’s or his or her parent’s or
- 24 legal guardian’s ethnicity, sex, language, religion, abilities or any other status.
- 25 e. That children representatives should include, but are not limited to:
- 26 1. Children in education
- 27 2. Children who are members of ICCs/IPs
- 28 3. Children with disabilities
- 29 4. Children in need of special protection
- 30 5. Children-at-risk
- 31 6. Children in conflict with the law
- 32 7. Out-of-school children
- 33 8. Children of diverse SOGIESC
- 34 9. Children in situations of armed conflict
- 35 10. Children in street situations
- 36 11. Working children
- 37 12. Children from inter-faith groups
- 38 f. That the selection and nomination of FLCA members shall take into
- 39 consideration strict compliance to child protection and safeguarding policies
- 40 such as securing consent from children and their guardians and confidentiality
- 41 of their identities.

1 **Composition at the local level:** A provincial/city/municipal LGU shall ensure
2 children representatives from each sector. Ideally, all municipalities/cities in the
3 province must have at least one representative.
4

5 **Section 118.** Selection and induction of the FLCA members shall commence
6 not later than November to coincide with the celebration of Children’s Month each
7 year.
8

9 **Section 119.** The FLCA at the municipal/city level shall be under guidance of
10 the Local Social Welfare and Development Office or if there are existing LCPC
11 secretariat offices. There shall be an assigned focal person who will provide guidance
12 to the creation, institutionalization, and implementation of FLCA activities.
13

14 **Section 120.** Operational funds necessary for the conduct of the activities of
15 FLCA shall be funded as part of the LCPC funds.
16

17 **Section 121.** An enabling environment shall be provided to the FLCA. This
18 primarily includes provision of capacity development activities, trainings, and
19 operational support from the LGU. Regular capacity building activities shall be provided
20 to cover building the capacities of FLCA on leadership, planning, monitoring, and
21 development of child-led advocacies. Age-appropriate and gender-sensitive
22 approaches shall be taken into consideration in the design of the capacity development
23 activities.
24

25 **Section 122.** The LCPC to be led by the LSWDO Focal person shall initiate
26 capacity-building activities for the FLCA upon composition of the group. The Regional
27 Sub-Committee on the Welfare of Children (RSCWC) shall provide technical assistance
28 to the LCPC in the capacity building of the FLCA. The capacity development plan for
29 the FLCA shall be submitted by the LSWDO to the RSCWC.
30

31 **Section 125.** RC/SCWC shall lead in the monitoring of the implementation of
32 LGUs on the institutionalization and progress of the strategic plan of the FLCA.
33

34 **Section 126.** FLCA members shall receive an honorarium for every meeting
35 attended the amount of which shall be determined by the LGU.
36

37 **Section 128.** The State shall acknowledge the FLCA as the consultative body
38 for children-related budgetary concerns.
39

40 **TITLE XII**
41 **Governance**
42

1 **Section 129.** The State shall:

- 2 a. Ensure that the views of children on laws, policies, judicial and administrative
3 procedures, and other matters concerning their best interest and the
4 implementation thereof, are given due weight by explaining in a child-friendly
5 manner how such views were considered and applied, and the outcomes they
6 led into.
7 b. Make budget proposals and appropriations available in child-friendly version to
8 inform and engage children of the budget processes affecting his/her well-
9 being.
10 c. Make available to the public through various media the child-sensitive and
11 disability-inclusive version of appropriations.
12 d. Provide means of consultation regarding the needs of the children that must be
13 taken in utmost consideration in appropriations.

14
15 **TITLE XIII**
16 **Ombudsman for Children**
17

18 **Section 130.** Consistent with its constitutional mandate and functions, the
19 CHR is hereby designated as the Ombudsman for Children (Child Ombud). In general,
20 as the Child Ombud, the CHR shall:

- 21 a. Advocate for the promotion and protection of children's rights;
22 b. Strengthen its Child Rights Education Program;
23 c. Investigate violations including those committed by private institutions or by
24 private individuals;
25 d. Monitor the government's compliance with its treaty obligations particularly the
26 UNCRC; and
27 e. Recommend appropriate measures to Congress and the concerned
28 departments of the government for its prompt and immediate action on matters
29 affecting children.
30

31 **Section 131.** In order to protect and promote children's rights, the CHR as
32 Ombud for Children shall have the following functions:

- 33 a. Endeavor to represent the rights and interests of children in view of the
34 Philippine's commitments under the UNCRC through submission of independent
35 reports to the Committee on Rights of the Child.
36 b. Monitor and assess the implementation of children's rights in the Philippines,
37 particularly the domestic implementation of the UNCRC. It shall undertake to
38 regularly prepare and submit an independent report to the State's report on
39 the status of children's rights in the Philippines to the UN Committee on the
40 Rights of the Child.
41 c. Monitor with the Philippine Commission on Children (PCCh) and other
42 concerned agencies, compliance with the Act. In developing indicators and

1 issuance of guidelines for its implementation by concerned agencies, CHR shall
2 ensure that the human rights of children, specifically their right to survival,
3 development, protection and participation are promoted and guaranteed. As
4 such, the best interest of the child is the primordial consideration at all times.

- 5 d. Establish avenues, processes, guidelines and mechanisms that will facilitate
6 access of children to legal remedies under the Act and other related laws, and
7 enhance the protection and promotion of the rights of children, especially the
8 vulnerable and marginalized children.
- 9 e. Assist in the filing of cases against individuals, agencies, institutions,
10 organizations or establishments that violate the provisions of the Act. For this
11 purpose, the CHR shall:
- 12 1. Provide legal assistance such as preparation of necessary pleadings,
13 referral letters, and counseling;
 - 14 2. Enter into Memoranda of Agreement with Bar Associations, NGOs, law
15 firms, civil society organizations and academic institutions providing legal
16 aid to ensure adequate and competent legal representation for
17 complainants;
 - 18 3. Accredite lawyers who will accept pro bono cases under the Act; and
 - 19 4. Create an efficient system of case referrals to appropriate government
20 departments or agencies.

21 Victims of violations of the Magna Carta of Children shall be considered victims of
22 human rights violations, and shall be entitled to other forms of assistance available in
23 the CHR.

- 24 f. Submit to Congress, while furnishing a copy to the Philippine Commission on
25 Children annually an assessment report on the implementation of the Magna
26 Carta. It shall also submit its recommendations, which shall include the filing of
27 any possible administrative or criminal action. Acting on the CHR's
28 recommendations, the Office of the President, the Civil Service Commission, or
29 other concerned agencies may issue any of the following:
- 30 i. Administrative and/or Executive Orders
 - 31 ii. Memorandum Circulars
 - 32 iii. Proclamations
 - 33 iv. Resolutions, and
 - 34 v. Other advisories or issuances
- 35 g. Advise and propose to the Government the adoption or amendment of laws,
36 programs, policies or measures that promote the rights and interests of
37 children;
- 38 h. Ensure child participation in all its programs and undertakings where
39 appropriate. It shall establish programs that will increase the knowledge of
40 children of their rights. It shall, likewise, promulgate rules that will facilitate
41 regular consultations with children on issues concerning the realization of
42 children's rights;

- 1 i. Undertake, promote or publish research and conduct advocacy activity on
- 2 matters relating to the rights and welfare of children;
- 3 j. Work in collaboration and coordination with stakeholders in dealing with
- 4 issues concerning children.

5
6 **Section 132.** The CHR En Banc shall designate one (1) focal Commissioner,
7 who, together with the Child Rights Center (CHR-CRC), shall be primarily responsible
8 for spearheading and overseeing the discharge of the functions of the CHR as Child
9 Ombud. In particular, they shall spearhead and oversee the formulation of protocols,
10 guidelines, policies and the implementation of programs and activities related to the
11 promotion and protection of the rights of children.

12
13 **Section 133.** The Regional Offices of the Commission shall discharge the
14 functions of the Ombud for Children within their respective jurisdictions in
15 collaboration with the Local Council for the Protection of Children (LCPC), and Local
16 School Boards. They shall implement programs, undertake investigations of
17 complaints of discrimination and violations of rights under the Magna Carta.

18
19 **Section 134.** Within one (1) year from the adoption of the Rules and
20 Regulations, the CHR with the assistance of the DBM shall rationalize the structure
21 and its staffing pattern particularly of the CHR-CRC and the Regional Offices to
22 effectively and efficiently execute its functions.

23
24
25 **TITLE XIV**
26 **PHILIPPINE COMMISSION ON CHILDREN**

27
28 **Section 135.** There is hereby created a Philippine Commission on Children
29 (PCCh), which is an independent and autonomous body that has the status akin to a
30 national government agency (NGA). It shall be attached to the Office of the President.
31 The creation of the Commission abolishes the Council for the Welfare of Children
32 (CWC). The appropriations, personnel, programs, and activities of the CWC, including
33 its membership to existing committees, councils, and other inter-agency bodies, shall
34 be transferred to the Commission.

35
36 **Section 136.** The Commission shall be composed of a Board of Commissioners
37 headed by the Chairperson. The Chairperson and the members of the Board of
38 Commissioners shall be appointed by the President for a term of three (3) years,
39 subject to one (1) reappointment. The Board of Commissioners shall be composed of
40 the following members:

- 41 a. One (1) Commissioner-at-Large;

- 1 b. Four (4) Commissioners on Child Protection, Child Health and Nutrition, Child
- 2 Development, and Child Participation;
- 3 c. Executive Director of the Commission; and
- 4 d. A Child Representative.

5 The Chairperson of the Commission shall have the rank and privileges of a Department
6 Secretary. The appointive Commissioners shall have the rank and privileges of a
7 Department Undersecretary. They shall be entitled to compensation and other
8 emoluments and shall be subject to the same disqualification.

9 The Child Representative shall be selected through a transparent and participatory
10 selection process through the Philippine National Children's Conference (PNCC),
11 ensuring that the chosen representative reflects the diverse voices and experiences of
12 Filipino children across the country. The Child Representative shall be an active
13 member of a legitimate children's organization and shall be appointed by the President
14 for a term of three (3) years, subject to one (1) reappointment.

15
16 **Section 138.** To achieve the objectives of the Commission, it shall have the
17 following powers and functions:

- 18 a. Provide leadership in the formulation of policies and the setting of priorities and
- 19 direction of all child promotion and development programs and activities;
- 20 b. Act as the leading advocate for child rights and wellbeing, promoting their
- 21 integration into all relevant government policies, plans, and programs;
- 22 c. Formulate integrated national plans, policies, programs, and projects including
- 23 services relative to the development of general welfare and protection of the
- 24 best interests of the child;
- 25 d. Coordinate the implementation and enforcement of policies, plans, and
- 26 programs relative to the promotion and protection of children's rights and
- 27 welfare;
- 28 e. Set up a system of networking and coordination with and among all existing
- 29 government agencies and non-government organizations (NGOs) for the
- 30 effective implementation of plans and strategies for children;
- 31 f. Serve as an oversight body over committees, councils, and other structures and
- 32 recommend areas of convergence for improved and efficient coordination,
- 33 information-sharing, and monitoring of the safety and well-being of a child;
- 34 g. Review, monitor, and evaluate all local and international policies, plans, and
- 35 programs on the rights of the child, by establishing a monitoring and evaluation
- 36 system that shall serve as the primary monitoring, evaluation, and reporting
- 37 tool of the Commission;
- 38 h. Ensure the establishment of a 24/7 monitoring, reporting, and response system
- 39 that would cater to all children's concerns;
- 40 i. Provide technical assistance and capacity building at all levels for the effective
- 41 implementation of policies, plans, and programs of the Commission, especially

1 those that involve the setting up or strengthening of mechanisms for, by, and
2 with children;

- 3 j. Maintain strong partnerships with the LGUs and local communities to facilitate
4 closer collaboration, tailored interventions, and responsive action to the specific
5 needs of children at the grassroots level;
- 6 k. Mobilize resource assistance and call upon and utilize NGAs, LGUs, and other
7 public and private instrumentalities, for such assistance as it may require in the
8 performance of its functions;
- 9 l. Ensure convergence of efforts in addressing children's issues and concerns
10 among council and committees through improved and efficient coordination in
11 planning, data-sharing, and aligning monitoring and oversight practices;
- 12 m. Submit an annual comprehensive report on its activities and accomplishments
13 to the President and to Congress;
- 14 n. Accept grants, contributions, donations, endowments, bequests, or gifts in
15 cash, or in kind from local and foreign sources in support of the development
16 and implementation of child rights and welfare programs and plans: Provided,
17 That in case of donations from foreign governments, acceptance thereof shall
18 be subject to prior clearance and approval of the President of the Philippines
19 upon recommendation of the Secretary of Foreign Affairs; Provided, further,
20 That such donations shall not be used to fund personal services expenditures
21 and other operating expenses of the Commission; and
- 22 o. Perform such other functions as may be necessary to effectively carry out the
23 provisions of this Act.

24
25 **Section 139.** The Commission shall be supported by a Secretariat that will
26 serve as its executive arm to be headed by an Executive Director, who shall take
27 charge of the day-to-day operations of the Commission and shall serve as a member
28 of the Board of Commissioners. The Executive Director shall take charge of the
29 administration, direction, and supervision of the Secretariat and ensure the
30 implementation of the Commission's resolutions and decisions.

31 There shall be two (2) Deputy Executive Directors, who shall assist and advise the
32 Executive Director on child-related concerns and on the overall direction and
33 supervision of the day-to-day operations of the Secretariat. They may take charge of
34 any special projects and programs assigned by the Executive Director.

35 The Executive Director and Deputy Executive Directors shall be appointed by the
36 President and shall respectively have the rank, privileges, and emoluments of a Career
37 Executive Service Officer I and Career Executive Service Officer II and shall receive
38 other allowances and benefits as may be provided by law.

39 The Commission shall determine its organizational structure and create new bureaus
40 as it may deem necessary and shall appoint its officers and employees in accordance
41 with the civil service law, rules, and regulations.

1 **Section 141.** The Convergence of Councils and Committees on Children (4Cs)
2 shall be created as a system of collaboration and coordination among all Councils and
3 Committees to specifically address concerns on children. It shall ensure effective and
4 harmonious work relationships among all structures on children and address their
5 issues at the national, regional, and local levels.

6
7 **Section 142.** The Commission shall take the necessary measures to ensure
8 the implementation of its National Plan of Action for Children and all other related
9 frameworks in all the geographic regions of the country through the establishment of
10 Regional Offices on Children under the Commission Secretariat.

11 Further, pursuant to Republic Act No. 4881, there shall be a LCPC at all levels, which
12 shall spearhead the development and implementation of the Local Development Plan
13 for Children, Local Investment Plan for Children, and the Local Code for Children. The
14 LCPC shall submit to their respective Regional Office on Children an annual Local State
15 of Children’s Report for consolidation and submission to the Commission Secretariat.
16 In recognition of the crucial role of LCPCs in promoting child well-being at the local
17 level, their annual budget allocation shall be increased from the current one percent
18 (1%) to at least two percent (2%) of the total annual budget appropriations of their
19 respective LGUs.

20 The Commission on Audit (COA) shall, together with the Commission, conduct an
21 annual audit on the use of the allotted budget to determine its judicious use and the
22 efficiency and effectiveness of interventions in addressing child-related issues towards
23 the realization of the objectives of the country's commitments, plans, and policies on
24 children.

25
26 **TITLE XV**
27 **Philippine National Children’s Conference (PNCC)**
28

29 **Section 144.** The Philippine National Children’s Conference (PNCC) shall be a
30 biennial event facilitated by the Philippine Commission on Children (PCCh), that shall
31 serve as a platform to promote the right of children to participate in all matters
32 affecting their lives. It is also a mechanism for consultation on how children can be
33 actively engaged by the government and non-government agencies in addressing
34 children’s issues and have an appreciation of current and emerging issues affecting
35 them. The Philippine National Children’s Conference shall be held after the Local and
36 Regional Children’s Conference.

37
38 **Section 145.** The PNCC shall also serve as the in-country process for selecting
39 children delegates to the ASEAN Children’s Forum (ACF).

40
41 **CHAPTER VIII**
42 **FINAL PROVISIONS**

1
2 **Section 146. *Monitoring and Reporting System.*** – The State, through the
3 PCCh, shall ensure the implementation of the provisions of this Act and shall submit
4 to the President and to Congress of the Philippines the annual report thereof.
5

6 **Section 147. *Appropriations.*** – The amount necessary to cover the initial
7 implementation of this Act shall be charged against the current year’s appropriations
8 of the concerned implementing departments/agencies. Thereafter, the amount
9 necessary for its continued implementation shall be included in the budgets of the
10 concerned departments/agencies in the annual General Appropriations Act.
11

12 **Section 148. *Implementing Rules and Regulations.*** – The PCCh, together with
13 its member agencies, in consultation with non-government organizations with
14 advocacy on the upholding of the Rights of the Child, shall promulgate the
15 implementing rules and regulations of this Act within ninety (90) days from its
16 approval.
17

18 **Section 149. *Congressional Oversight Committee on the Magna Carta of***
19 *Children* – There is hereby created an oversight committee on the MCC which shall be
20 composed of the chairpersons of the Committee on Children in the Senate and in the
21 House of Representatives, PCCh, CHR, DSWD, and one CSO representative which shall
22 be determined by the aforementioned government agencies.
23

24 **Section 150. *Suppletory Application.*** – For purposes of this Act, the Revised
25 Penal Code, as amended, Presidential Decree No. 603, Republic Act No. 7610,
26 Republic Act No. 8972, Republic Act No. 9208, Republic Act No. 9231, Republic Act
27 No. 9851, Republic Act No. 10364, Republic Act No. 11148, Republic Act No. 11188,
28 Republic Act No. 11166, Republic Act No. 11596, Republic Act No. 11930 and other
29 applicable laws shall have suppletory application.
30

31 **Section 151. *Separability Clause.*** – If any part or provision of this Act is
32 declared invalid or unconstitutional, the other parts hereof not affected thereby shall
33 remain valid.
34

35 **Section 152. *Repealing Clause.*** – All laws, acts, presidential decrees,
36 executive orders, administrative orders, rules and regulations inconsistent with or
37 contrary to the provisions of this Act are deemed amended, modified or repealed
38 accordingly.
39

40 **Section 153. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
publication in the Official Gazette or in a newspaper of general circulation.

Approved.